

State of Nagaland
(Amdt.) Ord and State of
Nagaland (Amdt.) Bill

14-49 hrs.

STATUTORY RESOLUTION RE.
DISAPPROVAL OF STATE OF
NAGALAND (AMENDMENT) ORDI-
NANCE, 1981 AND STATE OF NAGA-
LAND (AMENDMENT) BILL

MR. CHAIRMAN : The house will now take up discussion on items Nos. 9 and 10 together. The statutory resolution and the Bill. Now Shri Satyanarayan Jatiya can move the Statutory Resolution. Time allotted is only one hour for these two items. So be brief.

श्री सत्यनारायण जटिया (उज्जैन) :
सभापति जी, यह जो विधेयक लाया गया है, देखने में यह एक सामान्य विधेयक है। इस में राज्यपाल के खर्च की व्यवस्था करने का उपबन्ध किया गया है। किन्तु इसके पीछे एक सैद्धान्तिक बात है। जहां तक इस बिल का सम्बन्ध है इस का प्रारूप अंग्रेजी में तैयार किया गया है। देश की आजादी के 34 साल बाद भी हमारे देश में यह काबिलियत नहीं है कि संविधान में जिस भाषा को राष्ट्र-भाषा का दर्जा दिया है हिन्दी में अपने विधेयक का प्रारूप तैयार कर सके यह हमारी मानसिक दासता का परिचायक है।

जहां तक इस विधेयक का सम्बन्ध है, पहले जो अपने उत्तर पूर्वी प्रदेश हैं, असम, मेघालय, मणिपुर, त्रिपुरा, नागालैंड, इन सब के लिये एक राज्यपाल होता था। किन्तु सरकार ने व्यवस्था की दृष्टि से दो राज्यपालों की व्यवस्था की। एक असम और मेघालय के लिये और दूसरा मणिपुर, त्रिपुरा और नागालैंड के लिये राज्यपाल की नियुक्ति की बात कही। राज्यपाल का पद गरिमा का पद है। इस की गरिमा को बनाये रखना आज की स्थिति में कितना मुनासिब है यह तो समय बतायेगा। किन्तु राज्यपाल के पदों को क्यों रखा जा रहा है? राज्यपाल के दो पदों की जगह 5 पद भी कायम किये जा सकते हैं क्योंकि 5 प्रदेश हैं। किन्तु इन पदों के ऊपर जो लोग हैं क्या सरकार के लोग उस गरिमा को

बनाने के लिये अपनी जिम्मेदारी लेंगे? आज तक के सारे सिलसिले में तो ऐसा लगता है कि जो भी राज्यपाल, 2, 4 सालों में आये हैं चाहे श्री पटवारी हों, श्री पुनाचा हों, चाहे श्री भगवत दयाल शर्मा हों, या श्री रघुकुल तिलक हों, ऐसा लगता है कि यह सारे सरकारी कर्मचारी हों कर रह गये हैं जो सरकार के इशारे पर काम करने वाले लोग हैं। राज्यपाल से संविधान की रक्षा की उम्मीद करना आज के समय में लगता नहीं है। राष्ट्रपति की इच्छा को पूरा करने वाला एक प्रतिनिधि वहां पर है। किन्तु क्या यह वास्तव में सही है। जिस प्रकार से राज्यपालों के ट्रांसफर हुए हैं उस से लगता है कि जैसे छोटे छोटे स्कूल मास्टर्स के ट्रांसफर हो रहे हों। क्या इस तरह से राज्यपाल का गरिमायुक्त पद कायम रह सकता है? और ट्रांसफर इसलिये कर रहे हैं ताकि आप अपनी राजनीतिक सत्ता को बनाये रखने में उन को साक्षीदार बना सकें। इसलिये राज्यपाल को बनाना और मिटाना ऐसे लगता है जैसे मिट्टी का खिलौना हो जिस को अपने बहलाव के लिये बना लिया और जब चाहा तोड़ दिया यह बात नहीं होनी चाहिये। इसलिये राज्यपाल के पद की गरिमा बनाये रखने का उत्तरदायित्व सरकार पर है। यह जो सारे खर्चे लिये जा रहे हैं उसका कोई फायदा नहीं है। यह अनप्रोडक्टिव (अन-उत्पादक) खर्चे हैं। देश जब आजाद हुआ था और उसके बाद सन 1950 में उस समय सरकारी खर्चा 851 करोड़ था जो बढ़ कर 35,000 करोड़ रु० हो गया है। मुझे इस पर आपत्ति नहीं है। किन्तु जिस अनुपात में यह खर्चे बढ़ गये हैं उस प्रमाण में यदि उपयोगिता बढ़ जाती तो अच्छा होता। इसलिये मेरा कहना है कि इस खर्च को बढ़ाने का कोई लाभ नहीं हो रहा है, बल्कि एक प्रकार से जनता की धरोहर पर डाका डाला जा रहा है। आज देश के अन्दर

