

will find the Inspectors and Sub-Inspectors with full police force there and they would not allow anybody to see the abducted person. No alleged abductor or his relations is allowed to see her and she is kept in constant fear to obtain a statement from the abducted person that she does not want to go back to the person with whom she had lived all these years. The Bill has my full support, but the manner in which the Act is being worked does not inspire confidence and has not yielded good results. If it had been worked in the true spirit, such difficulties would not have been experienced. With these words, I support the Bill.

SHRI A. K. CHANDA : I have nothing to add, Sir.

MR. DEPUTY CHAIRMAN : The question is :

That the Bill be passed,

The motion was adopted.

THE INFLUX FROM PAKISTAN (CONTROL) REPEALING BILL, 1952

MR. DEPUTY CHAIRMAN : The hon. Mr. Bhonsle :

THE DEPUTY MINISTER FOR REHABILITATION (SHRI J. K. BHONSLE) : SIR, I beg to move :

That the Bill to provide for the repeal of the Influx from Pakistan (Control) Act, 1949, as passed by the House of the People, be taken into consideration.

Sir, as the House is aware, traffic between India and Pakistan was since the middle of 1948 regulated by system of permits. The Indian law which regulated entry into India of persons coming from Pakistan was the Influx from Pakistan (Control) Act of 1949—Act XXIII of 1949. In practice, exemptions were issued to facilitate freedom of movement in the eastern zones. In such cases, therefore, persons coming from East Pakistan were exempted from being in possession of a passport except for those in West Pakistan, who desired to

come into India through East Bengal. In April this year, the Government of Pakistan for the first time communicated to the Government of India its intention to replace the permit system by a system of passport. This proposal was considered by us on merits and as the House is aware, we were averse to increasing in any degree the hardship of the people who have to make *bona fide* visits from one country to the other. Especially we were averse to the introduction of restriction for the first time on traffic between East Bengal on the Pakistan side and the Indian States bordering East Bengal. Such traffic had been free of all restrictions till then and the restrictions which the passport system would impose on them amounted for the first time to a negation of the freedom of movement granted to these people under the Prime Ministers' Pact of April 1951. The Government of Pakistan could not see eye to eye with the views of the Government of India. In the circumstances, the Government of India could only try to ensure that the hardships of the people who have to make journeys from one country to other were minimised as far as possible. It was agreed with the Pakistan Government that the permit system be replaced by a system of passports with effect from 15th October 1952. The repeal of the Permit law was a necessary corollary of the introduction of the passport system and hence the Government promulgated the Influx from Pakistan (Control) Repealing Ordinance, 1952, which repealed the Influx from Pakistan (Control) Act of 1949. The Bill now before the House is designed to convert the provisions of the repealing Ordinance into an Act.

The Bill is a simple one containing the usual repealing clause. The only feature of the Bill which might call for any comment is the savings clause. It is designed to continue in force the penalties attracted under the Influx from Pakistan (Control) Act in respect of those who having come to India on a permit date prior to 15th October 1952, have continued to stay on

[Shri J. K. Bhonsle]
in India and committed or may commit
a breach of the permit conditions.
That is all.

MR. DEPUTY CHAIRMAN :
Motion moved :

That the Bill to provide for the repeal of
the Influx from Pakistan (Control) Act,
1949, as passed by the House of the People,
be taken into consideration.

SHRI V. S. SARWATE (Madhya
Bharat) : Sir, the Bill is said to be a
simple Bill. I do not know whether
I can agree with this remark. But
before dealing with the other provisions
of the Bill, I would submit that the
last clause, clause 3 (2), is unnecessary
or superfluous. The General Clauses
Act and all its provisions are assumed
to be included in whatever law that
may be passed. So, there is absolutely
no necessity for that part of the clause,
that is for the words, "For the removal
of doubts it is hereby declared that the
provisions contained in sub-section (1)
shall be without prejudice to the general
application of section 6 of the General
Clauses Act, 1897 (X of 1897)". Even
if that provision is not there, it would
not make any difference. The only
thing that Section 6 of the General
Clauses Act says is that the making
of a new law would not affect the
previous operation of any enactment.
That fact has been taken note of by
law and even if you do not mention
this clause here, there will be no
difference. The hon. Minister should
think over the necessity of this clause.

