

[Mr. Secretary]

3. Shrimati Usha Barthakur.
4. Shri Krishan Kant.
5. Dr. S. Chandrasekhar.
6. Shri K. P. Mallikarjunudu.
7. Shrimati Bindumati Devi.
8. Shri Niranjan Varma.
9. Shri G. Gopinathan Nair.
10. Shri S. A. Khaja Mohideen
11. Shri Mulka Govinda Reddy.

and 22 members from the Lok Sabha;

that in order to constitute a meeting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that in other respects, the Rules of Procedure of this House relating to Select Committees shall apply with such variations and modifications as the Chairman may make;

that the Committee shall make a report to this House by the first day of the Seventy-first Session of the Rajya Sabha;

and

that this House recommends to the Lok Sabha that the Lok Sabha do Join in the said Joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Joint Committee."

- (iii) 'In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 10th December 1969, agreed without any amendment to the International Monetary Fund and Bank (Amendment) Bill, 1969, which was passed by the Lok Sabha at its sitting held on the 21st November, 1969.'

RE : INDIAN TARIFF (AMENDMENT) BILL

MR. DEPUTY-SPEAKER : Now, introduction of Bills, Shri V. C. Shukla.

SHRI SEZHIYAN (Kumbakonam) : Sir, what about item 8 of the agenda, the Indian Tariff (Amendment) Bill ?

MR. DEPUTY-SPEAKER : Shri Bhagat has requested for time to introduce the Bill tomorrow.

SHRI SEZHIYAN : This is the second time it is happening. Yesterday also he was absent.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : The House should not be treated so shabbily. Sir, you should pull up the Minister.

MR. DEPUTY-SPEAKER : The Minister had written to the Speaker, asking for permission to introduce the Bill tomorrow.

14.43 Hrs.

ASSAM REORGANISATION (MEGHALAYA) BILL*

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : Sir, I beg to move for leave to introduce a Bill to provide for the formation within the State of Assam of an autonomous State to be known as Meghalaya and for matters connected therewith.

MR. DEPUTY-SPEAKER : Motion moved :

"That leave be granted to introduce a Bill to provide for the formation within the State of Assam of an autonomous State to be known as Meghalaya and for matters connected therewith."

SHRI KANWAR LAL GUPTA (Delhi Sadar) : Sir, I may be permitted to oppose it. I have already written to you.

MR. DEPUTY-SPEAKER : I will give you an opportunity. Now, Shri S. C. Jha.

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 15-12-69.

श्री शिव चन्द्र झा (मधुबनी) : यह जो असम रिजॉर्गेनाइजेशन (मेघालय) बिल पेश किया गया इसका मोटे तौर पर मैं स्वागत करता हूँ। इसका जो मकसद है उससे मैं सहमत हूँ।

मेरी आपत्ति संवैधानिक है। इसमें कंसालिडेटेड फंड आफ इंडिया से पैसा खर्च होगा। संविधान का आर्टिकल 117(1)(3) इस के बारे में जो कहता है उसको आप देखें। उसके अनुसार राष्ट्रपति की इसको स्वीकृति मिलनी चाहिये और उसके बाद ही यह विधेयक यहां पेश किया जा सकता है। इसमें प्रेजीडेंशियल रिजॉर्गेनाइजेशन नहीं है। कंसिडरेशन की बात तो बाद में आती है लेकिन 171 के तहत इसको यहां इंट्रोड्यूस भी नहीं किया जा सकता है चूंकि इसको राष्ट्रपति की स्वीकृति नहीं मिली है, इस वास्ते मेरी इस पर यह संवैधानिक आपत्ति है। वैसे मोटे तौर पर मैं इस बिल का जो मकसद है, उससे सहमत हूँ।

MR. DEPUTY-SPEAKER : Three hon. Members had intimated that they wanted to oppose the introduction of this Bill. Shri Jha has done so on the Constitutional ground. I would like to know whether those hon. Members, who are yet to speak, want to oppose it on Constitutional grounds or on some other grounds.

SHRI KANWAR LAL GUPTA : I want to oppose it even on other grounds.

SHRI S. M. BANERJEE (Kanpur) : Either it is the ground of legislative competence or a Constitutional ground on which it can be opposed.

SHRI SEZHIYAN (Kumbakonam) : We can oppose it if the House is not competent to pass the Bill or if it is unconstitutional. These are the two grounds on which it can be opposed.

