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Title: Shri R.R. Baalu called the attention of Minister of External Affairs to the Situation arising out of recent attacks on Indian Fishermen by Srilankan Navy and steps taken by the Government in this regard.

MADAM SPEAKER: The House shall now take up Item No. 12, Calling Attention. Shri T. R. Baalu.

...(Interruptions)

SHRI T.R. BAALU (SRIPERUMBUDUR): Madam, I call the attention of the Minister of External Affairs to the following matter of urgent public importance and request that he may make a statement thereon:

"The situation arising out of recent attacks on Indian Fishermen by Sri Lankan Navy and steps taken by the Government in this regard."

...(Interruptions)

डॉ. मुरली मनोहर जोशी (वाराणसी): अध्यक्ष महोदया, मेरा व्यवस्था का प्रश्न है।

MADAM SPEAKER: What rule is it?

...(Interruptions)

MADAM SPEAKER: Please tell us the rule.

...(Interruptions)

डॉ. मुरली मनोहर जोशी : अध्यक्ष महोदया, सदन में कश्मीर के बारे में हुई चर्चा के संबंध में यहां जवाब आना चाहिए, आज तक उसका जवाब नहीं आया। आज सदन का अंतिम दिन है। यह सदन की कार्यसूची में रखा गया था, फिर निकाल दिया गया। हम जानना चाहेंगे कि सदन के नेता और पार्लियामेंटी मिनिस्टर यहां उपस्थित हैं, क्या कश्मीर के बारे में जवाब नहीं मिलेगा? क्या सरकार की नीति यह है कि अगले सत्र तक बीच में ...(व्यवधान)

MADAM SPEAKER: Thank you so much.

...(Interruptions)

MADAM SPEAKER: Now, the hon. Minister.

...(Interruptions)

डॉ. मुरली मनोहर जोशी : मंत्री जी, इसका जवाब दें। ...(व्यवधान)

MADAM SPEAKER: Now, the hon. Minister, please. This is on the Calling Attention.

...(Interruptions)

डॉ. मुरली मनोहर जोशी : इसका जवाब तो गृह मंत्री जी ने देना है। ...(व्यवधान)

श्री सैयद शाहनवाज़ हुसैन (भागलपुर): इसका गवर्नमेंट की तरफ से जवाब आना चाहिए। ...(व्यवधान)

अध्यक्ष महोदया: अभी कॉलिंग अटेंशन हो जाने दीजिए।

वेई।(व्यवधान)

संसदीय कार्य मंत्री और जल संसाधन मंत्री (श्री पवन कुमार बंसल): अध्यक्ष महोदया, सरकार ने माना था, तभी इस पर डिस्कशन हुआ था। ...(व्यवधान)

अध्यक्ष महोदया: मंत्री महोदय बोल रहे हैं, उनकी बात सुन लीजिए। अब आप बैठ जाइए।

वेई।(व्यवधान)

श्री पवन कुमार बंसल: अध्यक्ष महोदया, जब विपक्ष की तरफ से चार मुद्दों पर चर्चा मांगी थी, तब सरकार ने एक मुद्दे पर माना था, क्योंकि हमने कहा था कि आप किसी भी चीज पर चर्चा चाहते हैं, हम मानने को तैयार हैं। इसी हिसाब से जे एंड के पर भी माना गया था। हाउस में चर्चा हुई, समय ज्यादा लगा, जितना समय तय

हुआ था, उससे ज्यादा समय उस चीज पर लगा। बाद में यही बात हुई थी कि इसका जवाब बाद में दे दिया जाएगा।

अध्यक्ष महोदया, आप जानते हैं, पूरा सदन जानता है कि हमारा समय काफी चीजों पर वेस्ट हो गया और इस कारण से सिर्फ यह नहीं लग पाया। ...*(व्यवधान)*

SHRI BASU DEB ACHARIA (BANKURA): Today, is the last day of the current Session. ...*(Interruptions)*

SHRI PAWAN KUMAR BANSAL : This work is the Legislative Business of the House. ...*(Interruptions)*

अध्यक्ष महोदया: अब आप बैठ जाइए, कॉलिंग अटेंशन चलने दीजिए।

â€¦*(व्यवधान)*

MADAM SPEAKER: Now, the hon. Minister on the Calling Attention.

...*(Interruptions)*

अध्यक्ष महोदया: अब आप बैठ जाइए, कॉलिंग अटेंशन चलने दीजिए।

â€¦*(व्यवधान)*

SHRI HARIN PATHAK (AHMEDABAD EAST): Madam, we are ready to sit late for this discussion. ...*(Interruptions)*

MADAM SPEAKER: Nothing will go on record.

