

Vijayaraghavan, Shri V.S.

Yadav, Shri Shyam Lal

Vir Sen, Shri

Yadav, Shri Subhash

Vyas, Shri Girdhari Lal

Yadav, Shri Vijoy Kumar

Wasnik, Shri Mukul

Yadava, Shri Bal Ram Singh

Yadav, Shri Kailash

Yadava, Shri D.P.

Yadav, Shri Mahabir Prasad

Yogesh, Shri Yogeshwar Prasad

Yadav, Shri Ram Singh

Zainul Basher, Shri

MR. SPEAKER: Subject to correction, the result* of the division is:

Ayes: 315

Noes: Nil

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting. The Bill, as amended, is passed by the requisite majority in accordance with the provisions of article 368 of the Constitution.

The motion was adopted.

13.33 hrs.

The Lok Sabha adjourned for Lunch till thirty five minutes past Fourteen of the clock.

The Lok Sabha reassembled after Lunch at forty minutes past Fourteen of the Clock

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

[*English*]

STATE OF ARUNACHAL PRADESH
(AMENDMENT) BILL

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Sir, with your permission, I beg to move:

"That the Bill to amend the State of Arunachal Pradesh Act, 1986, be taken into consideration."

The Bill seeks to provide that the three nominated Members of the Legislative Assembly of the erstwhile Union Territory of Arunachal Pradesh may also be included in the Provisional Legislative Assembly under Section 11 of the State of Arunachal Pradesh Act, 1986.

With the enactment of the State of Arunachal Pradesh Act, 1986, Arunachal Pradesh has become the 24th State of the Union of India with effect from 20th February, 1987. Under Section 11 of the State of Arunachal Pradesh Act, the elected members of the territorial constituencies of the Union Territory of Arunachal Pradesh shall be the members of the provisional Legislative Assembly. This was the provision in that Act. The three nominated members of the Union Territory Legislature were, however, excluded from the provisional Legislative Assembly of the State. However, the Chief Minister of Arunachal Pradesh wrote to us requesting for continuance of the three nominated members in the provisional Legislative Assembly on the ground that the three nominated members belong to the most backward tribes in the State. Since these members are no longer members of the provisional Legislative Assembly of the new State of Arunachal Pradesh, this has caused a great discontentment among the backward tribes. They have requested that the three nominated members may continue

*The following Members also recorded their votes for AYES:

Shrimati Basavarajeswari; Shri Ashok Chavan and Kumari D.K. Thera Devi.

in the provisional Legislative Assembly along with the elected members. The Bill seeks to provide continuance of these three nominated members in the provisional Legislative Assembly. A clarificatory provision has also been included under Section 11 of the Act that the elected members of the Legislative Assembly of the Union Territory of Arunachal Pradesh shall be deemed to have been duly elected for the Legislative Assembly of the State of Arunachal Pradesh.

The amendment to the Act will remove the discontentment among the backward tribes to which the nominated members belong. This amendment would also enable the three nominated members to continue to represent the interests of the weaker sections in the provisional Legislative Assembly.

With these few words, I commend the Bill to this august House.

MR. DEPUTY SPEAKER: *Motion moved*

"That the Bill to amend the State of Arunachal Pradesh Act, 1986, be taken into consideration."

SHRI G.G. SWELL (Shillong): Mr. Deputy Speaker, Sir, since this Bill, the State of Arunachal Pradesh (Amendment) Bill, comes as it does after we have passed the Goa Statehood Bill, I think, it would be only right and proper for me to add a few words of congratulations and felicitations to the people of Goa. The State of Goa, as you know, is a beautiful and a very distinctive part of our country, and their contribution to the country has been out of proportion to their population. I do not wish to go into details and to name too many names, but we know, for instance, that the person who is central to the control of all the trouble in Punjab today is a Goanese or a person of Goan origin. It is indicative of the contribution that these wonderful people who are part of our country have made to the whole of India.

Now, coming to the Bill on Arunachal

Pradesh, as the Home Minister said, it is a simple Bill in the sense that a lacuna that was not discovered at the time of our passing the Arunachal Bill is sought, today, to be corrected in allowing the three nominated Members to the Arunachal Legislative Assembly to continue as Members of the Provisional Assembly. But, Sir, behind this simplicity, I would point out to the haste, the hurry, the absence of adequate knowledge and the ham-handed manner with which the affairs of Arunachal and, for that matter, of any other area in the North East are being handled here. I am not questioning the good intentions of the Home Minister or the good intentions of the Government, but they do not have the time to try to understand the problem. It is a little surprising that when you drafted this Bill, this matter did not occur to you, and soon after this, you felt it necessary to come forward with an Amendment Bill which, I think, is right and proper and which we shall support.