MR. DEPUTY-SPEAKER : If objections are raised on constitutional or legislative competence ground, the House has to listen to every such objection but if it is not on those grounds, the most that can be done

is to allow only one Member to oppose it. If you are going to oppose it on that basis, I would humbly request Shri Goyal not to repeat the same arguments.

SHRI SHRI CHAND GOYAL (Chandigarh) : I will give different arguments. I will not take up the ground covered either by Shri Jha or by Shri Gupta.

MR. DEPUTY-SPEAKER : If it is on general grounds, only one of you can speak. I think, Shri Goyal agrees that Shri Gupta may make his submission.

SHRI SHRI CHAND GOYAL : I will take up the Constitutional ground.

श्री कंवर लाल गुप्त : उपाध्यक्ष महोदय, इस विधेयक के बारे में मेरा एतराज यह है कि विधेयक देश को डिसइन्टेग्रेसन की तरफ ले जायेगा और देश में सैपरेटिस्ट टेंडेंसीज पैदा करेगा। यह मेरे दिल का निश्चित विचार है। आपको मालूम है कि मध्य प्रदेश, महाराष्ट्र और बिहार आदि प्रदेशों में भी इसी तरह की मांगें की जा रही हैं। उन प्रदेशों के भी कुछ लोग यह चाहते हैं कि उन प्रदेशों को बांट कर उन के दो हिस्से कर दिये जायें। अगर यह विधेयक पास हो गया, तो मुझे डर है कि अन्य प्रदेशों से भी उन के विभाजन की मांगें आने लगेंगी और देश के टुकड़े-टुकड़े हो जायेंगे।

श्री नाथूराम अहिरवार (टीकमगढ़) : माननीय सदस्य का कहना गलत है। मध्य प्रदेश से ऐसी कोई मांग नहीं आई है।

SHRI DHIRESWAR KALITA (Gauhati) : On a point of order, Sir. At the introduction stage he cannot go into the merits of the Bill while opposing its introduction.

SHRI LOBO PRABHU : This can be opposed only on Constitutional grounds or on grounds of legislative incompetence.

SHRI KANWAR LAL GUPTA : Please tell me the rule which says that.

MR. DEPUTY-SPEAKER : You are opposing it on general grounds. Please do not go into the details or the merits of the

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Bill. You can only oppose the introduction of the Bill.

SHRI KANWAR LAL GUPTA : I am not going into details.

MR. DEPUTY-SPEAKER : Kindly confine your observations to two or three minutes.

SHRI KANWAR LAL GUPTA : I will finish within two minutes. I will not take even three minutes.

SHRI DHIRESWAR KALITA : He is going into the merits of the Bill.

SHRI KANWAR LAL GUPTA : I am entitled to do that under the rules.

उपाध्य महोदय, मुझे डर है कि यदि यह विधेयक पास हो गया, तो सरकार दूसरे प्रदेशों को बांटने की मांगों को रेसिस्ट नहीं कर सकेगी और इस तरह देश टुकड़े-टुकड़े हो जायेगा। यह सरकार यह विधेयक पास कर के ऐसे बीज बो रही है, जिस के फल देश के लिए बहुत खतरनाक साबित होंगे। जब लिम्बिस्टिक स्टेट्स की मांग उठाई गई थी और सरकार ने उसे स्वीकार कर लिया था, उस समय भी हम ने कहा था कि यह एक खतरनाक प्रवृत्ति है। आज भी हम यही बात कहते हैं और सरकार को यह बारनिंग देना चाहते हैं कि वह इस विधेयक को ला कर देश में एक खतरनाक स्थिति पैदा करने जा रही है। यह विधेयक नाने के बजाये सरकार को चाहिये था कि वह वहां के लोगों को एजुकेट करती, उन लोगों को विश्वास दिलाती, उस इलाके की ठीक तरह से डेवलपमेंट करती। अगर सरकार ने ऐसा किया होता, तो उन लोगों की तरफ से यह मांग न आती और उन की तसल्ली हो जाती।

मैं अपनी तरफ से और अपने दल की तरफ से इस विधेयक के इन्ट्रोडक्शन का विरोध करता हूं। मैं चाहता हूं कि सरकार

इस बारे में दोबारा विचार करे। इस विधेयक को पास करने से देश में ऐसी प्रवृत्तियों को बल मिलेगा, जिन के कारण देश के टुकड़े-टुकड़े हो जायेंगे।

SHRI SHRI CHAND GOYAL : Mr. Deputy-Speaker, Sir, I will confine myself only to two or three constitutional points.

