

[Shrimati Malini Bhattacharaya]

There is one other point on which I would like to speak, namely, the amendment which is being made in clause 8 (2). Clause 9(2), as it is now, reads as follows;

"Where a male person ceases to be a citizen of India under sub-section (1), every minor child of that person shall thereupon cease to be a citizen of India."

Here, in the amendment, the word 'male' is to be deleted. Now, with respect to this amendment, I think that a certain confusion might arise. So, I would request the Minister to look into the legal angle of this.

You take a hypothetical case where a child is born to Indian parents. Subsequently, the parents are separated. The father leaves India and gives up Indian citizenship; but the mother remains in India and retains Indian citizenship. What will happen to the child of such parents? As the amended clause would stand, if one person ceases to be a citizen of India, automatically his or her child also ceases to be a citizen. Actually, two persons are involved here; both the parents are involved. So, in case one parent remains a citizen, that child still has a right to citizenship. I think, this should be specifically mentioned in this amendment. Otherwise, instead of doing away with this discrimination, I think, this clause might be used against women, such women as I have talked about. Women who were separated from their husbands whose husbands have given up Indian citizenship. Who nonetheless, remains an Indian citizen herself this Act may become a ploy to take her child away from her. So, in this respect, I would request the hon. Minister to look into the legal angle of this and see whether this part can be expressed in more clear terms.

Finally, I would say that I am very much opposed to the points which have been made just now by some of my BJP friends, some of the hon. Members, BJP Members. Of course, Mr. Madan Lal Khurana was much more circumspect than the earlier speaker; he did not mention any particular

country; but already, the name of the country has been mentioned. That is the name of Bangladesh has been mentioned. Now it is quite true that illegal migration has to be checked. That is one of the things that has to be done by the Ministry of Home Affairs and the Government. But you cannot have a special prohibitive clause against some of the possible applications for citizenship as posed to there like, if they come from this or that particular country or if they belong to this or that particular religion, on the basis of that you cannot prevent them from applying for citizenship. Therefore, I would suggest that since the law is not for discrimination, law is for removing discrimination while trying to check illegal immigration at all costs, at the same time, in the law itself you cannot make any discrimination against any possible applicant for citizenship, for whichever country he or she may come, whichever religion he or community or she may belong to.

MR. DEPUTY SPEAKER: There are two more speakers. Before that I request Shri Saifuddin Choudhary to present the Twenty-Second Report of the Business Advisory Committee.

17. 56 hrs.

#### BUSINESS ADVISORY COMMITTEE

##### Twenty-Second Report

[English]

SHRI SAIFUDDIN CHOUDHURY (Katwa): I beg to lay on the Table Twenty Second Report of the Business Advisory Committee.

17. 56 1/2 hrs.

#### CITIZENSHIP (AMENDMENT) BILL CONTD

[English]

DR. K.D. JESWANI (Kheda): Thank you, Sir, for giving me an opportunity. At the