As regards the provisions of this
Act, I fail to understand why this
system of permit should be replaced
by a system of passports. What is
the benefit of passports over the
system of permits ? The statement of
objects does not make this clear. I
have compared the Passport Act with
Act XXIII of 1949 which makes it
necessary for any person coming into
India from Pakistan to have a permit
while the passport system will only
enable the Government to make certain
rules by which certain persons entering
into India might be made to require
passports under certain conditions.

But the difference thus is this Permit
Act is compulsory while the other was
only an enabling Act. But by section
4 of the Permit Act there is power given
to Government to make rules by which
Government could provide for the
exemption, either absolutely or on
conditions, of any person or class of
persons from the requirement of being
in possession of a permit or from the
operation of any rule made under that
section. Now there is no question
left regarding influx from West
Pakistan. The question is regarding
influx from East Pakistan. If the
Government wishes that there should
not be any trouble or that facilities
should exist for persons coming in
from East Pakistan, they have only to
make rule under this providing for
exemptions on certain conditions. Just
as the mover explained that they
wanted that there should be no difficulty
in the way of people coming from
West Pakistan.....

SHRI J. K. BHONSLE : It is wrong.
I said from East Pakistan.

SHRI V. S. SARWATE : Whatever
may be, you have taken certain action.
Under this provision I fail to under-
stand why then Government wants
this measure by which every person
is required to have a permit. What
follows is this that the Government
are to make rules under the Passport
Act. The Passport Act is an enabling
one. Government can make certain
rules under it. By this they are giving
away the powers that they already have
got. Where is the advantage in this ?
I don't mind what is the agreement
between the Pakistan Government and
the Government of India. The
Government of India have already
passed a law. Have they anywhere
agreed that that law will be repealed ?
If not, they are in no way bound to
repeal that Act. The 1949 Act has
certain advantages over the 1920 Act
of Passports. The mover should ex-
plain to us what is the advantage of
passports over permits. I don't under-
stand that because the Pakistan Govern-
ment introduce the system of pass-
ports, therefore the Government of

India must also reciprocate and introduce this system of passport. They have already the system of permit. So this is not necessary. Therefore I feel that this Bill seems to be superfluous and is not in any way advantageous to the Government. So I submit that unless he explains this more satisfactorily and says what is the need for doing away with the present system we cannot support this.

THE MINISTER FOR LAW AND MINORITY AFFAIRS (SHRI C. C. BISWAS): With reference to the remarks which my hon. friend has made, may I point out that he is labouring under a misapprehension. I shall first deal with the first point he made. If I heard him aright, he contended that in view of the provision in sub-clause (2) of clause 3, sub-clause (1) is redundant. The General Clauses Act Section 6 provides that the repeal of any enactment does not affect the operation of the Act which is repealed thereby. Quite true, but if he will look at sub-clause (1) of clause 3 he will find that there is specific reason given why this sub-clause has been incorporated in the Bill. It is a fact that the introduction of the passport system has put an end to the Influx from Pakistan Control Act, and that Act is therefore being repealed, and the repeal will not affect the validity of any permits which might have been issued under the previous Act. The question however is, supposing a permit was issued and then in violation of the conditions of that permit a person tries to go back to Pakistan or *vice versa*, whether and how in such a case, the man can be punished for the breach of this permit. It might be argued that the permit is no longer in force. Whatever that may be, there is a breach of the permit. Is it suggested that for such a breach of the permit, the offender will go unpunished? It is only to secure that object that this specific provision has had to be made. It says this :

“Any person who commits a breach of any of the conditions of the permit or against whom a reasonable suspicion exists that he has committed such breach, may be prosecu-

ted, punished or proceeded against under section 5 or section 7 of the Act hereby repealed as if the said section had continued in force.

In order to remove all doubts about the matter, there was this provision. That is all. There is no question of enacting something repugnant or superfluous. Nothing of the kind. What would be the use of allowing such an argument to be raised at all? It is much better to put an end to all possible doubts on the question. That is the object.

