

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

Enacting Formula

Amendment made :

page 1, line 1, for "Thirty-fifth" substitute "Thirty-sixth" (1)

(Rao Birendra Singh)

MR. DEPUTY SPEAKER : The question is :

"That the Enacting Formula, as amended, stand part of the Bill "

The motion was adopted

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

RAO BIRENDRA SINGH : I beg to move :

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

MR. DEPUTY SPEAKER : Now we go to the next item.

SHRI V. SOBHANADREESWARA RAO (Vijayawada) : Sir, I have given notice of an Amendment.

MR. DEPUTY SPEAKER : We have already completed it. That has been disallowed.

SHRI V. SOBHANADREESWARA RAO : When it is within the provisions of the Act, how has this not been allowed ?

MR. DEPUTY SPEAKER : Please sit down.

AN HON. MEMBER : Sir, I rise on a point of order.

MR. DEPUTY SPEAKER : We have taken up the next item. There is no point of order. Please sit down.

SHRI V. SOBHANADREESWARA RAO : I was trying to submit to you, but you did not allow me.

AN HON. MEMBER : Let me raise a point of order. During the course of the third reading, if the hon. Member wants to make a short speech, he should be permitted to do that. It is not that since it is the third reading, he should not be allowed.

MR. DEPUTY SPEAKER : He has already spoken on the Bill. He was not allowed because it is beyond the scope of the Bill.

AN HON. MEMBER : But he wanted to speak on the Bill.

MR. DEPUTY SPEAKER : The amendment was not allowed. That is why he was not allowed.

SHRI V. SOBHANADREESWARA RAO : My point is different. I have seen the original Bill.

MR. DEPUTY SPEAKER : Already everything is over and I have given one hour more than the allotted time and all the Members have spoken so much on it. Now, it is not allowed.

SHRI V. SOBHANADREESWARA RAO : But how can you disallow when it is within the scope of the Act ?

MR. DEPUTY SPEAKER : No discussion on the Act. Now we have gone to the next item.

12 55 hrs.

GANGTOK MUNICIPAL CORPORATION (AMENDMENT) BILL

[English]

THE MINISTER OF WORKS AND

HOUSING (SHRI ABDUL GHAFOOR) :
I beg to move :

“That the Bill further to amend the Gangtok Municipal Corporation Act, 1975 as passed by Rajya Sabha, be taken into consideration.”

According to sub-section (3) of section 3 of the Gangtok Municipal Corporation Act, 1975, the first Councillors were nominated by the Government of Sikkim to the Municipal Corporation for a period of four years from the date of the first meeting of the Corporation viz. 18-12-75. Their term expired on the 17th December, 1979. Under sub-section (5) of section 3 of the said Act, the State Government is empowered to appoint, if no new Councillors are elected, an Administrator for the Corporation for a period of four years or until the reconstitution of the corporation, whichever is earlier. The said sub-section (5) further provides that the State Government can extend the period of appointment of the Administrator for a further period of one year. Accordingly the State Government appointed an Administrator under sub-section (5) for a total period of five years which expired on 17th December, 1984.

On the 25th May, 1984, the President issued a proclamation under article 356 of the Constitution assuming *inter alia* to himself all functions of the State Government and all powers vested in or exercisable by the Governor of that State. It was also declared that the powers of the Legislature of the State shall be exercisable by or under the authority of Parliament. By a separate order, the President directed that all the functions of the Government of the State of Sikkim and all the powers vested in or exercisable by the Governor of that State under the Constitution or under any law in force in that State, which have been assumed by the President under the said proclamation shall, subject to the superintendence, direction and control of the President, be exercisable also by the Governor of the said State.

The Government of Sikkim informed in December, 1984 that it was not possible to hold elections for reconstitution of the Corporation before the 17th December,

1984 and that the State Government was left with no alternative but to extend the period of appointment of the Administrator by promulgation of an ordinance by the Governor. It is, therefore, proposed that the power of the State Government to enhance the period of appointment of the Administrator of the Corporation may be extended by amending the Gangtok Municipal Corporation Act, 1975 through promulgation of an ordinance. In the light of the above circumstances, Gangtok Municipal Corporation (Amendment) Ordinance, 1984 was, with the prior instructions of the President, promulgated by the Governor on 17th December, 1984 empowering the State Government to extend the period of appointment of the Administrator for a further period of one year at a time but not beyond a total period of two years in place of the power of the State Government to extend the period for a further period of one year. In other words, the State Government could appoint an Administrator for a total period of six years which in this case would expire on the 17th December, 1985.