(Interruptions) â€¦ *

MADAM SPEAKER: Mr. Baalu, have you read the statement of the hon. Minister?

...*(Interruptions)*

SHRI T.R. BAALU (SRIPERUMBUDUR): Yes, Madam, I have read it. ...*(Interruptions)*

MADAM SPEAKER: Okay. Hon. Minister, kindly lay the statement on the Table of the House.

...*(Interruptions)*

THE MINISTER OF EXTERNAL AFFAIRS (SHRI S.M. KRISHNA): Madam, I lay the statement on this issue on the Table of the House. ...*(Interruptions)*

** I respond to the House on the Calling Attention Notices regarding the killing of Indian fishermen and continuous attacks on them by Sri Lankan Navy.

I would like to reiterate at the outset to this august House that the welfare, safety and security of our fishermen have always received the highest priority by Government. Government of India and the High Commission of India in Sri Lanka have consistently taken up issues relating to incidents of firing on or apprehension of our fishermen with the Government of Sri Lanka to ensure that the Sri Lankan Navy act with restraint and our fishermen are treated in a humane manner.

Hon. Members would recall that to avoid recurrence of incidents involving our fishermen, and keeping in mind the humanitarian and livelihood dimensions of

* Not recorded

** Speech was laid on the Table.

the issue, on 26th October 2008, India and Sri Lanka reached an Understanding on Fishing Arrangements under which both of us agreed to put in place practical arrangements to deal with *bonafide* fishermen crossing the International Maritime Boundary Line from either country. As part of these practical arrangements, it was agreed that there will be no firing on Indian fishing vessels and that Indian fishing vessels will not enter into sensitive areas designated by Government of Sri Lanka along its coastline.

I would like to inform this august house that after the October 2008 Understanding, incidents of apprehension and firing on Indian fishermen in the waters between India and Sri Lanka have come down significantly. In 2008, 1456 Indian fishermen were apprehended by the Sri Lankan Navy. In 2009, those apprehended came down to 127 fishermen only. In 2010, till end of July this year, 26 fishermen were apprehended. In 2008, the number of fishermen reported killed was 5 with 1 missing. In 2009, there were no fishermen killed or missing. Recently we have had an incident in which one fisherman was reportedly killed. However, there has been a significant decrease in the incidents of apprehension of Indian fishermen after 2008. It is, therefore, evident that the October 2008 Understanding has had a salutary effect on the situation.

I would also like to reiterate that whenever incidents of firing or apprehension or ill-treatment of our fishermen come to our attention, we have immediately taken them up with the Government of Sri Lanka. Government of Sri Lanka have in most cases responded to our request and have released these fishermen. We have time and again emphasized to the Government of Sri Lanka to scrupulously adhere to the understanding we have reached and they have assured us of their commitment to adhere to this understanding. However, they have also consistently denied that their Navy has had any responsibility in such incidents of firing on our fishermen. They have also stated that their Navy does not enter Indian territorial waters.

I would like to inform the hon. Members that most such incidents have taken place in Sri Lankan waters where our fishermen stray across the International Maritime Boundary Line. It is, therefore, important that we sensitize our fishermen to respect the International Maritime Boundary Line and not stray into Sri Lankan waters for their own safety and security, especially in those areas designated as sensitive by the Government of Sri Lanka. We have also conveyed a similar request to the Government of Sri Lanka vis-à-vis their fishermen who cross the International Maritime Boundary Line and enter our waters.

India and Sri Lanka are also in discussion in the Joint Working Group constituted to deal with issues related to fishermen and to work out bilateral institutional arrangements for ensuring the safety and security of the fishermen of both countries and addressing such issues in a humane and practical way.

MADAM SPEAKER: Now, Shri T. R. Baalu.

...(Interruptions)

MADAM SPEAKER: Only Shri T. R. Baalu's statement will go on record.