The other question which he raised is, “Why did you do away with the permit system and why are you having the passport system in its place?” That is another story. Right or wrong, the passport system is now in force. There is already an Act which has been passed by Pakistan, and on our side although a similar enactment has not yet been passed, still the position is that the passport system is in operation on both sides of the border. If that be so, it automatically means a termination of the permit system. Movement between the two countries was so long regulated by the permit system. Whether that was good or bad, that is an entirely irrelevant question so far as this Bill is concerned. The Passport System has been introduced in supersession of the permit system which was in force for the purpose of regulating traffic between the two countries. Therefore, the Influx from Pakistan Control Act, 1949, automatically came to an end. It has been repealed by an Ordinance and the Ordinance is now made into a law. There is no change except what is consequential on the introduction of the Passport System. I submit the question as to whether the Passport System is good or bad, whether it should have been introduced or not is an entirely different proposition with which we are not concerned at this stage. That may be a question of policy or may not be a question of policy, that might be good or bad but there it was—whether Pakistan forced it upon us and we had to submit to it or we had both concurrently introduced this system in both countries—that is entirely irrelevant.

[Shri C. C. Biswas.]

Now that the passport system is there, the permit system must go. No doubt, Pakistan's contention is that the permit system was an out-moded system and that it should be replaced by something better. Now so far as the Western zone is concerned, this is a claim which may be granted as having some plausibility. But what is the case as between East Bengal and West Bengal? Between East Bengal and West Bengal, there was absolute freedom of movement and no restriction. So whatever the restriction be, whether passport or permit system, it would be repugnant to the preceding state of things. So far as Western Pakistan and India are concerned, the matter stands on a different footing. You have had to take out a permit before you could cross the border. Very well. That meant that for every journey that you made, you had to take a permit. But if you have a passport system, on the international basis, it is valid for five years and this will do away with the necessity of applying for and obtaining a permit or Travel document on each occasion. Certainly, as between two countries where already a permit system was in operation the passport system would be better. That is all that is in it. I submit that the other considerations do not arise at the present stage.

SHRI J. K. BHONSLE : Sir, I have.....

MR. DEPUTY CHAIRMAN : The question is :

That the Bill to provide for the repeal of the Influx from Pakistan (Control) Act, 1949 as passed by the House of the People, be taken into consideration.

The motion was adopted.

MR. DEPUTY CHAIRMAN : Now we take up the clause by clause consideration of the Bill. There are no amendments to this Bill.

Clauses 2 and 3 were added to the Bill.

Clause 1, the Title and the Enacting formula were also added to the Bill.

SHRI J. K. BHONSLE : Sir, I move :

That the Bill be passed.

MR. DEPUTY CHAIRMAN :
Motion moved. :

That the Bill to provide for the repeal of the Influx from Pakistan (Control) Act, 1949, as passed by the House of the People, be passed.

SHRI B. GUPTA (West Bengal) : Mr. Deputy Chairman, it is most unfortunate that today we should have entered into the position when the people of the two countries would be required to take passports for travelling from one country to the other. We thought, Sir, that after the partition of the country, efforts would be made on either side to so create a situation that we could heal our wounds, that the two countries would develop better and congenial relations, that the people of one country would be free to extend their hand of friendship and fraternity to the people of the other country. But that has not been possible. That has not been at all possible, not because the people have lost their elemental patriotism. That has not been possible because certain reactionary forces not only in this country, but also in Pakistan, have seen to it that we do not develop the relations that should be developed. Behind all this, Sir, we know, lie the machinations of Britain and America who flourish on the differences and conflicts between our countries and who flourish on the hostilities and warlike situations prevailing there. That is why today we find that even after five years, after five years since the partition of India, notwithstanding all the bitter lessons of the past, we have had to come to the system of passports. The hon. Minister has said that it cannot be helped. Permit has given way to passport. This system creates conditions for bitterness as we have already noticed. There are politicians in our country who want retaliatory action against Pakistan just as there are politicians in Pakistan who want retaliatory action against India and those politicians are responsible not only for the miseries that have already beset us, but also the miseries that loom ahead of us. Sir, I have

