

[Sh. L.P. Shahi]

out of Pondicherry but out of the country, if and when it is needed. So, that apprehension need not be associated with the Foundation of the Auroville.

He has been expressed by Prof. N.G. Ranga and Shri Aziz Qureshi, Shri Panigrahi, Shri Ram Singh Yadav and others, Auroville is a concept, is a vision, which has to be attained and, for that, continuous and systematic working is to take place by the Members of the foundation, members of the governing body, the Legislative Assembly and all those who constitute Auroville from now on. For that, we have to wait and see. We have to watch the working of the foundation from now on. In this way, we have been able to eliminate the different warring camps so far, who were engaged in disputes of ownership of property and all that. Now that no previous Trust or Body will have any lien over the foundation, I think, the foundation will work in a free and better atmosphere than before and they will be able to achieve their objectives.

MR. DEPUTY SPEAKER: The Question is:

"That the Bill to provide for the acquisition and transfer of the undertakings of Auroville and to vest such undertakings in a foundation established for the purpose with a view to making long-term arrangements for the better management and further development of Auroville in accordance with its original charter and for matters connected therewith or incidental thereto, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted

MR. DEPUTY SPEAKER: The House will now take up Clause by Clause consideration of the Bill.

The question is:

"That Clauses 2 to 34 stand part of the

Bill"

The motion was adopted.

Clauses 2 to 34 were added to the Bill.

MR. DEPUTY SPEAKER: The question is :

"That clause 1, the Schedule, the enacting formula and the long title stand part of the Bill."

The motion was adopted

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

SHRI L.P.SHAHI: I beg to move:

"That the Bill be passed."

MR. DEPUTY SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted

16.47 hrs

[English]

STATE OF ARUNACHAL PRADESH
(AMENDMENT) BILL

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
SONTOSH MOHAN DEV) : I beg to move:

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

The Bill seeks to provide for sixty seats in the Arunachal Pradesh Legislative Assembly by amending Section 10 of the State of Arunachal Pradesh Act, 1986. Section 10 of the that Act provides that the total number of seats in the Legislative Assembly of the

State of Arunachal Pradesh will be forty. The Act further provides that until the Legislative Assembly of the State of Arunachal Pradesh has been duly constituted, there shall be a provisional Legislative Assembly of 33 Members (30 elected members of the Legislative Assembly of the erstwhile Union Territory of Arunachal Pradesh and three nominated members of the Assembly.)

When the State of Arunachal Pradesh Bill, 1986 was considered by Parliament, Members of this august House suggested that the strength of the Arunachal Pradesh Legislative Assembly should be sixty which is the minimum number provided under the Constitution. Again when the State of Arunachal Pradesh Amendment Bill, 1987 was discussed in Parliament during the Budget Session of 1987, the demand to raise the strength of the Legislative Assembly of Arunachal Pradesh was made. In addition, the Chief Minister of Arunachal Pradesh has been pressing for raising the strength of the Legislative Assembly from 40 to 60. Accordingly, we have carefully considered the matter. Given the size of the State of Arunachal Pradesh and the thin distribution of the population, there is adequate justification for raising the number of seats in the Legislative Assembly from forty to sixty. We have therefore brought forward the proposed amendment in order to fulfil the aspirations of the people of Arunachal Pradesh.

At present in the provisional Legislative Assembly of Arunachal Pradesh all the 33 seats including the 3 nominated are held by the members of Scheduled Tribes of Arunachal Pradesh. The Constitution (Fifty Seventh Amendment) Act, 1987 provides that if all the seats in the Legislative Assembly of such State in existence on the date of coming into force of the Constitution (Fifty Seventh Amendment) Act, 1987 are held by the members of the Scheduled Tribes, all the seats except one shall be reserved for the Scheduled Tribes in the Legislative Assembly of any such State. Accordingly, it has been provided in the Bill that on raising the strength from 40 to 60, in the Legislative Assembly of Arunachal Pradesh, the num-

ber of seats reserved for Scheduled Tribes will be 59. Delimitation of constituencies will be undertaken by the Election Commission after this Act comes into force. With these words, Sir, I beg to move that the Bill be taken into consideration.

MR. DEPUTY SPEAKER: Motion Moved.

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

Shri P.K.Thungon to speak.

SHRI P.K.THUNGON (Arunachal West) Mr. Deputy-Speaker, Sir, once again, I take this opportunity to thank the hon. Home Minister and specially the hon. Prime Minister for bringing in this amendment to the State of Arunachal Pradesh Act. As you remember, in December 1986 itself when the State of Arunachal Pradesh Bill was introduced, I had requested the hon. Home Minister to increase the number of seats in the State Assembly from 40 to 60. At that time, the hon. Prime Minister himself was kind enough to assure that as and when such a need would be felt, the Bill could be amended. Not only that. In other aspects also, the Prime Minister had assured this august House and the people of Arunachal Pradesh that wherever and whenever necessary modifications and amendments would be made. By bringing in this amending Bill, the Prime Minister once again vindicated his special affection for the tribal people of Arunachal Pradesh in particular and the North-Eastern region in general. That is why I would like to go on record that on behalf of the people of Arunachal Pradesh, I once again heartily thank our Prime Minister and the hon. Home Minister.

