

REPEALING AND AMENDING
BILL, 1986

2. SECRETARY-GENERAL : Sir, I lay on the Table the Repealing and Amending Bill, 1986, as passed by Rajya Sabha.

12.06 hrs.

ESTIMATES COMMITTEE

[English]

Thirty-fifth Report

SHRI CHINTAMANI PANIGRAHI (Bhubaneswar) : I beg to present Thirty-fifth Report (Hindi and English version) of the Estimates Committee on Action Taken by Government on the recommendations contained in their Seventeenth Report on the Ministry of Finance (Department of Economic Affairs)—Reclassification of Transactions relating to Defence Pensions.

12.07 hrs.

CALLING ATTENTION TO MATTER
OF URGENT PUBLIC IMPORTANCE

[English]

Situation arising out of settlement
on Mizoram

SHRI C. MADHAV REDDI (Adilabad) : Sir, I call the attention of the Minister of Home Affairs to the following matter of urgent public importance and request that he may make a statement thereon :—

“Situation arising out of the settlement on Mizoram.”

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH) : My colleague Shri Ghulam Nabi Azad made a *suo moto* statement on 21st July, 1986, in the House on the Memorandum of Settlement on Mizoram.

The Memorandum of Settlement on Mizoram is a significant achievement and a stirring tribute to the earnest efforts of the Government in bringing about a peaceful solution to the two decades old Mizoram problem. The Settlement has rightly triggered a wave of enthusiasm and expectations among the people of Mizoram. There is a turning-point in the affairs of strife-torn people which enable them to put strife and suffering behind them and I believe that such a point has been reached in Mizoram. The constructive and sympathetic attitude of the Government of India and firm and steady steps taken by us in the direction of restoring normalcy in Mizoram have contributed to the changed climate with a realisation that insurgent strategy had reached a dead end. In this new atmosphere which ensures normalcy, a national approach to the aspirations of the Mizos and the people of Mizoram within the framework of the Constitution has gained ready acceptance in the country.

As per the provisions of the Memorandum of Settlement, the Mizo National Front has amended its Articles of Association so as to conform to the provisions of law. The process of MNF personnel coming overground has started. Till 28th July, 1986, 525 MNF personnel and 154 members of their families have come overground at Parva and Marpara. Certain misgivings have been expressed in the Press and by the opposition as to whether the Group headed by Shri Lalrawna will come overground. I am glad to inform to House that this Group has reported at Marpara Camp on the Border of Mizoram. MNF have deposited various types of weapons such as, Light Machine guns, Sub-machine guns, Semi Automatic Rifles, .303 rifles, rocket launchers, 12 Bore guns etc. The process of surrendering arms is continuing and it is expected that by the end of this month all the MNF personnel will come overground and surrender their arms. Subject to the fulfilment of the steps to be taken by MNF as per the Memorandum of Settlement, Government will not lag behind in implementing the provisions of the Settlement and granting of statehood to Mizoram. Schemes have already been worked out for resettlement and rehabilitation of personnel who have

[S. Bata Singh]

come overground to ensure their return to civil life.

As per the provisions of the Settlement, the MNF have given an undertaking that they would not extend any support to TNV, PLA and other such groups. I fervently hope that these misguided elements will see reason and give up their violent activities and dreams of achieving their objectives outside the Constitution of India.

This Memorandum of Settlement of Mizoram, will usher in normalcy in Mizoram which is a sensitive Union Territory in the north-eastern region. The cherished dream of the people of Mizoram for peace and security has been finally fulfilled. Government of India has given high priority to the developmental programmes of Mizoram. The rousing reception given to the Prime Minister by the people of Mizoram during his recent visit to Mizoram is a measure of the response of the people to the Memorandum of Settlement. As per the announcement made by the Prime Minister during his visit to Mizoram, a team of Secretaries and senior officers of various Ministries/Departments visited Mizoram, including some interior areas, between 24th and 26th of July and a group of seven Central Ministers headed by Shri Narayan Dutt Tiwari Minister for Industry and comprising Dr. Man Mohan Singh, Smt. Sushila Rohtagi, Shri Ghulam Nabi Azad, Shri P.A. Sangama, Smt. Margaret Alva and Shri Yogendra Makwana also visited Mizoram on 26 and 27th of July. A number of important decisions have been taken by this Group regarding developmental schemes of Mizoram. Some of the important decisions announced are :

- (i) Declaration of Lunglei-Saiha and Lunglei-Tuipang roads as National Highways.
- (ii) Arrangements for training of Mizoram Engineers in road construction at the National Institute for Training for Highway Engineers.

