

"We think also of our brothers and sisters who have been cut off from their homes and who unhappily cannot share the freedom that has come. They are of us and will remain of us whatever may happen, and we shall be sharers in their good and ill fortune alike."

— NEHRU



NO!
THEY ARE NOT FOREIGNERS
... THEY ARE CITIZENS

IASCD

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PREFACE

We witness today in the North-East a tragic scene. Disruptive and communal forces aided by other invisible ones have been allowed by a conspiracy of circumstances to look respectable and raise slogans that cut at the very root of our national unity and integrity. History is being distorted and through Goeblian propaganda falsehood replacing facts. New generations of Indians are being wrongly educated on the issues that are basic to India's society and politics and even some political parties and leaders are being easily misled.

The main thrusts of the Assam agitationists are along three lines : (i) that the displaced persons who came over to India after 1951 are not Indian citizens. They are foreign nationals and they should be immediately deported; (ii) that the immigrant Bengalees are encouraging foreign infiltrations and sheltering the infiltrators with a deliberate motive to change the demographic composition of the state ; (iii) that in Assam sons of the soil means only Assamese-speaking people and people belonging to other linguistic and ethnic groups like the plain-tribals, Bengalees, Biharis, Nepalis, Punjabis, Oriyas etc., who are permanent inhabitants of the state are not to be considered on equal terms with their Assamese-speaking brethren.

The present volume is a humble attempt on our part to give an answer to the first line of arguments and attack by the Agitationists. As facts will speak for themselves we are content merely with the compilation of relevant facts, authentic and well-documented which is what this volume is. The statements made and stands taken by our national leaders like Mahatma Gandhi, Jawaharlal Nehru, Sardar Ballavbhai Patel, Syama Prasad Mukherjee and others, the relevant discussions in the Constituent Assembly, the stand taken and the policy consistently followed by the Government of India and the relevant debates

In the two Houses of Parliament are to be found in the volume. All these, we hope, will prove beyond doubt that the displaced persons from East Pakistan, now Bangladesh, who came over to India and settled in Assam and in various parts of the North-East or elsewhere in the country are very much Indian Citizens. We hope also that facts contained in this volume will put a stop to such outrageous suggestions from certain quarters as to declare these people stateless persons.

As for the second and third lines of arguments, we assure our readers that we shall soon come out with another publication which will show how far away the present Assam agitation is from facts and logic and how destructive is its character.

We are highly indebted to a good number of friends and wellwishers who have helped us in all possible ways to make this publication possible. We thank them all.

Itkhola, Silchar - 2

June 9, 1980.

B. P. Misra
M. Haque Barbhuiya
Secretaries, Fariadi.

INTRODUCTION

Freedom came to us in 1947 with partition in the midst of communal holocaust. Out of one there came into being two countries, India and Pakistan. Many Indians suddenly found themselves aliens and undesirables in the very place which was their own home the other day, and condemned to a life of political and cultural deprivation only to make others free. This explains why the legitimacy of partition remains till today a matter of deep anguish and controversy. One view is that, 'the idea of partition was conceived in folly and executed in filth'. The other view is that, partition could not be avoided because of the compulsion of certain historical factors. Both views contain truth and throw a good deal of light on what is now going on in the north-east corner of India. It seems we have not learnt any thing from history inspite of a disastrous partition. By our failure to give ourselves a higher social order in which people belonging to different religions, language and culture can live together as brothers, we are following a blind path pouring venoms against each other and preaching through our actions divisions and dissensions. When one Indian tells a fellow-Indian that he is a foreign national and is unwanted we may well ask ourselves whether our society would survive the test of time. Indeed, the entire Assam agitation of today may be described as an 'idea conceived in folly' and sought to be 'executed in filth' and in the process dividing people, setting one group against the other. Politics of partition still reign supreme.

If a people continues to suffer from a frequent blurring of vision and forgets its own past commitments to itself, its present actions are bound to be dominated by narrow selfish interests either of individual or group nature, thereby feeding into the process of history actions which would one day have an explosive outburst not to be easily controlled by leaders of that time. While the partition of India itself is a case in point,

the disintegration of the regional state of Assam over the last two decades with clear symptoms that the process is still incomplete, provide interesting materials for students of politics, economics, history and sociology to study.

The present volume, a compilation of materials, on the displaced persons from East Pakistan, now Bangladesh, reveals how the partition proposal was made acceptable to the people with clear and definite commitments and solemn assurances that those who would suffer in the process and from the consequences of partition would be rehabilitated and the doors of India would always remain open for them. The new nation and its leaders being men of farsight and high moral standards did not forget the immense sacrifices and contributions of those who were cut off by new political boundaries. Jawaharlal Nehru, in his message to the nation, on 15th of August 1947, as the Prime Minister of India, said, 'We think of our brothers and sisters who have been cut off from us by political boundaries and who unhappily cannot share at present in the freedom that has come. They are of us and will remain of us whatever may happen, and we shall be sharers in their good and ill fortune alike.' These utterances were not meant as an invitation to the minorities on the other side to cross over; neither the minorities understood it that way. They wanted to live in their original home which was also the advice given by Mahatma Gandhi, Nehru and others. What these utterances reflect is a keen sense of awareness to the deeper values that sustain the Indian society and a keen sense of history that gives it a correct direction. To welcome and admit minorities in times of great distress and to treat them as equal partners in India is prompted by those values and that sense of history.

If we study the pattern of exodus from East Pakistan we notice that it did not take place all at a time. Everytime the minorities in Pakistan were persecuted and their stay became impossible, they crossed over to India. Large-scale

communal disturbances that rocked the Indian sub-continent in the wake of partition found again a major outbreak in East Pakistan in 1950 and that caused an exodus of minorities which had its echo in West Bengal and other parts in India. In 1964 with yet another outbreak of major communal disturbances in various parts of East Pakistan, another exodus much wider in its composition took place. Apart from Hindu Bengalees the number of refugees belonging to Khasi, Garo and Chakma tribes of Mymensingh, Sylhet and Hilltracts and Manipuris from Sylhet District and Rajbangshis from Rangpur District of East Pakistan as people belonging to other religions like Christianity and Buddhism also became the target of attack. The Garo and Khasi refugees entered Meghalaya (then a part of Assam), the Chakmas into Mizoram (then a part of Assam) and Rajbangshis into Goalpara District of Assam. In 1964 Meghalaya alone received about 50,000 displaced persons out of whom 35,000 were Garo Christians and a good number of the rest were Khasis. Garo refugees also entered the Karbi - Anglang District of Assam in good number and settled there. Bengalees entered and settled in large number in West and North Bengal, Tripura and Cachar District of Assam. They also entered and settled in other parts of Assam but on a much smaller scale.

True to its commitments and consistent with its policy the Government of India with the cooperation of State Governments continued with its programme of rehabilitating these displaced persons. The entire Indian nation took upon itself the task of rehabilitating them. Hundreds of crores of rupees were provided by Central Government for relief and rehabilitation and concerned State Governments including the Government of Assam did much to provide the displaced persons with land and other help for their rehabilitation. In this connection it is highly instructive to note what prompted the Government of India to change the name of concerned ministry from Ministry of Relief and Rehabilitation to Ministry of Rehabilitation dropping the word 'Relief'. Let us quote Bhaskar Rao from his Book,

The Story of Rehabilitation (page 48) published In 1974 by the Publication Division, Ministry of Information and Broadcasting, Government of India, New Delhi.

“Rehabilitation” as the dictionary derives the word, is the process of reinstating or reestablishing one in the esteem of others. The new Ministry created by the Government of India in September 1947 was aware from the start that rehabilitation would be the coping stone of its labours, the crown of its achievements. It was this recognition that persuaded Shri Mohanlal Saxena, who then held the portfolio, to change the name of the Ministry, in 1949, to the Ministry of Rehabilitation, dropping the word “Relief”. The organisation of evacuation and the provision of temporary relief were arduous in themselves, and very important preliminaries in the slow process of healing the wounds of partition. But the task would be only half fulfilled until the rehabilitation of the hundreds of thousands of thousands of people uprooted by the cataclysm had gradually restored to them. Something like their former dignity.”

Can one then be rehabilitated without being a citizen? Are not the children born to these displaced persons citizens of India by birth under the provisions of the Citizenship Act, 1955? Is it not a preposterous idea to dub these displaced persons—Bengalees, Garos, Khasis, Chakmas, Manipuries and Rajbangshis—‘foreigners’? Is it not a mischivous suggestion to treat these displaced persons as ‘Stateless Persons’? In the regional state of Assam, we witnessed a number of language-riots but never had there been an attempt to dub fellow Indians ‘foreigners’ or to make them ‘stateless persons’ and defranchise them. Is it not a fact that the contributions made by the people and the Government of Assam in rehabilitating the displaced persons following the national policy, by providing land and other help, gives it a place of pride and glory among the states of India. (See Annexures 2,3,4, & 5) Is it not a fact that with this meaning in mind the Government of India gave

an assurance on the floor of the Parliament as late as 20th March 1976 that the displaced persons were being rehabilitated and those who could not be rehabilitated during the fifth 5-year plan would be rehabilitated during the sixth 5-year plan.

All these show how urgent is the need to identify and isolate those elements who are engaged in dividing people through destructive agitations and insulting slogans working on the emotions of innocent and unsuspecting masses. Their aim is, it is clear by now, to bring civil war at our doors and cause secessionist movements to subvert the unity and integrity of our nation.

It is indeed a matter of pity and shame how easily a good number of Indian politicians and political parties are carried away by destructive agitations and slogans and become parties to them, practising a kind of politics and talking a queer language that prompt a bewildered people to ask, ‘who are they?’