(Interruptions) *
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SHRI T.R. BAALU : Madam Speaker, the issue of safety and security of the Indian fishermen has been discussed and deliberated in this august House time and again. ...(Interruptions) The Upper House has discussed this most important issue pertaining to the Indian fishermen, especially, the fishermen of Tamil Nadu. This issue has been discussed to draw the attention of the Government of India. ...(Interruptions)

SHRI PAWAN KUMAR BANSAL : Madam, about 50 hours of the House have been wasted. ...(Interruptions)

अध्यक्ष महोदया: कॉलिंग अटेंशन हो जाने दीजिए।

*(व्यवधान)

SHRI T.R. BAALU : I would also remind the House that the hon. Member, Shri A.K.S. Vijayan, who is also the Deputy Leader of our Parliamentary Party, had raised the same issue many times....(Interruptions)

अध्यक्ष महोदया : कालिंग अटेंशन हो जाने दीजिए।

â€!(व्यवधान)

SHRI T.R. BAALU : He had raised this issue pertaining to the sad plight of fishermen of Nagapattinam many a time in this very House. Also, the new Member, Shri Ritheesh, who hails from Rameshwaram, has raised the same issue, the plight of Rameshwaram fishermen, in this House many times. ...(*Interruptions*)

अध्यक्ष महोदया : आप बैठ जाइये।

â€!(व्यवधान)

SHRI T.K.S. ELANGO VAN (CHENNAI NORTH): Please show some concern for the poor fishermen. ...(*Interruptions*)

MADAM SPEAKER: Nothing is going on record, except what Shri Baalu is saying.

(*Interruptions*) â€! *

SHRI T.R. BAALU : In this House, the Members of Parliament are very much sensitive, as far as this issue is concerned, and the entire country is seized of this matter. The people want us to address this problem. ...(*Interruptions*)

अध्यक्ष महोदया : आडवाणी जी, आप बोलिये।

श्री लाल कृष्ण आडवाणी (गांधीनगर): अध्यक्ष जी, यह जो विषय है, इस विषय में तो मैं यह अपेक्षा करूंगा, आपसे निवेदन करूंगा कि आप सरकार को कहें कि यह महत्वपूर्ण विषय है, जिस पर चर्चा हुई है और चर्चा के बाद उसका उत्तर नहीं आया है और कोई कारण नहीं है कि गृह मंत्री आकर कश्मीर के बारे में जो चर्चा हुई है, उसका उत्तर न दें। हमारे पास दिन भर है और मुझे यह लगता है कि सदन शायद शाम को...(व्यवधान)

SHRI T.R. BAALU : Madam Speaker, you have already taken up the Calling Attention Notice. It is the most important issue which was postponed twice. Today you have called my name and I have drawn the attention of the Minister to this issue. I am not yielding. How can they speak like this? ...(*Interruptions*)

श्री लाल कृष्ण आडवाणी : अध्यक्ष जी, मेरा आपसे निवेदन है, मेरा सरकार से अनुरोध नहीं है कि आप शासन को कहिये कि उत्तर आज ही देना चाहिए, जवाब देना चाहिए...(व्यवधान)

अध्यक्ष महोदया : आप बैठ जाइये।

â€!(व्यवधान)

श्री पवन कुमार बंसल : मैडम, मैंने पहले भी वही कहा था और मैं वही बात दोहराना चाहता हूँ। जब हम किसी विषय को मानते हैं तो यह नहीं मानते कि उस पर जवाब नहीं दिया जाता है। यह कभी नहीं हुआ। जवाब दिया जाता है, लेकिन आप सब जानते हैं कि इस सदन में 50 घंटे हमारे व्यर्थ गये थे, इसका मतलब मैं यह नहीं कह रहा कि हम जवाब नहीं देंगे। ...(व्यवधान) आप मेरी बात नहीं सुनेंगे? मेरी बात तो सुनेंगे। आपने अपनी बात कह दी, मेरी बात नहीं सुनेंगे?...(व्यवधान)

अध्यक्ष महोदया : आप शान्त हो जाइये। उनकी बात सुन तो लीजिए। उनकी बात सुन लीजिए।

...(*Interruptions*)

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI V. NARAYANASAMY): They want a discussion, but they do not allow the proceedings. They are following double standards. They do not want the House to run. ...(*Interruptions*)

अध्यक्ष महोदया : सुन तो लीजिए कि मिनिस्टर साहब क्या कह रहे हैं।

â€!(व्यवधान)

श्री पवन कुमार बंसल: मेरी बात नहीं सुनी और अपनी बात कहना चाहते हैं। अगर शोर रखना चाहते हैं तो मेरी बात नहीं कही जा सकती। अगर बात कहने देंगे, फिर तो बात है...(व्यवधान)