It is now proposed to replace the Gangtok Municipal Corporation (Amendment) Ordinance, 1984 by a Bill to be enacted by Parliament. The amending provisions in the Bill are the same as in the Ordinance.

With these few words, I commend the Bill for the consideration of the House.

MR. DEPUTY SPEAKER : Motion moved :

“That the Bill further to amend the Gangtok Municipal Corporation Act, 1975 as passed by Rajya Sabha, be taken into consideration.”

We adjourn for Lunch now. We meet again at 2.00 p.m.

12.59 hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Fourteen of the Clock.

[MR. DEPUTY-SPEAKER *in the Chair*]

GANGTOK MUNICIPAL CORPORATION (AMENDMENT) BILL—Contd.

[*English*]

MR. DEPUTY SPEAKER : The hon. Minister has moved the motion for consideration of the Bill and spoken on it.

Now, I request Shri Ananda Pathak to speak.

SHRI ANANDA PATHAK (Darjeeling) : Mr. Deputy-Speaker, Sir, although the scope of the Bill seems to be limited to extend the period of appointment of Administrator of Gangtok Municipal Corporation for another one year, yet it smacks of the undemocratic attitude of the Government towards democratic institutions, like Assembly, Municipality and other local bodies.

Gangtok is a small but beautiful town. It attracts thousands of visitors and tourists every year. So, it requires better administration, beautification and necessary amenities. These can be ensured only through an elected body of Councillors. But the election of Councillors of Gangtok Municipal Corporation has not taken place for the last several years. Instead of holding the election of the Municipal Corporation, the Central Government has undemocratically dismissed even the democratically elected State Government, the Chief Minister of which was none else but the leader of the Congress (I) Party itself.

Why was this Government overthrown ? It was because the Chief Minister had voiced some of the longstanding demands of the people of Sikkim which was not palatable to the Congress(I) Party as well as the Central Government.

Now, the Assembly elections have been declared. It is all right. I am happy at it. But without settling some of the burning issues of the people of Sikkim how can the elections be held fairly and democratically ? The burning issues of the people are (1) solving the problem of reservation of seats in the State Assembly, (2) granting the citizenship rights and voting rights to thousands of domiciled inhabitants of Sikkim

and (3) Constitutional recognition of Nepali language and its inclusion in the Eighth Schedule of the Constitution.

Sikkim is the youngest and the smallest State of India. It is in the process of integration. Hence it deserves proper nourishment and assistance. We have always to keep its distinction and sentiments in mind while deciding anything pertaining to that State. It is situated in a sensitive border area. Therefore, the democratic urge and aspiration of the people of Sikkim should not be ignored.

I therefore, urge upon the Government to consider their longstanding demands as stated above before the Assembly elections are held and hold the election to Gangtok Municipal Corporation also as early as possible.

With these words, I conclude my speech.

[*Translation*]

SHRI MOOL CHAND DAGA (Pali) : Mr. Deputy-Speaker, Sir, I do not accept this principle of appointing Administrators in Municipal Committees and Municipal Corporations. Elections to these bodies should also be held like Parliament and State Assemblies. The practice of appointing Administrators in Municipal Committees and Corporations should be done away with. Today India is adopting new techniques and breaking new grounds. Tomorrow anti-defection Bill is also going to be taken up. We do not want that any Administrator should be thrust upon us.

In his statement, the Minister has described the condition of Gangtok Municipal Corporation. I had asked for the Bill but the same has not been made available to me. You have stated that there has been an Administrator for the last five years. I do not think that any Parliament in the world would support the idea that Administrators be posted in democratic institutions. We are totally against it. We cannot tolerate this attitude. Wherever Administrators are posted, they themselves swallow all the earnings and become rich. I would like to tell about my own town. In Pali Municipal

Corporation there has been an Administrator for the last eight years and the result is that we are not getting all our civil rights.

THE MINISTER OF WORKS AND HOUSING (SHRI ABDUL GHAFOOR) : There is a popular Government.

SHRI MOOL CHAND DAGA : Of course, popular Government is there but the basis of democracy lay in local institutions. The public institutions, Municipal Committees and Panchayats.....