Take the oft-repeated term ‘cut-off year 1951’. What is to be cut off from what? Why is it 1951 and not 19th of July 1948 or 1947? If the partition as agreed to by our national leaders is a fact of life accepted by us all, how can we now refuse to accept the commitments and assurances that were made by them in all honesty and sincerity? Why should we degrade and insult ourselves and those illustrious sons of India by trying to close ‘the doors’ which they want us to keep ‘open’ to the victims of the act and consequences of partition? The legal and technical arguments are that 19th of July 1948 was fixed as the date for treating those as Indian Citizens who were in India by that date. Those who came after could be treated as citizens by granting them citizenship certificates. Technically speaking the Constituent Assembly had to fix a date and accordingly did fix a date. It never intended to refuse citizenship to displaced persons who

would be coming from East Pakistan after that date. The fact is that, granting citizenship certificates to millions of displaced persons all over India through the prescribed procedures was beyond the physical capacity of the administration. That is why displaced persons were allowed to live as citizens without obtaining citizenship certificates. They received both from the State and Central Governments all kinds of help—money, land etc.—and also voting rights. The simple solution to this technical problem is to treat all displaced persons as citizens ✓ by an Act of Parliament as was done in respect to refugees from West Pakistan. Sri Asoke Sen, M. P., and a former Minister in the Government of India, recently made this demand and it obtained support from many quarters including a large section of the press. We should remind ourselves how Jawaharlal Nehru, the then Prime Minister of India, expressed himself on this point: 'There is no doubt, of course, that those displaced persons who have come to settle in India are bound to have their citizenship. If the law is inadequate in this respect, the law should be changed'.

The leaders of Assam agitation, however, demanded the cut-off date to be 1951 and not July 19, 1948 thereby admitting the fact that the displaced persons who entered India after the 19th of July, 1948, may be treated automatically as Indian citizens without bothering for legal technicalities.

But behind their demand to have 1951 as cut-off year there is an interesting story that needs mention. In 1950-51 there were widespread complaints that Muslim infiltrators were entering into Assam in a planned manner which prompted the Government of Assam to start a large-scale deportation operation. But because of widespread counter complaints that innocent Muslim immigrants, settled in Assam for a long time, were being harassed in the name of deporting foreign infiltrators, the Government of Assam introduced the idea of a National Register of Citizens in Assam. It was prepared in

1951 with the help of census officials and the copies were given to the Congress Party and the Jamiat-E-Ulema-E-Hind to see to it that innocent people are not harassed. If this Register is to become a document for reference to ascertain whether one living in Assam is a citizen or not, then the agitators themselves would become foreigners as their names are not included in that register. What is more interesting, the National Register of Citizens, Assam 1951 lost all its validity when the Hon'ble Chief Justice Shri P. K. Goswami of the High Court of Assam and Nagaland observed in a case-verdict that, 'This document is not a public document within the meaning of Sec. 74 of the Indian Evidence Act'... that it is 'not sanctioned by any Law and Rule.' (See Annexure 1). The National Register of Citizens, is then neither a register having sanctity in the eye of law nor has anything national about it.

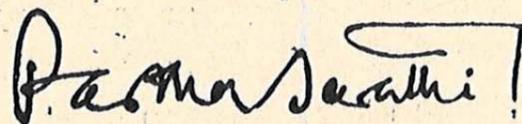
Incidentally we may also quote the Press Note issued by the Government of Assam published in the Assam Tribune of March 3, 1980; '... so far as the members of the minority community of erstwhile East Pakistan who have migrated into Assam before 1971 are concerned, there are already policy decisions laid down right upto 1969 to register them as Indian citizens provided they fulfil the conditions laid down in Rule 9 of the Citizenship Rules. These refugees have been accepted for all practical purposes as citizens. Not only have many of them been enrolled as voters but many of them have been rehabilitated by the Governments themselves in agriculture, trade, industries etc. They are, therefore, foreign nationals only in the purely technical sense that they have not applied for and secured registration as citizens of India...'

The significance of the year 1971 is understandable from the point of view of Indira-Mujib agreement which is in force and in the context of Bangladesh revolution. But in no way can it mean that the doors of India would no longer remain open to those who may seek refuge under compelling circumstances in future. And therefore the epithet 'cut off'

does not apply to 1971 either. If the intention is, as is clear from the repeated statements of Shrimati Indira Gandhi, the Prime Minister of India, that those who came after that date should obtain citizenship certificates, let the authorities make arrangements by simplifying procedures to grant citizenship certificates keeping at bay those disruptive and communal forces so that they cannot interfere with the process of law and intimidate people. Further, citizenship certificates received from the proper authorities in one state cannot be and must not be questioned by any body in another state.

This introduction would be incomplete without a comment on the idea of removing a considerable number of displaced persons from Assam and settle them in other parts of the country. We are constrained to say that displaced persons are not commodities and they have rehabilitated themselves not only with the assistance of the Central and State Governments but also through self-help. Naturally their rehabilitation has been influenced by socio-cultural factors and if in Assam a considerable number of displaced persons got settled, it is because of those factors. We cannot tear them away from those moorings. It is also relevant to point to the fact that under the provisions of the Immigrants (Expulsion from Assam) Act, 1950 (Act X of 1950), the persons who on account of civil disturbances or fear of such disturbances in any part of Pakistan had been displaced from or have left their place of residence and have been subsequently residing in Assam, Nagaland or elsewhere in the Assam region cannot be deported. What is at the back of this act is a recognition that displaced persons settled in Assam are as much inhabitants of the place as anybody else.

We can only wish that even at this late stage all political parties and politicians, the intellectuals, the patriots and youths will awake to their responsibilities and save the Indian society from the politics of drift.



Camp : Gauhati

June 9, 1980.

(PARTHA SARATHI)

President, Pariadi.

"My friends ask whether those who being mortally afraid or otherwise leave Pakistan will get shelter in the Indian Union. My opinion is emphatic on this point. Such refugees should get proper shelter in the Union and vice versa.

The friends again ask as to what will happen about land and buildings, if any, left in Pakistan. I have said repeatedly that the State should pay the present market price of the land and the buildings."

Mahatma Gandhi

*Mahatma Gandhi's Post-Prayer Speech on 21 July 1947.
(Quoted in Bengal Rehabilitation Organisation's The Tragedy of East Bengal Hindus and How to Resettle Them.)*

Amrita Bazar Patrika
Calcutta, 23rd July 1947,

"We think also of our brothers and sisters who have been cut off from us by political boundaries and who unhappily cannot share at present in the freedom that has come. They are of us and will remain of us whatever may happen, and we shall be sharers in their good and ill fortune alike."

Nehru

Jawaharlal Nehru's Message to Countrymen on 15 August 1947.

Amrita Bazar Patrika
Calcutta, 15th August 1947

"The Hon. Member referred to the question of citizenship. There is no doubt, of course, that those displaced persons who have come to settle in India are bound to have their citizenship. If the law is inadequate in this respect, the law should be changed."

Nehru

'Refugee and other problems', Jawaharlal Nehru's Speeches.

Vol. 2 P. 8 (P. 10), published in June 1967.

Published by : Publication Division, Ministry of Information and Broadcasting, Government of India, New Delhi.

"Our hearts naturally go out to those who were of us and with us so long but who are now to be separated. Few can realise the bitterness and sorrow which partition has brought to those who cherished unity but lived to fashion its details. But let not our brethren across the border feel that they are neglected or forgotten. Their welfare will claim our vigilance and we shall follow with abiding interest their future in full hope and confidence that sooner than later we shall again be united in common allegiance to our country."

Patel

Sardar Vallabhbhai Patel's Message to the countrymen on 15 August, 1947.

Amrita Bazar Patrika
Calcutta, 15th August 1947

"We cannot fully enjoy freedom that we have got until and unless we can share it with the Hindus of North and East Bengal. How can one forget the sufferings and sacrifices which they cheerfully endured for freeing our motherland from foreign domination ; Their future welfare must engage the most careful and serious attention of the Government and the people of the Indian Union in the light of development that may take hereafter."

Sardar Vallabhai Patel

Message to the convention of East Bengal Refugees held in August 1947 under the Presidentship of Dr. Syama Prasad Mukherjee.

LOK SABHA DEBATES

1961
Vol. 54.

19 April 1961

(12395)

East Pakistan Displaced Persons in Assam

3529. *Shri Ajit Singh Sarhadi* : Will the Minister for Rehabilitation and Minority Affairs be pleased to state :

(a) Whether Assam Government have taken up small industries or started any to give employment to the East Pakistan displaced persons ;

(b) whether any aid has been given by the Centre for the purpose ; and

(c) if so, the aid given ?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna) : (a) to (c) : The Government of Assam propose to implement three industrial schemes in Cachar District with a view to providing employment to displaced persons from East Pakistan. For this purpose the Government of India has sanctioned loans amounting to Rs. 29.10 lakhs to the Assam Government.

In addition to the above, loans totalling Rs. 4.50 lakhs have been sanctioned by the Assam Government to 51 persons for setting up industries with the object of providing employment to displaced persons.

1964
Vol. 47.

29 April 1964

(1125-1127)

Migration of Christian and Hindu Refugees from East Pakistan

*21. *Shri B. N. Bhargava* : Will the *Minister of Rehabilitation* be pleased to state :

(a) the number of Christian and Hindu refugees separately who crossed over to India from East Pakistan upto the 15th March, 1964, as a result of the recent disturbances there ; and,

(b) the names of States which have offered to rehabilitate the refugees and the number of refugees likely to be rehabilitated in each State ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

(a) The total number of the members of the minority communities in East Pakistan who have crossed over to India between the 1st January, 1964 and the 15th March, 1964 is about 1,45,200. The figures of migrations upto date are of the order of 2,86,000. Of these, about 45,000 are Christians, 11,000 Buddhists and the rest Hindus.

(b) Till now, offers have been received from ten States to resettle 91,000 families. A statement furnishing the required information is laid on the Table of the Sabha.

STATEMENT

Names of States which have offered to rehabilitate the refugees.	No. of refugee families to be rehabilitated.
1. Andhra Pradesh	2,000
2. Assam	15,000
3. Bihar	1,000
4. Madhya Pradesh	25,000
5. Madras	1,000
6. Maharashtra	10,000
7. Mysore	1,000
8. Orissa	30,000
9. Uttar Pradesh	1,000
10. Gujarat	5,000
	<hr/> 91,000

RAJYA SABHA DEBATES

1964
Vol. 49

11 September, 1964

(898-900)

Displaced Persons from East Pakistan

*142. *Shri Gurudev Gupta*
Shri A. B. Vajpayee
Shri Mahavir Dass :

Will the *Minister of Rehabilitation* be pleased to state :

(a) the number of displaced persons who migrated to India from East Pakistan during January to July 1964; and whether this influx is still continuing ;

(b) the number of displaced persons proposed to be rehabilitated in each State ;

(c) the names of the States which were contacted for settling the displaced persons and the names of the States which expressed their inability to settle them ;

(d) the estimated total value of the property that the said displaced persons have left behind in East Pakistan ; and

(e) whether there are any families some of whose members have not been allowed to come to India ; if so, the number thereof ?