Sir, the need of proper representation in a democratic system is the upper-most and the essence of the system. Arunachal Pradesh is a vast State in terms of geographical area. Its area is 84,000 Sq. Kms. Its highest peak is about 23000 metres and slants down to the foot-hills up to a little about

[Sh. P.K. Thungon]

8000 ft. The population is about seven lakhs only. Now, you can very well imagine that in such a vast area and difficult terrain, where no proper road communication is there, no rail communication is there, how difficult it is to visit the places. Even the road communication is so scare that to go from one end of my constituency alone to another end, it takes about a month, if I really want to visit my constituency by road. Therefore, the need of proper representation was felt very very strong.

Sir, as I stated, the terrain is so rugged and we do not have any other communication, We do not have proper air communication. That is why, it is necessitated to have more seats to represent in the Assembly in the real sense of the word. Keeping this in view, the Government has brought forward this Bill. I had, in December 1986 itself, brought an amendment to this effect. That amendment has been accepted now by the Government. I would like to thank the Hon. Minister particularly our Sontoshji who belongs to North-Eastern region and understands Arunachal Problem better.

I have a few more points to add here. While we are very happy that this amendment has been brought and aspirations of people of Arunachal are met to some extent, there are certain fears in the minds of the people of Arunachal Pradesh where almost more than 80 per cent of people are tribals. We have about 20 major tribes and over 100 subtribes. These tribes have their own culture, they have their own value of life, they have their own traditions and they are very keen to safeguard their culture, tradition, their land, their mountain, their forests and their rivers. To do that, unless some constitutional protection is given, it becomes difficult to protect. At times, in the midst of numerous problems of this great country, these small problems of such difficult areas and tribal communities get submerged. If there is no proper protection, it is likely that not only the culture will be effected but there is fear of some of these tribes going extinct. There is a fear of their being over-flooded by

other population. That is why, I have last time in December 1986 moved an amendment for giving proper constitutional protection to the people of Arunachal Pradesh in respect of religious and social practices of Arunachalis; Arunachal's customary law and procedure; administration of civil and criminal justice involving decisions according to Arunachali's customary laws; and ownership and transfer of land and its resources. Once again, on this occasion, I would like to reiterate my request that at an appropriate time, very soon, the Hon. Minister may bring the amendment so that proper protection is given to the people of Arunachal Pradesh. This is not a new provision that we are asking for. This provision has been given to the States like Nagaland and Mizoram.

On other aspects also, I would like to elaborate a little bit. There is no difference on strategic location between Arunachal Pradesh and Kashmir. There is no difference in so far as topography is concerned. Rather Arunachal is more difficult. There is no difference in so far as varied culture within Jammu and Kashmir and within Arunachal Pradesh is concerned. When Jammu & Kashmir can have the constitutional provision under Article 370 why can't Arunachal be given this kind of protection.

PROF. SAIFUDDIN SOZ (Baramulla): The situation is different. You cannot equate.

SHRI P.K.THUNGON: The situation may be different but the conditions are same. I do not demand that Article 370 be given to Arunachal Pradesh.

17.00 hrs

But what I am trying to say is that - I think my friend from Kashmir will try to understand me - when Kashmir has been given such protection, why not Arunachal Pradesh be given at least this kind of protection where the culture, land and the customary laws are protected? That is why I would urge the Hon. Minister to give proper thought and I hope that he will be kind enough to bring another

amendment in due course giving such protection.

The Government of Arunachal Pradesh has been given special powers according to the 55th Constitutional Amendment. The people of Arunachal Pradesh are very keen that why they should not be believed properly and why they should be kept in suspicion. Because the Governor's hands have been strengthened; at the same time the people's representatives and the elected Government shall have to agree to what the Governor says in certain aspects if this provision is kept. Therefore, the people feel as if they are not given proper responsibility.

In the original Act there are two lists. One is the tribal list and another is the SC list. In the tribal list and another is the SC list. In the tribal list certain names of the tribals have been given which are derogatory names to their communities. I would request the Hon. Minister to get it corrected when he is going to bring the consolidated bill for the list of tribals. This is the urge of the people of Arunachal Pradesh.

In Arunachal Pradesh there are no scheduled caste people. Originally no scheduled caste people inhabited inside Arunachal Pradesh. Even now also if you see the statistics, the census, they are very negligible - those who are members of scheduled caste, are working as Government employees temporarily. Therefore the people of Arunachal Pradesh feel that the SC list in Arunachal Pradesh is not required. That can be deleted.