जो बेरोजगारों की स्थिति है, और कठिनाईयाँ हैं, उनको दूर करने के लिये सरकार को कोशिश करनी चाहिये। हमारे यहाँ शिक्षित बेरोजगारों की संख्या दिन प्रति दिन बढ़ती जा रही है। 1979 में यह संख्या 143 लाख के करीब है। इसको दूर करने के लिये कोई कार्यक्रम नहीं है, कोई अपनी शिक्षा पद्धति नहीं है। लेकिन अनप्रोडक्टिव खर्च को बढ़ाने के लिये सरकार के पास पैसा है। आज देश के अन्दर लाखों लोगों के पास दो वक्त की रोटी नहीं, रहने को मकान नहीं है, ऐसे समय में इस प्रकार का दिखावटी खर्चा बढ़ाना कितना ठीक होगा यह सरकार को सोचना चाहिये।

आज जो सारी बात है, और यह कहा गया है कि "मारे जहाँ से अच्छा हिन्दुस्तान हमारा" करने को काम नहीं है, और न सर छुगाने को कोई साया। लेकिन आज लोगों के पास रहने के लिये घर नहीं है, खाने के लिये भोजन नहीं है, न बच्चों के लिये शिक्षा है, न दवाई की कोई व्यवस्था है। इसलिये मैं गृह मंत्री जी से कहूँगा कि वह इन सारी बातों पर ध्यान दें।

इसी प्रकार से यह जो विधेयक लाया गया है, यह सरकारी खर्चों को बढ़ाने वाला होगा। मुझे इसके खर्चों को देखकर लूट का एक किस्सा याद आता है, किस्सा छोटा सा है, लेकिन सारी बात को आप समझ लें।

4 लोग शहर से गाँव की ओर जा रहे थे। उसमें एक पुरोहित थे, एक साहूकार थे, एक किसान थे और एक कर्मचारी। जब वे जंगल से जा रहे थे तो अक्सरमात् आवाज आई कि जो जहाँ जा रहा है, वह वहीं ठहर जाये, आगे बढ़ने की कोशिश की तो ठीक नहीं होगा। वे सारे लोग वहीं ठिठक कर खड़े हो गये। इतने में ही झुमट की ओट से एक डाकू

आया उनका हवाला पूछा। उन्होंने पुरोहित को कहा कि आप बड़े समझदार हैं, जानी हैं, आप बड़े अच्छे सज्जन हैं, आपसे बढ़कर कोई हो नहीं सकता। फिर साहूकार को भी कहा कि आप हमारे गाँव की जान हैं, गाँव में आपका मान सम्मान है, आपके सारे गाँव का काम चलता है इसी तरह किसान को कहा कि अरे बाह ! आप तो अन्नदाता हैं, अन्न पैदा कर के, सब लोगों को जिन्दा रखने का काम करते हैं। आखिर में कर्मचारी को कहा कि अरे तुम तो सरकारी कर्मचारी हो, काम कम और नेतागिरि करते हो और जनता की सेवा करने के बजाय भ्रष्टाचार बढ़ाते हो। और डाट कर कहा : "तुम्हारे पास जो कुछ है रख दो।" इसी प्रकार यह सरकार और इनके विधेयक आ रहे हैं। आज ही सुबह कर्मचारियों के हक छीनने वाला एक विधेयक पारित किया है। इस प्रकार से उस डाकू ने एक एक करके फिर सब को लुटा। किसान, साहूकार की भी यही स्थिति बनी, पंडित जी, पुरोहित के पास जो कुछ था वह सब कुछ छीन लिया।

इसी प्रकार यह सरकार एक एक कर के जनता के लोगों के एक एक अधिकार को छीन रही है, कभी किसान, कभी कर्मचारी कभी व्यापारी तो कभी बुद्धिवादी। यह प्रजातंत्र के लिये ठीक नहीं है। मेरा कहना है कि सरकार अगर कुछ करना चाहती है तो नागा लोगों के सुधार के लिये उनके जीवन को सुधारने के लिये, स्वतंत्रता की रक्षा के लिये काम करे, और उनको भी आजादी की रोशनी पहुँचाये। यह ज्यादा उपयोगी होगा। मैं यह कहकर अपने प्रस्ताव का अनुमोदन करता हूँ और इसको प्रस्तुत करता हूँ:—

"यह सभा राष्ट्रपति द्वारा 26 जुलाई, 1981 को प्रख्यापित नागालैंड राज्य (संशोधन) अध्यादेश, 1981 (1981

[श्री सत्यनारायण जटिया]

का अध्यादेश संख्या 11) का निरनु-
मोदन करती है।”

MR. CHAIRMAN : Resolution moved :

“This House disapproves of the State of Nagaland (Amendment) Ordinance, 1981 (Ordinance No.11 of 1981) promulgated by the President on the 26th July, 1981.”

