

[अध्यक्ष महोदय]

वैसे इसके लिए मैं बिजनेस एडवाइजरी कमेटी से कुछ टाइम लेकर आपको बिठा दूंगा, जो मर्जी हो आप कह लीजिएगा और मिनिस्टर आपको जवाब दे देंगे लेकिन इस छोटी सी डिमाण्ड पर आप क्यों अड़े बंठे हैं ? और बातें भी बहुत जरूरी हैं। अभी इमरजेन्सी है और इमरजेन्सी के बाद भी ये बातें कर सकते हैं। अब मैं डिमाण्ड पुट करता हूँ।

The question is :

"That the respective supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1972, in respect of the following demands entered in the second column thereof—Demands Nos. 14 and 15."

The motion was adopted.

MR. SPEAKER : Even if the Minister cannot give anything, the Members want only his sympathy.

SHRI P. VENKATASUBBAIAH (Nandal) : That is not in short supply.

[The motions for demands for Grants, which were adopted by the Lok Sabha, are reproduced below—Ed.]

DEMAND NO. 14—CONSTRUCTION OF
NEW LINES—CAPITAL AND
DEPRECIATION RESERVE
FUND

"That a Supplementary sum not exceeding Rs. 1,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1972, in respect of 'Construction of New Lines—Capital and Depreciation Reserve Fund'."

DEMAND NO. 15—OPEN LINE WORKS—
CAPITAL, DEPRECIATION RESERVE
FUND AND DEVELOPMENT FUND

"That a supplementary sum not exceeding Rs. 30,06,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1972, in respect of 'Open Line Works—Capital, Depreciation Reserve Fund and Development Fund'."

11'23 hrs.

MANIPUR (HILL AREAS)
DISTRICT COUNCILS BILL

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
K. C. PANT) : I beg to move* :

"That the Bill to provide for the establishment of District Councils in the Hill Areas in the Union territory of Manipur, be taken into consideration."

This is a Bill seeks to establish local bodies in the form of District Councils in the hill areas of Manipur, so as to associate the people of these areas closely with matters of local development and other matters of importance to them.

Before I go into the details of the Bill, I would like briefly to explain the circumstances in which this Bill is being brought forward. The question of the reorganisation of the North-eastern region with a view to conferring Statehood on Manipur, Tripura and Meghalaya and making NEFA and Mizo Districts of Assam into Union territories has been engaging our attention for quite some time. In this connection, we have also gone into the question of adopting a co-ordinated approach to the problems of development and security of the region. We have considered the special problems of the

*Moved with the recommendation of the President.

new units which would emerge as a result of the reorganisation.

As a result of these deliberations we intend bringing forward a number of measures. The present Bill is the first in the series. The other measures are the North-eastern Areas Reorganisation Bill for giving effect to the proposed territorial reorganisation, a Constitution (Amendment) Bill and a Bill to amend the Government of Union Territories Act to provide for a Legislative Assembly for the proposed Union Territory of Mirozam and certain other matters and a Bill regarding the Northeastern Council for securing a co-ordinated approach to the development and security of the region as a whole.

When our intention to confer Statehood on Manipur was announced last year, there was a demand from the Hill Areas of that territory for safeguards. These areas are predominantly inhabited by tribals. As the House is aware, one-third of the population of Manipur belongs to Scheduled Tribes, who mostly inhabit the Hill areas, and the non-tribals, who account for two-thirds of the population, are mostly in the valley.

The hill areas are relatively under-developed and one can understand the anxiety of the people of these areas for safeguards. In fact, when this House passed the Government of Union Territories Act, 1963, the need for safeguards for the hill areas was recognised and a special provision was made in section 52 of that Act for constituting a committee of the legislature of the Union Territory of Manipur with certain powers and functions to protect the interests of the tribals.