noted that the hon. Minister has pleaded a kind of helplessness. I know, Sir, that the Government is desirous of considering the whole matter of passport and is prepared to give it up provided the Government of Pakistan would do the same. In so far as this declaration of the Government of India is concerned, we certainly welcome it but it is not merely a question of declaration today. What is essential is to act upon such declarations. What is essential today is to take practical steps consistent with the exigencies and the realities of the situation so that this passport which is a cursed system, which has already brought about so much of sufferings on both sides of frontiers, would go. It is no use expressing helplessness in this matter. Government has got the power and if it has got also the good-will, I have not a doubt in my mind, Sir, that the entire country will rally to all creative and positive measures that may be taken to abolish this system. It is a nightmare through which we are passing. Sir, East Bengal and West Bengal—I am talking about that part of India and Pakistan from where I come—are separated by artificial barriers which have been created by people of bad faith, barriers which have resulted from the failure on the part of the Government of India to take practical steps in good time to stop it, barriers which have come there because the communalists today flourish in the country, barriers which are there because the zamindars and monopolists want such a system. Sir, I wish the Government had realised that thing. I know, Sir, that there are some politicians, communal politicians who think that sanction should be applied against Pakistan just as there are politicians in Pakistan also who do some amount of sabre rattling from their side. We have to fight against these politicians because they are the politicians who are responsible for all that bloodshed, for all that misery, for all that destitution, for all that refugee problems that have arisen since the partition of the country. It does not behove any responsible and powerful Government to give in to these people. After all, it is not the two

countries that had been separated. It is the humanities that have been torn asunder; it is the economic life that has been disrupted today; it is the social ties that have been broken and disrupted today; and yet, in West Bengal, we find in Dr. Bidhan Chandra Roy, the Chief Minister, a person who believes in encouraging the forces that want to create warlike conditions, hostile conditions between India and Pakistan, especially East Bengal and West Bengal.

Sir, we have had a lot of agitation in our part. One side of the agitation—one part of this thing—was led by Dr. Syama Prasad Mookerji, the redoubtable communalist leader who flourishes in communalism and whose political bank fails the moment communal tension disappears.

MR. DEPUTY CHAIRMAN :
The hon. Member should avoid mentioning names.

SHRI B. GUPTA : I am talking about the passport system.

MR. DEPUTY CHAIRMAN :
Please avoid names. No personal attacks.

SHRI B. GUPTA : I will not mention the honourable names. They are so honourable! That honourable gentleman of Bhowanipore, whose name I will not mention, demanded sanctions against Pakistan. And, on the other side, his counterparts, the honourable gentlemen from Dacca, demanded that some strong action should be taken against the Government of India, and demanded that the Government of India should be brought to its senses. That is how they began their skirmishes on both sides.

And what has been the result? Migrations have taken place. Refugees have come, uprooted from their soil, and they have been left absolutely helpless in the street of Calcutta. There was none of these leaders to

[Shri B. Gupta]

give them relief and succour. In that situation it was necessary for both sides to think afresh, to review the situation in the light of the live experiences we were going through, in view of the miseries that were crowding upon us and of the spectacle of unaccountable suffering of humanity that was there in the streets of Calcutta. Instead of doing that, politicians on this side, politicians of the Bhowanipore type, I have mentioned, started shouting against Pakistan, just as politicians of the Dacca brand, communal politicians, started shouting against India. And whatever little possibilities that we had of reviewing the situation, of seeing that goodwill prevailed, of seeing that good sense dawned, were lost—lost because their hated propaganda for the time being engulfed the high quarters. At a time when every step should have been taken to initiate discussions, some people demanded that the Government of India and the Prime Minister of India in particular, should do a little bit of fighting against Pakistan. They said all kinds of things. Propaganda was let loose. Bad instincts of some backward people were sought to be roused—the same instincts, the same passions, that brought about the sufferings of 1947, that brought about the tragedies of 1947—were sought to be roused in a very calculated and deliberate manner. As a result, we could not proceed further.