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA) : Sir, I beg to move that the State of Nagaland (Amendment) Bill, 1981, as passed by Rajya Sabha, be taken into consideration.

The Bill seeks to amend the State of Nagaland Act, 1962, to make a provision, which would empower the President to determine the allowances and privileges of the Governor of Nagaland.

Clause (3) of Article 158 of the Constitution provides that the Governor shall be entitled to such emoluments, allowances and privileges as may be determined by Parliament by law and until provision in that behalf is so made, such emoluments, allowances and privileges as are specified in the Second Schedule. Paras 2 and 3 of the Second Schedule provide that the Governors of the States shall be entitled to such allowances and privileges as were admissible to the Governors of the corresponding provinces immediately before the commencement of the Constitution.

The allowances and privileges of the Governors of such States, which came into existence by virtue of various Acts of Parliament are governed by the orders of the President, as all these Acts contain a provision that the allowances and privileges of the Governors of these States shall be such as the President, may by order, determine, until provision in that behalf is so made by the Parliament by law under clause (3) of Article 158.

No such provision was made in the State of Nagaland Act, 1962, by virtue of which the State of Nagaland came into existence. Previously there was a common Governor for the five North-Eastern States of Assam, Meghalaya, Manipur, Tripura and Nagaland. The common Governor enjoyed the allowances by virtue of orders in respect of the other States of Assam, Manipur, Tripura and Meghalaya. These were allocated between the five States of Assam, Manipur, Meghalaya, Tripura and Nagaland.

Subsequently, the Government decided that there should be two Governors for

the five North Eastern States, i.e. one for the States of Assam and Meghalaya and the other for the States of Manipur, Tripura and Nagaland. It, therefore, became necessary that there should be an Order, to determine the allowances and privileges of the Governor of Nagaland, as in the case of other States.

15 hrs.

This could be done only by amendment of the State of Nagaland Act, 1962. The present Bill was accordingly introduced by Rajya Sabha.

However, before the Rajya Sabha could consider the Bill, the appointment of separate Governors had been notified and it became necessary to immediately make provision for allowances and privileges of the Governor of Nagaland. Since the Parliament was not in session, the provisions of the Bill were given effect to by the State of Nagaland (Amendment) Ordinance, 1981 which was promulgated by the President on 26-7-1981.

The Ordinance is to be replaced by this Bill. Sir, in the Statement of Objects and Reasons attached with the Bill at the time of its introduction in Rajya Sabha it had been mentioned that the Headquarters of the Governor shall be at Kohima. Now, on reconsideration of the administrative convenience, it has been decided that the headquarters the Governor shall be at Imphal in the State of Manipur, which is centrally located.

The Bill seeks to make normal provision in respect of the Governor of Nagaland, as already exists in other Act, in respect of all other Governors. Therefore, Sir, I hope this august House shall favourably consider this Bill which has already been passed by the Rajya Sabha.

MR. CHAIRMAN: Motion moved:

“That the Bill further to amend the State of Nagaland Act, 1962, as passed by Rajya Sabha, be taken into consideration

Mr. Subodh Sen.

SHRI SUBODH SEN: Mr Deputy-Speaker, Sir, this Bill seeks to enact certain provisions as to how the allowance and the privileges of the Governor of Nagaland should be determined. When Parliament is going to express its opinion, it is the right to have a look at the performance of the Governor in Nagaland as also the performance of this Government. What are the plus points that the present Govern-

ment can claim of ? They have very successfully tackled the i.Esurgency. Bellicosity is growing; it has not been reduced. You know that the problem of Nagaland started right on the morrow of our Independence. It has a border on the north-eastern region starting right from Southern region going upto Darjeeling in the eastern region. I would have been very glad if the Minister would be good enough to come with a comprehensive Bill setting certain targets as to the development culturally and educationally and for the upliftment of the Naga people. Why not bring in a comprehensive Bill?