- (iii) Operation of daily Waydoot Service from 15th August, 1986.
- (iv) Commissioning of a High Power T. V. Transmitter at Aizawl by 1987-88, a low power transmission station for relay of programmes at Lunglei by 1987 and a low power transmitter for relay of programme at Saiha by 1987-88.
- (v) Lunglei linked to Aizawl by telephone on 26.7.1986.
- (vi) Lunglei-Saiha UHF link by March, 1987.
- (vii) Establishment of a larger electronic telephone exchange at Aizawl by 1987-88 to replace present 800 lines Srowger Exchange.
- (viii) Establishment of Electronic Telex Exchange at Aizawl by 1987-88 and satellite earth Stations at Champai, Demagiri and Saiha
- (ix) 100% transport subsidy for transportation of wheat products from Gauhati of Silchar to focal points in Mizoram.
- (x) Increase in the allocation of rice to Mizoram from 6000 to 6500 MT per month.
- (xi) Administrator has been given powers to sanction schemes upto Rs. 2 crores each.
- (xii) Establishment of a watch assembling unit in Mizoram.
- (xiii) Approval of Union Territory's proposal for 24 more rural link roads linking 67 villages and costing Rs. 211.40 lakhs under Rural Landless Employment Generation Programme.
- (xiv) Assistance to Union Territory under Central Accelerated Rural Water Supply Programme

for construction of rain water collection system for individuals and community. For individual 75% of the total cost will be funded from ARWSP and assistance for community will be 100%. A project costing upto Rs. 1 crore and covering 100 villages has been agreed to.

- (xv) Construction of one 200 tonnes capacity godown in each of 20 blocks for storage of agricultural produce and foodgrains.
- (xvi) Setting up of a Fruit Processing Plant in cooperative sector in Mizoram.
- (xvii) Setting up of a Veterinary College in Mizoram.
- (xviii) Setting up of a Sports Complex at Aizawl after the scheme is received from the U.T. Administration.
- (xix) Establishment of Navodaya Vidyalaya in Mizoram.
- (xx) Establishment of an Industrial Growth Centre at Aizawl within the next two years at a cost of Rs. 6 crores out of which Rs. 2 crores will be from IDBI.
- (xxi) More cultural exchanges between Mizoram and the rest of the country.
- (xxii) Completion of 132 KV power lines from Kumarghat and Jiribam to Aizawl by December 1986 and April 1987 respectively.
- (xxiii) Arrangements for training of about 100 Mizoram power Engineers within the span of two years.

These decisions will be closely monitored with a view to giving an impetus to the developmental programmes of Mizoram. I am sure, with this thrust, the pace of development in Mizoram will be accelerat-

ed and Mizoram will enter a new phase of peace and prosperity.

SHRI C. MADHAV REDDI (Adilabad): I welcome the accord and any efforts made by the Government to bring peace to the sensitive parts of North-Eastern India. But this is one of the three accords, two already before us. Judging by the performance of the two accords and certain aspects of the non-implementability of these two accords, it is better that we have a hard look at the present accord.

This is the accord which confers special status on Mizoram. It is said that the accord is within the framework of the Constitution. I would have been happy if that is so. You have a proposal to amend the Constitution and now you say it is within the terms of the Constitution. What is this logic? You have agreed to amend certain articles of the Constitution and yet you say that this accord is strictly in accordance with the Constitution and the Mizo National Front has accepted, Mr. Laldenga has accepted the Constitution of India. I am not able to understand the logic of this. There are certain aspects of this accord which are very different from the patterns that we have earlier.

12.15 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

We had Kashmir and then subsequently Nagaland and now we are going to have this varied and different patterns of the federal structure in this country. How long are you going to have this? How long are you going to have varying structures of our own States? Where is the guarantee that in future no State is going to ask for a certain special status for themselves? It is very strange that, when some of the States try to give importance to language and local culture, they are dubbed as chauvinistic. Government says that they are practising sub-nationalism. But here what you are doing is this. Clause 7 of the Accord says that Mizoram will have the special status of having trade with the border States, with the border countries. This

[Shri C. Madhav Reddi]

is a concession which has not been given to the earlier two States which enjoy a special status. This is something which is unique, even though it could be under a particular agreement signed between the Government of India and that particular country. But, whatever it is, this is fraught with serious consequences. It mentions only about locally produced commodities. How are you going to prevent commodities moving into that particular territory from West Bengal, Assam and other States and then from there crossing over to China and other countries as locally produced commodities? How are you going to stop that?

Another aspect of this Accord is this. Already there are statements of Mr. Laldenga that he would strive for the integration of all the Mizos in the adjoining territories of Tripura, Assam and other areas. And, strangely enough, the Accord mentions this. Even though the Government of India says that it did not agree to this, yet, a mention was made in the Accord. Why was a mention made in the Accord when the Government of India did not agree to the integration of the Mizos? The Accord very clearly says, "Well, for the time being, we do not agree". But you are showing the way. The way is that article 3 of the Constitution is available and any State can resort to that. That is, this is a direct invitation to the Mizos to agitate for the integration of a United Mizo State. Is it proper? Why was it done? Where was the necessity for such a mention to be made in the Accord when the Government of India did not agree to their conditions? When Mr. Laldenga visited his place, on the first day, there was a huge crowd and in that meeting the first sentence he uttered was that he would strive for a United Mizo State—he does not say 'State', he says 'United Mizo Nation'; that is how he refers. Now, how is it consistent with the spirit of the Accord which says that it is within the four walls of the Constitution.

The third point which I would like to mention is Clause 9 of the Accord which

mentions about the minorities, the protection that the Government of India and the future State Government would give to the local minorities. But it does not say anything about the Chakma minority who form about one-third of the population there. Already the Mizos have declared the minorities as infiltrators; they say that they are outsiders; they are prepared to wage a war against them; they say, they do not want them. The Government of India have already given them protection. They have been rehabilitated and for them there is a District Council. What are you going to do with the District Council? Are you going to abolish this Council? Are you going to say to them, "You do not have any Council"? Are you going to leave this big minority to the mercy of the Mizos who have already declared that they are for a Mizo land only and no other minority; even the Chakmas will be permitted to stay there.

