

"That this House do suspend the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Bill further to amend the Constitution of India, to a joint Committee of the Houses."

The motion was adopted

12.40½ hrs.

CONSTITUTION (TWENTY-SECOND AMENDMENT) BILL

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : I beg to move :

"That the Bill further to amend the Constitution of India, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely :-

- (1) Shri Debananda Amat
- (2) Shri Bedabrata Barua
- (3) Shri Fakhruddin Ali Ahmad
- (4) Shri B. Bhagavati
- (5) Shri R. D. Bhandare
- (6) Shri Anil K. Chanda
- (7) Shri M. K. Nanga Gowder
- (8) Shri Hem Barua
- (9) Shri Dhireswar Kalita
- (10) Shri K. M. Koushik
- (11) Shri Valmiki Choudhary
- (12) Shri Bal Raj Madhok
- (13) Shri K. Ananda Nambiar
- (14) Shri Nihal Singh
- (15) Chaudhary Nitiraj Singh
- (16) Shri T. D. Ramabadran
- (17) Shri M. B. Rana
- (18) Chaudhuri Randhir Singh
- (19) Shri J. Ramapathi Rao
- (20) Shri V. Sambasivam
- (21) Shri Shantilal Shah
- (22) Shri Naval Kishore Sharma
- (23) Shri Prakash Vir Shastri
- (24) Shri Sheo Narain
- (25) Shri Vidya Charn Shukla
- (26) Shri G. G. Swell

- (27) Shri Om Prakash Tyagi
- (28) Shri Atal Bibari Vajpayee
- (29) Shri G. Viswanathan
- (30) Shri Y. B. Chavan, and

15 from Rajya Sabha;

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

that the Committee shall make a report to this House by the first day of the next session ;

that in other reports the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

MR. SPEAKER : The motion is before the House.

SHRI ABDUL GHANI DAR (Gurgaon) : I beg to move :

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th February, 1969." (1)

SHRI SURENDRANATH DWIVEDY (Kendrapara) : Mr. Speaker, Sir, at long last this complicated question of reorganisation of Assam has come before the House in the shape of a Bill although of a limited nature. I welcome it.

Sir, as is known to the country, the problem of hill tribes of Assam has been hanging fire for the last several years. They have been agitating that they should have full opportunities for their self-expression and development and their demand is that they must be given a full-fledged State. That seems to be the demand not only of the hill tribes of Assam but, probably, all

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over the country wherever these tribes live in different regions of the country in a concentrated way.

This Bill appears to have dealt with only a section of the hill tribes of Assam. But the approach to this problem, from the very beginning, should have been how to solve the entire problem of the hill tribes because, by conceding one demand and not taking up the problems of other sections, probably, we are going to create more problem than actually solving them. The reform, I would like to know from the Minister whether the Government, at any time when they took up this problem, have thought of a policy for the entire reorganization of the hill tribes areas. That is very essential because naturally the hill tribes are interested in preserving their culture, their society, their mode of living, and at the same time they want to develop so that they can come on par with the other sections of the community. We have provided certain reservations, certain facilities, in the Constitution for that. But that is not enough. It is admitted that, during the last 20 years, after the promulgation of the Constitution, we have not been able to provide opportunities and facilities so that, as was visualised in the Constitution, after ten years the hill tribes and Scheduled Castes would be developed in such a manner that there will be no need for such reservations. This is a slur, a sad commentary, on the functioning of our entire government administration and the development programmes in this country.

The hill tribes problem has also social and political aspects. Some of them live in the border areas which are very sensitive areas for us. Therefore, from the security point of view, it is essential that we look to this problem; not only because there is some agitation somewhere, some situation is developing somewhere, some tribes are organized to put up a strong agitation, that the Government is bound to look only to their problems; it is not only to meet the particular situation developing in certain areas, but it has also to be considered from this point of view that whatever reorganization we do, it must take into consideration the entire border security problem as well.

From that point of view, specially the problems of hill tribes in Assam has a special significance. There are other areas in Assam which are demanding some sort of a self-government. What is their attitude towards that. What is it that they want to provide for them so that on other agitation starts in Assam again for the bifurcation of that State? I would also like to know whether, if it is a compromise that after negotiation they have come to some understanding, the agitation for a separate Hill State has been given up by the organisation which was sponsoring or spearheading the cause of these particular areas and with which we had some negotiated settlement as a result of which this Bill has come before the House for adoption. If that agitation has not been given up, I would also like to know whether this particular organization with which we have come to some understanding has the following of the entire hill people of those areas with them.

Only day before yesterday some young men who called themselves as the Hill Tribes Democratic Organization, etc. met me and told me that, so far as the demand for a separate full-fledged Hill State is concerned, that demand has not been given up, that they are not satisfied with this Bill and that they do not support that particular organization. There is some section in the population who are agitating for that. I would, therefore, like to know whether this particular organization which conducted the negotiation has given this assurance that, so far as those areas are concerned, there will be no agitation of that nature and that they will stand by this Bill and see that such an agitation does not spread in those areas.

Sir, in this Bill there are certain features about which I wish to make a reference and I wish to seek certain clarifications from the hon. Minister. They have proposed that in respect of the autonomous Assembly that has been put forward, the members will be partly nominated and partly elected. I do not understand what it really means. Although you are not conceding a full State to them—that is all right—what is the idea of having a partly nominated State? Who will nominate them, Sir? Why cannot we concede that they have

elected status ? Why should we have this nomination ? Do the Government believe if they are given the full power for election they may help such representatives as would ultimately defeat the very purpose for which this concession is being given ? Is that the idea why they want to nominate persons who are not connected at all with that region. I don't know. I don't know what is their idea. I think, when the Constitution is being amended and when we are saying that we are trying to meet the aspirations of certain sections of our population there should be no nomination at all and, within the limited powers that we are giving to them, they should be given full opportunity for election to be represented in that limited Statehood or whatever it is.