SHRI GULSHER AHMED—in the Chair

Even after thirty years of your rule, the Governor has not solved the law and order problem which is an exclusive preserve under him. You have not been able to control the law and order problem. You say you are in favour of giving autonomy. You know that in Nagaland a slogan is going on that Nagaland should be within the united States of Assam Manipur, Mizoram, Tripura, Meghalaya and Arunachal Pradesh. Nagaland is a fall-out place of Nagaland where there is nothing stable. The hon. Minister, Shri Ghani Kahan Chaudhury is here. It is reported that only last year he led a team of Uttarakhandwallas and made an appointment with the Prime Minister and after that the sponsors of Uttarakhandwalla are relying upon Ghan Khan Chaudhuri. When last year debate was going on this Mr. Makwana showed indifference of a taciturn monk. Sir, they are Cong. (I) at day-time and at night they are Uttarakhandwalla. You have given them the logic. They say that the Government of West Bengal is Calcutta-based. It is Calcutta-oriented and, as such, we should form a separate State Called Uttarakhand apart from West Bengal. Sir, tomorrow relying on the same logic if some people come with the logic that Union Government is Delhi-based and it is Delhi-oriented and, as such we secede from India then that will be your mischievous doing. As Sir, they have utterly failed in solving the problems of Nagaland and have given rise to bellicosity. They have thrown the people in insurgency. It goes to their discredit. How is it that they could not instil a feeling of oneness among the Nagas? How is it that they could not make them feel that they are part of India? How is it that they do not glorified of being Indians? It is all your doings.

Sir, the most unfortunate thing is that the Governors in different States are not being looked at with so much esteem as before. They are being treated like Class IV staff. You force them to resign or dismiss them and then use the word 'Voluntary resignation' That is euphemism. You shabbily dealt with revered T. N. Singh. Any Governor who has the dignity, courage and honour to refuse to submit a made

to-order report to the Union Government would do that. Even if tons of money is provided and you do not solve these problems nothing is going to happen.

श्री रशीद मसूब (सहारनपुर) :
मोहतरिम चेयरमैन साहब, यह जो बिल पेश किया गया है, मैं समझता हूँ कि इसका कोई आधार नहीं है, क्योंकि वहाँ पर गवर्नर है और मुझे इस पर थोड़ा सा एतराज है कि जब हमारा कान्स्टीचूशन बना, उस कान्स्टीच्यूट एसेम्बली में यह डिस्कशन हुआ है कि गवर्नर चाहे इलैक्टेड हो, एक्वाइटेड हो या कैसा भी हो, उससे भी ज्यादा यह प्रिविलेज है कि उसका एलाउन्स क्या होना चाहिये। इसीलिये हमारे आर्टिकल-158 में बहुत क्लियर कहा गया है कि क्या प्रिविलेज है और क्या एलाउन्स होना चाहिये। उसमें पार्लियामेंट को यह पावर दी गई है कि वह इस पर कानून बनाये कि क्या गवर्नर का प्रिविलेज हो और क्या क्या एलाउन्स मिलना चाहिये। लेकिन 31 साल गुजर जाने के बावजूद भी आज तक कोई कान्स्टीच्यूटिव कानून नहीं बनाया गया। जहाँ तक पावर्स का ताल्लुक है, मैं समझता हूँ मौजूदा सरकार इस मामले में कुछ ज्यादा ही तेज है—जुडीशियरी की ताकत को भी वह एक्जीक्यूटिव के हाथ में देना चाहती है, पार्लियामेंट की जितनी पावर्स हैं वस एक्जीक्यूटिव के हाथ में देना चाहती है। इसलिये जो मौजूदा ट्रेंड है, उस के खिलाफ अगर आवाज नहीं उठती है, अगर इस को रोका नहीं गया तो मैं समझता हूँ कि कुछ दिन के बाद पार्लियामेंट एक कहने की चीज हो जायगी। हम आये, यहाँ बात करें, लेकिन सारी पावर्स एक्जीक्यूटिव के हाथ में होगी। हालांकि प्रेजिडेंट को जो पावर्स दी गई है, आर्टिकल 77 (1) में, आप जानते हैं नाम उनका चलता है, लेकिन उन पावर्स का इस्तेमाल एक्जीक्यूटिव करती है। इसलिये मेरा सब से पहला आब्जेक्शन यह है कि हमारी

[श्री रशीद मसूद]

हकूमत सारी पावरस को, पार्लियामेंट की पावरस को, एक्जीक्यूटिव के हाथ में दे रही है।

दूसरी बात—इसका आर्डिनेंस 26 जुलाई को निकाला गया जब कि 17 अगस्त से पार्लियामेंट का सेशन होने वाला था। इस तरह की कार्यवाही से एक शक पैदा होता है शायद इस आर्डिनेंस के लाने के लिये ही पार्लियामेंट के सेशन का वक्त बढ़ाया गया, जो अपने आप में एक तशवी-शनाक बात है। इस पर हमें सोचना चाहिये कि हमारे जो तीन विंग हैं—जुडी-शियरी, पार्लियामेंट और एक्जीक्यूटिव, इनमें हम एक्जीक्यूटिव को ज्यादा पावर फुल बना कर दूसरे दोनों विंग की ताकत को छीन रहे हैं—मैं समझता हूँ कि इस तरह की पालिसी से मुल्क में डेमोक्रेसी नहीं चल सकेगी—इस पर हमें संजीदगी के साथ सोचना चाहिये।