The Accord has got the political overtones. It is because before the signing of this accord by the Government of India and the Government of Mizoram with Laldenga there was another agreement which was signed by Congress-I and the Mizo National Front in which they have agreed to certain terms and conditions, they have agreed for a coalition Government, they have agreed that the chief ministership would be given to Laldenga, etc. The entire present accord is depending very much on this arrangement. If this arrangement is disturbed, then this accord is not going to be implemented. In other words, Laldenga might return to the path of insurgency. This has to be clarified.

Regarding laying down of arms, just now we have been told that about 550 people or so have laid down their arms. I do not know whether Government of India has feelers as to how many people are there underground and how many are to lay down the arms. It is merely said that we hope that all of them will come forward and lay. They do not say "lay down the arms". Very carefully laying down of the arms is avoided. Surrender is certainly avoided. It is only depositing the arms. O.K., we have no

objection to the depositing of the arms. But how many are going to deposit the arms and when are they going to deposit the arms ?

Then, there is the question of confidence. I would ask the Home Minister a straight question. Do you feel that you have full confidence in Mr. Laldenga ? Looking to his background, his earlier episodes—slipping out of agreements, agreeing to something and running out of it are the matters of history. We know what type of man he is. He is a man who would not leave unless he achieves a thing. Mizos have got full faith in him. When he says that you wait, I will ultimately fight and get you a Mizo land, an United Mizo land, Mizos are going to listen to him because they look to him as a man like Mosses who would lead them to the promised land, flowing with milk and honey. When that milk and honey is no longer there in those hilly areas of Mizoram, I am sure he is going to wage a war against the Government again.

These are the doubts which I have and I would request the Minister to clarify them.

SHRI S. JAIPAL REDDY (Mahbubnagar) : Mr. Deputy Speaker Sir, I quite feel that more home work has gone into the accord on Mizoram than those of Punjab and Assam. Because negotiations themselves lasted for merely a decade. Our experience in respect of Punjab and Assam accords have not been particularly happy. At the same time it would not be correct to judge the Mizoram accord by the same yardstick. However, people of India would not really grudge a liberal approach to Mizoram in view of their relative cultural and political isolation from the mainstream of India.

But the timing and the manner of conclusion of the accord has raised many grave, genuine and widespread doubts in the country. Sir, the country has to be assured that the promises to treat Mizoram as special category State would not be the same as bestowing a special status on the State which could be at a future date interpreted as being even

remotely analogous to that of J&K under the Article 370.

Again, Sir, doubts as regards Clause 4.3 II should be removed. That Clause says :

“That no Act of Parliament in respect of religious practices and ownership and transfer of land even criminal and civil law would be made applicable to Mizoram unless the Assembly of Mizoram agrees to that.”

PROF. N. G. RANGA (Guntur) : They are all tribals.

SHRI S. JAIPAL REDDY : Well I am aware of the fact that something of the kind has been provided under Sixth Schedule of the Constitution for tribal areas of the erstwhile composite Assam State as far back as 1952 but, I think, this goes a little beyond and this was done only in the case of Nagaland. So I would like to know whether it further entails any special Constitution amendment.

As has been pointed out rightly by Shri Madhav Reddi ji this demand of greater Mizoram has been raised right in the Agreement and it has been left open. Both the parties have stated their position. In fact, our Prime Minister who, of course, had an outlandish outing soon after the Accord in Mizoram during that visit ruled out the possibility of greater Mizoram altogether but Laldenga keeps on promising that to the Mizo people. Therefore, naturally the doubts arise. I am one of those who believes that Mizos living in northern Tripura or Manipur would not be very enthusiastic about the whole idea of greater Mizoram because the Mizos in Mizoram belong to one tribe, the Lushai tribe, while the Mizos living in northern Tripura or in Manipur belong to other tribes, namely, Kuku Chin, Lakhers, Pawis, etc. They would not be particularly interested in greater Mizoram. So we would like to know whether there is something more than what is contained in the Accord in regard to this demand for greater Mizoram.

On behalf of my party I raised one point even at that time. I do not know

[Shri S. Jaipal Reddy]

how Mr. Arjun Singh and Mr. Antony as Vice-President and General Secretary respectively of the Congress (I) party were associated with the process of conclusion of this Accord. I am not raising a technical question. Our party has no particular stake in that tiny Union Territory but the point here is that the same procedure was adopted when Sheikh Abdullah was installed as Chief Minister in Jammu and Kashmir and we know what bitter experience this nation has had and how the problem is still smouldering in Kashmir. Our Prime Minister and our Minister and Congress (I) members do not miss an opportunity to lecture to us how such problems have to be looked at from trans-party angle. I would like to know whether this Government even on the question of Mizoram has approached the problem from that broader angle.

In regard to protection of minorities, well, there is a provision in the Accord but reports are that minorities are feeling unsafe. Prof. Ranga was saying there is the question of minorities in Mizoram who are not feeling safe as pointed by Shri Madhav Reddiji and Chakmas are likely to move in greater number because of their persecution in Bangladesh. So this is going to pose a great problem.