Another point I must bring to your kind notice and through you to the notice of the Hon. Minister that from time to time between Arunachal Pradesh and Assam a lot of clashes take place along the boundary. This problem has been created because of the reason that some land from Arunachal Pradesh was transferred to Assam through a notification known as 1951 notification. I would like to very clearly state that in this notification while taking some of the areas of the then Nefa, along with that area naturally

some tribals of Arunachal Pradesh living in the adjacent areas also went there. In Clause 3 of the State of Arunachal Pradesh Act it is stated that the area of Arunachal Pradesh will be the area of the then Nefa.

.... Arunachal Pradesh Union Territory, which excludes the area of 1951 notification. According to section 7 of the North Eastern Areas (Reorganisation) Act, 1971, the Union Territory of Arunachal Pradesh comprises the territories which immediately before that day comprised in the tribal areas specified in Part B of the table appended to paragraph 20 of the Sixth Schedule to the Constitution.

After that, they added:

"But excluding areas covered by Notification No. TAD/R/35/50/109, dated 25 February 1951, issued by the Governor of Assam."

This is the main reason why the problem between Assam and Arunachal Pradesh crops up again and again. This is the main irritant between the two friendly neighbors. Therefore, I would like to request the hon. Minister once again that appropriate amendments may be brought to the State of Arunachal Pradesh Act and to the North East Regional Reorganisation Act, 1971. The people of Arunachal Pradesh, who have been there along with their land, can also come back along with off that area.

MR. DEPUTY SPEAKER: How is this connected with the increase in the number of Members? Wind up.

SHRI. P.K. THUNGON: I will conclude now. The people of Arunachal Pradesh are, by nature, peace-loving. They believe in nation-building and in national integration. Almost all the population of Arunachal Pradesh is tribal population. We would have demanded that all the seats in Arunachal Pradesh should have been reserved. But we have said that though all the constituencies are populated by tribals, at least one seat should be de-reserved so that non-tribals can also be given representation in the

[Sh. P.K. Thungon]
Assembly.

Once again, I would like to thank the hon. Minister. On behalf of the people of Arunachal Pradesh, I would also like to thank the Prime Minister.

PROF. N.G. RANGA (Guntur): Mr. Deputy Speaker, Sir, I am glad that this Bill has been brought forward. My hon. friend from Arunachal Pradesh has already welcomed it.

I would like to sound a note of warning not only in regard to Arunachal Pradesh but in regard to all the tribal areas. Rightly or wrongly, we have been following the British method of parliamentary democracy where one party is in power and another in the opposition. But we have not so far succeeded in having an Opposition party united and, at the same time, behaving in a responsible manner in the hope of itself forming a Government and, therefore, looking at everything in a very highly responsible and representative fashion. To try to introduce this system even in the tribal areas and tribal States, according to me, is a highly risky experiment. We are seeing its failure in the case of Mizoram. We have experienced it in Tripura and in several other places also. As my hon. friend from Arunachal Pradesh has already said, most of these people are tribal-minded with their own tribal traditions, highly zealous of those traditions and therefore, they do not want to be split up. They are split by strifes. There used to be quarrels, fights, and they used to kill each other. There used to be wars between one village and another. As I used to go to Nagaland, in same villages, there used to be huge stones and when I asked them, they used to tell me these are the stones which are the symbols of the achievements they have made in killing so many people in such and such neighbouring villages. Not so long ago, they used to hold a garland of skulls also of their own warrior enemies which they used to bring as trophies. With such people, if we try to introduce this British system, according to me, which is not very suitable to ourselves,

then it would be a very wrong thing. What we ought to do is to try to introduce with suitable modifications some such thing that we have in Switzerland, of all-party Government in Holland, Denmark and several other small states in Europe itself. The Constitutional Head is given the freedom to wait for one or two weeks, for one or two months in order to bring about an adjustment of programmes, of sentiments and of personalities, and get them together to agree to make a coalition Government and carry on in an harmonious manner. On the other hand, here, we indulge in 'Aaya Ram Gaya Ram.' This has resulted in a lot of immorality. If you try to introduce it in this fashion, among the tribal people, it is bound to have bloody results and it is likely to destroy their tribal harmony, the tribal hegemony also. Already every tribal area is split up into two bits—one bigger and the other smaller. They are also at war with each other. Then tribe against tribe are at war generally today, in a political manner and then within the tribe there will be war again. You will be destroying the kind of hegemony and unity which my hon. friend is trying to ask us not to destroy but to protect. Therefore, efforts have got to be made by the Government to provide seats for all one tribes. I am glad that they have done it in this Bill. In the sense that they are increasing the total number seats in Arunachal Assembly. But that is not enough. As you get them together, you have got to help them to form a Government. What kind of a Government? Is it the kind majority party Government that we are having? I do not think it will be suitable to them. Even as it is now, why is it that all these benches in the Opposition benches are empty today? It is because we have not been able to make a success of the American system of party Government. Although it is already 40 years since we have adopted this system, according to the Constitution, we have not been able to throw up a solid, strong, harmonious Opposition Party. I tried my best but failed. So many people have tried and failed. We all found it necessary to come back again to our mother party, that is, Congress. Therefore, it is necessary even in this non-tribal part of the country, to think in terms of coalition governments. If you can't

if you do not want to have it, well and good, go ahead with that way. But so far as the tribal areas are concerned, you have got to think only in the terms of a coalition Government or if possible an All Party Government or what you call a Consensus Government or Swiss type of Government. Unless you begin to think on those lines, you are likely to make a mess of our representative Government.