नागालैंड को अलग कर के जो गवर्नर बनाया गया है—उस की वजह यही है कि वह डिस्टर्ब एरिया हैं। हम देखते हैं—वहाँ कभी मिलिट्री के लोग मारे जाते हैं, कभी दूसरे लोग मारे जाते हैं, हर वक्त हंगामा मचा रहता है और दिनबदिन वहाँ के हालात बिगड़ते जा रहे हैं। क्या अलग से गवर्नर एप्वाइंट कर देने से, उस को ज्यादा प्रिविलेजेज दे देने से या किसी आइडियोलोजी के मुताबिक किसी आदमी को एप्वाइंट कर देने से कोई फायदा होगा? आप की गवर्नर एप्वाइंट करने के बजाय ज्यादा दिलचस्पी इस बात में होती चाहिये कि जो हालात वहाँ पर है उनकी वजह क्या है और उन वजूहात को तलाश करने के बाद हमें जो उनकी दिक्कतें हैं, परेशानियाँ हैं, उनको दूर करना चाहिये और जो उन की जायज डिमाण्ड हैं उन को मान लेना चाहिये।

जिम वक्त यह आर्डिनेंस जारी हुआ था उस वक्त गवर्नर कहाँ रहेगा, किस जगह से गवर्नर करेगा, शायद कोहिमा इस के लिये तय हुआ था। लेकिन बाद में उस जगह को बदल दिया गया। आप जानते हैं यह बड़ा सेन्सिटिव इलाका है। जब आपने आर्डिनेंस के वक्त गवर्नर की सीट नागालैंड में रखी, तो बाद में उनको बदल कर दूसरी स्टेट में ले जाने की क्या जरूरत थी, इससे उनके सेन्टीमेंट्स को जबरदस्त धक्का लगा है, जिसकी वजह से वहाँ पर हालात में सुधार आने के बजाय खराबियाँ ज्यादा पैदा होंगी। नागालैंड में तीन-चार ऐसी चीजें हैं जिन पर आप गौर नहीं करेंगे तो वहाँ कोई अमन या शान्ति होने वाली नहीं है। हमारी कोशिश यह होनी चाहिये कि हम नागालैंड के लोगों की तालीम, उनके इकानामिक बैटरमेंट के लिये प्रोग्राम्स चलायें। वहाँ पर सड़कें नहीं हैं, बाज जगहों पर पीने के पानी का इंतजाम नहीं है। मैं यह नहीं कहता कि आप बहुत ज्यादा कर पायेंगे लेकिन जो बैसिक एमेनिटीज हैं, उनका इंतजाम आप को जरूर करना चाहिये। वहाँ रोजगार-धंधे बढ़ाये जाने चाहिये। पेपर इंडस्ट्री वहाँ पर लगाई जा सकती है, जिस की मुल्क में इस वक्त काफी कमी है। लेकिन सारी बातों का ताल्लुक रोड-ट्रांसपोर्ट से है, रोड-ट्रांसपोर्ट का सही इंतजाम हो जाय तो हर तरह की तरक्की में मदद मिल सकती है। खाने पीने की चीजों के आने-जाने के साधन बन सकते हैं। अगर उन की जरूरियातें जिन्दगी की चीजें उनको मिल जाय तो उससे अमन कायम करने में बहुत मदद मिल सकती है। लेकिन हम तो कहीं एडमिनिस्ट्रेशन को क्रिटिसाइज करते हैं, कहीं लोकल मशीनरी को क्रिटिसाइज करते हैं, बजाय इसके अगर हम उन वजूहात को दूर करें

जिन की वजह से अमन कायम नहीं हो सका है तो इससे वहां अमन कायम हो सकता है और वहां के हालात में सुधार हो सकता है।

SHRI NGANGOM MOHENDRA (Inner Manipur) : We are discussing a Bill concerning the appointment of a Governor, his pay and allowances, etc. This Governor has to look after three States. As a matter of fact, in the north, eastern region, the Governor is burdened with the duty of looking after several States. His predecessor had to look after 5 States. Now, of course, the number is reduced and he has to look after 3 States. My point is a State whether it is big or small. The area of a State does not count, it is the problems that count.