Lastly this provision to allow the new State to do trade with neighbouring countries needs to be elucidated I would not say that China is a neighbouring country of Mizoram but Bangladesh and Burma are neighbouring countries. Nothing would prevent the new Government in Mizoram from doing trade with these countries. Or, you may say under the agreement any such trade has to be a part of the larger international agreement to be concluded by the Government of India itself. But again, differences may arise between the State Government of Mizoram and Government of India. How are these differences going to be settled? Will this not again lead to insurgency? So, some of these questions have to be categorically answered.

SHRI M. RAGHUMA REDDY (Nalgonda): The autonomy which is being

given to Mizoram is beyond the permissible limits. I do not know why the Government of India have taken such a wrong step. It means that whoever creates some problems or whoever goes against the Government of India, those people will be rewarded by some further safeguards. It is a clear indication for the future, for any State or for any terrorist group to take advantage of such situation. The Government has showed them a way in this regard. This tendency has to be controlled. I do feel that the inefficiency of the Government of India in controlling the actions of the Mizo rebels has led to this agreement. I say that the Government should have taken appropriate steps much earlier. For the last twenty years, they have allowed the people to cross the border which enabled them to get all the armaments from the neighbouring countries. Without controlling any of these things, they have now taken this up and they have given some special status to the State. And it is nothing but this distribution of power between the Congress and Mr. Laldenga because as per the agreement, Shri Laldenga would be the Chief Minister and Congress (I) representative would be the Deputy Chief Minister alongwith 5 Ministers. So, this is not at all an Accord. It is nothing but power distribution between Congress people because they just cannot remain without power. Any person can understand the Accord only in this way.

Why has the Minister assured in his statement about all that help to Mizoram, now only? What happened in the last twenty years? Why did they—all those Central Ministers—not go to Mizoram much earlier? What prevented them in the past to go over there and to extend all the help required, the transport facilities, telephone facilities, TV facilities and so on? Why were all these benefits not extended to them, prior to this agreement? Only now they have realised that the State is in need of all these things! Only now, they have come to know about all these facts! That means that they only want to capture power by providing all these facilities through this agreement. They want to go in for elections and they are trying to capture power by providing all these things. That is the main intention

of this accord. When the State is in trouble and when it needs those transport facilities and those 132 KV sub-stations, why could you not help them earlier ?

PROF. N.G. RANGA : They should have done it earlier.

SHRI M. RAGHUMA REDDY : Why have you not taken up all this work much earlier ? Why are all the Central Ministers including the Minister for Agriculture going there only now ?

In my opinion, this accord indirectly shows the inefficiency of the Central Government in controlling the law and order situation as also the border security problem. It is the same story everywhere Sir. You are not able to control the infiltration into Punjab and Punjab problem is created. You are not able to control infiltration from China and Pakistan and some other problem may arise. You will think of taking decisions only then. Why don't take appropriate action at the appropriate moment ? I would request the Minister, rather I demand that early decisions should be taken after judging the matter expeditiously. You take decisions only after something happens and the situation goes out of control.

This accord which gives special autonomy to the State of Mizoram is in no way good. You treat Mizoram on par with other States so that some other States do not get a chance to create some nuisance. They may ask the same special privileges in future. Shri Laldenga also may create problems in Assam, Nagaland and Manipur by asking for Greater Mizoram. You may have to decide about all these things before coming to a conclusion. The hon Minister may take all these points into consideration.

[*Translation*]

SHRI HARISH RAWAT (Almora) : Mr. Deputy Speaker, Sir, the Memorandum of Settlement on Mizoram is an important achievement for us. Now we shall have to see how to solve all these problems ? We have to assure those people who have doubts in their mind in regard to the Settlement.

Now the question is whether we should solve such problems through military action or by negotiating with all the concerned parties ? I feel that our hon. Home Minister should find solution of the problem by holding negotiations. Every discerning person will welcome this move. We are pained when our opposition Members try to mislead the people in regard to this Settlement.

The statement of the hon. Home Minister itself offers solution to a number of problems. The cultural and geographical characteristics of Mizoram and other North-Eastern States are quite distinct *vis-a-vis* the rest of the country. During the days of the freedom struggle of the country, Mizoram remained aloof from it. Now we have to ensure that these regions join the mainstream of the nation. The result of our efforts in this regard must be reflected in the North-Eastern States.

A number of things have appeared in the newspapers in regard to this Accord and many things have been said in both the Houses. I would like to know from the hon. Minister whether the proposed State of Mizoram will be of a State of special status or a state of special category ? If it is a State with special status, it can be compared with Jammu and Kashmir or Nagaland and if it is a special category State, every one will welcome it. I would like to know from the hon. Minister whether other regions in the North-Eastern region, such as Arunachal Pradesh, would also be accorded the status of a State ? If so, by when will it be accorded the status of a State ? Will Arunachal Pradesh be treated as a special category state and provided assistance in the same way as is being provided to Mizoram ? If you do not provide similar help to Arunachal Pradesh, the people of Arunachal Pradesh may think that the Government of India provided assistance to Mizoram because some people took up arms against the country and challenged the sovereignty, the integrity and the unity of the country. To allay such misunderstanding it is essential that Arunachal Pradesh may be helped in the same way as Mizoram.