Sir, what was the other side of the picture at that time? From the newspapers of both sides you will find that there were people in Pakistan who demanded that the passport system should go; just as there were people on this side who demanded that the passport system should go. That voice was not very loud, because the politicians who rule the country to-day do not allow the democratic voice to be raised to that pitch. In Pakistan that voice had been suppressed. Even so echoes of that voice could be heard all over Bengal. "Nau Belal"

and "Amar Desh" of Dacca and similar newspapers came out with the popular demand; in Sylhet, ladies came out in procession demanding the abolition of the passport system; in Pabna, processions were taken out with similar objectives in view; in Dacca, processions and meetings were held and editorials were written by the papers, I have mentioned that the passport system should not be introduced. All these things were done. It was undoubtedly a silver lining in an otherwise dismal, dark, situation. But politicians, communal politicians, did not see those signs. On the contrary, they derived those developments and instigated passions and feelings in our part of India.

Sir, we and our party raised our voice along with other men of peace and goodwill that the passport system was a system which was not in the interest of either India or Pakistan, that it was against the interests of the entire people. We fought; we agitated; we went to reach the hearts of men, both Hindus and Muslims. Our voice echoed in Pakistan, in various towns and cities. There developed, side by side with the movement for the annulment of the passport system, a movement for those peaceful and fraternal relations between the two countries which alone can guarantee such a situation where passports would not be required. Communal organisations like the Rashtriya Swayam Sevak Sangh came down upon us. Attempts were made to break our meetings and the Government did not take any steps. When the Deputy Leader of the Opposition in the West Bengal Assembly wrote to Dr. Roy protesting against the manner in which the police connived at the actions of the R. S. S. against the Communist Party, the hon. Chief Minister of West Bengal, in reply, wrote:

"My report states that the rioting was provoked by the members of the C.P.I. who made vile propaganda....."

—mark the words "vile propaganda"—

"vile propaganda against the R.S.S. of having caused communal tension in the dis-

tract of Malda. This roused the R. S. S. members to take the offensive and there were brickbats thrown from either side in which one C.P.I. member received injury."

This is a letter, Sir, signed by Dr. B. C. Roy. It is dated 31st October and is written to Miss Manikunlata Sen, Deputy Leader of the Opposition in the West Bengal Assembly, who happens to be a Communist. Naturally we feel that Dr. Roy, the Chief Minister of West Bengal was supporting the R. S. S. which was running that campaign of hate at that time. It was necessary to stop that campaign. If we are at all keen we must see that the conditions remain at least where they are and do not become worse so that we can discuss *de novo* the whole question of passport system. There is a very bold declaration of the Prime Minister of India but.....

AN HON. MEMBER : I would like to know, Sir, whether all these things are relevant at all to the Bill that we are discussing.

SHRI B. GUPTA : Yes, they are relevant. Because every thing relates to it.

MR. DEPUTY CHAIRMAN : Mr. Bhupesh Gupta, we are at the third reading stage.

SHRI B. GUPTA : Well, Sir, I will try to be as relevant as possible. I hope Sir, the mind will be a little relevant. If the mind is not relevant to the live issues....

MR. DEPUTY CHAIRMAN : All these remarks are beyond the point.

SHRI B. GUPTA : Yes, Sir. Now, Sir, that is how the opportunity was lost. That was the time when men of goodwill on both sides were thinking anew, not because certain politicians had made certain propaganda but because certain incidents had taken place on both sides of the frontier which gave the foretaste of what passport would mean to them in future. That is why they were trying to come together to discuss that matter.

At that time there came into the scene those people, the R. S. S., the Hindu Maha Sabha and the Jan Sangh and their top leaders whose sole business is to see that the relations between the two countries become worse and worse. Sir, then here is the Chief Minister. Would you believe, Sir, that this letter could be written by one like the Chief Minister of a constituent State of the Indian Union, whose Prime Minister wants that the passport system should go? If we want the passport system to go, the initiative is on the side of India and it is expected of the Government of India that they would not permit any such steps as would embitter the relations between the two countries and encourage an atmosphere where passports become a necessity. Now, Sir, that is how things developed. Now left with no other alternative, the hon. Minister here has thrown up his arms in despair and says the permit system has to go and the passport system will take its place.