Secondly, I agree with my Hon. friend from Arunachal Pradesh. When he said that special protection has got to be given to those people regarding claimed property. In Kashmir for instance, non-Kashmiris are not allowed to own huge property and land. The same is the position with regard to Nagaland and some other tribal areas. That kind of unctio n we have placed upon the rest of the humanity in our country. We must extend similar protection to our people in Arunachal Pradesh also. After all the people of Arunachal Pradesh are not so alien to us, as a matter of basic origin and culture. They have got a capital city called, Itanagar. The Itanagar is a very familiar name to Andhra Pradesh. We have got Itanagar Podu. The term Itanagar itself has come from the earlier word Itamma. Itamma is a goddess, and it was the name that we had given to mother cult in the whole of India. They were driven away as some fierce people were coming into the country. They have gone farther and farther right up to the Arunachal and there they have kept faith with one word which is the original word for the Indian culture and Indian languages, i.e. 'Itamma'. Therefore, they are a part of our culture, they are a part of our humanity but a small part.

My hon. friend should also give a thought to the idea whether the whole of that area should be entirely a monopoly of only 7 lakhs of people. Should they not be willing to let other people come in there as tenants and work with them in order to develop the country. At the same time, first priority should be given to their own people for all the rituals on the earth and below the earth. Whatever it is special protection has got to be awarded to our people and I am glad that this Bill has

been brought before us. I hope Government will be very careful to see that this Angle Americal System of dividing the people into many political parties, vying with each other, misbehaving towards each other, in the manner in which we have been behaving in this Parliament as well as outside, should be given away. In this way we could save ourselves from this malignant disease of the West.

SHRI N. TOMBI SINGH (Inner Manipur): Sir, I support this State of Arunachal Pradesh (Amendment) Bill, 1988. Sir, as we say, "All monkeys are alike", when the State of Arunachal Pradesh got the Statehood, I was congratulated by many a people thinking that I belong to Arunachal Pradesh. It is because we all look alike. Similar is the position with regard to Nagaland and Mizoram.

Sir, it is an area bigger than Assam and its population has just to catch up the million figure. This is the very very peculiar situation. But Arunachal Pradesh deserves this very special provision because it is the neglected area throughout the history of our country. In the British days or even after the independence this was considered as the remote area. The Arunachal Pradesh was being treated as if it was no-man land. Only after 1962, when there was an aggression from China, we realised the importance of this area from the communication point of view, from the strategical international border point of view. From so many other points of view we realised the importance of the Arunachal Pradesh. Today, we have raised the strength of the Assembly from forty to sixty. As Prof. Ranga has rightly pointed out that by doing so, we shall be providing them their right. The villages there are very small and far between. We distribute the entire population into sixty constituencies. The constituencies were very-very small but nevertheless, the people deserve it. From one area to another area and from one village to another village and from one village to the polling station, the distance is so vast that the polling officers have to go four days ahead in order to reach that particular

[Sh. N. Tombi Singh]
position. So, this is a very peculiar position. The Legislative Assembly alone cannot serve the purpose of the Arunachal Pradesh State, it is only a means to an end. What we need in Arunachal Pradesh is the development of tribal languages. As I mentioned the other day, the institution of the Indian Languages in Mysore is taking up development of tribal languages. This institution should work in the fields rather than sitting in a remote place like Mysore. In order to take care of the tribal languages of the whole country, some special institution or a branch of this institution in Mysore under Human Resource Ministry should be located in some suitable city in the North-East may be Guwahati or in other city there - to develop tribal languages. This is a suggestion. I hope the Government will take care of it.

Then comes culture and tradition. Unless proper care is taken through some Centres, I think the culture of Arunachal Pradesh will die.

On the economic front comes Jhoom cultivation. Even in Arunachal Pradesh, I have had the privilege of covering some of the districts. For instance, if you want to go from Itanagar, the Capital to Tezu, another district, you will have to go out of Assam Valley wherefrom you can approach Tezu. This way, Arunachal Pradesh today, from the point of view of communication - inter-State as well as Inter-State-is not approachable by road. It is still not approachable from one district to another district by road. So, this has to be ironed out.