(Interruptions)

I would like to draw the attention of the hon. Minister to what I am saying because he is busy in talking to the Minister of State. The hon. Minister has been the Chief Minister of Bihar and he knows as to where and in how many Municipal Corporations in the country, Administrators have been appointed and when were they appointed. They are in Madhya Pradesh, Karanataka and Delhi..... *(Interruptions)*. This has resulted in curtailment of our rights. Who is responsible for taking away the rights of the people in democracy? You are the protectors of the rights of the citizens in democracy but you yourself have come with a Bill with the plea that since there is no popular Government, the term of the Administrator may be extended for a further period of one year.

SHRI ABDUL GHAFOOR : Since there is President's rule, we are responsible to look into this aspect. Otherwise we have no responsibility in this regard.

SHRI MOOL CHAND DAGA : I want that the law should be amended because these local bodies, Municipal Committees, etc. are the foundations of our democracy. The whole of the democratic set up is based on these units but you appoint Administrators in local bodies and you have brought a Bill here to extend their term for a further period of one year, after five years. There is Administrator in Calcutta also. That is why I say that it is a matter of principle and unless you implement it properly, it is not going to be beneficial. I want that a provision should be made to the effect that

the elections to Municipal Committees and Municipal Corporations at all places will be held in the same manner as in the case of the Legislative Assemblies, and the Election Commissioner should be empowered to hold these elections. You should not keep the power of holding elections with you and it should vest in the Election Commission so that elections are held in time. We do not want that the system of elections should come to an end. This should not happen as it is seen that sometimes Chief Minister does not agree and sometimes the Minister for Local Bodies does not agree to hold elections. What I feel is that you did not want to pilot this Bill but you have introduced it reluctantly and now you want to get it passed.

[English]

I want that they should pass a legislation that there should be no administrator so far as local bodies are concerned, they should be ruled by elected persons.

[Translation]

You have come forward with this Bill, so I support it. But in conclusion I would like to say that Municipal Committees and Corporations should not have any Administrator. With these words I conclude.

[English]

MR. DEPUTY SPEAKER : The next speaker is Mr. Girdhari Lal Vyas.

Now, the Minister of Parliamentary Affairs wants to make an announcement.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI H.K.L. BHAGAT) : The Constitution (Amendment) Bill was due for consideration by the House today. The Prime Minister had a meeting with the leaders of Opposition Groups, and as a result of some discussion it has been agreed that the Bill will be taken up tomorrow, not today. So, we take up the Administrative Tribunals Bill today. The Constitution (Amendment) Bill will be taken up tomorrow. For this, I want the permission of the House.

MR. DEPUTY SPEAKER : The Con-

stitution (Amendment) Bill. will be taken up tomorrow and not today. I hope the House agrees.....

SEVERAL HON. MEMBERS : Yes.

SHRI ABDUL RASHID KABULI (Srinagar) : We have suffered a lot because of defections. I want an assurance from the hon. Minister that this Bill will be passed in this very Session.

SHRI H.K.L. BHAGAT : I wish to make it clear that the Government's intention is to get the Bill passed in this Session. Government's intention is very clear. It is not proper for me to disclose it. This Bill will be taken up tomorrow.

SHRI S. JAIPAL REDDY (Mahbubnagar) : We are prepared to cooperate with the Government in respect of expeditious passage of this Bill. In this context, I would like to make one submission. It may be taken up tomorrow, but sufficient time for discussion must be given. It must be extended even upto the day after tomorrow.

MR. DEPUTY SPEAKER : One day has been allotted for this. For full day tomorrow it can be discussed.

Mr. Vyas.

[Translation]

SHRI GIRDHARI LAL VYAS (Bhilwara) : Mr. Deputy-Speaker, Sir, I support the Gangtok Municipal Corporation (Amendment) Bill which has been introduced in this House.

In the Statement of Objects and Reasons of the Bill, it has been stated that under the Gangtok Municipal Corporation Act, 1975 the Members were nominated for a period of four years and those nominated Members worked for four years. Thereafter another provision was made in the Act and in accordance with that provision an Administrator was appointed for 4 years. He also worked for 4 years. Later on, his term had to be extended for a further period of one year. Now a provision has been made in this Bill to extend his term for one year

more. All these things about the constitution and functioning of this Municipal Corporation have been mentioned in the Statement of Objects and Reasons.