Having said that, the first question that arises is whether the principle of nomination should be maintained. We have the nomination here in our House, the nominations that we give to the Anglo-Indian community for certain special consideration—they are a part and parcel of our country, of our people, but they are so scattered all over the country that it is not possible for any member of the Anglo-Indian community as such to represent his community from any particular constituency and that is why we have resorted to this device in the Constitution. The same kind of principle had to be followed in Arunachal. There are three nominated Members representing three most backward communities of that State who, otherwise, matters being as they are, have no chance at all of getting representation or being heard in the State Legislative Assembly. They are, as far as I know, the Pangi tribe with only 4,000 people, the Sulong tribe with only 5,000 people and the Hills Miri tribe with about 7,000 people. These are nomadic people. They are people who have, I would say, still in the stage of food-gatherers and hunters, people with no visible occupation, who have not settled

[Shri G.G. Swell]

down anywhere; they move from place to place just to gather food from the forest or to hunt the animals in the forest; sometimes they get occasional work, a kind of bonded labourers in the hands of a few rich people to work in their land; after their work is finished, they are turned out and they are brought back again. This is the kind of situation, and they are dispersed all over the State. It is only right and proper that we try to give representation and voice to these people.

But I would like to draw the attention of the Home Minister to this. How long do you go on in this manner? How long do you propose to keep on going with this kind of device of nomination and all that sort of thing? Is it not more right and proper, more Constitutional, to so devise a set-up in Arunachal that every section of the community will have the chance of being represented in the ordinary democratic course? Sir, I would like to remind the Home Minister that, when the Arunachal Bill was discussed, I made it a very strong point that the allocation of only 40 Members in the Arunachal State Legislative Assmbeley was just not adequate and would not do justice to that part of our country...

PROF. MADHU DANDAVATE (Rajapur): Number 40 is likely to be misunderstood, I think.

SHRI G. G. SWELL: All right; not 420.

PROF. MADHU DANDAVATE: I was referring to 'Alibaba'....

SHRI G. G. SWELL: According to Alibaba, yes. (*Interruptions*)

Let me repeat that Arunachal is a vast area, almost 84,000 sq. miles in area; it is larger than Assam; it is almost as big as Assam and the rest of the other States in the North East, as big as that; it is a vast and variegated area, right from the snowy heights, almost Arctic climate, down to the

lower hills where you have the kind of Mediterranean and European climate and down right at the foothills where you have the tropical climate.

That is a vast area. It is difficult for people to travel from different parts of Arunachal to come to Itanagar and the people are diverse in language and tribal affinity. Therefore, the only thing that you can do in order to ensure that people like the Pangis, the Solungs and the Hill Miris also have an adequate representation is to increase the number of seats in the Assembly to as many as 60 which in any case is laid down as the minimum in the Constitution. It is unconstitutional, it is anomalous that in one part of Constitution you say the number should not be less than 60 and yet you say somewhere else the number should not be more than 40. You have done that in the case of Mizoram. Therefore, I would appeal that you do away with these anomalies. Do it now or bring it another Bill later on in which you give the people of Arunachal 60 seats and divide the constituencies in such a manner with certain weightage to be given to certain reserve seats. Even in Arunachal, it may be necessary for you to declare certain seats in the Legislative Assembly as reserve seats for the most backward people like the Pangis, the Solungs and the Hill Miris. Only then you will be able to give these people a voice, a feeling of being a part of the State, a part of India. I would urge the Home Minister to consider this very very seriously and come forward with a comprehensive Bill and do away with all these anomalies.

Lastly, Sir, we have to consider Arunachal as a special case. It is today the frontline State of India, frontline part of India adjoining China where the Chinese even today are sitting in parts of that territory at Wangdong and Sundranchung valley. It is necessary that the people of Arunachal should feel that they are part of India, a special part of India. Therefore, you should not stand on legal niceties but do something satisfactory to the State and to the people of Arunachal Pradesh. Thank you.

SHRI P. K. THUNGO (Arunachal West): Sir, first of all, I would like to thank the Prime Minister and the Home Minister for bringing this amendment. I also would like to congratulate the three MLAs, the nominated MLAs of Arunachal Pradesh and also our Chief Minister on whose recommendation an amendment has been brought. Sir, but for this Bill three of our nominated MLAs were going to be unseated who represent the most backward tribes in Arunachal. This is why, on behalf of our MLAs and on behalf of these tribes, I would like to thank the Prime Minister and also the Home Minister for bringing in this amendment.