अध्यक्ष महोदया : आप बैठ जाइये। आप भी बैठ जाइये।

श्री पवन कुमार बंसल: क्या पूरा देश यह नहीं देख रहा कि हम क्या कर रहे हैं। मैडम, मैं आज यह कहने जा रहा था कि बेशक लिस्ट में नहीं लगा हुआ है, मैं फिर भी गृह मंत्री से जाकर बात कर लूंगा कि उनका आज का क्या प्रोग्राम है, क्या चीजें हैं और अगर आज सम्भव हुआ तो हमें इस बात से गुरेज नहीं होगा...(व्यवधान) बात को सुनेंगे नहीं क्या? मैडम, मैं आगे भी कह रहा हूँ, इसके आगे भी कह रहा हूँ कि अगर आज सम्भव नहीं हुआ तो आप कृपा करके इसको नैक्स्ट सेशन में भी

बेशक लगा दीजिए, हमें एतराज नहीं होगा।...(व्यवधान)

अध्यक्ष महोदया : अब बात हो गई। बसुदेव आचार्य जी, आप बैठ जाइये।

...(Interruptions)

SHRI BASU DEB ACHARIA : The reply from the Home Minister should come today itself. â€! (Interruptions)

श्री पवन कुमार बंसल : यह कहना कि सरकार जवाब नहीं देना चाहती, यह बात गलत है।...(व्यवधान)

अध्यक्ष महोदया : बसुदेव आचार्य जी, करुणाकरन जी, आप बैठ जाइये।

â€!(व्यवधान)

MADAM SPEAKER: Please take your seat. Nothing is going on record.

(Interruptions) â€! *

SHRI T.R. BAALU : I was stating that Parliament is seized of this matter and Parliament is very much sensitive to this issue. But at the same time, I would not say that the Government is insensitive. The Government of Tamil Nadu headed by my leader and the Chief Minister of Tamil Nadu, Dr. Kalaingar Karunanidhi, brought this to the notice of the Government of India many a time on many a occasion. It has become a vexatious issue.

Madam, Tamil Nadu has got 1,076 kilometres of coastal line, and about 57, 897 fishing trawlers are in operation in those waters of the Bay of Bengal.

In Bay of Bengal, it is only in the area of Palk Bay that fishery potential is high. It is in this Palk Bay that the Kachativu Island exists where the fisherman want to go and fish day in and day out. Fishermen usually go after catches only. It is because of this community of fishermen that the Government of India is getting 13 per cent of its exports in fishery goods. Such a great export potential exists there.

My intention behind drawing this to the attention of the House and of the Government of India is specific. How many instances, Madam? Not one or two. From 2000 to 2010, there have been about 206 incidents wherein 17 people have died because of shooting by the Sri Lankan Navy; and about 2191 fishermen have been injured. A close analysis of these incidents reveals that all the incidents have taken place in and around the Kachativu island. In all these incidents, the fish catches were snatched, communication equipment was thrown into the sea, clothing of the fishermen was removed, fishermen were stripped in sensitive parts.

Do these not amount to heinous crimes, Madam? Sri Lankan Navy personnel are committing all these heinous crimes. Will it be tolerated, Madam? Just now we heard from the hon. External Affairs Minister that India has extended its helping hand to the flood-affected people of Pakistan. We are also extending our help to the IDPs in Sri Lanka. Of course, Sri Lanka is not our country, it is a foreign country. At the same time we are extending our help to many nations. We consider Pakistan as well as Sri Lanka our friends, our own kith and kin. But there is no reciprocity from the other side, especially from Sri Lanka in this House.

I would take two minutes and remind you of the history. In 1974 there was an agreement signed by the great leader of this country the late Shrimati Indira Gandhi. Mother Indira signed that agreement with Shrimati Sirimavo Bandaranaike. The two Prime Ministers signed the agreement on 28-6-1974. Article 4 of that agreement says, "Each country shall have its sovereignty and exclusive jurisdiction and control over the waters, the islands, the continental shelf and subsoil thereof falling on its own side of the aforesaid boundary." Article 5 of the agreement reads, "Subject to the foregoing, Indian fishermen and pilgrims will enjoy access to visit Kachativu as hitherto and will not be required by Sri Lanka to obtain travel documents and visas for these purposes". Article 6 is more important and it says, "The vessels of India and Sri Lanka will enjoy in each other's waters such rights as they have traditionally enjoyed thereon".

Traditional rights have been established in this 1974 agreement which was signed by Madam Indiraji. What happened after 1974? In 1974 itself, Shri Swaran Singh, the Former External Affairs Minister made a statement.