Mr. Deputy-Speaker, Sir, you know it very well, and Mr. Daga has also stated, that Municipal Committee or the Panchayat is the basic unit of our democracy. If these are not administered by the elected representatives then those areas are not properly developed. The provision made in this Bill and also the previous Bill show clearly that so far the Corporation has been administered by the bureaucrats and they have not done anything through the Gangtok Municipal Corporation which would have resulted in the progress of Gangtok.

In the case of Municipal Committees or Corporations not having elected representatives, the earnings of corporation, etc. by way of taxes etc. are spent on the salaries of the staff appointed by the Administrators. The government officials do not bother to make arrangements for sanitation, drinking water and other things. Therefore, it is very necessary that such institutions should have elected Members so that city or area concerned is properly developed. You should, therefore, ensure that such an arrangement is made.

Since there is no elected Government in that State you had to bring this Bill. I do not have any objection to this Bill. The present system will continue for one year more, to which I do not object but you should see that the bottlenecks which have been coming in the way of development works so far are not allowed to come in their way in future. You should make definite arrangements to the effect that in all such Municipal Corporations or Panchayats or other such public bodies elections are held in time and these institutions speed up the development of their areas.

It is true that at present no elected government exists there. Therefore, you will not be in a position to hold election to this body. But such conditions should not continue for ever as it might hamper the development there.

One hon. member has just now stated

that Sikkim Government was toppled and President's rule imposed there. The hon. Member knows this fact very well that the Government there was not functioning properly. Due to mismanagement of that Government, President's rule was imposed. Now elections will be held there and a new Government will be formed. The new Government will properly manage this corporation. We have every hope that the new Government will hold the elections of the Corporation also at the earliest.

The hon. Member went to the extent of saying that the elected Government was toppled and the President's rule was imposed there. But he did not mention that the Government was not discharging their duties properly. Did that Government not commit any irregularities and illegalities? It is a border State and if in any border State such a Government is formed which do not function properly and thereby cause harm to the nation, the President and the Government have the power to impose President's rule there in order to safeguard the interests of that region so that the people inside and outside might not cause any harm to our country. The Central Government have been given the specific power to make such arrangement and to stop such harmful activities. It is very commendable that our Government have discharged their duty. Whatever the hon. Member said in this regard was out of sheer malice and was politically motivated. I have no hesitation in saying that his only aim was to criticise the Central Government. The administration there was not functioning properly. Many times it has been brought to your notice that the Government of West Bengal is not functioning properly. In view of the prevailing mismanagement, the Government there should not continue even for a single day. In this regard we have been repeatedly saying that the Government of West Bengal is not complying with the orders of the Government of India and is misusing the funds and resorting to overdraft. In order to stop these irregularities, it is the duty of the Government of India to impose President's rule in West Bengal also as has been done in the case of Sikkim so that the Administration there is run properly. They do not realise this fact and that is why they say that the

dissolution of the Government of Sikkim was not proper.

There are many causes of the dissolution of Government of Sikkim. Several charges had been levelled against it, and there were financial irregularities also and funds were being misused. It was due to these causes that the Government of India took this action. It was absolutely necessary to take this action. Without it, the administration there could not be run properly. It was due to this that all this action was taken.

Besides, I think election to the local institutions, should be held within the scheduled time so as to speed up development there because it has been experienced that in the States, where the elections to Municipalities and Panchayats are not held in time, development is retarded. As elections to Municipalities and Panchayats in Rajasthan have not been held for the last 13 years, the entire development had stopped there. As soon as elections to Municipalities and Panchayats were held, things were speeded up and development is taking place there. Wherever slums exist, they are being removed. Roads are being repaired. Wherever there is shortage of electricity, it is being supplied and wherever there are no roads, they are being built. Whatever facilities are to be provided to the public, they are being provided to them. In view of this experience, it is absolutely necessary to hold the election to these institutions. These elections must be held. Besides, in those States, where elections to Municipalities and Panchayats have not been held, they should be held immediately so that development takes place in those States.