Sir, we expected that we would not live in a state where even permit would be necessary. Now we find ourselves in a place where even passport become necessary and which is far far worse than the permit system. What will it mean? I am not simply blaming the Government for that. But I wish, Sir, the Government had taken some initiative in this matter. Their declaration we have appreciated. Even if we are in opposition, whatever little thing comes from them, which is good and in the interests of the people, is at once reacted upon us in a very friendly manner and the declaration of the Prime Minister of India on passport is one such occasion. But what is necessary today is to develop and evolve concrete steps whereby the initiative in declaration can be translated into initiative in action and that is very essential. I know difficulties are in the way. There are communalists who think that the only way the problems between India and Pakistan could be solved is by a kind of bellicose, belligerent and war-like..

[Shri B. Gupta.]

actions. We do not believe in that

4 P. M.

sort of thing. We know that our people have all kinds of ties. So far as the two Bengals are concerned, one part of the family lives in West Bengal and another part lives in East Bengal, one part of the property is in West Bengal and another part is in East Bengal. This is how we are separated. The trade and commerce and the industry of the two Bengals are so intertwined that one cannot do without the other. That is the position. Now, we have got artificial barriers erected there. Conditions in East Pakistan have deteriorated, and conditions in West Bengal are not bright either. We have the Rehabilitation Minister here who says that we have got about 2,60,000 refugees as a result of the introduction of the passport system. That no doubt has added to our problems. On the other hand, Pakistan has got into an economic crisis. Our mutual supplies have been disrupted, our market has also been disrupted, and Pakistan is now cut off from the industrial centre of West Bengal. The economic crisis has been considerably aggravated by the introduction of this passport system. Now, materially, culturally, socially, economically, in every way, we all stand to suffer. Even so, we find that the passport system is there, it has come to stay, as if we are two foreign countries, absolutely foreign countries, who had not known each other and who could only live in this manner behind barriers, as if we have never moved with each other. This is a drift, a dangerous drift in the situation and I suggest that the Government of India should use its political power to arrest it and create conditions in India so that the Indian democratic movement can grow and inspire, not only by its words but also by its example, the similar movement in Pakistan. We want the friendliest co-operation to be developed between our two countries, and if we do that, then the democratic forces in Pakistan that are growing, even though some people

there have no faith in democratic forces — I am not talking of Nurul Amin but of the Pakistan people—will further develop. After all, what is East Pakistan today has been the land of martyrs of yesterday. It was there that Surya Sen went to the gallows. It was in that very place.....

MR. DEPUTY CHAIRMAN : You have already taken 25 minutes and still I do not find any evidence of your coming to the Bill. You are merely drifting.

SHRI C. C. BISWAS : Is he advancing arguments in support of the Bill or for the rejection of the Bill ?

SHRI B. GUPTA : Sir, I listened to the debate in the other House on this matter.

MR. DEPUTY CHAIRMAN : That is why you should not repeat it here.

SHRI B. GUPTA : I may tell the House, Sir, that this involved certain basic policies. We want the Government to take steps:.....

MR. DEPUTY CHAIRMAN : The Bill has passed out of the consideration stage. We have also completed the clause by clause consideration stage. The Bill is now in its third reading stage and whatever you say will have to be relevant to the third reading.

SHRI C. C. BISWAS : At this stage, the only argument can be either in support of the Bill or for the rejection of the Bill. Whether he is opposing the Bill or supporting the Bill, I do not know.

MR. DEPUTY CHAIRMAN : I am yet to understand whether he is supporting or objecting to the Bill.

SHRI B. GUPTA : I do not know what I would be doing later on at the time of the vote-taking. Only time will show. I hope the hon. Minister will kindly listen to my concluding remarks. Now, Sir, it seems that this passport system has come to stay. Now let us not reconcile ourselves to

