

[English]

Indians in Hong Kong

143. SHRI ATAL BIHARI
VAJPAYEE:

SHRI LAL K. ADVANI:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether a large number of persons of Indian origin now living in Hong Kong are likely to become Stateless when Hong Kong, now a British colony, reverts to China in 1997;

(b) if so, the number of such Indians likely to be affected;

(c) the present status of such persons with regard to their nationality/citizenship;

(d) the action proposed to be taken by the Government of India to prevent such persons becoming Stateless;

(e) whether the matter was taken up by the Government with the Government of U.K.; and

(f) if so, the details thereof?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI MADHAVSINH SOLANKI) (a) to (f) A Statement is laid on the Table of the House.

STATEMENT

(a) to (c) There are about 5000 persons of Indian origin in Hong Kong who hold either British Dependent Territories Citizenship (BDTC) or British National (Overseas) (BN(O)) Passports, issued by the British Government. These persons are part of a group of approximately 3.25 million persons with similar status (British Dependent Territory Citizenship/British National (Overseas)) in Hong Kong. The holders of these documents are not entitled to the automatic right of abode in the United Kingdom. This category of persons is however, expected to qualify for con-

tinued abode in Hong Kong after the territory reverts to Chinese sovereignty in 1997.

(d) to (f) The matter has been raised with the British Government. It has been the consistent position of the Government of India that the British Government has basic responsibility towards this group of persons and that it should take necessary steps to safeguard the status of these persons as British citizens.

[Translation]

SHRI ATAL BIHARI VAJPAYEE: From the statement that has been laid on the Table of the House, it is clear that the British government has decided not to grant citizenship to the Indians settled in Hong Kong who are entitled to British Citizenship. The attitude of the British government is wrong and is based on apartheid. We must raise this matter on the international fora. After 1997 when Hong Kong reverts to China, thousands of Indians settled there will become stateless. Will the government consider giving them dual citizenship by amending the constitution? Has this matter been considered or has it been decided to leave these Indian to their fate?

SHRI MADHAVSINH SOLANKI: Mr. Speaker, Sir, the persons of Indian origin settled in Hong Kong hold British Dependent Territory Citizenship Passports. According to the agreement British Government reached with the Chinese Government in 1984, the persons of Indian Origin were told that Hong Kong would lose its status of Independent Territory in 1997 and the entire territory of Hong Kong would revert to China. A new order, namely, Hong Kong British Nationality order has been issued by the British Government to safeguard the status of the citizens who are living in Hong Kong at present under which the persons of Indian Origin settled in Hong Kong have been advised that those holding British Dependent Territory

Citizenship Passport should now acquire British National Overseas Passport. They have also fixed the deadline for this purpose saying that such passport should be acquired by 30th June, 1997. Those who acquire this passport would be treated as British National Overseas. According to the agreement reached between the British Government and Chinese government the Chinese government has made it clear that those citizens who hold the British National Overseas Passport or those who satisfy the condition of seven years continuous stay would only be entitled to live in Hong Kong.

[English]

May I read out the exact words? It reads as follows:

"The Chinese Government's point of view was that Indians, whether holding Indian passports or British passports or BDTC/BN(O) passports can continue to live and work in Hong Kong if they satisfied the condition of seven years continuous stay in the territory which enables them to qualify for permanent residence in Hong Kong."

[Translation]

SHRI ATAL BIHARI VAJ-PAYEE: Whatever the honourable Minister has said confirms my contention that the Indians living in Hong Kong have the right of acquiring British citizenship, holding of British passport and they are being treated as a separate category on the considerations of racial discrimination. Why should there be a mention of status? I would like to know why the Government has decided to take up this issue at the international fora. I had asked about dual citizenship, but the Minister is silent on this point. His silence should not be so explicit.

SHRI MADHAVSINH SOLAN-KI: Honourable Speaker, Sir, I have given a statement about the condition of British Indian citizens in Hong Kong. The suggestion of dual pass-

port system has also been given. It is a different issue and is under consideration. No decision has been yet taken on this issue, but Shri Atalji has said that the Indians living there have got the right of British citizenship. It is not accepted by the British Government.

[English]

They refused to give British citizenship to these people; they only give them status; and for that, they issued them passports.

SHRI ATAL BIHARI VAJ-PAYEE: Does the hon. Minister agree with my view that the attitude of the British Government is that of racial discrimination?

SHRI SAIFUDDIN CHOUDHURY: There is no doubt about it.

SHRI ATAL BIHARI VAJ-PAYEE: Let him say so.

SHRI MADHAVSINH SOLAN-KI: The Government have time and again represented to the British Government saying that these people are your citizens and you must take care of those citizens and protect their rights. We have several times represented to them. May I read out the reply which has come from them? It reads as follows:

"The granting of British citizenship would not be justified. It was stated that we are satisfied that we shall be able to meet the need of these citizens, their children and their grand-children for a accepted citizenship status and for a place to call their home."

They are prepared to give them status but not citizenship.

SHRI ATAL BIHARI VAJ-PAYEE: Why?