[Shri Harish Rawat]

I would also like to know by when are you going to grant statehood to Arunachal Pradesh? Will Arunachal Pradesh also be treated as a special category State and receive allocation from the Planning Commission in the same manner has been provided to Mizoram.

In Mizoram, there is also the problem of rehabilitation of the rebels who had taken up arms against India. You will have to provide funds for their rehabilitation. I would also like to know that the rebels who lay down their arms and are provided funds for rehabilitation, can also be absorbed in the police or in the armed forces later on or not? Has this matter been considered? Secondly, what steps have been taken to ensure that those rebels, to whom funds will be provided for rehabilitation, may not use the funds to purchase arms and turn hostile? What guarantee is there that they will not continue contact with hostile elements like People's Liberation Army of Manipur, T.N.V. and National Socialist Council of Nagaland in the North-Eastern region in future and will not provide help to the elements engaged in anti-national activities in Nagaland, Manipur and elsewhere? What mechanism have you evolved to monitor these things?

The underground rebels, who lay down arms, will continue their relations with foreign countries because they are getting arms from countries like Bangladesh, China etc. Have you raised this matter with Laldenga to ensure that they do not continue their contacts with them? Otherwise a situation may come when taking advantage of these contacts, they may take up arms in future in case they feel aggrieved over some issue. On the one hand, you have integrated them in the mainstream of the country and given them respectable place in politics and on the other hand if they again take up arms in future, a serious situation might be created. It is a border state and arms can be smuggled from other countries. Therefore, there is need to consider the matter seriously.

Laldenga has made some clarification in regard to the Mizo nation in the context

of the concept of Greater Mizoram. Although the situation is not clear completely yet some hazy picture does emerge. If Laldenga talks of Greater Mizo State, the people of the neighbouring States like Manipur will become apprehensive. I would like to know whether there is any provision in the agreement that Laldenga may be advised not to raise such demands so that the problems which are already there in the North-Eastern region are not further complicated and he may give up his demand for Greater Mizo State.

My last question is in regard to general amnesty. We treat the statement of Prime Minister in the context of general amnesty as official statement of the Government of India but what Laldenga has said after this creates doubts in our mind. I would like to know from the hon. Home Minister whether general amnesty also covers those persons who are guilty of serious offences like murder of the policemen and security personnel and who have been apprehended after great efforts? May I know whether those persons would also be given general amnesty who have fled to other countries after committing murders here and do not lay down arms by then? I would also like to know whether there is any deadline for laying down arms? After some time when Laldenga becomes the Chief Minister, he will have some influence over his State. In this respect, doubts arise that when he becomes the Chief Minister of the State, the rebels may or may not lay down arms. Therefore, a deadline should be fixed for laying down arms and that those people who do not lay down arms after this date will not be covered by the general amnesty.

With those words, I welcome the Accord concluded in regard to Mizoram and on behalf of the House I convey my thanks to the Hon. Prime Minister and the hon. Home Minister.

[English]

SHRI BHATTAM SRIRAMA MURTY (Visakhapatnam) : At one time it appeared as though we had entered into a new era of understanding and peace, accords and

harmony. But then, the aftermath of the accord was something very unhappy. It was disappointing. We were all disillusioned. Therefore I do not expect something better as far as this Accord is also concerned.

Sir, the trends are ominous. Already there is sufficient evidence that all is not going to be well. Even before the ink on the Accord is dry, Laldenga issued a statement to which the Prime Minister had immediately reacted saying that he was totally disappointed and surprised. Laldenga had asked for a Greater Mizoram. This is the first shot which he fired from Calcutta. When several Chief Minister had opposed this, the Prime Minister immediately raised his voice and said that he agreed with the rest of the Chief Ministers. But then the fact remains that it is a basic concept of the Mizo National Front. In the year 1961 even when it was founded, the objective was stated to be "to unite all the Mizos and bring them within one political boundary." Therefore, they stand by their demands. The Chief of the Mizo National Army recently said that the concept of Greater Mizoram was not given up and if they could not realise it now, sooner or later they are bound to realise it. They are well bent and hell bent about it on getting their dream fulfilled. Even in this respect the Government have not lagged behind.

Let me read the paragraph 8 in the statement laid on the Table of the House some days back by the hon. Minister.

"The Memorandum of settlement refers to the question of Greater Mizoram which was raised by the MNF delegation and mentions that Article 3 of the Constitution of India prescribes the procedure in this regard but that the Government cannot make any commitment in this respect."

It is said, "They cannot make any commitment". They have not rejected it they have not opposed it, they are entertaining this idea, they have not closed the options, and therefore, Laldenga and others are within their own right to expect something more to hap-

pen. Therefore, the Central Government is also to blame, if blame is necessary.

And another point, my friend, and colleague and leader of the party Shri Madhav Reddi has mentioned about border trade with foreign countries. Mizoram can have trade with foreign countries of course border countries. That is highly objectionable, and it is unprecedented and this has never been there. For this purpose the Government intend to go to the extent of amending the Constitution as well. I think we will not be able to agree to this.

Again, Sir, you see the speeches made by Shri Laldenga. He has said that every Indian should obtain special passes even to visit the State, much less to settle down and own property, land, etc. This is the special privilege they are wanting to have, Laldenga more than once stated in several public meetings that they are a separate nation. Is it a nation within a nation? He said, "We have become known to the world because we are Mizos. It is because of men who tried to build the 'Mizo nation' that the Mizo nation is known to the world".