On the economic front, I suggested Jhoom cultivation. It is still continuing. Forest wealth are indiscriminately out down or destroyed, in order to stop this, the only way perhaps is to impose structures on destruction of forests. As I have seen from my own experience during some of my visits, the timber merchants and even the local merchants are extracting and are destroying forest wealth indiscriminately. They are doing so just by reducing the forest wealth. Unless we preserve the forest wealth of

Arunachal Pradesh and places like this, it is difficult for them to come up again.

The other point is, in order to raise the standard of the people, you must increase the communication from one place to another first. For that, you will have to develop the roads.

The other aspect is, Arunachal Pradesh has got tremendous potential in sports and education. There are some schools which are run by missionaries and they are situated in Tezu. We saw one such school which is run by Vivekananda Kendra. There the girls were very-well responding to the present system of education and I had not seen better talents in similar villages anywhere else in the country. That means given the right opportunity, the right assistance, the right atmosphere, I think the boys and girls of Arunachal Pradesh will develop to the highest level that we can expect anywhere in the country. For this we have to assist the State Government because they have no infrastructure. As I have already mentioned, they have tremendous sports talents. We have to support them and bring them up. Our sports organisations or institutions from different parts of the country should come forward with special scholarships, and encourage the sports talents of Arunachal Pradesh. They will not be lagging behind any other community.

Lastly, I would like to say that Arunachal today will be a model tribal State, because this State is not exposed as Tripura is, to other valley areas of the country, because access to this State is not open; but once communication is opened from other valley areas, we shall need special measures to protect the tribals. At least in this respect, in spite of the hazards and in spite of risks, I would suggest that from the mainland of Assam, more roads, more waterways and more bridges across the rivers that divide Arunachal and Assam are necessary.

Now about the dispute between Arunachal Pradesh and Assam. I do not know whether Arunachal will be needing more

land. But nevertheless, if it involves land which was its own earlier, they perhaps deserve the restoration of that land. But so far as disputes among the North-Eastern States are concerned, they are a very serious matter, and the head-ache should be removed by the Central Government. The Home Ministry should play a positive role in removing the border disputes between Nagaland and Assam, Nagaland and Manipur, and Assam and Arunachal Pradesh as mentioned by my hon. friend from Arunachal Pradesh.

With these words, I welcome and support this Bill.

17.27 hrs,

PROF. SAIFUDDIN SOZ (Baramulla) : I support this Bill. It is a good measure.

As the Statement of Objects and Reasons indicates, the number of Assembly seats there is to be increased. It is a State having very difficult, mountainous terrain, and is sparsely populated. Therefore, it will be convenient to have 60 Assembly segments. It is a progressive measure; and therefore, I support it.

After I heard Mr. Thungon speak on it, and just now Mr Tombi Singh, I felt that they want Arunachal Pradesh to progress in a big way. But since Mr Thungon used a political concept while discussing the development of Arunachal Pradesh. I felt tempted to express myself very briefly on this subject.

The measure before us says that the State will have 60 Assembly seats. As I said, this is a progressive measure; and as for development of this backward State, they have their own culture, and their culture is as good as that of any others living in India. If Mr. Thungon wants protection of that tribal culture, that has also been provided for in the Bill, as 59 seats will be reserved for the tribal candidates, and only one seat will be there as the non-tribal constituency. So, the aspirations of the people of Arunachal Pradesh have been taken care of in the Bill.

Mr. Thumbi Singh and Mr. Thungon are very anxious and eager about the overall development of Arunachal Pradesh. I support their contention; but they can ask for a greater funding and greater care about the development of Arunachal Pradesh. Certainly there is a case for the development of hill States. The case for development of Arunachal Pradesh was very strongly supported by our senior most colleague in the House, Prof. Ranga. I support that trend of thinking.

Somewhere in his speech, Mr. Thungon used the concept of an Article of the Constitution, like Article 370 which the J & K State has.

For us it was a different situation; for us it was a bridge to be with the Union of India. Therefore, it was a provision in the Constitution of India and it will remain with us. That is a Manifesto of the Congress Party and the National Conference. But when you talk of the development of Arunachal Pradesh and when you mention a concept like this, I tell you this sort of thinking will generate fissiparous tendencies in the country. I feel that these are not sweets that can be distributed to other States. It was a situation that was taken into consideration by the framers of the Constitution. It was a bridge for us to be with the Union of India. That is not an economic concept so that as a result of Art. 370 there will be more development. There will be more development, tremendous development in Arunachal Pradesh, because that is needed. The Central Government will commit itself to the greater development of Arunachal Pradesh.

SHRI P.K.THUNGON : I think, the hon. member has miss understood me. I have not asked for Art. 370. I said, the conditions are the same; at least constitutional protection for their culture, for their land, for their customary laws. That is one thing. I think what the hon. member was trying to say, Article 370 is only a link, why can't we also ask for it. Is he prepared to do away with Article 370?

We are already fully linked now.