this passport system. Let us take it as something which has come upon us even though we do not want it. If this is the outlook, if this is the attitude, the Government will have to work out steps, concrete steps, political steps whereby this hated system can be eliminated, and therefore, Sir, I would request the Government, even after the passage of this Bill, to reopen negotiations, to take the initiative in a noble cause—if you take the initiative in a noble cause, it will only add to your prestige if you have any prestige still left. I would request them to reopen negotiations with the Government of Pakistan so that the hon. Minister can come and tell us later on, “We have decided by common consent that this passport system is not necessary. Therefore, gentlemen, hon. Members of the Council of States, let us repeal the Act.” We look forward to that day. We want you to come forward as soon as possible with measures for abolishing this system which nobody wants either in Pakistan or here in India. Therefore, Sir, I appeal again and again to the Government of India that they should take early and concrete steps so that this passport system can be totally eliminated, as far as the relations between these two countries are concerned. We want to live in friendship and cooperation between community and community and there is no need at all why there should be such artificial barriers—barriers which have proved to be extremely harmful to all concerned on both sides of the frontier.

SHRI B. C. GHOSE (West Bengal) : Sir, ...

MR. DEPUTY CHAIRMAN : Does the hon. Member support the Bill ?

SHRI B. C. GHOSE : Sir, I am in a peculiar position.

MR. DEPUTY CHAIRMAN : I hope you will not take long.

SHRI B. C. GHOSE : I do not know whether I shall be relevant—

MR. DEPUTY CHAIRMAN : Please be short. It is a repealing Bill and there is no amendment.

SHRI B. C. GHOSE : Sir, I would not have participated in this debate at all unless certain irrelevant things were mentioned here about the policy or the wisdom of certain parties in West Bengal and one of those Parties is a Party to which I belong. Therefore, it has become my duty to say something about the position. As a matter of fact, I am not in favour of the passport system. As far as I know, the Government of this country is also not in favour of the passport system. It was the force of circumstances that made them accept the system—because, Pakistan introduced the system and they had no other alternative in the matter. I am aware that there are ties, social, cultural and economic, between the two Bengals and the partition has not affected anybody more than ourselves. But in the case of those of us, who come from East Bengal and who have their friends and relations in East Bengal, the situation is such that we have to take some action. The hon. Member who just now sat down referred to certain Parties that were being run by certain persons in Bengal and spoke of the policy they were pursuing in the present circumstances. He made a reference that that movement was being led by a gentleman who is a Member of the other House. Sir, it was a merely a question of certain parties agreeing on certain specific measures. That is nothing new. The Party to which my hon. friend who just now sat down belongs had also in the past come into alliance with several parties or even with the Government. We know the case of 1942 when they were in alliance with the British Government and was against the national movement.

MR. DEPUTY CHAIRMAN : All these things are as irrelevant as that of Mr. Gupta.

SHRI B. C. GHOSE : I am not saying it as a point against that party—

[Shri B. C. Ghose.

but I submit that they probably sincerely believed that the course they were pursuing was right, that they should align with the Government in the same way, when we had to move against the Railway regrouping in West Bengal, the agitation was carried on by all parties including the Party to which my hon. friend belongs and that agitation in the same way might be said to have been led by the same hon. gentleman who happens to be a Member of the other House. So it was just this : that when certain parties agreed on particular matters they came together. It did not mean that all the parties who came together on a certain matter believed in the principles of the other parties.

SHRI B. GUPTA : I never mentioned it. This is mere anticipation.

SHRI B. C. GHOSE : It was said who were, being communal parties,...

MR. DEPUTY CHAIRMAN : All this is irrelevant.

SHRI B. C. GHOSE : Lastly I would refer to the passport and about economic sanctions about which the hon. Member, who just sat down, spoke. We have advocated economic sanctions, not that we have said that that was the only way to make the Pakistan Government see reason. For five years we have seen certain developments take place. People like Acharya Kirpalani or Jayaprakash Narain are not communalists. They have seen how things have developed. The Pakistan Government have taken recourse to certain measures. We know there is a difference between Pakistan people and their Government and in all our policy we have clearly differentiated between the people and the Government in Pakistan. You may be aware that the Pakistan Government has suppressed the agitation that was led in favour of the Bengali language in East Pakistan, that people like Shri Sachin Sen and Shri Manoranjan Dhar, who were Members of the East Bengal Assembly and who had