In his statement, he also says: "I wish to remind the hon. Members that in concluding this Agreement, the right of fishing, pilgrimage and navigation, which both sides have enjoyed in the past, have been fully safeguarded for the future." It has become a parliamentary document. Once again, during his speech, he says: "I am sure that the hon. Members know that the 1921 Fishery Line was a Line, it was about three or three and a half miles West of Kachativu, that is, to the western side of the Fishery Line was a exclusive fishery rights of the Indian citizens and to the east of that was, the right of Sri

Lankan fishermen." This is what late Swaran Singh stated in Parliament, on the same floor.

Finally, he says: "Although Sri Lanka claims to sovereignty to Kachativu has been recognised, the traditional rights of Indian fishermen to pilgrims to visit the Island will remain unaffected" - I repeat, remain unaffected – "similarly the traditional navigation rights exercised by India and Sri Lanka in each other's waters will remain unaffected." This is the assurance given by late Swaran Singh, the former External Affairs Minister.

What went wrong in 1976? There was a sheer transaction of two letter correspondences between one Secretary of External Affairs Ministry of the Government of India by name Shri Kewal Singh and another Secretary by name Shri Jayasinghe of the Defence Ministry of Sri Lanka. The letter says that: "The fishing vessels of fishermen of India shall not engage in fishing – in the historic waters – in territorial sea and exclusive economic zone of Sri Lanka nor shall the fishing vessel and fishermen of Sri Lanka engage in fishing in the historic waters, the territorial sea and exclusive economic zone of India without the express permission of Sri Lanka or India, as the case maybe." It is a blow on the heads of the fishermen of India. This has happened in 1976. It is an Executive Order of Secretary – from the Government of India, without the consent of Parliament and without the consent of political hierarchy, without the consent of the State Government.

The State Government of Tamil Nadu was never taken into confidence. Moreover in the first Agreement in 1974 itself, it has not been placed. The Agreement was signed on 28.06.1974 by Madam Indira ji. In July only, the discussion took place. In June, the Agreement was signed by the Government. But in July, 1974, the discussion took place in Parliament. That is why, many parliamentarians took exception because an Agreement has been signed and an Agreement is brought before the House getting an approval *fait accompli*. Why should the Government do that? That is what the hon. Members had asked at that point of time during discussion. After this, two letter transaction has become a part and parcel of the Agreement. That is a blow on the heads of fishermen at that particular point of time.

The then parliamentary party leader of DMK, Era Sezhan – many senior hon. Members like Shri Jaswant Singh and Shri Advani should be knowing him –has said categorically that: "This Agreement goes against the interests of the country. It is a pure surrender of our territory without going through any norms. This is an unholy and disgraceful act of statesmanship unworthy of any Government. Therefore, we do not want to associate ourselves with the statement that is going to be made by the hon. Minister and we want to disassociate ourselves by walking out of the House." We have made strong exception. The DMK has made is clear that we are not conceding this and conceding Kachativu to Sri Lanka is against the interests of the India. That is what he had said and he walked out....(*Interruptions*)

MADAM SPEAKER: Please conclude.

SHRI T.R. BAALU : Before I conclude, as requested by the hon. Chief Minister of Tamil Nadu and my leader, *Kalaignar* Karunanidhi many times, and the Members of Parliament, cutting across party lines, I would request the Government of India to revisit the Agreements and renegotiate to get back Kachativu Islands. Secondly, the Government must increase the Coast Guard patrolling to protect the Tamil fishermen. Third is the most important and the immediate action needed is to establish on-line interactive dispute redressal mechanism involving all stakeholders – Government of India, Sri Lanka, State Government of Tamil Nadu and the fishermen. Unless and otherwise you establish linkage, you cannot solve this problem. Otherwise, you have to get back the Kachativu Islands back to India.

DR. M. THAMBIDURAI (KARUR): Attacks on Indian fishermen by Sri Lankan Navy is a very burning and a serious problem in Tamil Nadu. I have read the statement of the hon. Minister. Even though he described certain incidents as to how Sri Lankan Navy attached Tamil Nadu fishermen, but he forgot to mentioned as to how many people died. Even after this Agreement, you can see that these incidents are taking place.

Recently, on 7th July 2010, more than 100 Indian Tamil fishermen were taken by the Sri Lankan Navy and also a fisherman, Chellappan of Vedaranyam had died due to firing. Even the hon. Minister has stated about this incident in his statement.

Nearly 500 fishermen died because of firing by the Sri Lankan Navy. Nearly 1,000 fishermen were handicapped due to this. Thousands of fishermen were also missing. These instances are regularly taking place. All this is due to Kachativu issue, as the other hon. Member stated. All these incidents are taking place because of that only.