PROF. SAIFUDDIN SOZ : That will not suit you. I support your contention for the development of Arunachal Pradesh. We support it particularly after I heard Prof. Ranga. If you want an overall development, greater development of a particular part of India, then you do not invoke the provision like Art. 370 as has been enshrined in the Constitution of India. That was a situation only for one State. That was not an economic concept ; that was a political concept. I support this Bill whole heartedly and suggest that there should be an Hill Development Council. There was an idea like that even during the time of Mr. Indira Gandhi; we were discussing about it. Perhaps the Prime Minister of India, Rajiv Gandhi, also wants that the States which areas having mountainous terrains we must be concerned about their development. Therefore, so far as economic development of Arunachal Pradesh is concerned, I support that also.

SHRI WANGPHA LOWANG : (Arunachal East): Mr. Deputy Speaker, Sir, while welcoming this Bill I express my gratitude to the hon. Prime Minister, Rajiv Gandhi because of his blessings Arunachal Pradesh attained a Statehood and today a Bill is being introduced for increasing the number of Assembly seats from 40 to 60. I also thank the Home Minister, particularly Shri Sontosh Mohan Dev for introducing this Bill. Today, it is another red letter day in the annals of Arunachal Pradesh, because, today in this House, a Bill is being introduced to increase the number of Assembly seats from 40 to 60. I hope with this the aspirations of the people of Arunachal Pradesh will be fulfilled.

Last time, when a Bill for de-reservation of seats was introduced - one seat out of 40 seats - in the case of Arunachal Pradesh Statehood Bill, I raised an objection. I said, it was not justified when people wanted 60 seats. Now, out of 40 seats, one seat has been de-reserved. But today I am happy that the number of seats has been increased to 60 and out of that only one will be de-reserved. That will bring an emotional good feeling amongst the various sections of the people, and we are happy that the number of

Assembly seats is being increased to 60.

One thing I was also expecting that the amendment of the list of tribes of Arunachal Pradesh, would also come up in this Bill, because last time when we had a meeting with the Home Minister he had assured us that at least these two things would be brought about in this amendment. But somehow the amendment of the list of tribes has not come up.

As has already been stated by my colleague Mr. Thungon, Arunachal is almost cent per cent tribal area and in the last Statehood Bill some names of tribes were mentioned which do not exist now. And there is no scheduled caste in Arunachal at all. Earlier, there were one or two scheduled castes in the foothill area, which were within Arunachal Pradesh, but as per the Governor's 1951 Notification a great chunk of the foothill areas was transferred to Assam and perhaps with that some scheduled castes also have gone away. So, there is no scheduled caste in Arunachal Pradesh now.

Arunachal Pradesh had remained a very peaceful area and as one of our colleagues has mentioned earlier, Arunachal was not very much known outside, particularly during the British days when it was known as the North East Frontier Agency. It was considered like a sort of a buffer zone and there was no developmental activity during the British days. Occasionally the Britishers used to send a positive military expedition. Besides that, there was no developmental activity worth the name and there was no missionary and any other activity, fortunately or unfortunately, fortunately because the people there, remained virgin and natural in their attitude and there was no pollution of their mind or there was no end influence from outside. And so far the people of Arunachal have remained nationalists to the very core of their hearts. Unfortunately, Arunachal remained cut off right from the beginning. There was no missionary or any other activity. As a result, Arunachal still remains backward in all respects—industrially, agriculturally and all that. The rate of

literacy is among the lowest in the country. That is why, even after attainment of statehood, the Central Government will have to have a liberal attitude towards Arunachal in the matter of development.

We have a distinct culture and tradition and have certain rights over land and forests. We want to preserve all these things and I hope, Government will look into these things.

A very learned Member, Prof. Ranga, has mentioned a very debating point that we have been introducing a representative form of Government, why not try in tribal areas some sort of coalition type of government. I hope, this will be debated in the highest forum. But at the same time, I must say that although the people in the North-east have different tribes, they are living with their own customs, and they are not totally different from any other people in the country. So far as fighting among tribals is concerned, perhaps, similar type of fighting among different communities and tribes in the country elsewhere was also prevalent. So from that point of view, people of Arunachal Pradesh or north-east were not different in their attitude from any other people in the country.

With these words, I support the Bill.