stayed there even after the partition and have been working for Hindu-Muslim reconciliation and for amity between the two countries, have been put into prison. Those were the conditions there and we found that people had to come away from Pakistan. It is not the agitation for economic sanctions that has been responsible for the influx of refugees from Pakistan because the influx has taken place before the agitation. It was as soon as the passport system was adumbrated that there was a large influx from East Bengal into West Bengal. Under those circumstances we feel that the policy of the Government of India has not been of any advantage to the minority community in East Bengal. The only policy that the Government of India had enunciated was a policy of the healing touch. That policy we have been pursuing so far—with what result ? Nothing whatsoever. We feel that with the introduction of the passport system, there is danger that it would be forgotten that there was a minority community in East Bengal ; because it has been made difficult for people to come to this country easily and therefore we felt that this problem of minorities in East Pakistan may be soon forgotten if nothing was done about it. We know, Sir, that economic sanctions by themselves may not be sufficient. What is the position today ? Although the two parts of Bengal were economically integrated, there is very little of economic intercourse between the two countries today, not because of the policy of the Government of India, but because of the policy of Pakistan Government. There is no trade between these two parts today compared to what it was. Pakistan has been taking measures after measures against this inter-state trade.

SHRI B. GUPTA : How does sanction restore trade ?

SHRI B. C. GHOSE : It may be true that economic sanctions will not very much injure Pakistan. But all the same we want the Government of India today to take certain measures

to show that we shall not always acquiesce in whatever the Pakistan Government may do. We want that the Pakistan Government should be made to realise that the Government of India also take very strong note of the conditions in East Pakistan. Sir, we are prepared to agree with the Government that economic sanction is not the best means of achieving the result that we want to achieve. In that case, let the Government elaborate some other measure instead of saying that the healing touch will heal all wounds. The wound has not been healed all these five years. The Ministers themselves know that it is not going to heal. The hon. Minister for Minority Affairs himself knows that conditions in East Bengal have not improved. So it is no good telling us things which are not true. It is not for us to initiate the measures. It was for the Government to say in what way the minorities in East Pakistan could be assured of a decent life and be allowed to live in security. It is for the Government to enunciate the proposals and it is not for private parties to enunciate them. Since the Government has done nothing, we suggest economic sanctions so that this may create the impression in the mind of Pakistan Government that the Government of India will not take everything lying down, that the Government of India realises that they have a duty by the minorities in Pakistan, of which there seems to be very little evidence today in this country. That is why we suggested economic sanctions. But if Government have any better method, nobody is going to insist that you should have economic sanctions and economic sanctions only. As I said, it is for the Government to say as to what measures would bring about the desired result.

Sir, I do not want to say anything more.

SHRI J. K. BHONSLE : Sir, I have only to say that the points that Shri B. Gupta tried to make out have no relevancy to the Bill now before the House and that they were made out with the idea of seizing the occasion

to develop his own points of view on certain larger questions rather than on the question now before the House.

MR. DEPUTY CHAIRMAN : The question is :

That the Bill to provide for the repeal of the Influx from Pakistan (Control) Act, 1949, as passed by the House of the People, be passed.

The motion was adopted.

THE WEST BENGAL EVACUEE PROPERTY (TRIPURA AMENDMENT) BILL, 1952

THE MINISTER FOR HOME AFFAIRS AND STATES (DR. K. N. KATJU) : Sir, I beg to move :

That the Bill further to amend the West Bengal Evacuee Property Act, 1951, as extended to Tripura, as passed by the House of the People, be taken into consideration.

I do not have to detain the House very long. In 1950, as the House will remember, there was a great upheaval and after two or three months there was a settlement. One of the terms of the settlement was that the people who had gone away, either from East Bengal or West Bengal in either directions, if they were prepared to come back, they should be returned their property. I am putting it shortly, and, so far as West Bengal is concerned, it means Tripura and Assam, because these are the border areas. The agreement was that it should apply to those people who come back home, so to say, before a certain date and who apply before a certain date. In pursuance of that agreement, the necessary legislation was passed on one side, by the Assam Government and the West Bengal Government and, on the other side, by the East Bengal Government. So far as Tripura was concerned, it was thought that—no such refugee had gone and none had returned—there was no necessity but, the East Bengal Government said that something should be done and the undertaking should be formally carried out. So, in the first instance, in the Bengal