The only remedial measure to protect the lives and livelihood of our fishermen is to nullify the Indo-Sri Lankan Agreement on Kachativu and retrieving the Kachativu Island from Sri Lanka. As the hon. Member stated, this Agreement was made without the Parliamentary Approval. Any Indian land to be give away or to add to the Indian territory,

Parliament must approve this. We cannot do this without amending the Constitution. Therefore, the Agreement on Kachativu is illegal and we should get that back.

The other threat we are facing now is that nearly one lakh Chinese Army people are in Sri Lanka in civilian dress. China is now making attempts to control the Indian Ocean. It is now engaged in building a harbour at a huge cost of Rs.5,000 crore in Sri Lanka. No doubt, Rajapakse has consented to all these schemes. Sri Lanka also had decided to give the fishing rights to China in Kachativu. From AIADMK Party, we strongly oppose this decision. The gifting away of Kachativu was unconstitutional. My Party's General Secretary, hon. Amma, Jayalalithaa has already moved the Supreme Court to rescind this agreement. On behalf of the AIADMK, I would request the Government of India to take action to retrieve Kachativu, to alleviate the problems of the Indian Tamil fishermen. Kachativu is not a closed chapter; it has to be reopened. I want to raise these questions now. Our hon. Minister said that there was an understanding reached between India and Sri Lanka on 26th October, 2008. According to the understanding reached between India and Sri Lanka, Indian Tamil fishermen have been barred from entering the sensitive areas, designated by the Sri Lankan Government along the coastline. We cannot understand what the so-called understanding is. The so-called understanding cannot override or supercede the sovereign Treaty.

MADAM SPEAKER: Please ask your question, Dr. Thambi Durai Ji, and take your seat. Your time is up.

DR. M. THAMBIDURAI : I am putting the question. This is a very burning issue, please allow me.

You have already bartered away the Katchativu Island and now you are bartering away the rights of the Indian Tamil fishermen. We have a strategic cooperation with Sri Lanka, which is going on. May I know whether that strategic cooperation takes into account the rights of the Indian Tamil fishermen and the sensitivities of the people of Tamil Nadu over this issue? What prevented the Indian Navy and the Coast Guard from providing protection to the Indian Tamil fishermen? It is said that they are in league with the Sri Lankan Navy since both are bound by the strategic contract, underwritten by the US Naval Command. Is that true? Is that the reason why our Indian Tamil fishermen are being killed by them mercilessly? Is the Government of India opposed to the age-old bondage between the Tamil fishermen and the Sri Lankan Tamil fishermen? Or is it a part of a well-planned strategy to cut the umbilical cord existing between the fishermen of Tamil Nadu and the Sri Lankan Tamil fishermen?

MADAM SPEAKER: You are putting so many questions.

DR. M. THAMBIDURAI : I am concluding.

Before reaching such a far-reaching understanding, did the Government of India consult the Tamil Nadu Government? Did the Chief Minister of Tamil Nadu give his consent to take away the rights of the Indian fishermen? How can the so-called understanding supersede the rights conferred upon by a sovereign Treaty? Which is the designated area? Where is it? Has that been specified clearly so that the fishermen can understand that?

Instead of preserving the rights of the fishermen conferred by a Treaty and giving protection to the Indian fishermen, the Government of India is asking them not to stray into the designated zone.

MADAM SPEAKER: You are supposed to put one question, but you are putting so many. Please take your seat now; thank you so much.

Shri Natarajan.

DR. M. THAMBIDURAI : I am putting my last question.

The hon. Member said that in 1974, we had an agreement on Katchativu. In 1974, the then Chief Minister of Tamil Nadu colluded with the Central Government and gifted the Katchativu unconstitutionally. Will the Government of India take steps to retrieve the Island, as is demanded by our Party General Secretary, hon. Amma, Jayalalithaa? ...(*Interruptions*)

MADAM SPEAKER: Please sit down. What is going on here? This is Calling Attention. What is this going on here?

...(*Interruptions*)

DR. M. THAMBIDURAI : What is the use of writing letters? ...(*Interruptions*) Did the Government of India take some action?

MADAM SPEAKER: Shri Baalu, take your seat. Do not get agitated.

...(Interruptions)

DR. M. THAMBIDURAI : He said that letters were written to the Government of India. I want to know what is the action that it has taken on them. ...(Interruptions)

MADAM SPEAKER: Now, you may please sit down.

