

the lines mentioned in part (a) and | the number 8 mentioned by the hon. Minister is a small one? May I know how many other cases were considered and the decision taken?

SHRI K. K. SHAH : Madam, 7 more were suspended but again after watching they started.

श्री ब्रजकिशोर प्रसाद सिंह : मैं माननीय मंत्री का ध्यान प्रश्न के (क) भाग के दूसरे हिस्से पर दिलाना चाहता हूँ, जिसमें यह है कि "राष्ट्र विरोधी गतिविधियों को बढ़ावा देते हैं"। क्या माननीय मंत्री यह समझते हैं कि जो तथाकथित राष्ट्रीय अखबार हैं जो कि सही मानों में अराष्ट्रीय अंग्रेजी अखबार हैं हमारे देश में भाषायी प्रश्न को इस तरह से रख रहे हैं; जिससे कि विभिन्न भाषायी क्षेत्रों में आपस का विरोध बढ़ता है, तो उनको वह राष्ट्र विरोधी समझते हैं या नहीं। और इन अखबारों को क्यों ये सारी सुविधायें दी जा रही हैं। सिर्फ इसलिये कि वह अपने को राष्ट्रीय अखबार कहते हैं हालांकि रोज रोज ऐसी बातें करते हैं, जिससे कि राष्ट्र की एकता को खतरा पैदा होता है।

श्री के० के० शाह : रेखा दोनों के बीच में निश्चय करना इतना कठिन है, एक ओपि-नियन इनकी हो सकती है और दूसरी ओपी-नियन हमारी हो सकती है।

SHRI A. D. MANI: Madam, may I ask the Minister whether he is not aware of the fact that the entire newspaper profession has condemned the withholding of advertisements on political and other grounds and whether, in view of the stand taken by the newspaper profession in this matter, he would refer all the cases mentioned in part (a) of this question, cases of "indulgence in virulent propaganda" etc. etc. to the Press Council and not penalise a newspaper by withholding 'advertisements? Because the Press Council is charged with admonishing a newspaper, the Government is prevented from taking punitive action of the kind suggested by the question.

SHRI K. K. SHAH: Since the regulations have been framed by the Press Council, we propose to refer the case to the Press Council.

\*483. [The questioners (Shri Arvindaksham Kaimal and Shri Niren Ghosh) were absent. For answer, vide cols. 3530-3531 infra.]

#### LONDON COURT OF APPEAL'S DECISION ON IMMIGRATION

\*484. SHRI A. D. MANI: Will the PRIME MINISTER be pleased to state:

(a) whether the Court of Appeal in the United Kingdom has recently decided that passports in the name of the Queen for immigration purposes were not executive acts of the British Government and therefore did not entitle the holders the right of entry into the United Kingdom;

(b) if so, what is the effect of this judgment on persons of Indian origin in Africa and Mauritius holding British passports; and

(c) whether any representation has been made to the Government of India asking for their help in getting over these complications in London?

THE DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI SURENDRA PAL SINGH) : (a) Under the United Kingdom's Commonwealth Immigrants Act 1962, only such persons as are born in the United Kingdom or who hold United Kingdom passports describing the holder as a citizen of the United Kingdom and Colonies are freely entitled to enter the U. K. without having to go through the prescribed immigration procedure. All other persons, including persons holding British subject passports and British protected persons, are required to go through the prescribed immigration procedure before entry into the United Kingdom. In July this year the Appeal Court in Britain rejected the plea of 8 Mauritians that they were automatically entitled to stay in Britain holding that Parliament had intended that the Act (Commonwealth Immigrants Act 1962) should apply to persons coming to the U.K. not only

from the now independent (erstwhile British) territories but also from British Colonial territories (e.g. Mauritius).

(b) A large number of persons in Africa (principally in East Africa and Mauritius) hold British passports. A number of these are full citizenship passports and the remainder are British subject passports. Those who are citizens of the U.K. and Colonies may freely enter the U.K. The others will have to go through the formalities prescribed for immigrants into the U.K.

(c) No, Madam.

SHRI A. D. MANI: Madam, may I ask the Minister whether he is not aware of the fact that the Government of India had advised Indian nationals resident abroad, particularly in Africa, to accept British citizenship so that they may identify themselves with the destinies of those territories in which they lived and that as a result nearly 16,000 persons of Indian origin accepted British passports, and yet, have become, as a result of this judgment of the Court of Appeal Stateless citizens? They do not want to stay in Africa. They want to migrate to some other country. They are not allowed to come to India because they had ceased to be Indian citizens. May I ask whether it is not a fact that the Government has a moral obligation to help those persons whom it advised to accept British citizenship?

SHRI SURENDRA PAL SINGH: Madam, it is not correct that we gave the advice that they should take up British citizenship and take British passports. We advised them to take the local citizenship of Kenya, etc., and if they decided to retain their British citizenship, it was their choice.

SHRI A. D. MANI: When India became a Member of the Commonwealth, it was understood at that time—and this assurance was given to other Members of the Commonwealth—that Commonwealth citizenship did away with the prescribed immigration procedure as far as Britain was concerned. On that basis we accepted our position in

the Commonwealth. In view of the fact that this judgment of the Court of Appeal seeks to disenfranchise a large number of Commonwealth citizens, would the Prime Minister consider taking up this matter at the next Commonwealth Prime Ministers' Conference in London, or wherever it may be held?

SHRIMATI INDIRA GANDHI: It is a suggestion for action.

DR. B. N. ANTANI: In view of the fact that those who are to be affected by this judgment took British passports on the advice of India's representatives in these countries in concurrence with the support of the British authorities there will the Government of India grant them Indian passports in place of these now invalid passports?

SHRI SURENDRA PAL SINGH: I have already said that we never gave them an advice of that nature.

THE DEPUTY CHAIRMAN: Yes, that answer was given.

\*485. [The questioner (Shri N. R. Muniswamy) was absent. For answer, vide col. 3531 infra.]

\*486. [Transferred to the 20th December, 1967.]

†भारत में पाकिस्तानियों द्वारा घसपेट

\* 432. श्री निरंजन वर्मा : क्या प्रधान मंत्री यह बताने की कृपा करेंगी कि :

(क) क्या यह सच है कि 15 सितम्बर, 1967 तक पाकिस्तान के कुछ हिन्दू अवैध रूप से पश्चिमी पाकिस्तान से भारत में घुस आये थे;

(ख) यदि हाँ, तो उनकी संख्या क्या है और भारतीय क्षेत्र में घुसने का उनका उद्देश्य क्या है; और

(ग) क्या सरकार ने नेहरू-लिखाकत अली पैकट के अन्तर्गत इन लोगों के विषय में पाकिस्तान सरकार को लिखा है ?

• [Transferred from the 8th December, 1967.]