I would therefore urge this aspect for the consideration of the hon. Minister and I feel, Sir, when the Select Committee goes into it, Government would agree to it, that so far as this portion is concerned, namely, partly nominated and partly elected, that portion would be deleted altogether.

Secondly, Sir, I wish to say this. The APHLC had boycotted the Assam legislature and their representatives resigned from the membership. Those places are still vacant, Sir. After they have reached an agreement and have accepted this proposition I felt, and I believed, probably they would have lifted the boycott so far as the Assam legislature is concerned. What is the Government's proposal ? Are they going to hold the by-elections soon so that those hill people are given an opportunity to participate in the present Assembly ? Have they lifted the boycott ? I am told, there is a move not to hold the by-elections till this Bill is passed or some such machinery is set up, to implement this. If that is so I think, Sir, it is highly objectionable. The people of that area would be deprived of the opportunity of having elected representatives in the Assam legislature till they have an autonomous State like that. I would like the Government to make it clear and to see that by-elections to these Assembly seats are held as quickly as possible.

So far as constituting new States are concerned, this is not a new State, nor the Eighteenth State, It is all right. We

committed a mistake, I would say, by having a small State like Nagaland which is not viable and which cannot be viable at any time. On the other hand what we do is, we give a fillip to these movements—even if they are not viable, even if there is no linguistic consideration, if they put forward a demand, if they put pressure, then, some sort of Statehood at some stage or other is conceded. Sir, there must be a policy. Is the Government prepared to have more States in India ? Is India going to be divided into small States of this nature again or, are we going to put a stop to this ?

I think that we should put a stop to this fragmentation of the country into small States like this. As I said in the beginning, in order to stop movements of this nature it is necessary that the Home Minister should at least give an indication whether Government are thinking of any uniform policy so far as the hill tribes in this country are concerned. If they have a comprehensive policy in this matter, then the entire country will be with them, and for all time to come, we would have solved this problem. For, as I have said, it is not only a question of Assam. I am told that although Shri Jaipal Singh has gone over to the Congress Benches, the Jharkhand movement is still there and before the mid-term elections the Jharkhand party has again been revived and there is agitation for having a Jharkhand province there.

SHRI BASUMATARI (Kokrajhar) :
What about Koraput ?

SHRI SURENDRANATH DWIVEDY :
I do not think that any such demand is there, although the refugees have gone there.

On the other hand, I hear that Tehri-Garhwal and other areas which are now in the area called Uttarakhnad are demanding a separate province. I think this needs consideration because Shri Panikkar who was a member of the States Reorganisation Commission had suggested that UP was such a big and unwidely or gigantic State and it should be bifurcated. He had stated that because of the unwidely nature of that State not only literacy in that State was the

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lowest in the country but even industrially and otherwise also it is backward, because administratively with a big State it is not possible to manage things properly. So, from that point of view, if there is a demand in the undeveloped areas of the hill tribes that they want a separate administrative arrangement so that they could have their own development and proper attention could be paid to the development of those areas that is a different demand altogether. Government have to make up their mind in that regard. Such demands are bound to crop up in different regions of the country where there is concentration of population of Scheduled Tribes who are undeveloped and who are aspiring and hankering after greater opportunities for development etc. Unless we do that, I see the danger of these tribes being exploited by elements which are not interested in the development but who want to make political capital out of it. That is how the disintegration process in the country would start. In order to stop that, I again emphasise this point. Government may have solved this problem for the time being so far as the Khashi and Jaintia Hills are concerned. But unless some uniform policy is decided upon to meet this problem I am afraid that this will not really stop the movement, but probably it will give encouragement to other hill tribes to start movements of this nature.

SHRI P. VENKATASUBBAIAH (Nandyal) : At the outset, I would like to submit. . . .

MR. SPEAKER : The hon. Member may resume his speech after lunch. But I just want to make an announcement.

Non-official business is scheduled to start at 3.30 p. m. But I think that after referring this Bill to the Joint Committee by about four o'clock or so, the non-official business may be taken up. We shall sit half an hour late. I would appeal to hon. Member to have this Bill referred to the Joint Committee by about four o'clock. I have some names before me here, and they will no doubt be called. I have got the names of Shri Ram Charan, Shri Bal Raj Madhok, Shri Vasudevan Nair and others.

SHRI RABI RAY (Puri) : Shri S. M. Joshi also.

MR. SPEAKER : Of course, when we talk of Assam, we cannot think of Assam without Shri Swell.

SHRI BASUMATARI : I also want to speak because we are more concerned.

MR. SPEAKER : The hon. Member's party will give the list. Therefore, I would suggest that by about 4 p. m. this Bill may be referred to the Joint Committee, and then we may take up the non-official business.

SHRI PREM CHAND VERMA (Hamirpur) : I also want to speak.

MR. SPEAKER : The Congress list has not yet come. When it comes, they will be called. But do not create problems. By 4 P. M. at the latest, we must have this referred to the Joint Committee and then take up the non-official business. After that, we have the other items.

13 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock.

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

[Mr. Deputy-Speaker in the Chair]

CONSTITUTION (TWENTY SECOND AMENDMENT BILL--CONTED,

MR. DEPUTY-SPEAKER : We have just 2 hours; 15 minutes gone I will request that we conclude this debate by 4. You will get an opportunity to discuss it more when the report is presented. I will request every member to be very brief.

Mr. Venkatasubbiah.

SHRI P. VENKATASUBBAIAH (Nandyal) : At the outset I would like to congratulate the Central Government and also the Government of Assam and APHLC for