Besides, it has been stated in the statement of Objects and Reasons that :

[English]

"The term of the Administrator so appointed was due to expire on 17th December, 1984. Since it was not possible to hold elections for the re-constitution of the Corporation before 17th December 1984, the Governor of Sikkim, with the prior instructions of the President, promulgated an Ordinance on 17th December, 1984 amending the Gangtok

Municipal Corporation Act, 1975 so as to empower the State Government to extend the period of appointment of the Administrator for a further period of one year at a time but not beyond a total period of two years."

[*Translation*]

Under this provision the Administrator will continue for 6 years. There was already a provision to extend the period for one year but now it has been extended for a further period of one year. The appointment of Administrator for 6 years will definitely hamper the development there. You know this fact very well. When bureaucracy is installed it only works according to rules. Rules stand in the way of progress and hamper development of cities. You are giving powers to the bureaucracy which is not proper. Bureaucracy weakens our democratic machinery through which we want to move ahead. We accept this legislation, but henceforth such a provision should not be applied to other Corporations so that our machinery is not weakened and we continue to move ahead. I hope our hon. Minister will take note of it. With these words I support this Bill.

SHRI ABDUL RASHID KABULI (Srinagar): Mr. Deputy Speaker, Sir, I do not agree with the Bill brought by Government to provide for the extension of the term of the Administrator of the Gangtok Municipal Corporation for a further period of one year. I think it is against the spirit of democracy to give extension to the Administrator every year and thus impose bureaucracy on the public. I think it is a negation of our administrative set up. I would also like to say that the Municipal Corporations have assumed great importance because now the Corporations are autonomous to a great extent. Besides, the population of cities has considerably increased. Srinagar, the capital of Kashmir was having a population of 2 1/2 lakh previously. Now its population is seven lakh. Similarly three to four lakh people live in Jammu. Population in cities all over the country is increasing considerably because rural population is migrating to cities. Thus in cities, work of the administrative machinery is increas-

ing. With the increase in population, problems of people have also multiplied. The people living in the cities are concerned with the Municipal Corporations for their problems. This is why people instead of looking towards the Government, are looking towards the Municipal Corporations for their problems. I would like to remind that in a country like Greece cities were considered States. There cities were countries. Population of our cities has increased. After increase in the population, the problems in the Corporations are generally the same which a Government have to solve for the entire country. Basically there are problems of transport, sanitation, ration, water, electricity, etc. I think it is high time that in the changed situation we should realise that now the Municipal Corporation has become an important body. Corporations should have a representative character and should be constituted in accordance with the will of the people and with their help. I would like to draw the Minister's attention to my State. Elections to the Municipal Committees and Town Area Committees were held there at the time when there was the Government of Dr. Farooq Abdullah. Subsequently a Government of defectors came into power which do not command majority. It has been thrust upon us. It immediately dissolved the Municipal Committees. I would like to ask the Government whether people do not cast their vote in the elections to a Municipal Council with this hope that it will run for five years. We are elected by the people for Lok Sabha or Parliament for five years. Similarly they elect us for the Assemblies in the States. But as soon as a new Government is installed in a State they dissolve the Municipal Corporations or Councils because State Governments have been given these powers unnecessarily. Here I am not talking about my State alone but it is happening in other States also in the country. When a new Government is installed, they appoint Administrator of their own will and thus they impose this Administrator on the people. They have got the powers to dissolve the Municipal Corporations or Council. Mr. Deputy Speaker, Sir, I want to mention here that they have got excessive powers with which they are murdering democracy in the whole country. Therefore, I would like to point out as one

hon. Member in the House has stated that it is the need of the hour that at present elections to the Municipal Corporations should be conducted under the supervision of the Election Commission. Wherever elections to Corporations or Councils are held or wherever such type of administrative set up exists, elections should invariably be conducted through the Election Commission so that the sanctity of the vote is maintained. It is necessary for this reason also that whichever Council or Corporation is constituted, it will function for five years though it does not function for this period. People cast their vote with the hope that it will serve for five years but it is not so. The reason is that in our country such type of authoritarian tendencies have come up, powers to such an extent have been given that whenever a new Government is installed, it dissolves Municipal Corporations or Councils.