So, they call themselves a separate nation, a nation within the nation. That is how it is being interpreted. Now it is being given a separate statehood. Let us clearly understand this.

When some officers of IAS and IPS were appointed to the Mizoram State—he want to the extent of writing to the Home Minister that they do not want them and that those officers do not deserve to be posted there. They are not acceptable to them on grounds of merit and suitability. He is objecting to their appointment. So, now Laldenga is not agreeable even for people coming from outside through All India services. That is the position.

Regarding amnesty, I must say a word. Even the Union Government's position is that "activists still in jail would not be released immediately". But what does Laldenga say? He says: "On completion of laying down of arms remaining sentences of those convicted

[Shri Bhattam Srirama Murty]

and serving sentences will be pardoned. Pending cases will be withdrawn." He is of that view. He declares it. Amnesty, pardon and everything has been announced by him unilaterally. What does the Union Minister, Mr. Ghulam Nabi Azad, say in this regard? He says that the question of amnesty will be finalised in due course. And what Mr. Laldenga says I have already told you. Now, whose words will prevail here? Is there any understanding on that aspect? Will it last at all? Now, we all wish and pray that this strife torn area must become normal. But we have got our own doubts and misgivings. I expect the hon. Minister to give answer to these points.

S. BUTA SINGH : I am grateful to the hon. Members for providing me yet another opportunity to explain some of the misgivings that have been raised after signing of the accord with Shri Laldenga on the issue of Mizoram.

Most of the hon. Members, who have raised certain queries seem to be little unaware, perhaps, they have not read the accord itself or they have read only the statements which are reported to have been appearing in the press before the accord was signed and some controversy which, unfortunately, triggered off after the accord. The Government of India's position is very clear. We do not wish to look beyond what has been contained in the accord. This is the first thing.

So many people talked about many facets of the accord which are not strictly according to the letter and spirit of the accord. The letter and spirit of the accord is mutual confidence.

SHRI C. MADHAV REDDI : Where is the letter and where is the spirit?

S. BUTA SINGH : Letter is in the clauses and spirit is behind. So both go together.

SHRI S. JAIPAL REDDY : The spirit is under it.

S. BUTA SINGH : All right, it will come up.

Shri Madhav Reddi posed a question "Do you have confidence in Shri Laldenga" May I take the liberty of putting the question the other way round. I think, Mr. Laldenga has confidence in the Government of India; that is why, this accord has been signed. We would really like to place our confidence. That is why, we went a step forward in ending this two-decade old disturbed condition in Mizoram. I am sure, this House will be one with us when we make any such effort to bring those people, who are misled, who are carried away, who are taught things which do not go in conformity with the Constitution of India and the efforts which cut at the roots of the integrity and the unity of the country, to the understanding with the involvement through negotiations, peaceful means, that their misapprehension are allayed, that they are given a chance to mix up with the rest of the country, given a chance to feel one with the rest of the nation, given a chance to have their aspirations fulfilled and their respective native places are allowed full development involvement in the national developmental endeavours. It is this spirit which guided both the Government of India and Shri Laldenga to come to this accord and I am sure that under the dynamic leadership of Shri Rajiv Gandhi, the Government of India has come out with a full-dress, a complete package of development for the people of Mizoram. There does not need to be any more evidence of confidence and the interest of the people concerned and the Government of India cannot be measured in any other way than the announcement which I made a few minutes back before I rose to clarify some of the points raised by the hon. Members. This is a wholesome package. Shri Narayan Dutt Tiwari Ji led the team keeping in view of the solemn pledge given to the people of Mizoram by our Prime Minister, Shri Rajiv Gandhi, when he visited, that Mizoram could not have its full share of development because for two decades the situation of insurgency, violence, families getting involved into violent activities, people forcing them, their own kith and kin, to leave their State and go across

the border, do things which are detrimental to the unity of the country. That is why the development of Mizoram could not take place along with the other States of North East. Therefore, since it was hampered, since it could not be brought at par with the rest of the country, special measures were announced, and I am happy to announce this morning today before this august House that we are going all out to see that even the most neglected parts of our country are given due care and attention.

Many questions have been raised. First of all, the issue of Greater Mizoram has been raised. The reported statement of Shri Laldenga on Greater Mizoram has raised this kind of controversy. In the Memorandum itself it has been made amply clear, and for my sake it has been read by most of the hon. Members, that when this question was raised, the Constitutional position was explained to Shri Laldenga... *(Interruptions)*.

SHRI S. JAIPAL REDDY : What is the Constitutional position ?

S. BUTA SINGH : It is given in the Memorandum itself. Shri Madhav Reddi read it, you mentioned it. But, Sir whatever the Constitutional provision is there, it can be done only and only if you follow that particular procedure within the Constitution of India and the first and the foremost condition is the involvement, the participation of all the areas. And, Sir, no less than the elected Chief Ministers of all the States next very morning in Aizawl made it categorically clear that nothing doing, the borders are clearly demarcated and no State is going to be a party to such a thing. It was made clear and he accepted this position... *(Interruptions)*.