We have had detailed discussions with the representatives of the hill areas and the valley regarding the nature of the safeguards that should be provided for the people of the hill areas when Manipur becomes a State. Finally, we came to the conclusion that while the existing provisions regarding the committee of the legislature for hill areas should be continued by making a special provision in the Constitution, there should be local bodies as contemplated in

the present Bill to look after the local development and matters of special concern to the tribal people. The hill areas committee of the legislature for which provision exists under the existing law consists of members elected from those areas. A number of matters which are of special concern to the tribals, such as allotment, occupation and use of lands, regulation of jhum cultivation, establishment of village councils, appointment or succession of chiefs or headmen, inheritance of property, marriage, divorce and social customs come within the purview of this committee. Bills introduced in the State legislature relating to these matters and affecting the hill areas are referred to the committee. The recommendations of the committee are thereafter considered by the legislature as a whole. If the legislature differs from the committee, the Bill as passed by the legislature and the Bill as recommended by the Committee are both sent to the Administrator and the one which the Administrator recommends is finally adopted. Similarly in the executive field, in regard to matters which come within the purview of the Committee, the Council of Ministers has to accept the recommendations made by the Committee. If however the Council of Ministers does not accept the recommendation, the matter is referred to the Administrator whose decision is final. As I have already stated, our intention is to continue the safeguards for which a provision will be made in the Constitution Amendment Bill, which we shall be introducing. It is also our intention to enlarge the functions of the Hill Areas Committee of the legislature by bringing within its purview matters relating to development and economic planning for the hill areas and constitution and powers as also functioning of the District councils envisaged in the present Bill. In this way while the scheme of safeguards provides for the district councils with powers as envisaged in the present Bill, the hill areas committee will provide a State level forum for the people of the Hill areas to ensure that the functioning of the district councils is not unduly interfered with by the State Government.

When we discussed the scheme of safeguards with the representatives of the hill areas, they emphasised that the law for

[Shri K. C. Pant]

establishing district councils should be enacted before Manipur became a State. The representatives of the valley have agreed to this. It is in this context that the Bill is being brought forward as a first step in the scheme of reorganisation of the north-eastern region.

Now coming to the Bill itself, it is generally modelled on the Territorial Councils Act which was passed by this House in 1956 and which was in force in the Union Territory of Manipur till 1963.

The Bill provides for the hill areas to be divided into not more than six autonomous districts. The number is no doubt somewhat large but our intention is that, as far as practicable, the major tribal groups should have separate autonomous districts.

Clauses 4 to 13 relate to the constitution of the district councils, their composition and other related matters. It has been provided that these councils should each consist of not more than 16 elected members and not more than 4 nominated members. The number of constituencies into which an autonomous district may be divided for the purpose of election of members is left to be determined by the Administrator. The provision for nomination is an enabling one. It gives discretion to the Administrator to be exercised only if necessary. He may have recourse to this provision to secure representation of weaker sections who may happen to be left out and whose presence might be considered desirable.

Clauses 14 to 20 relate to procedural matters concerning election petitions. Clause 21 relates to rule making power for holding the elections. Clause 22 relates to incorporation of District Councils.

Clauses 23 to 26 relate to the appointment etc., of Chairman and Vice-Chairman and members. These are on the lines of the Territorial Councils Act.

The District Councils will be coming into existence in the Hill Areas for the first

time and will be having wide powers. These bodies will have to direct their attention to the development of the areas and welfare of the people and a measure of stability should be imparted to their working. These considerations had weighed with this House when it adopted provisions similar to those in clauses 23 to 26 while passing the Territorial Councils Act, 1956.

Clause 29 spells out the functions of the District Councils and includes matters of importance to the tribals such as allotment, occupation or use of lands and regulation of the practice of jhumming. They can also recommend to the Government any legislation relating to appointment or succession of Chiefs, inheritance of property, marriage, divorce and social customs among the Scheduled Tribes.

Clause 32 relates to the appointment of the Chief Executive Officer. It follows the corresponding provision of the Territorial Councils Act. This officer will be an important functionary in our scheme and should be a person with administrative experience. We have, therefore, provided as in the previous Act that he will be appointed by the Administrator. While it is open to the Administrator to replace a Chief Executive Officer at any time if he is not found effective, the Council can also ask for replacement if a majority of the members are not satisfied with him.

The other provisions of the Bill relate to finances of the District Councils, control of the Administrator, etc., and are more or less modelled on the provisions of the Territorial Councils Act. I may add that Act was in force in Manipur and certain other Union territories from 1957 to 1963. Under that Act there was one Territorial Council for the entire Union territory. What we are now doing is to create similar bodies for smaller areas. These bodies would in effect function like Zila Parishads with some additional functions relating to matters of special concern to the tribals and together with the Hill Areas Committee of the State legislature, should provide adequate safeguards to the tribal people.