The Minister of Rehabilitation (Shri Mahabir Tyagi) :

(a) Out of a total of 6,77,208 persons who migrated from East Pakistan to India upto 7th September, 1964' 6,03,932 persons had reached India during January to July, 1964. The influx is still continuing.

(b) and (c). All the State Governments which were approached agreed to settle the new migrants from East Pakistan. None of the States contacted expressed its inability to

settle the displaced persons. The names of the states are as follows :—

Name of State	No. of families proposed to be rehabilitated
Andhra Pradesh	2,000
Assam	15,000
Bihar	1,000
Gujarat	5,000
Madhya Pradesh	25,000
Madras	1,000
Maharashtra	10,000
Mysore	1,000
N. E. F. A.	1,000
Orissa	5,000
Uttar Pradesh	1,400
Total	67,400

(d) The information is not readily available.

(e) No such case has come to the notice of the Ministry.

Proprietary Rights to East Pakistan Displaced Persons

252. *Shri U. S. Dugal*
Shri P. Abraham :

Will the *Minister of Rehabilitation* be pleased to state :

(a) whether Government have taken any decision with regard to conferring proprietary rights on land to displaced persons from East Pakistan ; and

(b) if so, the details thereof ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

(a) and (b). Where large blocks of cultivable land are available, it is proposed to set up state-owned farms where the migrants would be initially employed as farm labour for a period of 3 to 5 years, after which land will be allotted to them as far as possible on co-operative basis, if they show real keenness in cultivation. When the agricultural land available is in small blocks, the land would initially be leased to the migrants on individual basis and those who show real keenness in cultivation will, after 3 years or so, be allotted the land and title passed on to them in due course.

In the case of those who had migrated from East Pakistan prior to January 1964, all allotments of agricultural land were made on individual basis.

Refugees in Assam

278. *Shri S. C. Deb :* Will the *Minister of Rehabilitation* be pleased to state :

(a) the number of refugees who have so far entered into Assam by different routes ; and

(b) the number of transit camps that have been established or are yet to be established in different parts of that State to rehabilitate them ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

(a) 1,52,692 persons.

(b) 27 camps have so far been established.

RAJYA SABHA DEBATES

1964

25 September 1964

(2935-36)

Vol. 49.

Refugees from East Pakistan

616. *Shri M. P. Bhargava* : Will the *Minister of Rehabilitation* be pleased to state :

(a) what was the number of refugees who came to India from East Pakistan in the months of July and August, 1964 ;

(b) how many families of refugees have been rehabilitated in the months of July and August, 1964 ; and

(c) whether it is a fact that some of the refugees who came to India in the earlier months of 1964 have since returned to East Pakistan ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

(a) July 1964 : 86,403 persons.
August 1964 : 67,022 persons

(b) The information is being collected and will be laid on the Table of the Sabha as soon as possible.

(c) About 4,500 persons are reported to have returned to East Pakistan upto the 18th September, 1964. This number is, however, insignificant compared to the total influx since 1st January, 1964 which is about 7 lakhs.

RAJYA SABHA DEBATES

1964

20 November 1964

(508)

Vol. 50.

Displaced Persons from East Pakistan

104 *Shri M. P. Bhargava* : Will the *Minister of Rehabilitation* be pleased to state the number of displaced persons who migrated to India from East Pakistan in the month of September and October 1964 ?

The Minister of Rehabilitation (Shri Tyagi) : 99,104 persons.

RAJYA SABHA DEBATES

1964
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20 November 1964

(508-510)

Industries in Townships for Displaced Persons

115. *Shri B. N. Bhargava* : Will the *Minister of Rehabilitation* be pleased to state :

(a) the details of the small and large scale industries set up during the year 1964 in the town-ships and colonies where a large number of displaced persons from East Pakistan have been settled ; and

(b) the names of the places where these industries have been set up and the number of persons employed in these industries ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

(a) and (b). By reason of the magnitude of the present influx of minorities from East Pakistan into India and the limited availability of land for resettlement of migrants, a considerable proportion of the new migrants will have to rehabilitate themselves through openings in small trades and employment in industries. During the year 1964 no townships have been set up solely for the rehabilitation of new migrants in industries. Some housing colonies are, however, being set up at various places in Orissa and Assam near existing industrial units or factories proposed to be set up. A statement indicating the details of the industrial schemes sanctioned so far is attached. (See Appendix L Annexure No. 10). Various other schemes for rehabilitation in industries of the migrants from East Pakistan are under consideration. In addition for providing employment to old migrants the Rehabilitation Industries Corporation has sanctioned during 1964 a scheme for the setting up of a ceramic factory at Ranaghat in West Bengal at an estimated cost of Rs. 2,92,640.

RAJYA SABHA DEBATES

1964
Vol. 50.

27 November 1964

(1482-83)

Migration Without Certificates

*265. *Shri S. C. Deb* : Will the *Minister of Rehabilitation* be pleased to state :

(a) whether it is a fact that migrants from East Pakistan are still pouring into India by different routes without migration certificates ;

(b) whether it is a fact that these migrants are experiencing great hardships in some parts of Assam ; and

(c) if so, what action Government proposed to take in connection with rehabilitation of these migrants ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

(a) Yes, Sir. From 1st November, 1964 to 17th November 1964, 7612 persons have migrated from East Pakistan without migration certificates to the border States ;

(b) and (c). Bearing in mind the fact that some persons seeking entry into Assam might still find it difficult to get migration certificates, the State Government have been authorised, for the present to exercise some discretion in favour of genuine migrants and to allow relief and rehabilitation benefits to them whose *bonafides* have been established though they might have come without migration certificates.

LOK SABHA DEBATES

1964
Vol. 36.

4 December 1964

(4020)

Refugees in Assam

1153 *Shri P. C. Borooh*
Shrimati Renuka Barkataki
Shri Bibhuti Mishra
Shri K. N. Tiwary
Shri P. K. Chakraverti :

Will the *Minister of Rehabilitation* be pleased to state :

(a) the number of refugees from East Pakistan who have entered Assam since January this year ;

(b) the number of persons rehabilitated and in what areas; and the number of refugees who are still in the camps and in which areas ;

(c) the central assistance given to Assam for their rehabilitation ; and

(d) the central assistance rendered to other States for rehabilitation of such refugees and the number of refugees rehabilitated in each State ?

The Minister of Rehabilitation (Shri Tyagi) :

(a) 1,72,556 upto the 27th November, 1964.

(b) As fresh agricultural lands could not be reclaimed owing to rainy season, only 405 families in camps have been given regular employment and put off doles and 35 families have been resettled in a tea estate in Assam.

1,22,276 migrants are at present in camps set up in the districts of Nowgong, Kamrup, Garo Hills, Goalpara, Cachar, Lakhimpur, U.K. & J. Hills, Mizo Hills and Darrang.

(c) and (d). The entire expenditure on the relief and rehabilitation of the migrants from East Pakistan in the different States is met by the Central Government. A statewise statement indicating the number of Displaced Persons rehabilitation and the amounts sanctioned upto 30th November, 1964 for relief and rehabilitation of the new migrants is laid on the Table of the House. (*Placed in Library See No. LT-3579/64*)

LOK SABHA DEBATES

1964
Vol. 36.

9 December 1964

(4043-4044)

Rehabilitation in Assam

1195. *Shrimati Jyotsna Chanda*: Will the *Minister of Rehabilitation* be pleased to refer to the reply given to starred question No. 55 on the 18th November, 1964 regarding schemes sanctioned by the Government of India for the rehabilitation of new migrants in Assam and state :

(a) Whether Government are aware that new migrants are continually coming in, particularly in the district of Cachar; and

(b) If so, what proposals government have to rehabilitate them in the State or outside the State and how long it will take to do so ?

The Minister of Rehabilitation (Shri Tyagi) :

(a) Yes, Sir. There is, however, some decline in the rate of influx.

(b) Ten schemes for resettlement of 5,940 families in Assam involving an expenditure of Rs. 84.94 lakhs have already been sanctioned.

Schemes for resettlement of 7,400 families are under consideration. The State Government have also indicated certain industrial schemes as offering scope for resettlement of the migrants. These schemes would cover roughly 10,000 families, but detailed proposals in this regard have yet to be worked out by the State Government.

In addition investigations are being made regarding the scope for settlement of migrants in NEFA area and pending the completion of such investigations, 1000 families are proposed to be moved into the area during the current year.

As the formation and implementation of rehabilitation schemes naturally take sometime, it is not possible to indicate precisely at this stage, a time-limit for the implementation of the rehabilitation schemes.

RAJYA SABHA DEBATES

1965
Vol. 51.

26 February 1965

(1299-80)

Displaced Persons from East Pakistan

*201 *Shri M. P. Bhargava*: Will the *Minister of Rehabilitation* be pleased to state :

(a) the number of displaced persons who migrated to India from East Pakistan, month-wise during the months of November and December, 1964 and January, 1965 ; and

(b) how many of them have been rehabilitated so far ;

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

✓ (a) The figures of migrants are as follows :—

November, 1964	37,695 persons.
December, 1964	43,585 persons.
January, 1965	38,141 persons.

(b) The information about the number of migrants who have been rehabilitated out of those who came to India from East Pakistan during November 1964, December 1964 and January 1965 is not readily available. However, upto the 30th November, 1964, 1,106 families of new migrants from East Pakistan have been rehabilitated or provided regular employment, and training schemes in respect of 788 persons have been sanctioned. I may also mention that in the matter of rehabilitation priority is generally given according to the date of arrival.

Rehabilitation Assistance to Displaced Persons in Assam

449. *Shri A.B. Bajpayee* : Will the Minister of Rehabilitation be pleased to state whether it is a fact that the rehabilitation assistance which was being given in cash to the displaced persons from East Pakistan settled in Assam has been stopped with effect from the 1st November, 1954 ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

No Sir.

Displaced Persons from East Pakistan in Manipur

*453. *Shri Ram Singh* : Will the Minister of Rehabilitation be pleased to state

(a) whether it is a fact that some displaced persons from East Pakistan are to be settled in Manipur ; and

(b) if so, how many persons will be settled there and whether there is any scheme for starting some industry there ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

(a) and (b). Yes. A scheme for the resettlement of 253 agriculturist families of new migrants from East Pakistan in Manipur has been sanctioned. There is no proposal at present for starting any industry there.