In the North Eastern Region, whether it is Nagaland or Manipur or Tripura, these are all turmoil-ridden regions, trouble-ridden regions. I do not grudge anything done for the benefit of a Governor, but, at the same time, I would like to remind this Government, as I had been doing on several occasions whenever I got a chance to say, that the problems of the North Eastern Region should have been gone into very sincerely. I would like to remind them of what has been transpiring over there. In my State of Manipur, in the name of fighting insurgency, of several divisions of the army have been deployed. As far as this State is concerned, in the name of fighting insurgency, even wanton sacrilege of memorial raised at the graveyard of a young man who got killed in the so-called fight against the army was committed. This sort of things came out in the papers also. I am not against these security personnel being deployed as such in the North Eastern Region; but their working has got to be looked into. Thus such wanton sacrilege never creates a sense of willingness on the part of the people to cooperate with the security forces operating in that region.

There had been regular bomb blast and all that, but so far it appears that the Government have been fighting shy of doing anything real. I had earlier submitted that there are certain personalities, certain Ministers who had been and have been hobnobbing with this or that brand of insurgency. This is a fact. I had earlier submitted about it before the House but the Central Government so far have done nothing. They have been sending some of their party officials to and fro. But they are very much concerned with the expansion of the Ministry, and not with the solution of the problems obtaining there. I am not against the Bill itself but what I feel that something real should be done to solve the burning problem. And so far there have been 25 bomb blasts. What have the Government done?

This is not found in the reports given by the Government. Something sensational must be done so that the people feel that they, the people of Nagaland, Mizoram, Tripura and Manipur may feel that they are also a part of the mainstream of the Indian nation. Otherwise your pious wish will not do anything. I would appeal to the hon. Minister of State Mr. Makwana to look into the matter, and to visit the area. He promised to go there again but he did not. What I say is it is no good sending your Joint Secretaries. It is for you. You should go to the people because there is nothing to be scared of. Nobody will touch you. The Government should have to do something political to deal with the rising insurgency there. It is no use accusing foreign powers or anybody else.

MR. CHAIRMAN : Mr. Minister.

SHRI YOGENDRA MAKWANA : I am thankful to hon. Members for participating in this discussion on this Bill. As I understand it, nobody has opposed the Bill as such. Of course there are grievances here and there. The hon. Member who moved this resolution, Shri Satyanarayana Jatiya, took objection to the transfer of Governors. The very construction in the Articles of the Constitution gives the President powers of transfer, appointment and dismissal also. The word is during the pleasure of the President under Article 56 of the Constitution. There is nothing wrong for the Government seeking to transfer or dismiss a Governor because it is provided in the Constitution of the country.

Mr. Subodh Sen particularly pointed out about insurgency in Nagaland. Nagaland by all means is peaceful now-a-days. Since the last three months there is no incident. Sporadic incidents may be there. But they cannot be called insurgency in the State. So, the State is peaceful. Then he said that the Union Government is Delhi oriented. Nagaland is.....

SHRI SUBODH SEN : I have stated that because it was said that..... (Interruptions) Why do you put words in my mouth?

SHRI YOGENDRA MAKWANA : What you said in the same words, I repeated it. There is no question of interfering. He has pointed out that the Governors were sent by us at random. Now, this Government has not received any complaint. It is totally wrong to say this. One Governor is transferred or another has resigned, but it does not mean that the Central Government have no respect for Governors. On the country, it is the institution of the Governor which becomes the link between the Centre and the State and whatever solution or suggestion is conveyed by the Governor is accepted.

(Amdt.) Ord and State of

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[Shri Yogendra Makwana]

wherever possible. It is the agency of the Governor which conveys to the Central Government. There is no question of looking upon the Governor with contempt.

An hon. Member wanted that a comprehensive legislation should be brought under Article 158 of the Constitution. A Bill is already under consideration of the Government. We are going to come before the House with a comprehensive Bill.

The hon. Member has talked about the difficulties faced by the people of Nagaland. The hon. Member will be happy to know that the Central Government is concerned with the economic development and difficulties of the people in the North Eastern Region. Therefore, a Committee of Ministers under my convenership, has been appointed. So far four meetings of the Committee have taken place. The Committee has done many things like—

- (1) The Central investment subsidy for backward areas has been increased from 15 per cent to 20 per cent.
- (2) The construction of broad-gauge line from New Bongaigaon to Gauhati and construction of six new railway lines to connect Assam with remaining States/Union Territories are being speeded up.
- (3) The Tea Board has decided to open an office at Gauhati.
- (4) For the first time the capitals of the States/ Union territories of the North Eastern Region were declared as centres for IAS etc. examinations. Centres for other recruitments such as probationary officers of bank, CHS, etc. have also been opened in the NE Region.
- (5) The State Bank of India has upgraded its office in NE Region and a regional local head office has been opened at Gauhati.
- (6) A bridge over Brahmaputra near Tejpur is already under construction and two more bridges, one near Jogighopa and the other near Pasighat, have been proposed.
- (7) An apex organisation called the North Eastern Agricultural Marketing Corporation has been approved.
- (8) Public sector undertakings have agreed to recruit about 700 local youths for training and absorption.