Sir, I would, therefore, urge upon the Government to bring a comprehensive Bill before the House wherein it should also be provided that elections to these bodies shall be conducted under the supervision of the Election Commission and whenever a new Government is installed, they shall not dissolve Corporations, Councils or Town Area Committees for which people have extended their cooperation and cast their votes. I know it from my own experience that people suffer as a result of the dissolution and as the administrator is appointed, the Corporations lose their representative character and are dominated by the bureaucracy and thus corruption starts breeding there. It has been my experience that as soon as a new administrator comes, vested interests begin to surround him for their own gains and as a result, the people at large do not get the benefits in any way of the earnings of that Corporation. Nor is anybody left with any right to question the assets of the corporation. Therefore, I would submit that this concept of yours is wrong. It is true that there is President's rule in Sikkim, but who prevents you from conducting elections to the Gangtok Municipal Corporation. At least, you can extend this facility to the people there. Nobody can prevent you. It is, therefore, not proper to extend the tenure of administrator every year. I oppose this Bill and hope that the Govern-

ment will consider all these points and introduce a comprehensive Bill in this House providing for elections to all corporations, councils or town area committees in the entire country under the supervision of the Election Commission.

[English]

SHRI N. TOMBI SINGH (Inner Manipur): Sir, I rise to support the Gangtok Municipal Corporation (Amendment) Bill, 1985. I can appreciate the exigencies under which this Bill has been brought by the Government. The Bill is for a very limited scope, namely, to empower the State Government to extend the period of appointment of the Administrator. Certainly, some very important issues of policy have been involved. It is, therefore, in the fitness of things that this House should go into all the details as far as policies are concerned, leaving aside the exigencies which have compelled the Government to bring this Bill.

My hon. friends, Shri Daga and Shri Vyas have pointed out that a good Government can be no substitute for a popular Government, because a bureaucratic Government and a democratic Government stand in different categories; the difference is not of degrees.

The difference is in class. Therefore, it has been rightly said that a good government cannot be a substitute for popular government. Sikkim is a very strategic and frontier State. It is one of the newcomers in the Comity of States in the Indian Union. It deserves special consideration in respect of everything.

Sir, when we consider the question of the municipal corporations, town committees, ect, we are reminded of Gandhiji's principle of decentralisation of administration and power. Here the underlying idea is that the power and administration of development particularly of the urban and town areas should be decentralised. Functioning under the very nose of the State Government, the Municipal Corporations of all the capital cities of the State are having their own sphere of democracy, their own sphere of autonomy and they should have a say in controlling their own affairs. So, this

underlying idea cannot be overlooked. If we do so, in the normal conditions, we shall be ignoring the basic principles which we have inherited, which we claim to have inherited from the Father of the Nation. By way of discussing the broad principles, I would like to refer to those broad principles and how they are being implemented today. The reference is not only to Sikkim but to many other States in the country, particularly in the Eastern States where development started very late, the development and administration of the municipality committees, town committees and notified areas in this region deserve a special study because of the prolonged neglect it has suffered so far.

Referring to Sikkim, I am constrained to make a comparison with one of the States in the North-Eastern region, there a similar condition prevails. I represent the State of Manipur and we have many things in common. Both Manipur and Sikkim are hilly States. Both are late-starters. So far as the administration is concerned, they are new States. Sikkim became a State only just a decade ago. Therefore, I would like to make this comparative study referring to my own State, where similar things happen and similar conditions prevail. We have as many as 6 municipal bodies and as many as about 49 notified areas. These municipal bodies and notified areas exist only in name. The State Government, due to paucity of funds, provides only the amount needed for the administration, i.e. the basic needs of the administration to meet the expenses of clerical staff and other staff, etc. So, this does not at all contribute to the development of the so-called municipalities or towns. In fact, Sir, I am one of those who are opposed to urbanisation as such. But development of town committees and municipal corporations and boards does not merely aim at urbanisation. Certain basic amenities, which cannot be provided for the whole of the country, for the whole of the State, have to be provided in the town areas. So, now I would suggest to the hon. Union Minister of Housing is that the nation should have a policy for speedy development of town in backward areas. They do have a policy. But then, if we come to the concrete implementation of this policy, the share received by the small town

committees that are coming up in different States is, I should say, so negligible. I would like to propose, in this context, is that we should provide more funds for the development of these small town committees and municipality committees, particularly in the hilly regions like Sikkim and the States and Union Territories of North Eastern areas like Manipur. By doing so, we shall be able not only to increase the amenities given to the people, but we shall also be able to develop the tourist attractions—because these small States and Union Territories in the outlying areas have to be developed thus, because if you cannot develop them through heavy industries or any other means you have to develop them as tourist centres. As tourist towns, the first priority should be to provide these towns and municipalities with minimum requirement—in respect of water, electricity, hotel facilities etc. In this process, we shall be able to uplift these so far neglected and late-starting Union Territories and States economically.