[Translation]

DR. G.S. RAJHANS (Jhanjharpur): Mr. Deputy Speaker, Sir, this Bill has been brought forward at the most opportune time. I have visited Arunachal Pradesh. I know the difficulties being experienced by the people of the State very well. That is why I want to express my views on this Bill. It is very difficult to move from one place to the other in Arunachal Pradesh. However, the people of Arunachal Pradesh are good natured. The State has been provided a 60 member Assembly which should have been done much earlier as has been said by our colleagues. But better late than never Arunachal Pradesh enjoys a pivotal position in the country. You might have seen that external forces raise their ugly heads in the border

states like Arunachal Pradesh and Meghalaya etc. from time to time and very untoward incidents take place in these states. They know that the people of Arunachal Pradesh are peace loving and are very sober by nature. I was astonished to see that even persons with high academic qualification believe in superstitions. They even hold high posts. I beg pardon from my colleague Shri Thungan for telling this naked truth. The people are so superstitious that if somebody falls ill, they believe that somebody has cursed him with some black magic and they prefer to take recourse to sorcery for curing the ailment. They do not bother to see if it is typhoid, malaria or jaundice or any other diseases. Their only treatment is sorcery. I was spell bound to see such attitude of people. It is therefore, necessary that the communication network should be spread. The most important thing is that superstition must be eradicated there. Otherwise, the development of the region cannot be possible. Finally, I express my thanks to the Government for bringing forward this Bill in the House though it is a bit late.

[English]

SHRISHANTARAM NAIK (Panaji): Mr. Deputy Speaker, Sir, I stand here to welcome this Bill. In fact, during the present Lok Sabha, three States were covered and our Prime Minister really deserves congratulations, affection and love of people of three States which are now created. One is Mizoram, second is Arunachal Pradesh and third is Goa. These three States were successfully given Statehood in a period of less than two years and, therefore, the people of these three States are really indebted to the hon. Prime Minister for considering the age-old demand of the people of these three States.

I also welcome the conversion from forty seats to sixty seats. In fact, when the respective Bills came into this House, as far as Goa is concerned, we ourselves demanded that we should have forty seats. We were not in favour of sixty. But Mr. Thungan himself was in favour of sixty seats. I think

[Sh. Shantaram Naik]

Mizoram has got forty seats because they preferred forty. But Mr. Thungan has got a case because these are hilly areas. To go from one place to another, you have to cross not less than two or three mountains. Therefore, although the population of Arunachal Pradesh is less, if you see area-wise, there is a dire need of converting this forty into sixty seats.

As far as these newly-born States are concerned, I would suggest that certain States have to be included in the special category for the purpose of finances. When new States are created, we require certain more finance. I know that the North-Eastern States are covered under a list which is maintained by the Ministry of Finance as special category list, under which the budgetary gaps of those States are covered by the Central Government. Similarly, taking advantage of this occasion, I request the Government that Goa should also be included in that list so that the budgetary gap of Goa is also filled, as is done in the case of North-Eastern States.

Another aspect that I would like to be considered is that when our infrastructure is developed, when Union Territories are converted into States, the language of the people is also to be adopted and absorbed. As far as Goa is concerned, Goa was liberated in 1961, after which a Constitutional amendment was made to make it a part of Mother India. But subsequently its language was not included in the Eighth Schedule. Today, there are certain languages which are in the Eighth Schedule. So; the people of these States feel that their language is not included. Our land has been included by way of Constitutional amendment but the Eighth Schedule of the Constitution has not been amended to include the language of the people. Therefore, this aspect should be considered. Or I would suggest that the Eighth Schedule itself should be scrapped altogether and all languages should be developed by way of ordinary law, just like the Parliament passes other laws.

Lastly, I would like to state that after the State is created, certain aspects are there. For instance, creation of State cadre, appointment of State Public Service Commission, etc. These things should be expedited. As far as Goa is concerned, the State Public Service Commission was appointed only after one year of the creation of the State and till today State cadre is not formed. So, these things should be followed up so that the infrastructure of the newly born State is created as early as possible. Thank you.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SONTOSH MOHAN DEV): Sir, I am thankful to all the Members who participated in the debate and all of them have not only supported but also conveyed their thanks to the Prime Minister and the Home Minister for taking this initiative. As a matter of fact, the whole House, irrespective of any party consideration, both the Opposition and the Members on the Treasury Benches—in December 1986 when this Bill was passed—supported the demand by the Members of the Arunachal Pradesh as well as the Chief Minister of Arunachal that the seats should be increased to 60. Sir, once it has been reserved for non-tribal people, Election rules are such that even a tribal can also contest for a particular seat. As a matter of fact, in Nagaland where there are 59 seats, the seats for tribal people and one seat is for the non-tribal. In the last General Election, the non-tribal people had elected Mr. Hokeshi Sema in that particular State. This is the relation in the North-Eastern region between the Tribal and the non-tribal.