RAJYA SABHA DEBATES

1965
Vol. 54

12 November 1965

(1098)

Families of Fishermen Migrating from East Pakistan

127. *Shri D. Thengari* : Will the *Minister of Rehabilitation* be pleased to state :

(a) whether Government have given any help to these families of fishermen which recently migrated to India from East Pakistan ; and

(b) if so, what are the details of the same ?

The Minister of Rehabilitation (Shri Mahavir Tyagi) :

(a) Yes.

(b) The following schemes have been sanctioned for the settlement of migrant fishermen families from East Pakistan :—

Name of Scheme	Amount sanctioned	Families covered
ASSAM		
	Rs.	
1. Rehabilitation of fishermen families in Goalpara Sub-Divn.	1,21,000 (loan) 15,000 (grant)	140
2. Rehabilitation of fishermen families in Golaghat Sub-Divn.	75,300 (loan) 9,500 (grant)	50
UTTAR PRADESH		
3. Rehabilitation of fishermen families at Lake Ramiabehar in Kheri district.	1,18,360 (loan) 7,600 (grant)	40

Name of Scheme

Amount sanctioned

Families covered

MAHARASHTRA

4. Rehabilitation of fishermen families in Chand and Bhandara districts. 1,13,760 (loan) 200
15,260 (grant)

In addition to the above schemes, the Government of Bihar have been authorised to provide rehabilitation assistance to 29 families of fishermen proposed to be resettled in the vacancies caused by desertions at Bharai in Bhagalpur district.

LOK SABHA DEBATES

1968
Vol. 12.

15 February 1968

(1006)

Displaced Families in Assam Camps

611. *Shrimati Jyotsna Chanda* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

- (a) how many displaced families are still in camps in Assam State ; district-wise and
- (b) the action taken to rehabilitate them in Assam or outside Assam ?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan) :

(a) A statement following the district-wise population of the camps in Assam as reported upto 3-2-68 is laid down on the Table of the House, *(Placed in Library, See No. LT—77/68)*

(b) The Government of Assam has agreed to resettle 12000 families in all in Assam of new migrants from East Pakistan. About 3,000 families are expected to move to re-settlement sites for permanent rehabilitation before the close of the current Financial Year. This will fulfil the commitment by the Government of Assam. The question of resettlement of remaining families is under correspondence with the State Government.

LOK SABHA DEBATES

1968
Vol. 12.

22 February 1968

(2669-70)

Rehabilitation of Refugees from East Pakistan

1607. *Shri Gadalinga Gowd* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

- (a) the amount spent by Government for the rehabilitation of persons who came from East Pakistan and the number of persons so far rehabilitated ;
- (b) the pattern of assistance given to each person ; and
- (c) the basis on which the financial assistance or otherwise was fixed ?

The Deputy Minister in the Ministry of Labour, Employment and Rehabilitation (Shri D. R. Chavan) :

(a) Out of those who were taken in camps about 29 53 lakh persons have been resettled so far.

A sum of Rs. 258.43 crores was spent on the relief and rehabilitation of migrants upto 31st March, 1967. An amount of Rs. 22.44 crores has been provided for the purpose in the Budget Estimates 1967-68. The final figures of the current year's expenditure will be available by the end of June, 1968.

(b) A statement showing the broad pattern of assistance now being given to displaced persons is laid on the Table of the House. *(Placed in Library, See No. LT—196/68.)*

Displaced Persons from East Pakistan

3205. *Shri P.C. Borooah*: Will the *Minister of External Affairs* be pleased to state:

(a) Whether there is a proposal under Government's consideration to restrict the entry of displaced persons from East Pakistan only to those who possess valid travel documents,

(b) if so, Government's decision in the matter;

(c) the total number of migrants from East Pakistan since the fresh exodus began 3 years before; and

(d) the overall excess of displaced persons who have migrated from Pakistan to India since Independence over those who have migrated from Pakistan to India?

The Minister of External Affairs (Shri Swaran Singh):

(a) and (b). It was decided by the Government that from the 1st April, 1965 entry into India from East Pakistan will be restricted to those holding valid travel documents;

(c) The total number of migrants from East Pakistan since the fresh exodus began in January, 1964 is 8,01,878 upto the end of February 1966.

(d) The overall excess of displaced persons who have migrated from Pakistan since Independence over those who have migrated to Pakistan from India is 30,82,166.

Exodus of Refugees

3178 *Shri P. C. Borooah*
Shrimati Jyotsna Chanda
Shrimati Renuka Barkataki
Shri D. C. Sharma
Shri Onkar Lal Berwa:

Will the *Minister of Labour, Employment and Rehabilitation* be pleased to state:

(a) whether the exodus of refugees from East Pakistan is continuing;

(b) if so, the number of such persons who have crossed into India during the past three months;

(c) the total number of such refugees since the HAZRAT-BAL riots; and

(d) the progress made in their rehabilitation in each State so far?

The Deputy Minister of Labour, Employment and Rehabilitation (Shri D. R. Chavan):

(a) Yes, Sir.

(b) 3,525 persons crossed into India during the months of May and June and the first 23 days of July 1966.

(c) About 8,06,000 persons upto 23rd July, 1966.

(d) Out of about 72,744 families who had sought admission to camps, 25,840 families have so far been moved to rehabilitation sites or have been provided with employment or training facilities. A statement showing the progress of rehabilitation in each State is placed on the Table of the House (Placed in Library. See No. LT—6891/66).;

Refugees in Assam

436. *Shri Biswanarain Shastri*
Shri Chengalraya Naidu :

Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether it is a fact that hundreds of refugees have been pouring into Assam every month ;

(b) if so, the number of such refugees who came to Assam during the last six months of 1968 ; and

(c) whether Government are aware that influx of refugees has created a problem in Assam ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) and (b). During the year 1968, on an average 394 migrants entered Assam from East Pakistan every month. During the six months ending on the 29th December, 1968, 2098 migrants came to Assam from East Pakistan.

(c) The Government of Assam undertook to rehabilitate 12,000 families of new migrants i.e. those who came over to Assam from 1.1.1964 onwards. The process is nearly completed. Arrangements have been made for the rehabilitation, outside Assam of families who are in relief camps opened in Assam and who are in excess of the quota of 12,000. Some of these families are showing their reluctance to move outside Assam. Efforts are being made to persuade them to go to sites of rehabilitation prepared for them outside Assam. As regards

persons who have been entering Assam in recent months, the Government of Assam were advised during discussions which took place in the month of May last year, when Shri D. R. Chavan the then Deputy Minister, Rehabilitation visited Assam in this connection, to send these persons, after necessary screening, to Raipur in Madhya Pradesh, which is managed by the Government of India. All refugees who enter Assam and who are in excess of the quota of 12,000 families will, according to present plans, be resettled outside Assam.

LOK SABHA DEBATES

1969
Vol. 25.

13 March, 1969

(88-90)

Settlement of Refugees from East Pakistan

2884. *Shri Chengalraya Naidu* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether it is a fact that there are still 10,000 refugee families from East Pakistan who are awaiting rehabilitation ;

(b) if so, since how long these families have been awaiting rehabilitation ;

(c) the reasons for which they have not been rehabilitated so far ; and

(d) the total number of East Pakistan refugee families settled so far since the year 1964 ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) Yes, there are at present 10,419 families awaiting rehabilitation in various relief camps. In addition there are 4,347 families belonging to permanent liability category residing in these camps.

(b) The families in these camps are those who migrated to India during 1964 and thereafter. Information regarding the exact period of stay of each family in the relief camp is not readily available. It can, however, be said that a comparatively small number of the families have arrived recently and the large majority have been residing in the relief camps for as long as three years or so.

(c) and (d). Schemes for the early rehabilitation of the migrant families could not be drawn up expeditiously for want of land in which agriculturist families can be settled and for lack of scope in small trade and in existing industries and other

non-agricultural occupations and the inability of those migrants to adopt themselves readily to the changed conditions of life. The establishment of new industries which have been sanctioned necessarily takes some time. Migrants have also been put through training for industrial employment and also for driving heavy motor vehicles, but it has not been easy to place them in suitable jobs for the reason that there is keen competition for all kinds of jobs. Certain migrants have also unfortunately been reluctant to go to rehabilitation projects in parts of the country away from the camps where they are residing and others, who have been found fit for jobs in industries are; however, refusing to accept such jobs. Schemes have been formulated for the rehabilitation of the majority of the present inmates of the relief camps, both in agricultural projects and also in small trade as well as industrial establishments and the migrant families are being shifted according to the programme to the sites of rehabilitation. For the families for which such schemes have not yet been formulated, attempts are being made to obtain additional areas of unoccupied lands and find places suitable for employment in small trade, industries, fisheries etc. and it is hoped that all the families awaiting rehabilitation will be settled in about three more years.

Families of the Permanent Liability Category will be admitted to existing Homes where some vacancies exist. The vast majority of these families will be set up in a new Permanent Liability Home which are being established in Tripura, Assam and Maharashtra and the Mana near Raipur in Madhya Pradesh.

Since 1964, 30,857 agriculturist families and 4,464 non-agriculturist families have been settled in agricultural and non-agricultural schemes respectively in various schemes spread over the country. In addition, 528 persons have been provided employment in industries, 3,307 persons have found employment in Government and in public as well as private undertakings.

Rehabilitation Work in Manipur

5325. *Shri M. Meghachandra* : Will the *Minister of Labour and Rehabilitation* be pleased to refer to the reply given to unstarred question No. 2563 on the 28th November, 1968 and state :

(a) whether the Government of Manipur have since granted agricultural and homestead land at Jiriban sub-division, Manipur to the 214 old refugee families ; and

(b) If not, the reason thereof ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) and (b). The Manipur Government have reported that it has been decided by them to allot agricultural and homestead land to these families and that the Settlement Officer has been asked to find out land for them and send his proposals early. The allotment will be made after the proposals received from the Settlement Officer have been finalised.