Regarding Sikkim particularly, it has been the focus of our attention all these years. Parliament has rightly enacted the grant of statehood to Sikkim some years ago. My hon. friend who spoke from the other side referred to the administration in Sikkim, and to the dismissal of the democratic Government there. This, as I said, in the context of the municipal corporation, refers to the entire State administration; but we should agree that a certain extraordinary situation prevailed in that State, and we should appreciate it. By and large we should all agree that there must be normal, democratic rule in every State—not only in Sikkim. In Sikkim we should appreciate that an extraordinary situation prevailed, and the Government of India had to act. So, a certain action which would not have been normally justified by the democratic norm, had to be taken; the Government of India had full justification to act in that manner. But we would not encourage the idea that in normal circumstances, such an action should be taken, every time and in every situation. Such an action should be taken sparingly.

The Gangtok municipal corporation by itself remains, as far as we can see from a

remote angle. I do not belong to Sikkim, the little that we have seen and heard about it tells us that this Gangtok corporation remains more of an administrative unit. Development-wise and also from the point view of development of tourism, as I have just mentioned, many of these aspects remain neglected. If, in spite of the continuance of this bureaucratic regime and set up in the Gangtok municipal corporation, Government of India could increase the number of developmental activities, and could take certain concrete steps to increase the facilities given to tourists like water, power and others, perhaps Government would certainly be justified, despite all the criticism, in taking the action it has done so far if it can enhance the attractiveness of the town as a tourist spot.

I would, therefore, appeal to the hon. Minister of Housing that taking a lesson from Sikkim, we should have a broader framework of policy which will apply not only to Sikkim, but to the rest of the country, so that the notified areas, small town committees and the municipal committees that have come up all over the country, with particular reference to the outlying States of the north-eastern area, and also Sikkim should be given proper treatment in this respect ; giving special allocation of funds. Today, we see, from year to year, the Ministry of Housing, Government of India, is making a special selection of Town Committees according to certain rules from different States it is good. We see that there is no special treatment being given to the backward area of northeast and Sikkim in this selection. I do not know the reasons why they are being neglected so far.

Now, I would suggest that the Ministry of Housing, Government of India, should have a special policy for the backward areas because they are not being properly treated in respect of development of small towns with special emphasis on development of tourism in this area. I am grateful to you for giving me an opportunity to speak on this Bill.

[*Translation*]

THE MINISTER OF WORKS AND

HOUSING (SHRI ABDUL GHAFOOR) : Mr. Deputy Speaker, Sir, the views expressed by my friend and by Shri Kabuli, sitting opposite me have not much relevance to the present measure. All the corporations, municipalities and gram panchayats are not covered by it. It is the duty of the State Government to conduct elections. Now why this particular Bill about Gangtok has been brought in Parliament ? These things would have been relevant if we had brought a Bill covering all the corporations in all the States. This has been brought under special circumstances. You know that this ordinance was promulgated by the Governor on 17-12-84 with the consent of the President because the State is under President's rule. The Councillors of the Gangtok Municipal Corporation were functioning as per the provisions of the Act of that Corporation. Now their term has expired. An Administrator has now been appointed as per the provisions of the same Act. He is in office but his term is also fixed. In the meantime President's rule was promulgated. The President's rule is going to end on the 29th May 1985. So, in order to maintain the continuity and to ensure that the people do not suffer, his term is being extended by one year and when the next popular Government comes, it will conduct elections to the Corporation. Then they may dispense with the services of the Administrator and make good arrangements for sanitation or electricity. So we shall have to replace the ordinance by an act with a view to remove the lacuna in the Gangtok Municipal Act relating to the extension of the term of the Administrator by one year so that continuity is maintained. President's rule will end on the 24th May, 1985 and after conducting the elections they may do whatever they deem fit.

So I think there are no more complications and now I move that the Bill be taken into consideration.

MR. DEPUTY SPEAKER : The question is :

“That the Bill further to amend the Gangtok Municipal Corporation Act, 1975, as passed by Rajya Sabha, be taken into consideration.”

The motion was adopted.