SHRI S. JAIPAL REDDY : Who accepted this position ?

S. BUTA SINGH : Laldenga.

SHRI S. JAIPAL REDDY : Laldenga has not accepted this position.

S. BUTA SINGH : Perhaps you have not accepted it. He has accepted

this position. Therefore, Sir, there is no question that this kind of a thing could be allowed. The position was made very clear to Shri Laldenga Ji... *(Interruptions)*.

SHRI DINESH GOSWAMI (Guwahati) : If the position was very clear, then why was this paragraph inserted in the agreement, thereby keeping certain things open? After all, anybody can take recourse to Article 3, even this being within the accord or not being within the accord. It was specifically mentioned in the accord.

S. BUTA SINGH : During the negotiations this was mentioned by him and this is the answer by the Government of India which was just placed as a part of the Memorandum.

Regarding the border trade, most of the hon. Members have tried to mix up the system of foreign trade with this kind of border trade in a local given geopolitical situation. I would welcome Shri Raghuma Reddy Ji to kindly use the pass given to him by the Lok Sabha Secretariat and travel all over the country because sitting here in Delhi, coming from Hyderabad, he wants to talk about the people living in Mizoram, Nagaland, Arunachal Pradesh and all that. Really it is very difficult.

SHRI C. MADHAV REDDI : What is the wrong in that ?

S. BUTA SINGH : Nothing wrong. I want you to go and see the conditions under which they live. Sir, he has a card, he can go anywhere. I think as a Member of Parliament he can travel. I think this is mentioned in the identity card itself that from one railway station to any railway station in the country he can travel and there are facilities.

(Interruptions)

13.00 hrs.

SHRI R.L. BHATIA : They have not visited Amritsar.

(Interruptions)

MR. DEPUTY SPEAKER : It is allowed.

(Interruptions)

S. BUTA SINGH : About the places which are not linked with rail from the Railway station, there is transport available to the remotest corners of the country.

SHRI S. JAIPAL REDDY : We are not entitled to travel freely.

S. BUTA SINGH : Those hon. members who are interested in studying the condition of North Eastern Region, if a request is made, we will be able to provide them facilities to go and meet the people of North Eastern Region so as to enable them to understand the part of the country which has not so far been able to assimilate with the rest of the country. North East has been neglected for this purpose. Many people in the other parts of the country do not know their living conditions, their culture, their habits, their tradition. These are quite different from what is available in the rest of the country. Why I was saying this much, because Shri Raghuma Reddy was trying to mix up certain provisions which have been made for the tribal traditions for the culture of the tribals. It is also given in the Constitution itself. It is nothing beyond or outside the Constitution of India.

I was mentioning about border trade. The border trade is nothing new. Most of the States which are on the border of other countries have this kind of practice. These are the articles of daily consumption, perishable commodities like vegetable, fruit, food articles. All that is said is that border trade is confined to locally produced or grown agricultural commodities. Further the scheme in this regard is to be formulated by the Central Government. This should not be lost sight of. It is also subject to the international arrangements with the neighbouring countries. Therefore, this kind of border trade is sought to be mixed up with something called an independent trade, whether it is with Burma or China. China is not Mizoram's neighbour if I

may say so as Tamil Nadu is not a neighbour of Pakistan. Similarly Mizoram has hardly any link with China. Therefore, whatever is there, it has to cross Burma or Bangladesh. This kind of border trade or trade whatever you may call it has been from centuries.

[Translation]

SHRI HARISH RAWAT : There may not be inflow of arms under the guise of trade. The name of China has been mentioned in this context.

[English]

S. BUTA SINGH : That is why I made it clear that the scheme will have to be approved by the Government of India under the over all international trade system, rules passed by the august House. Therefore, there is nothing new in this and we should not...*(Interruptions)*.

SHRI S. JAIPAL REDDY : The Home Minister gave an impression just now that this practice is right now in vogue in some States of the country. I would like the Home Minister to point out as to which are the States which have this benefit ?

SHRI P. NAMGYAL (Ladakh) : One is Jammu and Kashmir.

HON. MEMBERS : No.

SHRI S. JAIPAL REDDY : Let the Home Minister reply ?

S. BUTA SINGH : This was the arrangement between West Bengal and border areas of Bangladesh. There was a regular, some kind of trade agreement according to which this kind of local trade was allowed. These are the things. The terrain is so difficult that you have to depend upon the local availability, accessibility. These are perishable commodities, vegetable, cocanber, jinger, fruit, orange, pine apple and things like that.

PROF. SAIFUDDIN SOZ (Bara-mulla) : Was it regulated ? West Bengal cannot be treated as a separate country. It is the State of India.

S. BUTA SINGH : My answer to this question is this. The whole thing will be under the supervision of the Government of India. If you want me, I can read out the whole thing. But I thought this is not to be stretched beyond a point.

PROF. SAIFUDDIN SOZ : No need of reading.

SHRI G.G. SWELL (Shillong) : I come from a State that is also on the border with Bangladesh. There is a long border with Bangladesh. I am not aware of any agreement on the border trade between India and Bangladesh. If there is some agreement of border trade between West Bengal and Bangladesh, I would like to know whether the Minister would also see to it that there is a border trade between Meghalaya and Bangladesh...

MR. DEPUTY SPEAKER : No. Your name is not there.