Firstly, this Bill provides an Executive Council of Ministers for the Autonomous State of Meghalaya. Since there will be another Executive Council of Ministers for the State of Assam, this is likely to come in conflict with the executive functions performed by the Government of Meghalaya or is likely to come in conflict with the executive functions of the Government of Assam as well as those of the Union Government. That will be one constitutional anomaly.

Secondly, I wish to submit that our Constitution never visualised a State within a State. This goes against the spirit of our Constitution to provide a State within a State. As my hon. friend submitted, this might open a flood-gate of similar demands from other areas.

Then, I wish to invite your kind attention to another aspect that Shillong and, specially the municipal and cantonment areas are being placed under the control of the Assam Government though they will continue to serve as the headquarters of the new State of Meghalaya also. The problem which has arisen in Chandigarh.....

MR. DEPUTY-SPEAKER : You are going into details now.

SHRI SHRI CHAND GOYAL : I wish to submit that since the headquarters of the new State of Meghalaya will be located in Shillong.....

MR. DEPUTY-SPEAKER : You are going into details.

SHRI SHRI CHAND GOYAL : it will be under the control of the Assam Government and that will also create another constitutional anomaly.

Lastly, I wish to submit that paragraph 20 of the Sixth Schedule of the Constitution

has mentioned five or six Districts of Tribal Areas. Now, an effort is being made to cover only three Districts. The District of Mizo is being entirely left out....

MR. DEPUTY-SPEAKER : Don't go into the details now.

SHRI SHRI CHAND GOYAL : There is the District of North Cachar and another District.....

MR. DEPUTY-SPEAKER : Please conclude now; don't go into details now.

SHRI SHRI CHAND GOYAL : This is being passed in a hurry. It would have been wise for the Government to persuade all the Tribal Districts to come and join the new State of Meghalaya rather than to cover only three Districts.

SHRI JYOTIRMOY BASU (Diamond Harbour) : I welcome the Bill. It is going to fulfil the aspirations of the people in that area. On behalf of my party, I welcome the spirit that is behind the Bill.

SHRI KANWAR LAL GUPTA : What is this welcome speech? You permitted him to welcome the Bill at this stage.

MR. DEPUTY-SPEAKER : I did not know that he was going to welcome the Bill. I thought he was going to oppose it. The hon. Minister.

SHRI VIDYA CHARAN SHUKLA : Mr. Deputy-Speaker, Sir, I shall first reply to the points raised by the hon. Member, Shri Shiva Chandra Jha. He said that the recommendations of the President under articles 117(1), 117(3) and 274 will be required. This recommendation of the President has been obtained and it has been circulated to the Members by the Lok Sabha Secretariat in their Bulletin, Part II, recently. All the Members must have received it.

Regarding the other constitutional provisions and the matters that have been raised by the hon. Member, Shri Shri Chand Goyal, I would like to state that we have examined all these points and we have found that nothing contrary to the Constitution is be-

ing done under this Bill. My hon. friend, Shri Shri Chand Goyal knows that even if there is any doubt about its constitutional validity or otherwise, this is not a matter to be settled here. The House will not go into all those matters. Therefore, that objection to the introduction of the Bill does not hold good.

About the general point that has been raised by my hon. friend, Shri Kanwar Lal Gupta, this point has also been very carefully considered. We have been very much concerned about this matter and, if at all, this particular measure would give rise to such tendencies, we would have never undertaken to do things like this. We do not consider that the formation of Meghalaya will in any case give any encouragement to fissiparous tendencies or separatist tendencies. As a matter of fact when we attained our Independence at that time and after the Constitution was framed, the peculiar status of this area which is being now carved into a new area to be known as Meghalaya was conceded. Special attention was paid and special provisions in the Constitution were made for this particular area. Therefore, the whole country knows that this cannot be treated on the same footing as other parts of the country. Special consideration to this area has been given right from the beginning and there is nothing unusual that is being done now.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for the formation within the State of Assam of an autonomous State to be known as Meghalaya and for matters connected therewith."

The motion was adopted.

SHRI VIDYA CHARAN SHUKLA : I introduce the Bill.

14.56 Hrs.

NORTH-EASTERN COUNCIL BILL*

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 15-12-69.