Plans for Rehabilitation of Displaced Persons from East Pakistan

*1733. *Shri Tulsidas Dasappa* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether Government have taken any decision regarding the rehabilitation of the bulk of new migrants from East Pakistan ;

(b) if so, the details thereof ; and

(c) if not, the reasons for delay ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) and (b). When the new influx started in January 1964, Government of India in consultation with the State Governments concerned decided that rehabilitation assistance would be admissible only to those new migrants who, on migration, sought relief/rehabilitation assistance by admission in the relief camps opened for their benefits. It was further decided that in view of the saturation point having already been reached in West Bengal on account of a very long concentration of the old migrants there, no camp would be opened in West Bengal. Bulk of the families who sought admission in relief camps and stayed on there for rehabilitation assistance have already been settled. At present there are 8,945 displaced families of new migrants in camps awaiting rehabilitation. In addition, there are 4,370 families of the Permanent Liability Category in the camps who have to be maintained in Homes. The details of the progress of rehabilitation of these new migrants and broad

details of the schemes undertaken for their benefit are contained in the Annual Report of the Department of Rehabilitation for the Year 1968-69, already available with the members of the Parliament.

(e) Does not arise.

Influx of Refugees from East Bengal

2618. *Shri Samar Guha* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether in view of oppressive measures against the East Pakistan minorities, refugee influx into Assam, Tripura and West Bengal has increased ; and

(b) if so, the figures of refugee influx to India from East Pakistan during 1967-69 ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) No, Sir. The pattern of migration from East Pakistan into India since January 1969 is the same as in the corresponding period of the previous year. The Government is not aware of any special recent oppressive measures having been taken by the Pakistan authorities against the minority communities there. Migration from East Pakistan is taking place as in the recent past on account of insecure conditions, economic distress and discriminatory treatment meted out to the minorities there.

(b) 43,480 persons have migrated during the period 1-1-1967 to 30-10-1969.

LOK SABHA DEBATES

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18 December, 1969

(165)

**Resettlement of Refugees from East Pakistan
in Assam**

4464. *Shri Dhireswar Kalita*
Shri Sitaram Kesri :

Will the the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether Government have explored the possibility of resettling displaced migrants from East Pakistan in Assam ; and

(b) if so, what steps are being taken in the direction ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) and (b). The Government of Assam had promised to rehabilitate 12,000 families of new migrants from East Pakistan in Assam. The quota has been fulfilled. There are still 1102 new migrant agriculturist families in different relief camps in Assam. The Government of Assam have reported that they are faced with the problem of resettling a very large number of local landless agricultural families and families rendered homeless periodically by floods and erosion. The Government of Assam have not, therefore, offered lands for the rehabilitation of the agriculturist families still residing in the camps in Assam. The Government of India have long since offered to resettle these families in agricultural projects set up in Maharashtra and Madhya Pradesh where several thousand other new migrants from East Pakistan have already been settled. These families have so far refused to move out of Assam. Efforts to persuade them to do so are continuing.

LOK SABHA DEBATES

1970
Vol. 37.

5 March, 1968

(127-28)

Rehabilitation of Refugee Families in Manipur

1672. *Shri M. Meghachandra :* Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether the question of granting settlement to the 214 refugee families in Manipur has now been finally solved and the refugee families have been given land by the Government of Manipur ; and

(b) if not; the reason for the delay in the said rehabilitation ?

The Minister of Labour and Rehabilitation (Shri D. Sanjivayya) :

(a) and (b). The Government of Manipur have intimated that they have issued orders for allotment of land to 153 families. The cases of the remaining 61 families are being varified by the Government.

LOK SABHA DEBATES

1970
Vol. 39.

16 April 1970

(107)

Progress of Rehabilitation of Refugees from East Pakistan

6446. *Shri Himmatsingka* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

- (a) the progress made in regard to the rehabilitation of East Pakistan refugees in different states ;
- (b) how many of them are still awaiting rehabilitation in each State ; and
- (c) whether the exodus of refugees from East Pakistan still continues. if so, at what rate per month ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) and (b). A statement is laid on the Table of the House (placed in Library. See No. LT-3213/70).

(c) Yes, Sir. The influx varies from month to month. The figures as reported by the Governments of West Bengal, Assam and Tripura since January 1, 1970 are as follows ;

In West Bengal	15 818	(upto 3-4-1970).
In Assam	2,220	(upto 15-3-1970)
In Tripura	801	(upto 28-2-1970)

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1970
Vol. 40

23 April 1970

(172-73)

Rehabilitation of Refugees from East Bengal

7316. *Shri Suraj Bhan* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

- (a) the number of the Hindu refugees who came from East Bengal to India in the years 1954 and 1964 respectively ;
- (b) the number of Scheduled Caste refugees out of them who came in the year 1954 and 1964 respectively ;
- (c) the number of (i) Scheduled Castes and (ii) other refugees out of part (a) above who have since been rehabilitated separately ;
- (d) whether it is a fact that the allowances which the poor Scheduled Caste refugees used to get from Government monthly has also been stopped during the last year ; and
- (e) the steps Government proposed to take to rehabilitate the poor Scheduled Caste refugees immediately ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) and (b). The number of refugees who migrated from East Pakistan to India in the year 1954 and 1964 is 1,21,364 and 6,93,142 respectively. Caste-wise statistics are not maintained.

(c) The rehabilitation of old displaced persons from East Pakistan who migrated into India upto 31st March, 1958 had by and large, been completed by 1960-61 except some residual rehabilitation work in West Bengal, which is being assessed by the Committee of Review, appointed by the Government of India under the Chairmanship of Shri N. C. Chatterji, M.P.

So far as the rehabilitation of the new migrants who came on or after 1-1-1964 is concerned, rehabilitation assistance has been given to about 40,000 families upto 31.12.1969. Separate figures of rehabilitation assistance to the influx of each year are not readily available. Time and labour involved in collecting these figures would not be commensurate with the results likely to be achieved.

Caste-wise figures of rehabilitation of migrants are not maintained.

(d) Maintenance allowance is given to eligible displaced families according to the prescribed rates for specified period. No distinction is made amongst displaced persons in the matter of rehabilitation assistance and all are treated alike.

(e) The rehabilitation programme is planned for all classes of migrants and no caste-wise distinction is made.

1970
Vol. 41.

14 May 1970

(156-57)

Extending Age-Limit of Entering into Government Service for Displaced Persons from East Pakistan

9711. *Shri Deven Sen*: Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether Government will consider the desirability of extending 45 years' age-limit for entrance into Government service for a further period upto 1980 in favour of East Pakistan displaced persons in view of the fact that influx of displaced persons from East Pakistan is still on and there is also a large number of such displaced persons in India who have been still awaiting physical and economic rehabilitation ;

(b) if so, how Government propose to meet the situation ;
and

(c) if not, the reasons thereof ?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri Bhagwat Jha Azad) :

(a) to (c). The following age concession in the matter of employment of new migrants from East Pakistan into Central Government service are already available upto 31-12-1971 :—

(i) *Appointments filled on the results of Competitive Examination held by the Union Public Service Commission.*

The age-limit is relaxed upto three years in excess of normal upper age limit subject to the condition that a candidate will not be allowed to avail of a large number of chances in respect of recruitment to a service or a group of services than the maximum under the normal age-limits.

(ii) *Appointment covered by (i) above.*

The maximum age-limit for entry into Government service as well as for permanent absorption therein is relaxed upto 45

(iii) *Displaced persons belonging to Scheduled Castes and Scheduled Tribes.*

The age-limits mentioned in (i) and (ii) above are further relaxed by five years for persons belonging to scheduled castes or scheduled tribes both in case of gazetted and non-gazetted posts in central service as well as All India Services.

The question of extending the above concessions beyond 31-12-1971 will be duly considered well before the date in the light of circumstances prevailing then.

LOK SABHA DEBATES

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13 August, 1970

(156)

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Unemployed Refugees from East Pakistan

2700. *Shri Abdul Ghani Dar* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) the total number of unemployed refugees from East Pakistan upto 3rd June, 1970 ;

(b) the reasons for the same ; and

(c) how much period is needed to provide them with employment ?

The Minister of Labour and Rehabilitation (Shri D. Sanjivvya) :

(a) The number of new migrants from East Pakistan on the live registers of the Employment Exchange in the country on the 30th June, 1970 was 10,423.

(b) the main reasons for unemployment are :

(i) lack of adequate employment opportunities and general recession in the country ;

(ii) lack of marketable skills on the part of new migrants ; and

(iii) lack of mobility on the part of new migrants ; and

(c) while all possible efforts are being made for placing the new migrants in employment, it is not possible to indicate with any degree of accuracy as to how much period is needed to provide all the new migrants with employment.

Steps to Stop Refugee Influx from East Pakistan

3355. *Shri Rabi Ray* : Will the *Minister of External Affairs* be pleased to state :

(a) whether his attention has been drawn to the fact that Pakistan had suggested that India should physically turn back the refugees who are coming to India from East Bengal ;

(b) if so, the details thereof ; and

(c) the steps taken by India to take up the issue with Pakistan so as to stop the influx of refugees to India from Pakistan ?

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Pal Singh) :

(a) and (b). In reply to one of our verbal protests against the increased exodus of minorities from East Pakistan, Pakistan had *inter alia* alleged that we were not exercising sufficient vigilance on the border. The charge of laxity on our part was denied but at the same time it was emphasised by us that the primary responsibility for stopping the migration lay with Pakistan ; we could not be expected to take an inhuman attitude towards human beings in distress.

(c) Government have already taken up this issue strongly with Pakistan and have reminded them of their solemn obligation under the Nehru-Liaquat Pact of 1950 and the Tashkent Declaration of 1966 and have urged them to provide security of life, property and honour to their minorities and thus to stop their exodus.

Rehabilitation of Refugees from East Pakistan

2388. *Shri Baburao Patel* : Will the the *Minister of Labour and Rehabilitation* be pleased to state :

(a) the total amount spent on the rehabilitation of refugees and migrants from East and West Pakistan since the partition and the total number of persons rehabilitated so far ;

(b) the State-wise break-up of the above persons and of the above amount ; and

(c) how many refugees and migrants are still to be rehabilitated and the time by when and the manner in which they will be rehabilitated ?

The Minister of Labour and Rehabilitation (Shri D. Sanjivayya) :

(a) and (b). An amount of Rs. 526.65 crores was spent upto 31-3-70 on the relief and rehabilitation of migrants and displaced persons from East and West Pakistan. Statewise break-up of the expenditure is not readily available as details of expenditure are maintained grant-wise.

2. 47.40 lakh persons had migrated to India from West Pakistan. The rehabilitation of those persons has by and large been completed.

41.17 lakhs persons from East Pakistan came to India upto 31-3-1958. The problem of rehabilitation of these persons had also, by and large, been solved by 1960-61, except some residuary problem in West Bengal for which a further provision of Rs. 21.88 crores has been made and a review of the work done

is being made by a Committee under the Chairmanship of Shri N. C. Chatterji, M.P.