SHRI G.G. SWELL : Let me finish my sentence. What have to say on a similar agreement between Meghalaya and Bangladesh ?

MR. DEPUTY SPEAKER : Your name is not there; please take your seat.

S. BUTA SINGH : The trade agreement between India and Bangladesh was signed on 28-3-72. It contains a specific provision for border trade between the two countries. Article IV of the Trade agreement mentions that in order to meet the day-to-day requirements of the people living within the 16 KM belt of border between West Bengal, Assam, Meghalaya Tripura and Mizoram on the one hand and Bangladesh on the other, and with a view to providing facilities to these people to dispose of their goods, border trade shall be allowed in specific commodities as provided in the agreement. Although as a result of this agreement border trade between the two countries started in the middle of April, 1972, it was discontinued from October, 1972. (Interruptions) Therefore, this has been there in fact. What is wrong if I have stated that ?

(Interruptions)

MR. DEPUTY SPEAKER : All of you may please sit down.

S. BUTA SINGH : Even now whatever agreements have to be made they have to be made; the schemes will have to be prepared under the guidance of the Central Government. That is what I wanted to say. (Interruptions). Now, about the special status also, there is no such status which has been granted to Mizoram, which is inconsistent with the provisions of the Constitution of India. Protection of customary laws and practices have been provided in the Constitution in respect of Nagaland also. The social practices and customs of Mizos are so distinct that it would not be desirable to bring them at one shot within the range of laws made for others. At the same time, the settlement contains in-built provisions which enable the Mizos to integrate themselves with the rest of the country. Therefore the criticism betrays a lack of appreciation of the special problems of the north east region as a whole. These problems have to be tackled with understanding, care and sympathy. The Constitution-makers had recognised this problem. It is therefore incorrect to say that special provision is against the provisions of the Constitution of India.

Now, Sir, having said that I would like to assure the august House...

SHRI C. MADHAV REDDI : One point...

S. BUTA SINGH : I am coming to all the points. Why are you impatient ?

One point was made about the rights and privileges of the minority community. Perhaps that was in your mind.

The minority tribes in Mizoram, viz., Lakhers, Pawis and Chakmas have been given a measure of autonomy and self-governance in their day to day affairs under the Sixth Schedule to the Constitution. During the talks the MNF had demanded abolition of District Councils for Chakmas. The minority tribes were, therefore, apprehensive about their interests knowing the stand of MNF on the issue and represented to the Government that their

[S. Buta Singh]

rights should be protected. In order to allay the fears of minority tribes, not only the Government did not accept the demand of MNF but included a specific provision in the Settlement that the rights and privileges of the minority tribes as envisaged under the Constitution would be preserved and protected and their economic and social advancement would be ensured. Therefore, the minorities of Mizoram have welcomed this Accord. This is a proof. The minorities feel that their interests and rights are well safe guarded under the Accord itself.

Now, Sir some hon. Members wanted an assurance that the MNF will not extend their activities to help the extremist groups. This has been made amply clear in some of the statements which have appeared after the Accord was signed, after Mr. Laldenga went to Mizoram. This has come out in those statements. The MNF itself has made it categorically clear that it has nothing to do with some organisations which are working against the interests of the county, which are indulging in violence. They said, they have no connection with those organisations. I can only hope that in future also, while this Accord is being applied, while it is being worked, the MNF will keep their solemn pledge and they will devote their full attention, undivided attention for the betterment of the people of Mizoram, for the development of Mizoram.

With these words, I hope that I have met most of the points raised by the hon. Members.

SHRI C. MADHAV REDDI : Clause 4 (2) mentions about the amendment of the Constitution. May I know, in what respect the Constitution is going to be amended ?

(Interruptions)

S. BUTA SINGH : Sir, a very important arrangement as a result of this Accord is the grant of statehood to Mizoram. Yes, it is necessary. It is because, the present strength of the Assembly is 30 and the number has to be increased. For

that, this House is the competent forum and the Constitution is a document which has to be amended.

If the hon. Member can do without it, I will be very happy, if he can spare me from this kind of work.

(Interruptions)

MR. DEPUTY-SPEAKER : The House stands adjourned for Lunch and would re-assemble at 2.10 p. m.

13.12 hrs.

The Lok Sabha then adjourned for Lunch till ten minutes past Fourteen of the clock.

The Lok Sabha reassembled after lunch at Fifteen Minutes past Fourteen of the Clock.

[MR. DEPUTY SPEAKER *in the Chair*]

MATTERS UNDER RULE 377

[*Translation*]

- (i) Need to extend the Haldia-Allahabad National Waterway up to Kanpur

SHRI JAGDISH AWASTHI (Bilhaur) Sir, under Rule 377, I would like to draw the attention of the Government to the following matter—

With a view to accelerating and improving the transport system in the country, the Government have, besides the Rail transport, declared the river Ganga from Allahabad to Haldia as a National Waterway so as to utilize the big rivers as waterways, which is a commendable step. Unfortunately, the major industrial town like Kanpur of Uttar Pradesh which is situated along the river Ganga has not been included in the said waterway whereas its inclusion is justified from every point of view.

I, therefore, request the Government of India that a fresh survey may be conducted and Kanpur may be included in the above national waterway in order to ensure the speedy industrial development of Kanpur.