So far as Nagaland is concerned, Nagaland is already having a paper mill at Tuli.

A cement plant is under construction. Road network has considerably been developed. A railway line to Nagaland is under construction. The capitals of all the North Eastern States will be linked with railways.... They have an Agriculture College apart from Arts and Science Colleges. All assistance for promotion of handloom and handicraft is being given.

PROF. N.G. RANGA (Guntur) : Is it to be raised to the status of a university?

SHRI YOGENDRA MAKWANA : Yes.

These are the few steps we have taken up in the State of Nagaland. So, it is incorrect to say that the economic aspect of the North Eastern Region is being neglected.

Shri Mohendra Ngangom has said that I met him in Raj Bhavan. That is not good and I should have come out and met people. The hon. Member has forgotten that I went to see the Loktak Project. I went 150 foot down just to see the progress of the projects. I had a meeting with the officers there and discussed with them about the progress of the project. I also visited various other parts of the State from the point of view of studying the problems of the people there. Not only that. I met a cross section of the people and had a discussion with them about the economic development of the State. I suggested to the State Government about the Small Industries Service Institute and various small industries for the State. I would also like to point out that in the public meetings as well as in the meeting with the public representatives, at Raj Bhavan, I said that the next meeting of the Ministers Committee would be held in Imphal. We are going to Manipur with our Committee in order to discuss the various economic problems of the State and the entire north-eastern region.

So far as this Bill is concerned, as I said in my introductory speech, it is a simple formal Bill in order to amend the State of Nagaland Act, 1962. I hope the hon. Members will pass this Bill.

श्री सत्य नारायण जटिया : माननीय गृह मंत्री जी की भावनाओं से मैं सहमत हूँ। उन्होंने ने कहा है कि हम वहाँ विकास का काम कर रहे हैं। उन का यह विचार काफी अच्छा है। लेकिन केवल मात्र विचार से किसी का पेट भर जाता हो तो काम बन सकता है लेकिन विचार मात्र से पेट नहीं भरता है। उसका इम्प्लेमेंटेशन भी होना चाहिये और तेज गति

से होना चाहिये। मैं निन्दा नहीं कर रहा हूँ और मैं मानता हूँ कि आप गति लाने का प्रयास कर रहे हैं। लेकिन जिस प्रकार से आजादी के बाद नागालैंड का विकास होना चाहिये था और जिस गति से होना चाहिये था क्या आप कह सकते हैं कि हुआ है? आज भी नागालैंड में लोग उत्पीड़ित हैं। शिक्षा दीक्षा और चिकित्सा की सुविधा वहाँ पर उपलब्ध नहीं है। विदेशी मिशनरियों के माध्यम से उन का एक्सप्लायटेशन होता है। वह सीमा प्रदेश है। उत्तर पूर्वी सीमा प्रान्त महत्वपूर्ण प्रान्त है सुरक्षा की दृष्टि से और साथ ही साथ सांस्कृतिक एकता की दृष्टि से भी। इन सभी क्षेत्रों में जिस गति से वहाँ उन्नति होनी चाहिये थी नहीं हुई है। जो डिमपैरिटी है इस का अन्त करने की कोशिश भी होनी चाहिये। एक तरफ आप गवर्नर को सभी प्रकार की सुविधायें देने जा रहे हैं और उसको आप देखें और दूसरी तरफ सबसे नीचे जो आदमी है, साधारण जो व्यक्ति है उसकी हालत को आप देखें। एक को तो बड़ा भारी बंगला रहने के लिए आप देते हैं, नौकर चाकर की सब सुविधाएं देते हैं—मैं विरोध नहीं करता हूँ, गवर्नर का पद एक गरिमा का पद है—लेकिन आप इसको भी न भूलें कि एक आदमी को तो आप सुविधाएं दे कर आसमान पर चढ़ा देते हैं और उसको नीचे देखने का अवसर ही नहीं देते हैं और दूसरी तरफ वह आदमी है जो जमीन पर खड़ा है, उसकी गर्दन अज्ञान, असमानता के बोझ से झुकी हुई है, दबी हुई है और जो ऊपर देख भी नहीं सकता है। आजादी की रोशनी सब को समान मिलनी चाहिये। संविधान की भावना के अनुरूप देश के सभी भागों को समान विकास के अवसर मिलने चाहिए जब तक ऐसा नहीं होता है तब तक उसके लिए आजादी का कोई अर्थ नहीं है। इन सब बातों को करने में काफी देर है। भारत की बहुत बड़ी संख्या

इन सारी बातों की प्रतीक्षा में हैं। सरकार को इस दिशा में तुरन्त कार्यवाही करनी चाहिये।

इन शब्दों के साथ जो मैंने डिसएप्रूवल का मोशन दिया है उसका मैं समर्थन करता हूँ।

MR. CHAIRMAN: I will now put the Statutory Resolution moved by Shri Satyanarayan Jatiya to the vote. The question is :

"This House disapproves of the State of Nagaland (Amendment) Ordinance, 1981 (Ordinance No. 11 of 1981) promulgated by the President on the 26th July, 1981."