Sir, I commend this Bill to the House.

MR. SPEAKER : Motion moved :

"That the Bill to provide for the establishment of District Councils in the Hill Area in the Union Territory of Manipur, be taken into consideration."

There are quite a few amendments but they can be moved when the relevant clauses come up.

SHRI DASARATHA DEB (Tripura East) : Sir, at the outset I offer my support to this legislation, namely, the Manipur (Hill Areas) District Councils Bill, 1971. The proposed arrangement, as suggested in the Bill, may give a limited opportunity to the neglected Hill Tribes of Manipur to participate in the affairs of administration of the Hill Areas. I would have been much more happy if at this stage the Home Minister had brought similar legislation with regard to the formation of regional autonomy for the Tribal belt of Tripura. But still the Government is very much reluctant in doing so. I do not know what is the reason. The bulk of the tribal people have been demanding an autonomous region for Tripura. Is it due to the pressure that Government has been facing from a section of the chauvinistic people who are in key positions of administration of Tripura as well as in every walk of life ?

The massive majority of non-tribal population in Tripura and their powerful voice has been silencing the voice of the Tribal people in Tripura for their just and legitimate demand for regional autonomy on the pattern of the provision in the Sixth Schedule of the Constitution. Even at this stage I request the Government that they should come forward with such kind of legislation for the Tribal belt of Tripura also.

Coming to the Bill, I say, the present Bill has a very limited scope of functioning of the District Council and their powers to protect the interests of the tribal people of Manipur, particularly, in land, in services and in other matters which are very much limited. This Council remains as a helpless child who has to look to the good grace of

the administrator in carrying out even a petty development work for the tribal belt of Manipur.

I will deal with clauses when clause-by-clause consideration of the Bill is taken up. I have already given my amendments to almost all the clauses.

As regards the powers which are sought to be given to the Council, it seems to me that this Council will have to work almost under the duress of the administrator or the Council of Ministers of the State. I oppose this type of nomination system. You have provided for the tribal people to elect their representatives in the Council and, at the same time, this Bill gives the power to the Administrator to nominate four persons. Why is it necessary ? It is absolutely unnecessary. This means you are allowing the people to come in the Council by back-door, who can oblige the Administrator, the ruling class.

This Bill is full of scope for interfering in the functioning of the Council by the bureaucracy. In this connection, I want to deal with another matter, that is, the tribal question. The tribal question is essentially a national question which requires to be dealt with in a comprehensive manner, not in a piecemeal manner. It is an admitted fact that the tribal people, more particularly, the small border nationalities, in several respects, suffer not only from class oppression but also from a sort of national oppression at the hands of more advanced nationalities.

The first and foremost task and duty of the democratic people of India is to remove this oppression. Every nationality in the Indian Union, however big or small in size, must be treated on the basis of equality. That is why our party supports the formation of States on linguistic basis and the creation of regional autonomy for the tribal belts in different parts of India. That is why we believe that preservation and promotion of the unity of Indian Union may well be done on the basis of real equality and autonomy for different nationalities of India.

[Shri Dasaratha Deb]

At the same time, we have opposed to all the demands of secession movements. We believe, the social emancipation as well as the success of the struggle of tribals and other national minorities against all trace of inequality rests with the unity and united struggle of working class but not in the demand of secession or actual secession. In this regard, from the very beginning, we have been persistent in this policy. When the Meghalaya people fought for their emancipation, for having their tribal State, we supported it. When the Mizo people demanded autonomy, we supported it. But when the Naga people wanted to secede from India, we opposed it tooth and nail. When the Mizo people fought for the secession of Mizo Land from the Indian Union, we opposed it. We oppose the secessionist policy. But at the same time, we do feel that every nationality, however small or big in India, must have their right of self-determination to look up and manage their affairs within the Indian Union. We have been following that policy and we are very clear about it.

This is the national question as it confronts us in India today. The anti-imperialist movement for Indian liberation had always been described, in general terms, as the Indian National Movement, and as its corollary, the different language speaking peoples and nationalities living in the Indian sub-continent were being characterised as one single Indian nation. Such a definition of the termination can stand...

MR. SPEAKER : You can make a reference to it but not read your speech.