DR. M. THAMBIDURAI : Finally, I want to ask this one question. I am concluding. ...(Interruptions)

MADAM SPEAKER: Now, please conclude. You have exceeded.

...(Interruptions)

DR. M. THAMBIDURAI : I am concluding. The hon. Member said that the Chief Minister had written many letters to the Central Government. What action the Government has taken on them? Has it responded to them? Writing letters would not solve the problem. The real problem can be solved only with this – let them come out of the coalition Government. Then only the problem can be solved.

SHRI P.R. NATARAJAN (COMBATORE): Madam Speaker, thank you for the opportunity given by you.

I want to put a question to the hon. External Affairs Minister, through you, Madam.

Firstly, I fully associate with Dr. Thambi Durai's statement. Secondly, I want to know this. Now, the Secretary of the External Affairs Ministry is in Sri Lanka. Has he given any direction to her regarding the excesses of the Naval Forces of Sri Lanka?

Just ten days back I heard that about 40 Pakistani people illegally crossed the border, who were caught by the police and punished by the court. After that, they had been released and a ceremonial function was celebrated at the Wagah border. Through Wagah border, we have sent all these persons who illegally crossed the Indian border from Pakistan.

This is not the method that Sri Lanka is adopting. They start firing; this is to be stopped. I fully associate with Dr. Thambi Durai's statement.

MADAM SPEAKER: Thank you so much.

*SHRI A. GANESHAMURTHI (ERODE): Madam Speaker, I thank you for giving me this opportunity to speak on this motion and draw the attention of this House to the plight of Indian fishermen in the coastal areas of Tamil Nadu.

This is not the first time that we raise it in the House about our Tamil fishermen being attacked in our own Indian territory, well within our borders. Through Calling Attention motion on several occasions, the very same problem has been highlighted by various Members belonging to different parties cutting across party lines. This is continuing for the past 35 years. As pointed out by both Dr. M. Thambidurai and Shri T.R. Baalu the heinous act of Sri Lankan Navy firing at our Indian fishermen goes on unabated only after our giving away the islet of Katchativu to Sri Lanka. The Sri Lankan Navy has shot at our fishermen killing and maiming many at least on 22 occasions in the past one year.

I would like to know from the Government of India whether they are aware of these continuous attacks and killings. If so, I would like to know whether they have taken any action. If it is not so, whether they are contemplating any action to save the lives and properties of Tamil fishermen. If a country's Navy attacks the citizens of another country, does it not amount to an attack on its sovereignty? When the Sri Lankan Navy is attacking our Indian citizens, it must be taken as an affront against our sovereignty by our Government. I would like to know as to what our Government is doing to safeguard our sovereignty and save our citizens. Is it not the responsibility of the Government of India to save our own citizens in whichever part of the country they live? Does it mean that the fishermen of Tamil Nadu are not being considered as Indian citizens by the Government of India?

Katchativu was part of Tamil Nadu even before Tamil Nadu became part of India. We, Tamils, have lost our rights over Katchativu after our becoming part of you. Even before the Indian Union was carved out, Katchativu belonged to Tamil Nadu which became part of India. Is it not true that you are not raising your voice firmly to quell the problem faced by our fishermen of Tamil Nadu? As was pointed out rightly by both Dr. Thambidurai and Shri Baalu, having a relook at the rights

over Katchativu alone can help us to find a lasting solution to this vexing problem.

We have entered into several agreements with the Government of Sri Lanka of which many have been violated by Sri Lanka. Rajiv Gandhi-Jayawardhane Accord is one of them that has been given a go-by. That is why I would like to ask of this Government as to why not we scrap the Katchativu Agreement as our traditional fishing rights are not honoured. So, I would like to know from the Government whether any step would be taken to protect our Indian fishermen on realizing that getting back Katchativu alone is the way out.

Whenever such violations take place, stern warnings are given by the Government of India to Pakistan, but not in the case of Sri Lanka which attacks our fishermen continuously all these years. I would like to know as to why no such warnings are given to Sri Lanka. I may be given the reason for this omission.

SHRI S.M. KRISHNA: Madam Speaker, I would like to associate with the sentiments expressed by my esteemed friend Shri T. R. Baalu and other distinguished Members of this august House.

SHRI SYED SHAHNAWAZ HUSSAIN (BHAGALPUR): He is Dr. Thambi Durai!

SHRI S.M. KRISHNA: That was with reference to the hardships that the Indian fishermen are facing in Sri Lankan waters. I would like to put the whole question in its right perspective.

