

[Mr. DEPUTY SPEAKER in the Chair
ELECTION LAWS (EXTENSION TO
SIKKIM) BILL

MR. DEPUTY-SPEAKER: we take up the Election Laws (Extension to Sikkim) Bill. Dr. Seyid Muhammad.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): Sir, I beg to move:*

"That the Bill to provide for the extension of the Representation of the People Act, 1950 and the Representation of the People Act, 1951, to the State of Sikkim, be taken into consideration."

The Bill is of a non-controversial nature. As the House is aware, by the Constitution (Thirty-Sixth Amendment) Act, 1975 which came into force on the 26th April, 1975, Sikkim has become a constituent unit of India as the 22nd State in the Indian Union. Section 3 of that Act inserted a new article 371F in the Constitution to provide *inter alia* that the sitting Members of the Assembly for Sikkim formed as a result of the elections held in Sikkim in April, 1974, shall be deemed to be the Members of the Legislative Assembly of the State of Sikkim duly elected under the Constitution, that until other provisions are made by Parliament by law, there shall be allotted to the State of Sikkim one seat in the House of the People and that the representative of that State in the existing House of the People shall be elected by the Members of the Legislative Assembly aforesaid. Section 4 of that Act amended the Fourth Schedule to the Constitution to allot one seat in the Council of States to that State.

With a view to giving effect to the provisions of the Constitution (Thirty-Sixth Amendment) Act, 1975, it

was decided, in consultation with the Election Commission that the Representation of the People Act, 1950 and the Representation of the People Act, 1951, should be extended, with necessary modifications to the State of Sikkim. As Parliament was not in session and as it was necessary to extend those Acts so that the representatives of the State of Sikkim in Parliament could be elected without delay, the President promulgated on September 9, 1975, the Election Laws (Extension to Sikkim) Ordinance, 1975. This Bill seeks to replace that Ordinance.

I commend the Bill for the consideration of the House.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to provide for the extension of the Representation of the People Act, 1950 and the Representation of the People Act, 1951, to the State of Sikkim, be taken into consideration."

Shri Ranen Sen:

DR. RANEN SEN (Barasat): Mr. Deputy-Speaker, Sir, as the hon. Minister stated, this is a non-controversial Bill and I do not have much to speak on this Bill. I was thinking that while speaking, I will quote from the Statement of Objects and Reasons but I find that the Minister has read out the Statement of Objects and Reasons from A to Z. Therefore, Sir I would not do that.

Sir, it is a very good thing that now Sikkim is a part of India, a constituent unit of this Sovereign Republic of India. One of the reasons to make Sikkim a part of India was to protect Sikkim from obnoxious political influence of reactionaries inside and outside the State of Sikkim. The object was to protect Sikkim from the influence of external agencies that were putting pressure on the State of Sikkim. This was one of the primary reasons, but the other reason was to

*Moved with the recommendation of the President.

[Dr. Ranen Sen]

develop Sikkim so that Sikkim can come on par with other units and States of India. I would like to draw the attention of the Minister to the second point.

Now Sikkim being a part of India, naturally no external aggression or reactionaries will be tolerated there. I take it for granted that the Government of India will see that no such agencies operate inside Sikkim either from outside or from inside. As I said earlier, the other object was to develop Sikkim so that it comes at par with the other States of India. I come from a state which is a neighbouring State of Sikkim. I have, therefore, a little connection with Sikkim and we know a little bit of Sikkim. Sikkim is a very backward area; it has no industry, the agriculture there is more or less, primitive and the population is also a few hundred thousand. It is really a mountain State of India. It has very little connection with the rest of India; only through the district of Darjeeling, Sikkim can be approached from other States. Government of India should see that the people residing in their backward territory should feel that after coming to India, they have found a path of development and that the Government of India are helping the people of Sikkim to develop to improve their position by casting aside their old, rotten and outmoded mode of living and that Sikkim becomes a modern State. This is the desire of the people of Sikkim. I think, this position should be taken into consideration and the people there should feel satisfied, their conscience should be aroused.

There is another point. When Sikkim was outside India, and before this Constitution (Amendment) Bill was passed, there were posted in Sikkim a battery of official from Delhi whom generally people inside India called bureaucrats. For the running of administration a little amount of bureaucracy is necessary

and inevitable and cannot be avoided, but in this new State of Sikkim, I would say that the Government of India should see that the rule of bureaucracy is wiped out, if not all at once, but at least gradually and speedily so that democracy develops from inside the State of Sikkim, democracy develops on the basis of the genius of the people of Sikkim and that democratic traditions also grow in Sikkim because previous to the inclusion of Sikkim in India, it is known to everybody that a sort of a very reactionary monarchical political set up was there and the people wanted to get rid of that reactionary, monarchical out-moded obsolete and obscurantist political set up. Therefore, in this situation also it should be the look-out of the Government of India that democracy develops there on the basis of the genius of the people of Sikkim.

MR. DEPUTY-SPEAKER: I am sure you do not want all these to get into the present Bill.

DR RANEN SEN: But this is the background of the present Bill. It is because Sikkim is a part of India, not because India wants to grab Sikkim but because India wants to develop Sikkim as a part of India...

MR. DEPUTY-SPEAKER: All that is known. We had a discussion on this.

DR. RANEN SEN: I want to raise another point. In this connection, I want to stress that for the present it has been inevitable that one person should represent Sikkim who would be elected by the Sikkim Assembly one to Lok Sabha and another to the Rajya Sabha. I can understand it. Just for the present moment no other arrangement can be made, but, sooner this arrangement has to be changed and there should be proper election

on the basis of universal adult franchise to the Lok Sabha. And whatever arrangement is to be made in regard to Rajya Sabha, that can be thought over because there also indirect election takes place, but, here, the future representative to Lok Sabha should represent the people of of Sikkim in the sense that the people of Sikkim elect him on the basis of universal adult franchise and secret ballot.

With these words, I commend the Bill.

DR. V. A. SEYID MUHAMMAD: There is not much to say in reply. The sentiments which have been expressed and the opinion expressed by the hon Member that the constitution should not be imposed but should be allowed to develop—these are all vital points but are not strictly relevant to the Bill before us and so. I will not advert to them and take the time of the House...

MR. DEPUTY-SPEAKER: You will be a wise man if you do it always.

DR. V. A. SEYID MUHAMMAD: With these words I would commend the time of the House...

MR. DEPUTY-SPEAKER: What about popular elections? He has made only one relevant point.

DR. V. A. SEYID MUHAMMAD: That also is very relevant and an important factor. We will take that into consideration at the appropriate time.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the extension of the Representation of the People Act, 1950 and the Representation of the People Act 1951 to the State of Sikkim be taken into consideration."

The motion was adopted.

MR. DEPUTY SPEAKER: Now we will take up clause by clause consideration.

Now the question is:

"That Clauses 2, 3, the Schedule, Clause 1, Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2, 3, the Schedule, Clause 1, Enacting Formula and the Title were added to the Bill.

DR V. A. SEYID MUHAMMAD: I move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.