Sir, some Members said that there was a lack of communication in tribal areas. It is true the area is about 83,743 Kms. The population is about 6.28 lakhs and with this number of 60 seats, the average works out of 1396 per square kilometer and the average population will be 10,500. Mr. Thungan has very rightly said that there are also other demands from Arunachal. One of the demands was the special power which has been given to the Governor. Now, the Governor will only use this power in consultation

with the Council of Minister and I think because of the strategic location of Arunachal Pradesh, the Government of India feels that it should continue still now and there is no question of disbelieving the peoples' representatives of Arunachal, as mentioned by Mr. Thungon. We have got ample faith. He has very rightly said that Arunachal is a peace-loving State and other States had to take the path of agitation for getting statehood for those States, but Arunachal has never believed in a very undemocratic agitation at any time and they have been rewarded by the Prime Minister by giving the Statehood and within a span of only one year, the number of seats has been increased and the election is due in 1989 and before that delimitation work will be taken up and completed. I am sure that the people will be able to elect their representatives and will be able to serve the areas. Prof. Ranga has raised certain points. They are for consideration of the highest authority. But one point I would like to tell him is that even today land-line regulation, that is, the West Bengal Frontier Regulation, 1873, is applicable in Arunachal Pradesh. Under this Regulation, an Indian national is required to obtain permit to enter Arunachal Pradesh. Further, no outsider is allowed by land or acquire property without the permission of the Government. It is already there.

Shri Thungon has referred to the border dispute. The Government of India and the Minister of Home Affairs have written to both the Chief Minister to meet and discuss the issue. At the official level also, we had several discussions and I am sure that in future this problem will also be solved.

As regards the cultural heritages, the tradition of the tribal people, in this respect also there was a demand from Arunachal. But the Prime Minister and the Home Minister have assured that Government of India will give all possible help to see that tribal heritages, their culture and their language are protected and they are also developed and on riched to bring them to the highest standard and we shall continue to do it because Arunachal Pradesh, as Mr. Naik

has rightly said, is one of the special category States. Out of their total budget allocation, 90 per cent goes from the Central Government and as such the assurance of the Government of India and the Prime Minister and the Home Minister will be kept.

Another point has been mentioned by the two Members of Arunachal Pradesh about the list of certain tribes to be changed. A separate Bill is coming and as assured by the Home Minister in this Bill, the demand of the Arunachal Pradesh has been met and I think in the next Session of the Parliament that Bill will come and during that time, that part of their demand will also be fulfilled.

As I said earlier, it is a red letter day for all of us. I do not want to make a big speech I convey my thanks to all the Members of the House who have openly supported this Bill and also they have given a lot of encouragement the people of Arunachal and with this particular hope, I think in future when they will have an Assembly of 60, they will be better represented in the House and they will be more effective in the field of legislation and in the economic development of the areas.

With these words, I commend the Bill to be taken into consideration.

MR. DEPUTY-SPEAKER: The question is:

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

The motion was adopted.

MR. DEPUTY-SPEAKER: The House will now 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.

MR. DEPUTY-SPEAKER: The question is:

"That clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

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

SHRI SANTOSH MOHAN DEV: Sir, I move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

17.57 hrs.

[MR. SPEAKER *in the Chair*]

STATEMENT RE: AMENDMENTS TO DIRECT TAX LAWS AND WEALTH (INHERITENCE) DUTY BILL, 1988

[*English*]

THE MINISTER OF STATE IN THE DEPARTMENT OF REVENUE IN THE MINISTRY OF FINANCE (SHRI A.K. PANJA): Sir, The Hon'ble Members will kindly recall that the then Finance Minister during his Budget Speech in February this year, expressed his intention to reconsider some of the provisions of the Direct Tax Laws (Amendment) Act, 1987 to redress genuine grievances taking into account the various representations and suggestions received by the Government. In particular, he had referred to the proposed new system of assessment of partnership firms, the levy of additional tax at 30 per cent in certain

cases, the new provisions relating to charitable trusts and organisations as well as institutions engaged in scientific research and the provisions relating to reopening of assessments. However, considering the work required to be done in this regard and to remove uncertainty relating to assessment of firms, on 30th March, 1988, it was announced that the new provisions relating to partnership firms will come into operation from the assessment year 1990-91.

It was expected that legislation in respect of all these matters would be introduced in the Monsoon Session of the Parliament. However, because of the large number of representations that have been received relating to amendments made by the Direct Tax Laws (Amendment) Act, 1987, issues raised during discussions with the representatives of the Chambers of Commerce/trade associations etc., Government's anxiety to ensure that due consideration is given to the various difficulties that have been brought to our notice, the Government has not been in a position to bring forth the new legislation in the current Session of the Parliament as expected.

The accounting period to which the new provisions would apply has already started with effect from 1st April, 1988. Since the drafting of the Bill containing various amendments is likely to take a little more time and since the delay has created some uncertainty for religious and charitable trusts, voluntary organisations and scientific research institutions etc., the Government has decided that the position in respect of such institutions should continue to be the same till 31.3.1990 as it was before the Direct Tax Laws (Amendment) Act, 1987. In other words, the provisions as introduced by the Direct Tax Laws (Amendment) Act, 1987, unless further amended, would apply to such institutions also, as in the case of partnerships with effect from 1.4.1990, i.e., assessment year 1990-91. The effect of this would be that till this period, the provisions of the Income-Tax Act, 1961, which stand omitted or amended with effect from 1.4.1989 would continue to operate for and