SHRI MADHAVSINH SOLAN-KI: That is what we are discussing with them. We have told them to give it to them, but, they have not so far agreed.

SHRI LAL K. ADVANI: Mr. Speaker, Sir, we have a lot of things to say about the British Government. But even the answer given by the Government of India in the House seems to reconcile with the fact that as if it was justified for them to give them just a right of abode. The answer reads as follows:

"The holders of these documents are not entitled to the automatic right of abode in the United Kingdom. This category of persons is, however, expected to qualify ...for continued abode in Hong Kong after the territory reverts to Chinese sovereignty in 1997."

The issue in this is that the moment they become Stateless—they will become Stateless; this is, in fact, confirmed by the reply—even if they are granted the right of abode in Hong Kong, they will be second class citizens there. This is the issue. These 6000 or 5000 Indians—according to the answer, it is 5000; according to the Press report, it was 6000—will become second class citizens in Hong Kong which they have even themselves built up. It has become one of the biggest financial centres in the world and these Indians have contributed a lot. It is the responsibility of our Government to see that they do not become second class citizens there and I understand that the High Commissioner there had stated that we are seriously considering it. This is a very crucial thing which the Government must attend to and that too not only in the context of Hong Kong but in respect of all Indians overseas. Is the Government willing to consider the possibility of getting dual citizenship for Indians abroad on the basis of reciprocity with those countries?

SHRI MADHAVSINH SOLAN-KI: I have just now said that the matter is under consideration. No decision has yet been taken. But as regards the stateless citizens, normally those persons who do not possess any travel documents or who have no

right to abode are considered to be stateless. Here in this case, in Hong Kong, they are given passports by the British and the Chinese Government are accepting them on the basis of seven years' stay that is, continuous stay in Hong Kong, with a right to abode and their right to work also.

SHRI MANORANJAN BHAKTA: This is a very serious problem that Indians are facing in that part of the world. Though I know fully well that there are many people who migrated from East Pakistan and were subsequently rehabilitated under the rehabilitation scheme by the Government, they were also not given the citizenship till now. But I am not raising that question now, but my question is limited to the point of view whether the Minister of External Affairs is fully aware that those Indian citizens in Hong Kong time and again represented to the Government of India to provide land, particularly in the Andaman and Nicobar Islands to have a free port which could solve their problems?

I would like to know from the hon. Minister whether he is having any information in this context and what the Government is going to do with such a problem.

SHRI MADHAVSINH SOLAN-KI: That suggestion had come to Government for development of Andaman and Nicobar Islands as a free port but the Government have considered it not to be feasible.

SHRI MANORANJAN BHAKTA: Now there is a committee which has given its opinion also.

SHRI CHANDRA JEET YADAV: Although I know that these Indians who are there number about five to six thousand, but now there are about 3.2 million who are in the same category. Firstly, is there any discrimination between Indians and the rest of

the people who are living in Hong Kong in the same category? Secondly, has the Government of India got any representation from the citizens of Indian origin and what is their stand? Have they represented to the Government of India for any consideration?

SHRI MADHAVSINH SOLANKI: There are several million people in Hong Kong but most of them, or a majority, are of Chinese origin and they would have got Chinese citizenship. This question is about those who are holding British Dependent Territories Passports and most of the Indians are covered in that category. They are given an option to have a British National Overseas Passport and I have given the date, up to 1997. So, they would be given the status of citizens, British citizens and if the agreement between Britain and China is accepted they are ready to stay in Hong Kong.

SHRI CHANDRA JEET YADAV: I asked whether the Government has received any representation from the citizens of Indian origin and in it, what do they want really?

SHRI MADHAVSINH SOLANKI: Actually several representations have been received, a number of times, by the Government of India and that is why the Government of India had discussions both with the British Government on the one hand and the Chinese on the other and the views finally arrived at have been conveyed recently. Just now I said that the British Government is of the view that they could not be given British citizenship. They have given them passports.

SHRI CHANDRA JEET YADAV: Have you finally accepted that?

SHRI MADHAVSINH SOLANKI: The discussions are still continuing.

SHRI RAMESH CHENNIHALA: Sir, the stand of the British Government is very clear from the reply of the hon. Minister. I would like to know from the hon. Minister whether the Government will take up this issue in the international fora.

MR. SPEAKER: It has already been taken up.

SHRI RAMESH CHENNIHALA: It was not answered by the Minister.

MR. SPEAKER: He has already said that. Mr. Minister, are you going to take it up with the British Government?

SHRI MADHAVSINH SOLANKI: We are continuing the dialogue.

Linkage of Major Rivers

144. **SHRI RAJNATH SONKAR SHASTRI:** Will the Minister of WATER RESOURCES be pleased to refer to the reply given to Unstarred Question No. 958 on February 28, 1991 and state:

(a) whether the National Water Development Agency has since carried out the studies on linking of major rivers for development of the country's water resources;

(b) if so, the details thereof and the follow-up action taken thereon; and

(c) if not, the reasons for the delay and the steps taken to expedite the matter?

THE MINISTER OF WATER RESOURCES (SHRI VIDYACHARAN SHUKLA): (a) to (c) A statement is laid on the table of the House.