This amendment vindicates the assurance of the Hon. Prime Minister on the floor of the House to the people of Arunachal five months ago, while we were discussing on the main Bill of the State of Arunachal. Such an amendment and such as augury from the Central Government certainly will go a long way in assuring the people and raising the morale of the people high and to satisfy the aspirations of the people of Arunachal which is most required, most important at this crucial juncture of time, where the Chinese have intruded in Arunachal and the Chinese are trying to demoralise the patriotic people of Arunachal and they are trying to sway them in so many ways. That is why this is going to be a good sign on the part of Govt. of India and on the part of Centre to encourage the people of Arunachal and to carry on their struggle for development in Arunachal and for the unity and integrity of the country.

I would have been much happy, if I may say so, had the Home Minister brought forward three more amendments which I had requested him during the course of discussions in this August House on the main Bill of giving Statehood to Arunachal Pradesh in the month of December. But I am not very happy because the Hon. Home Minister seems to have overlooked that request. He may kindly remember that at the beginning of this session also I had spoken and also personally met him four

or five times to request for the introduction of those amendments also. Better late than never. I will not be feeling discouraged because I hope that the Hon. Home Minister will try to bring forward those three amendments in the next session.

To be more specific, the three amendments are—firstly, granting 60 seats instead of 40 seats in view of the topographical and geographical situation in Arunachal Pradesh. This amendment itself speaks how it is necessary to represent the people truly by bringing in more MLAs. The second amendment which I sought is a Constitutional amendment giving protection of land and the religious and social practices etc., of the people of Arunachal Pradesh. These amendments will certainly go a long way in protecting the interests of Arunachal Pradesh and also as I said, satisfy to the fullest our aspirations.

You will see if you go through the list of Scheduled Castes and Scheduled Tribes in Arunachal Pradesh that there are certain very minor anomalies which can be corrected very easily. For example, certain derogatory names have been included against certain names of our tribes. Adis have been called as Abors; Nishis have been called as Dafla and all the tribes of our Tirap District have been called as Naga tribes. These are the anomalies which should be corrected, so that the sentiments of our people are not hurt in this way.

MR. DEPUTY SPEAKER: Please conclude.

SHRI P.K. THUNGO: Since you are not giving me time, I would like once again to request the Home Minister through you to be kind enough to keep his promise and bring those other three amendments also in the next session.

S. BUTA SINGH: Mr. Deputy Speaker, Sir, As I mentioned in my opening remarks, the present provision is only an enabling one which will enable all the three Members who were nominated in the

earstwhile Union Territory of Arunachal Pradesh to continue as the Members of the Assembly of the new State of Arunachal Pradesh.

As has been mentioned by Shri Swell, they happen to belong to the most backward tribes in Arunachal Pradesh. By making this provision, the House will be fully justified in giving representation to those three tribes viz., Hill Miris, Solungs and Pangis

SHRI SOMNATH CHATTERJEE (Bolpur): The point is, why was it not done earlier. Why was it not included in the original Bill?

S. BUTA SINGH: At that time it provided only the elected members but now with this provision that lacunae will also be made up and the nominated members will be fulfilled members of the Assembly.

Mr. Thungon has brought two other points. As far as the question of safeguarding the traditional rights and religious ceremonies of tribals is concerned I do not think there will be any difficulty because most of the things which Mr. Thungon has mentioned fall within the purview of the State Assembly. The State Assembly is fully competent to pass those laws. If Mr. Thungon thinks it fit to be passed by Parliament we can pass the laws and give those provisions to Arunachal Pradesh. I may tell Mr. Thungon in case the State Assembly does not pass it, at an appropriate time we will pass those laws and make possible for the people of Arunachal Pradesh to feel satisfied.

As regards the question of increasing the number from forty to sixty since elections are due in 1988-89 before the elections at an appropriate time this provision can also be thought of. With these words I commend that this House may pass the Bill.

MR. DEPUTY SPEAKER: The question is:

"That the Bill to amend the State of Arunachal Pradesh Act, 1986, be taken into consideration."

The motion was adopted

MR. DEPUTY SPEAKER: Now we will take up clause by clause consideration of the Bill. The question is:

"That Clause 2 stand part of the Bill"

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

S. BUTA SINGH: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

15.05 hrs

KHADI AND VILLAGE INDUSTRIES
COMMISSION (AMENDMENT) BILL -
Contd.

[English]

MR. DEPUTY-SPEAKER: Now the House will take up further consideration of the following motion moved by Shri M Arunachalam on the 8th May, 1987, namely:—

"That the Bill further to amend the Khadi and Village Industries Commission Act, 1956, as passed by Rajya Sabha, be taken into consideration."

Shri C. Janga Reddy may speak.