Statewise breakup of the old migrants is given in the statement laid on the Table of the House (*Placed in library See No. LT-4395/70*).

3. The total number of new migrants i.e. persons who migrated from East Pakistan to India from 1-1-1964 to 21st November, 1970 is indicated below :

Name of the State in which migrated.	No. of Migrants.
West Bengal	7,44,529
Assam	2,11,822
Tripura	1,41,785

(c) New migrants who stayed on in West Bengal are not eligible for any rehabilitation assistance according to the existing policy. Out of the remaining number, 41,950 families (about 2,10,000 persons) have been rehabilitated in the various states as per details given in the statement laid on the Table of the House (*Placed in Library. See No. LT-4395/70*).

1,72,706 persons are still in various relief camps. Efforts are being made to rehabilitate these persons in agricultural and non-agricultural schemes in consultation with the various State Governments.

1971

17 June 1971

(146-48)

Vol. 3.

Rehabilitation of Displaced Persons from East Bengal Before 1970

2483. *Shri S. N. Misra* : Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether all the displaced persons from East Bengal who had come to India before 1970 have been rehabilitated ;

(b) if not, the number of the persons who remain to be rehabilitated ; and

(c) the steps taken to rehabilitate them ?

The Minister of Labour and Rehabilitation (Shri R. K. Khadilkar) : (a) to (c). A statement is attached,

STATEMENT

OLD MIGRANTS

The work of rehabilitation of old Migrants from East Pakistan, i.e. those who migrated to India upto 31-3-1958 had, by and large, been completed by 1960-61, except for some residuary work in West Bengal. An assessment of the residuary work in West Bengal was made in 1960-61, and a sum of Rs. 21.88 Crores was agreed upon for liquidating the residuary problem.

2. The working and the results of rehabilitation measures undertaken in West Bengal for the benefit of old migrants after the 'Residuary Assessment', and the further financial assistance required, are at present being evaluated by the Committee of Review. As a result of certain interim recommendations of the Committee, a sum of Rs. 237 lakhs has since been sanctioned.

NEW MIGRANTS

3. All the new migrants who had come to India between the period from 1-1-1964 to 31-12-1969 and had sought rehabilitation assistance had been resettled in different States by 31-12-1969, except for 5,121 families who were in relief camps awaiting rehabilitation, apart from 3,997 families of the Permanent Liability Category.

4. A fresh influx started in 1970 and the problem relating to the small number of families awaiting rehabilitation, as mentioned in paragraph 3, got merged with the problem of the fresh influx. The process of movement of families from the camps and their rehabilitation in different States has been continued in respect of the families who were awaiting rehabilitation as on 1-1-1970 as well as for the fresh influx of families.

5. A number of schemes already undertaken for rehabilitation in agriculture in various States were continued viz. Betul, Sarguja and Panna Projects in Madhya Pradesh, Chand Project in Maharashtra, Isagaon Project in Andhra Pradesh and Sindhanur Project in Mysore, as well as the Dandakaranya Project and the Schemes in Andaman and Nicobar Islands.

6. An appeal has been made to the State Governments to make available additional land to meet the vastly increased requirements of the fresh influx in 1970. Certain Schemes suggested by the State Governments are under consideration.

7. Pattern Schemes authorising the State Governments to give loans to displaced persons for small trades and business and for housing have been continued. Priorities and concessions for employment in Central Government Offices and facilities for technical training, with stipends have been continued. Other schemes for rehabilitation such as resettlement in industrial units under the auspices of the State Government are also being continued.

LUK SABHA DEBATES

1972

10 August, 1972

(37-38)

Vol. 17

Bangladesh Refugees in Eastern States

1606. *Shri Robin Kakoti*: Will the *Minister of Labour and Rehabilitation* be pleased to state:

(a) whether there are still a large number of Bangladesh refugees in Assam, Meghalaya and Tripura;

(b) if so the number of such refugees, State-wise; and

(c) the steps taken to send them to Bangladesh?

The Minister of Labour and Rehabilitation (Shri R. K. Khadilkar):

(a) to (c). No Sir. All camp refugees in the State of Assam, Meghalaya and Tripura have been repatriated to Bangladesh.

As regards non-camp refugees that is those who were staying with their friends and relatives, most of them have also returned to Bangladesh on their own. Isolated cases as and when detected, are dealt with by the State Government in accordance with the provisions of the Foreigners' Act, 1946.

March 1, 1973

(82-83)

Rehabilitation of Displaced Persons from Pakistan

1439. *Shri Jagannath Tao Joshi*

Shri Hari Singh :

(Translate into English from Hindi)

Will the *Minister of Labour and Rehabilitation* be pleased to state ;

(a) Number of displaced persons from East Pakistan and other countries upto January 1973 who have been rehabilitated and

(b) By what date the rehabilitation works will be completed ?

Labour and Rehabilitation Minister (Shri Raghunath Reddy) :

(a) A statement is placed on the table of the house (placed in the library See No. LT 4342/73).

(b) 28,000 families from erstwhile East Pakistan are awaiting rehabilitation. In addition there are migrants from Burma and Sri-Lanka. Migrants from Sri-Lanka continued to come since 1964. The number of Tibetan refugees reached about 15,000. At the moment it is not possible to specify any time by which the rehabilitation works will be completed. It depends upon many factors including availability of cultivable lands. The schemes earlier implemented by the State Governments to rehabilitate the refugees in the allotted lands are being examined.

1973

29 March, 1973

(148-149)

Vol. 25.

Rehabilitation of Refugees from Pakistan and other Countries

5271. *Shri R. S. Pandey :* Will the *Minister of Labour and Rehabilitation* be pleased to state :

(a) whether the work in connection with the rehabilitation of refugees from Pakistan and other countries has since been finalised ;

(b) if not to what extent and the volume of work still to be handled ; and

(c) the time by which the Rehabilitation Department is likely to be wound up ?

The Minister of Labour and Rehabilitation (Shri Raghunath Reddy) :

(a) Except for certain residential problems, the rehabilitation phase in respect of displaced persons from the former West Pakistan (now Pakistan) and old migrants from former East Pakistan (that is those who migrated to India upto 31st March 1958) was over by 1964. The work relating to grant of rehabilitation assistance to new migrants who came from former East Pakistan during the period from 1964 to 1969 was nearly completed by the end of 1969. Rehabilitation assistance was also granted during this period to the repatriates who came from Burma, Sri Lanka and Mozambique and to the Tibetan refugees.

The work in regard to relief and rehabilitation of new migrants from former East Pakistan who came in 1970 and upto

25th March 1971, the work in regard to the continuing flow of repatriates from Burma and Sri Lanka and the remaining work related to the resettlement of Tibetan refugees, as well as the residuary work relating to displaced persons from former West Pakistan (now Pakistan) and old migrants from former East Pakistan are being handled by the Department. A rehabilitation scheme for repatriates from Uganda is being finalised.

(b) A statement showing the extent and the volume of work being handled is laid on the Table of the House. (*Placed in Library. See No, LT—4660/731*).

LOK SABHA DEBATES

1974

7 March, 1974

(151-152)

Vol. 36.

Rehabilitation of Refugees from Former East Pakistan

2372. *Shri Samar Guha*: Will the *Minister of Supply and Rehabilitation* be pleased to state :

(a) the total number of refugees from former East Pakistan still awaiting rehabilitation and their break-up in different refugee camps ;

(b) the Government plan for their rehabilitation and the time schedule thereof ;

(c) whether refugees from different camps including Deoli in Rajasthan have appealed to government and sent memoranda to them for rehabilitation in the Andaman Islands, if so, the outlines of the text of the memoranda ; and

(d) the reaction of government thereto ?

The Deputy Minister in the Ministry of Supply and Rehabilitation (Shri G. Venkatswamy) :

(a) a statement is laid on the Table of the House. (*Placed in Library. See No. LT. 6259/74*)

(a) Plans for settlement of 21,300 of the families during the Fifth Five Year Plan period have been formulated. Of these 15,600 families are planned to be settled on agricultural occupations and efforts will also be continued for the rehabilitation of the remaining families. This is, however, subject to availability of suitable lands and adequate funds.

(c) Yes Sir. The migrants in Deoli Camp have requested

that they may be rehabilitated in "Andamans". They stated that while land in these Islands is like the land in Bangladesh; the lands in Rajasthan are not favourable for cultivation by them.

(d) In so far as families to be inducted into Little Andaman during 1974-75 are concerned, it is proposed to select them from Mana Camp. Selection of families in the subsequent years could be considered at the appropriate time.

1975

20 March 1974

(79-80)

Vol. 50.

Schemes for Rehabilitation of Former East Pakistan Refugees

4168. *Shri Samar Guha* : Will the *Minister of Supply and Rehabilitation* be pleased to refer to the reply given to unstarred question No. 460 on the 20th of February, 1975 regarding rehabilitation of Refugees from East Pakistan and state :

(a) Government's plan for Rehabilitation of 3000 families of former East Pakistan refugees who will be left out of the scheme for their rehabilitation during the next Fifth Plan period;

(b) the nature of the concrete schemes formulated by the Government for rehabilitation of 21,300 families as proposed by Government ;

(c) whether rehabilitation of these Refugees will be made in Andaman and Nicobar Islands also ;

(d) if so, the schemes formulated thereabout and if not, the reasons thereof ; and

(e) the authority constituted for speedy rehabilitation of 25,300 refugee families who are still rotting in different camps ?

The Deputy Minister in the Ministry of Supply and Rehabilitation (Shri G. Venkataswamy) :

(a) The East Pakistan migrant families in camp who remain unsettled at the end of the Fifth Year Plan are proposed to be resettled during the Sixth Five year Plan period.

(b) As already stated in para (f) of the unstarred question No. 460 answered on 20th February 1975 the migrant families will be resettled on agricultural lands and in non-agricultural

occupations, including provision of employment subject to availability of suitable lands and adequate funds.

(c) Yes, Sir, but this is subject to a review of the effects of deforestation in the Islands.

(d) The migrants will be resettled mainly on agricultural lands in rehabilitation colonies as at present.

(e) The rehabilitation of the migrant families will be done through the agencies of the various State Governments and Union Territories and the Dandakaranya Development Authority.

