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QUEEN ANNE'S GATE LONDON SW1A 1AA

ACT 2000

20 December 1981

Prime Minister

The Home and

Foreign Secretaries are

meeting over the New Year
and will be minuting
shortly after that

SIKH EXTREMISTS: DAMAGE TO INDO-BRITISH RELATIONS

I have now been able to consider in some detail the cases of Sikh extremists raised in your minute of 12 December to the Prime Minister, and I have also seen the letter from No 10 to my Private Secretary of 17 December.

Your minute mentions that some of the general issues raised by the activities of Sikh extremists in this country form a part of our wider review of the problem of controlling foreign political dissidents. We are to meet to discuss our conclusions, in the light of which a minute can go to the Prime Minister. Our officials have been examining the practical steps open to us to take action against Chauhan, and his supporters. For these reasons this letter concerns itself only with the three individual cases to which your minute drew attention. Each illustrates clearly what I am empowered to do under the law.

He has, as you say, applied to be registered as a British citizen. This is one, transitional, route to citizenship, in the British Nationality Act 1981; transitional in that its provisions cease automatically at the end of 1987. Under the law a person is entitled to registration if he is a citizen of a Commonwealth country and has been ordinarily resident here since immediately before 1 January 1973 without being subject to immigration restrictions at any time during that period.

I cannot, under the law, either delay indefinitely or refuse despite his activities here. The only point for consideration in the context of his citizenship application is how the decision is presented if it becomes public, or when the Indian Government learn of it.

Khan is a different matter. He is an applicant not for registration but for naturalisation, the grant of which is at the discretion of the Home Secretary. I am in such a case able to take into account a person's character and behaviour as well as a range of other factors. Officials had already recommended against granting Khan's application, and I have concluded that it should be refused.

I have yet to consider my decision in the case of [redacted]. There is no question that on his record it would be preferable if his application could be refused, but the best (perhaps the only) chance of excluding him from the benefits of the [redacted] is that we can show that he has committed a serious non-political crime outside this country. His activities here will not be sufficient in themselves. Your officials are aware of our need for more and better information about his activities abroad. If I can refuse him this may not, as you know, be the end of the story. He will have rights of appeal.

I should add that I have decided to exclude from this country, on my personal direction, another Sikh, Jasvir Singh, who claims to be Sant Bhindranwale's nephew. I took this decision on the grounds of his advocacy and support of violence.

The Rt Hon Sir Geoffrey Howe, QC., MP.

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Copies of this letter go to the Prime Minister, to other colleagues on OD and to Sir Robert Armstrong.

Law,
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India PT4

Kelatray



21 DEC 1984