The motion was negetived.

MR. CHAIRMAN : I will now put the consideration motion to the vote. The question is :

"That the Bill further to amend the State of Nagaland Act, 1962, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We will now take up clause by clause consideration. The question is :

"That clauses 2 to 4 stand part of the Bill"

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

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

SHRI YOGENDRA MAKWANA : I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : Motion moved :
"That the Bill be passed."

SHRI GHINGWANG KONYAK (Nagaland) : Mr. Chairman, while supporting the State of Nagaland (Amendment) Bill, I would like to raise two very important point for the consideration of the Government. The State of Nagaland was created on the basis of the 1960. 16-Point agreement between the Government of India and the Naga Peoples' Convention. The appointment of a separate Governor was one of the points in the 16-Point Agreement. Since then we have been demanding for the appointment of a separate Governor in the State of Nagaland, but this demand has not been fulfilled by the Government of India so far.

Sir, this time when Central Government decided to appoint a common Governor for the States of Nagaland, Manipur and Tripura, we were given to understand that the headquarters of the Governor will be at Kohima. So, the people of Nagaland were happy that at least a Common Governor headquarters will be at Kohima even though a separate Governor for the State of Nagaland is not possible at this juncture and accordingly, if I am not wrong, this amendment was initiated on the basis that the Governor's Headquarters will be at Kohima. Otherwise, for the last 17 years this amendment Bill was not brought. But only on this understanding that the headquarters will be at Kohima this Bill was brought.

But now the Minister has said that the Government has gone back from this earlier decision. So, I would request the hon. Minister to re-consider it because this will hurt the sentiments of the people. This will amount to bluffing the people. So, once the Government takes a decision, the Government must stick to that.

Secondly, you are well aware that when the Nagaland State Act was enacted in 1962, there were disturbances in Nagaland. Therefore, the law and order responsibility was vested in the Governor under Article 371 A (1) and sub-clause (b) of the Constitution. Now, compared to 1962 the law and order situation is very much improved. Therefore, the law and order power must be transferred to the elected Government because even after 17 years if the law and order is continued to be vested in the Governor, then the Naga people will think that the Central Government is not having trust or confidence in the elected people of Nagaland. Therefore, considering the situation, I will urge upon the Home Minister to transfer the law and order responsibility from the Governor to the elected representatives of Nagaland.

With these few words I support the Bill.

SHRI YOGENDRA MAKWANA: The hon. Member has pointed out about the headquarters of the Governor. Originally there was one Governor for all these five States and from that it is bifurcated into two, one Governor for Assam and Meghalaya and the other for Manipur, Tripura and Nagaland. As the hon. Member rightly pointed out, originally it was proposed that the headquarters will be at Kohima, but later on it was found out that Imphal, that is in Manipur, is centrally situated and it will be convenient for the Governor to stay at Imphal and to visit the two neighbouring States and to attend to the work. Therefore, it was changed from Kohima to Imphal.

PROF. N. G. RANGA: What is the attitude of Nagaland Cabinet about it?

SHRI YOGENDRA MAKWANA: Originally the headquarters was Gauhati. But because there are two Governors for these two States, the headquarters is now at Imphal. The people of Nagaland, according to the hon. Member, wanted it at Kohima.

SHRI P. NAMGYAL (Ladakh): The agreement should be honoured.

SHRI YOGENDRA MAKWANA: There is no question of agreement. In the agreement there was no commitment about a particular place as the headquarters of the Governor, but it was committed that it would be in Kohima, but because of the central situation of Imphal, it was decided that it should be at Imphal.

The second point is a suggestion made by the hon. Member. I have taken note of it.

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

MR. CHAIRMAN : We now go to the next item—item 11.

15.40 hrs.

WORKING * JOURNALISTS AND OTHER NEWSPAPER EMPLOYEES (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRIMATI RAM DULARI SINHA) : I beg to move :

"That the Bill further to amend the Working Journalists and Other Newspaper Employees (Conditions of Services) and Miscellaneous Provisions Act, 1955, as passed by Rajya Sabha, be taken into consideration."

This house will recall that while announcing the decision of the Government of the Recommendations of the Tribunals for Working Journalists and Non-journalists Newspaper Employees, except those relating to Dearness Allowance, in December, 1980 a solemn assurance was given to the House that should the apprehensions about retrenchment of part-time correspondents consequent on the acceptance of the recommendations of the tribunals relating