LOK SABHA DEBATES

1974
Vol. 47.

12 December 1974

(149-50)

Central Aid to West Bengal, Assam, Meghalaya, Tripura etc for Spending on Bangladesh Refugees.

4328. *Shri Samar Guha*: Will the *Minister of Supply and Rehabilitation* be pleased to state :

(a) The break-up of the figures of amounts of Central grant, aid and international aid, collectively or severally to West Bengal, Assam, Meghalaya, Tripura and any other State for spending on Bangladesh refugees during the days of liberation struggle of Bangladesh; and

(b) Whether Government have got reports of the expenditure of such financial aids from these State Governments and if so, the facts thereof?

The Deputy Minister in the Ministry of Supply and Rehabilitation (Shri G. Venkatswamy) :

(a) The following Central grant/aid and international aid were sanctioned to the State Governments concerned for expenditure on Bangladesh refugees :-

Name of State Government.	Amount of central grant in cash.	Amount of aid in kind provided out of international aid received through U. N. Focal Point and bilateral aid.
	Rs. in crores	
West Bengal	110.57	14.33
Tripura	20.22	2.48
Meghalaya	14.00	1.27
Assam	7.14	0.47
Bihar	0.14	0.01
	152.07	18.56

b) The State Governments have not so far furnished complete audited accounts in respect of Central grants sanctioned to them in cash. The matter is being pursued with them vigorously. The detailed bills already submitted by the State Governments are being scrutinised by the respective Accountants General.

1975
Vol. 48.

20 February 1975

(90-91)

Rehabilitation of Refugees from East Pakistan

460. *Shri Samar Guha*: Will the *Minister of Supply and Rehabilitation* be pleased to state :

- (a) The total number of refugees from East Pakistan awaiting rehabilitation upto January 31st, 1975 ;
- (b) The camps and places where they have been temporarily given shelter ;
- (c) The break-up of their figures in each camp or other places and the benefits given to them for their maintenance ;
- (d) Whether some of these refugees have been living in such camps for the last 5 to 15 years ; if so the reasons for inordinate delay in regard to their rehabilitation ;
- (e) The number and other facts about the other categories of refugees who are yet to be recognised as refugees from former East Pakistan ; and
- (f) The outline of the schemes including time schedule of rehabilitation of all categories of East Pakistan refugees ?

The Minister of Supply and Rehabilitation (Shri R. K. Khadilkar) :

(a) The total number of migrants from former East Pakistan now in camps awaiting rehabilitation upto 31st January, 1975 is about 25,300 families. Of them approximately 4000 families are of Permanent Liability Category.

(b) and (c) The information is given in Annexures I and II laid on the Table of the House. (Placed in library; See No. LT 8035/75).

(d) Most of the migrants are in camps between 1.1.1970 to 25.3.1971. However, some of them came during the period 1.1.1964 to 31.12.1969.

The programme of settlement of families is subject to availability of suitable lands and adequate funds. Every effort is however being made to locate suitable lands with the active cooperation of the various State Governments.

(e) According to the policy of the Government, all migrants who entered India between 1.1.1964 to 25.3.1971 are eligible to relief and rehabilitation assistance only outside West Bengal and entered a relief camp.

(f) Plans for resettlement of 21,300 families during the Fifth Plan period have been formulated. Of these, 15,600 families are planned to be resettled on agricultural lands and 5,700 families on non-agricultural occupations, subject to availability of suitable lands and adequate funds.

LOK SABHA DEBATES

1975
Vol. 50.

20 March, 1975

(150-151)

Rehabilitation of East Pak Refugees Outside West Bengal

4263. *Shri Samar Guha* : Will the *Minister of Supply and Rehabilitation* be pleased to state :

(a) the number of former East Pakistan refugees and the places where they have been permanently rehabilitated outside West Bengal ;

(b) the number of refugees who have deserted these rehabilitation sites ;

(c) the State-wise break-up of the sites of the rehabilitation ; and

(d) the state-wise break-up of the funds allocated upto 1974 for rehabilitation of these refugees ?

The Deputy Minister in the Ministry of Supply and Rehabilitation (Shri G. Venkatswamy) :

(a) and (c). A statement including the number of refugees from former East Pakistan given rehabilitation assistance in various States/areas outside West Bengal is attached.

(b) Information regarding desertion of refugees since inception for areas other than Dandakaranya is not available. However, after the liberation of Bangladesh, about 15,500 families of migrants who had come to India prior to 25th March, 1971 deserted from various camps and rehabilitation sites including Dandakaranya since inception.

(d) Information is being called and will be laid on the table of the Sabha.

STATEMENT

Sl. No.	Name of State	No. of families given rehabilitation assistance.	
		Old migrants (Round to thousand)	New migrants upto 31.12.74
1.	Andhra Pradesh	...	996
2.	Arunachal Pradesh	...	2,902
3.	Assam	90	11,928
4.	Bihar	14	1,987
5.	Karnataka	...	892
6.	Maharashtra	...	5,265
7.	Madhya Pradesh	3	4,180
8.	Manipur	...	145
9.	Meghalaya	...	2,138
10.	Orissa	3	253
11.	Punjab	...	3
12.	Tripura	69	5,883
13.	Uttar Pradesh	4	1,241
14.	Andamans	3	737
15.	Dandakaranya	8	13,057
16.	Other areas	1	...
	Total	195	51,607

*Excluding families who had left the rehabilitation sites on their own.

LOK SABHA DEBATES

1976
Vol. 55

19 January, 1976

(84)

Rehabilitation of Refugees from East Pakistan

788. *Shri Samar Guha* : Will the *Minister of Supply and Rehabilitation* be pleased to state :

(a) The total number of former East Pakistan Refugees awaiting rehabilitation ;

(b) Break-up of the refugees in different transit camps ;

(c) The period for which they are waiting in such transit camps ;

(e) If so, the time schedule for their rehabilitation ?

The Deputy Minister in the Ministry of Supply and Rehabilitation (Shri G. Venkataswamy) :

(a) and (b) The total number of new migrants from former East Pakistan awaiting rehabilitation in transit camps, Karmishibirs and worksites on 31.12.1975 is 17,329 families comprising 78,440 persons. The break-up of the figures is given in the attached statement.

(c) The majority of the new migrant families awaiting rehabilitation belong to 1970 influx,

(d) and (e) Plans for resettlement of 21,300 families during the Fifth Plan period have been formulated. Of these, 15,600 families are planned to be resettled on agricultural lands and 5,700 families in non-agricultural occupations subject to availability of suitable lands and adequate funds.

LOK SABHA DEBATES

1976
Vol. 59

29 March, 1976

(122-123)

Rehabilitation of Refugees Migrated from Erstwhile East Bengal

1521. *Shri Somnath Chatterjee* : Will the *Minister of Supply and Rehabilitation* be pleased to state :

(a) how many refugee families migrated from erstwhile East Bengal to India between 1948 and 1971 ;

(b) how many of those families have been economically rehabilitated so far ;

(c) nature of economic rehabilitation provided for these families ;

(d) how many families are yet to be rehabilitated ; and

(e) what are the schemes of Government for the non-rehabilitated families ?

The Minister of Supply and Rehabilitation (Shri Ramniwas Mirdha) :

(a) 52.31 lakh persons or 10.46 lakh families. Out of them, 41.17 lakh persons are categorised as old migrants and the remaining as new migrants

(b) Out of 41.17 lakh old migrants (about 8.23 lakh families) 6.67 lakh families have been rehabilitated. Out of the remaining 1.56 lakh families 1.29 lakh families did not apply for firmaries and about 0.18 lakh families were in Homes and Infirmarys and about 0.18 lakh families continued in camps in West Bengal till 31st December, 1960. The families in Homes have continued to be looked after by Government. The families in camps were given the option to go to Dandakaranya and such of them as did not accept the offer were dispersed after having been given six months' doles.

Since West Bengal was not in a position to absorb additional migrants, it was decided by Government when the new influx of migrants started in 1964—that relief and rehabilitation assistance be given only to such of them as chose to seek admission in camps opened outside West Bengal. In spite of this decision, over 6 lakh new migrants (1.25 lakh families) chose to stay in West Bengal. Of such families as were admitted in camps outside West Bengal, 55,272 families have been rehabilitated upto 31.12.1975 in the various States and Union Territories.

(c) The families were rehabilitated in agriculture, small trade and by employment in industries.

(d) 17,500 families are in camps awaiting rehabilitations as on 15.3.1976 (excluding Permanent Liability families numbering 3,824).

(e) It is proposed to resettle most of 17,500 families during the Fifth Five Year Plan period and the remaining the Sixth Plan Period subject to availability of land, suitable location for establishing small trade and business.

THE CONSTITUENT ASSEMBLY

DEBATES

OFFICIAL REPORT

Volume IX, 1949.

30th July to 18th September, 1949.

CONSTITUENT ASSEMBLY OF INDIA

Friday, the 12th August, 1949.

The Constituent Assembly of India met in the Constitution Hall, New Delhi, at nine of the Clock, Mr. President (The Honourable Dr. Rajendra Prasad) in the Chair.

DRAFT CONSTITUTION - (contd.)

Article 5 and 6 - (contd.)

Sardar Bhopinder Singh Man (East Punjab : Sikh) :
Sir, in the definition of 'citizenship' which covers fairly extensive ground the view-point of Hindu and Sikh refugees has been met to some extent by the Drafting Committee whom I congratulate on that account. But, as usual, a weak sort of secularism has crept in and an unfair partiality has been shown to those who least deserve it. I was saying that the Hindu and Sikh refugees' view-point has been met to some extent, but not wholly. I do not understand why the 19th July 1948 has been prescribed for the purpose of citizenship. These unfortunate refugees could not have foreseen this date; otherwise they would have invited Pakistan knife earlier so that they might have come here earlier and acquired citizenship rights. It will be very cruel to shut our borders to those who are victimised after the 19th July, 1948.

They are as much sons of the soil as anyone else. This political mishap was not of their own seeking and now it will be very cruel to place these political impediments in their way and debar them from coming over to Bharat Mata. Our demand is that any person, who because of communal riots in Pakistan has come over to India and stays here at the commencement of this Constitution, should automatically be considered as a citizen of India and should on no account be made to go to a registering authority and plead before him and establish a question of six months domicile to claim rights of citizenship. There may be victims of communal frenzy in our neighbouring State hereafter; it is not only a possibility but a great probability in present circumstances.

