

(iii) Whether the amendment “notwithstanding the provisions contained in Article 170 of the Constitution of India in place of “subject to the provisions contained in Article 170 of the Constitution” would be sustainable.

(c) and (d) Yes, Sir. Department of Legal Affairs, Ministry of Law and Justice has sought the opinion of Ld. Attorney General on above. Ld. Attorney General of India has concluded his opinion as follows:

Answer to Query (i) - No

Answer to Query (ii) - Obviously, the provisions of the Constitution would prevail over any provision of any act of Parliament.

Answer to Query (iii) - No

(e) and (f) In view of above, presently there is no such proposal under consideration.

Illegal immigrants in Assam

†1057. DR. SANJAY SINH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of illegal immigrants in the State of Assam and steps being taken by Government to trace and repatriate these illegal immigrants and results of such steps; and

(b) whether Government has any concrete and effective plans in place to solve the problem of illegal immigration, if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJJU): (a) and (b) There are reports that illegal immigrants are able to enter into Assam despite several checks and control measures taken along the International Border. Since, entry is clandestine and surreptitious, the number of illegal migrants cannot be ascertained.

In order to prevent illegal migration, Government has taken various measures like strengthening vigilance at the international border by way of equipping Border Security Force with more manpower and modern gadgets, reduction of gaps between border outposts, intensification of patrolling, construction of border roads and fencing, intensification of riverine patrolling etc. Besides, Bangladesh side has also been urged to take effective steps to check illegal movements of its nationals into India.

† Original notice of the question was received in Hindi.

The powers of identification and deportation of illegally staying foreign nationals including Bangladeshi nationals have been delegated to the State Governments and Union Territories Administration under Foreigners Act, 1946. An action plan for detection and deportation of the illegal migrants in Assam has been prepared and Government of Assam has formed 500 State Police Units for detection of illegal immigrants in Assam. For speedy disposal of cases relating to detection and deportation of such illegal migrants, 100 Foreigners Tribunals have been made functional.

**Properties acquired under Enemy Property Act used
by public servants and officers**

1058. SHRI MD. NADIMUL HAQUE: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that several properties acquired under the Enemy Property Act are being used by the public servants and officers;

(b) if so, the details thereof;

(c) the number and details of all such properties allotted to public servants, officers and public offices, State-wise;

(d) whether any income or rental income is generated from the allotment of such properties to public servants and public offices;

(e) if so, whether the income is remitted to the account of the actual owner or his legal heir; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HANSRAJ GANGARAM AHIR): (a) Yes, Sir.

(b) and (c) The details of properties allotted to public servants, officers and public offices State-wise is as under:

Sl. No.	State	Property allotted to		
		Public servants	Officers	Public Offices
1	2	3	4	5
1.	Gujarat	-	-	Telephone Exchange, Ahmedabad
2.	Maharashtra	-	CRPF, Bandra Mumbai	-