Almost every Member who participated in this Calling Attention notice, has mentioned about the Katchativu Island. But the fact of the matter is that in 1974 and in 1976, two agreements had been entered into between the Government of India and the Government of Sri Lanka wherein it has been expressly stated that Katchativu is a part of Sri Lanka. A copy of the agreement has been laid on the Table of this August House.

SHRI T.R. BAALU : It has become a *fait accompli*. You are entering into an agreement without the Parliament's approval. ...(*Interruptions*)

MADAM SPEAKER: Let the Minister reply.

SHRI T.R. BAALU : Actually, it was ruled by the Raja of Ramnad. ...(*Interruptions*)

MADAM SPEAKER: Please take your seat. Let him complete his reply. What is this going on? How can he reply?

...(*Interruptions*)

MADAM SPEAKER: He is not yielding. Please take your seat.

SHRI S.M. KRISHNA: We are dealing with a sovereign Government of Sri Lanka; and incidentally, it is also a friendly country to India. We will have to consider and we will have to factor in all this, while making an assessment, whether we can legitimately lay our hands on the Katchativu Island, when once the Government of India has taken the position that it is a part of Sri Lanka.

So, it is in this perspective that we will have to look at the Katchativu Islands. Even in that Agreement, there have been certain concessions given to our fishermen. They can go to Katchativu, dry their nets and can rest there. Beyond that they cannot do anything else. So, in the light of this, we will have to understand that we cannot go back on the solemn Agreement that has been entered into between two Governments.

Now, the fact is, at least in recent past, there have been less number of incidents of arrest. If I can quote some figures, Madam Speaker, in 2008, 1456 Indian fishermen were arrested by the Sri Lankan authorities. In 2009, it came down to 127. In 2010, till the end of July this year, only 26 fishermen have been apprehended by the Sri Lankan Navy. So, these figures do indicate that there has been a declining trend in terms of Indian fishermen getting arrested or being taken in by the Sri Lankan Navy. We have advised our fishermen that they should not get into the sensitive waters of Sri Lanka. After all, we will have to respect the sovereignty of Sri Lanka on their territorial water. ...(*Interruptions*) Let me complete. Then you can say what you want to. You have already had your say.

Apart from the two Governments, Madam, I think one other positive development is that the representatives of the fishermen of Sri Lanka and the representatives of the fishermen of Tamil Nadu have had an informal meeting between themselves.

SHRI T.R. BAALU : It has failed.

SHRI S.M. KRISHNA: My friend, Shri Baalu says that it has failed but one failure should not be taken as a failure for ever. I think repeated attempts will have to be made because when there are such contentious issues between our fishermen we will have to repeatedly keep trying to bring about an understanding between fishermen. After all, the common aim of the fishermen in Tamil Nadu and the fishermen in Sri Lanka is to earn a livelihood.

MADAM SPEAKER: Mr. Minister, please address the Chair.

SHRI S.M. KRISHNA: So, I would request the hon. Members, particularly Shri Baalu - because he has been a Minister earlier and as a result of that I expect a greater appreciation - to realise whether the positions taken by the successive Governments need to be honoured or not. This is the question. If the question is to be answered in the affirmative, as I know, the question of Katchativu is solved or taken care of. Right now the Foreign Secretary is in Sri Lanka and she is taking up some of these issues.

Shri Thambi Durai has mentioned about certain movements of Chinese in that region. The Government of India have come to realise that China has been showing more than the normal interest in the Indian Ocean affairs. So, we are closely monitoring the Chinese intentions. We are closely monitoring the developments in the Indian Ocean. I could assure this House that appropriate action and measures will be taken to safeguard (a) the territorial integrity of India and (b) the welfare and well-being of the fishermen of India so that their interests can be safeguarded.

12.00 hrs.

Then I am myself planning a visit to Sri Lanka some time in the month of October. Perhaps, this will be the one subject which I will be discussing with the leadership of Sri Lanka....(*Interruptions*)

MADAM SPEAKER: Now we would take up a second Calling Attention.

...(*Interruptions*)

MADAM SPEAKER: Mr. Baalu, please take your seat.

...(*Interruptions*)

MADAM SPEAKER: What do you want?

SHRI T.R. BAALU : Madam, he has not replied to what we have asked...(*Interruptions*)

MADAM SPEAKER: He has given his reply. He will see what further can be done about it. But at the moment, he has given his reply. Now we are taking up the next item. Now, Madam Harsimratji to speak.

(Placed in Library, See No. LT 3105/15/10)