Page No. 414

Shri Rohini Kumar Choudhuri (Assam : General) :

By this amendment I want citizenship rights for those persons- I am particularly concerned with Assam who had come from East Bengal because they found things impossible for them there. It may be argued in a narrow way that every one who has come from East Bengal was not really actuated by fear or disturbance or actually living in a place where disturbance had taken place. Can any one imagine for a moment that there is no fear of disturbance in the minds of these East Bengal people who had come over to West Bengal or Assam? Was there any sense of security in their minds? Has that sense of security, now after a period of two years, been enhanced by the fact that Pakistan has been converted into a theocratic State? I should say in answer to the criticism of Pandit Kunzru, that you need not insist in such cases that the man actuated by fear of disturbance or that disturbance should have taken place. The fear is latent in the mind of everybody. The moment any Hindu or a person of any minority raises a protest against any action which is taken there, disturbances would immediately follow. Is there any doubt about that?

Therefore, Sir, in answer to Pandit Kunzru's criticism, I would say that this condition of fear, of disturbance should not at all be insisted in the case of a person coming from Pakistan over to West Bengal or Assam or any other place in India?

Page No. 414

Shri Rohini Kumar Choudhuri: I want citizenship rights to this class of people, who have originally belonged to Sylhet in the province of Assam, who long before the partition, have come to the Assam Valley as a citizen of that province and are staying in the present province of Assam. I ask, have they got citizenship or not? These people belonged to the province of Assam, Sylhet. They had come to Assam on some business or other; they had come as government servants or as employees of business-men. They had not migrated; no question of migration arose at that time.

ALR 1970 ASSAM & NAGALAND 206

P. K. GOSWAMI, C.J.

Second Appeal No. 171 of 1967.

Bhanbhasa Seikh alias Banbasha and others (Plaintiffs)

Appellants

Versus

The Union of India and others (Defendants) Respondents

8. Mr. Choudhuri, the learned Counsel for the appellants moved an application under Order 41 Rule 27 of Code of Civil Procedure, which was filed on 30.7.69, and prayed "to allow the petitioners to file the certified copy of the National Register of Census and examine the petitioners and such other witnesses on this issue". Although they did not file along with this petition the document described therein, Mr. Choudhuri produced the same at the time of hearing. This appears to be a printed card issued by the Tezpur District, Jamaiat-E-Ulema-E-Hind, Bhaikhowa. It is said to be a copy of the N. R. C. 1951 (N. R. C. abbreviation for National Register of Citizens). There is an endorsement at the foot of the document to the following effect :

"Certified to be True Copy of the
N. R. C. 1951"

According to the petitioners, this was not available to the petitioners in the two courts below and at the time of moving the second appeal before this Court two years earlier.

According to the petitioners, this document was given to them by the Tezpur District Jamaiat-E-Ulema-E-Hind, which has been made in conformity with a copy, which that body has received from the Government of Assam with the permission of the Government of India.

This document is not a public document within the meaning

of Section 74 of the Indian Evidence Act. It is granted by a private organisation and is not sanctioned by any law or rules. Mr. Choudhuri submits that the National Register of Citizens is prepared under the Provisions of the Census Act, and this is a copy of the entry in the said register. He further draws my attention to Note (4) in the Prefatory Note of Volume XII of the Census of India, 1951, Part I-B, published in 1953 and compiled by the Superintendent of Census Operations for Assam, Manipur and Tripura. Note (4) is to the following effect :

“In addition to these printed Volumes, there are National Registers of Citizens, prepared simultaneously with the filling up of enumeration slips, given important census details for each person of every village or ward in a town. These Registers are preserved in manuscript as permanent records in District Offices.”

Assuming but not deciding that the Note has a statutory force, it only shows that the National Register of Citizens is a contemporaneous register prepared by the officers appointed under the provisions of the Census Act in the course of census operations.

If so, Section 15 of the Census Act will make such records of Census not open to inspection nor admissible in evidence. Section 15 of the Census Act runs as follows :

✓ “15. Records of census not open to inspection nor admissible in evidence.

No person shall have a right to inspect any book, register or record made by a census-officer in the discharge of his duty as such, or any schedule delivered under section 10, and notwithstanding anything to the contrary in the Indian Evidence Act, 1872, no entry in any such book, register, record or schedule shall be admissible as evidence in any civil proceeding whatsoever or in any criminal proceeding other than a prosecution

under this Act or any other law for any act or omission which constitutes an offence under this Act.”

What is directly prohibited under Section 15 of the Census Act cannot be let in by an indirect method through the agency of a private organisation. Besides, the document produced giving the look of a printed Official document as if of a public officer, has no such status under any provisions of the law. No provision of law or rule has been pointed out by which this Court is in a position to accept this document or rely on it.

It is at best a document at third hand printed from some copy (not even from the original) available at private source. There is, therefore, no merit in this application under Order 41 Rule 27 of the Code of Civil Procedure, apart from the inordinate delay in filing the same for the first time in this Court after two years of the admission of the second appeal. The application is, therefore, rejected.

The State of Assam also came forward to fulfil the tasks of national obligations to rehabilitate the displaced persons. The state Government amended the Assam Land (Requisition and Acquisition) Act, 1948 by Act XVI of 1949 subsequently replaced by Act XV of 1964 providing for requisition and speedy acquisition of land for the displaced persons. The Assam Government requisitioned and acquired thousands of bighas of land for distribution among the displaced persons throughout the State. The State of Assam also enacted the Assam Forest Products (Acquisition) Act, 1950, empowering the State Government to acquire forest products like bomboos, canes, thatches, reeds, ikras etc. for the purpose of rehabilitation of the refugees. In order to enable the displaced persons to start life anew the State of Assam enacted the Assam Displaced Persons (Rehabilitation Loans) Act, 1951, to provide for the grant and recovery of loans to the displaced persons for their rehabilitation. The Acts referred to above and the State Government's policy regarding acquisition of land are annexed hereto and are marked as Annexures 2, 3, 4 and 5.

ANNEXURE : 2

The Government of Assam in order to implement their policy of rehabilitating the displaced persons amended the Assam Land (Requisition and Acquisition) Act of 1948 by Act XVI of 1949, namely the Assam Land (Requisition and Acquisition) Amendment Act 1949, providing, inter alia, for requisition and speedy acquisition of land for the displaced persons. In 1964 the Assam Legislature replaced the Act by the Assam Land (Requisition and Acquisition) Act, 1964 (Assam Act XV of 1964) and the same also received the assent of the President. The existing Act also provides for requisition and acquisition of land, inter alia, for displaced persons. In all these enactments a displaced person is defined as follows :-

“Sec. 2 (c) “displaced person” means

i) any person, who on account of the setting up of the two Dominions of India and Pakistan or on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan has been compelled to leave his place of residence in such area after the 1st day of March 1947 and who has subsequently been residing in India and is in distress,

or

ii) A person who has been displaced due to various acquisition proceedings relating to land in Assam since 1943”.

In fact, thousands of bighas of land were requisitioned and subsequently acquired all over the State for the purpose of rehabilitation of the displaced persons in the State.

ANNEXURE : 3

The Government of Assam in its resolution on land settlement Policy 1968, inter alia stated :

“Over and above this, in 1963-64, there was suddenly a big migration of refugees from East Pakistan into Assam, for whose rehabilitation along with the rest of the country, the State Government had also to allot about 52,000 bighas of Government waste land, even by cancellation of certain essential reserves.

Source :- Assam Land and Revenue Manual, English Edition
Page, 455

ANNEXURE : 4

In 1950 the Assam Forest Products (Acquisition) Act, 1950 (Assam Act XXXI of 1950) was enacted for the purpose of rehabilitation of refugees, and empowering the Government to acquire forest products, like ‘bamboos,’ ‘canes,’ ‘thatches,’ ‘reeds,’ ‘ikras’ etc. for the purpose of rehabilitating the refugees or for other public purposes within the State of Assam. The said Act replaced the earlier Ordinance and received the assent of the President on 7.11.1950. In the statement of Objects and Reasons of the Bill Sri R. N. Brahma, Minister in charge, and belonging to the Plains Tribal community of Assam, stated :

“With a view to acquire certain forest products for the purpose of rehabilitation of refugees and for other public purposes Government promulgated an Ordinance called the Assam Forest Products (Acquisition) Ordinance, 1950 (Ordinance No. IV of 1950). According to Article 213(2)(a) of the Constitution of India this Ordinance shall cease to operate at the expiry of 6 weeks from the reassembly of the Legislative Assembly in September, 1950.

But as the circumstances for which the said Ordinance was promulgated still exist Government propose to replace it in the meantime by an enactment.

R. N. Brahma,
Minister-in-charge.

A. Datta,
Dy. Secy. to the Govt. of Assam, Agri, Deptt.

ANNEXURE : 5

The Assam Displaced Persons (Rehabilitation Loans) Act, 1951, (Assam Act, XVI of 1951) was enacted to provide for the grant and recovery of loans to displaced persons for their rehabilitation. Section 2(c) defines displaced persons. The said definition after its amendment by Assam Act XX of 1957 reads as follows :

“(c) Displaced person means (i) a person who on account of the partition of India or on account of civil disturbances in area now forming part of India or Pakistan has been displaced from or compelled to leave the place of residence in such area on or after the prescribed date and who has subsequently been residing in India, and is in distress ; (ii) an association, corporated or incorporated, formed by several such persons as defined in (i) above ;

(i) ‘Prescribed date’

- 1) In relation to a person displaced from or compelled to leave his place of residence in the district of Noakhali or the district of Commilla now forming part of East Pakistan means the 1st day of October, 1946.
- 2) In relation to a person displaced from or compelled to leave his place of residence in any other area now forming East Pakistan, means the 1st day of June, 1947.
- 3) In relation to a person displaced from or compelled to leave his place of residence in any area now forming part of East Pakistan, means the 1st day of March, 1947.
- 4) In relation to a person displaced or compelled to leave his place of residence in any area now forming part of India, means the 1st day of January, 1950”.

“... THERE IS NO DOUBT,
OF COURSE,
THAT THOSE
DISPLACED PERSONS
WHO HAVE COME
TO SETTLE IN INDIA
ARE BOUND TO HAVE
THEIR CITIZENSHIP.

IF THE LAW
IS INADEQUATE
IN THIS RESPECT,
THE LAW
SHOULD BE CHANGED.”

— Jawaharlal Nehru