SHRI DASARATHA DEB : I am quoting :

"Such a definition of the termination can stand neither the test of historicity nor science. It does not help one to analyse and assess the National problem in India in all its facets..."

"The Indian Sub-Continent, both before and after its partition into Indian Union

and Pakistan, was a vast country comprising of people speaking different languages, living in different compact and contiguous areas, and belonging to varied ethnical, racial...

SHRI K. C. PANT : May I ask whether he is reading from the recent resolution of his Party ?

SHRI DASARATHA DEB : I am stating how our Party is looking at the national problem of India.

"...and cultural groups of people. It was a multi-national State ruled by the British colonial rulers. Neither the sentimental theory that the entire Indian Sub-Continent was of one 'nation' nor the pernicious communal theory that it comprised two nations..."

MR. SPEAKER : May I remind the hon. Member that is a simple Bill ?

SHRI DASARATHA DEB : This is not a simple Bill. The Manipur Tribals problem is a national problem.

"namely, Hindus and Muslims, can meet the truth or the scientific standpoint of view. The very fact that the Indian State..."

MR. SPEAKER : It is not at all relevant.

SHRI DASARATHA DEB : "...is defined in the Statute Book as the Indian Union, the fact that almost all the States had to be re-organised and reconstituted on linguistic basis, and the fact that there exists an irrepressible demand for real autonomy and greater powers for the States eloquently support the contention that the Indian Union is multi-lingual and multi-national in character. Without such clear thinking on the issue it is neither possible to consciously work for the preservation and strengthening of Indian unity and its integration nor easy

to effectively fight against the forces of disunity and disintegration."

SHRI K. C. PANT : Mr. Deb should know that this is a well-publicised document. It would help me in my clear thinking if he spoke on the Bill.

SHRI DASARATHA DEB : This is the policy of our Party. If you want to solve the national problem, this is what you should do. I am speaking of the tribal people of Manipur. I am speaking of the tribal people of Tripura also. They are also demanding the same thing. There is a lot of agitation but you are not bringing that thing, for tribal people who are living in other parts of India; some people are in Bihar and if there are contiguous areas...

MR. SPEAKER : That is not relevant.

SHRI DASARATHA DEB : This is relevant. If it is not relevant, why has he brought forward this Bill? They have to deal with the national problem. This is a very important problem of India and without solving that problem, India cannot advance.

MR. SPEAKER : This is just introducing District Council as in any other State.

SHRI DASARATHA DEB : Coming to the Bill also, I wish to say that the District Council is suggested to be constituted of such a body where you have given ample opportunity to nominate the persons by the Administrator. We are opposed to that.

At the same time, regarding the power given to the Council, I want to refer to one clause regarding allotment of land and setting apart land. They have said that they keep reserve forests, but, at the same time they have given enough opportunity to the administration to take out the land situated in the District Council, if necessity arises, for rehabilitation of certain people. The land in the scheduled area must be exclusively made available for the Tribal people alone and that is why we need this Scheduled Area. Otherwise, there is no meaning in saying it is a 'Scheduled Area'. Land should not be made available to any persons belonging to any

community except the Scheduled Tribes who are in the list of President's Orders.

SHRI D. BASUMATARI (Kokrajhar) : I wholeheartedly support this Bill.

Sir, I for one who used to oppose the disintegration and slicing down of the State of Assam. When the State of Nagaland came into being, I opposed it. Similarly, when Meghalaya was ushered into existence, I opposed it. But when the people of the tribal areas agitated that their demands were not being paid heed to, then I had no way out but to support the slicing down of the State of Assam.

The tribal areas of Manipur have been having a feeling for a long time that their demands had not been fulfilled by the administrator. Whenever I had talks with the tribal people from Manipur, they used to tell me that they were being neglected in various ways. At the same time, we find that the people from the plains go to the tribal areas and usurp their lands, taking advantage of their illiteracy and their simplicity. Rightly, therefore, they demand a separate State or they want to be included within Nagaland. I do not know what difficulty the Central Government have in including this area within Nagaland, especially since the language is the same, and there is similarity of religions and customs. Of course, I opposed the creation of the State of Nagaland, on the ground that it would encourage the other tribal people also to demand a separate State for them at other places also. However, the State of Nagaland has now come into being, and the measure has been put through, and similarly, the State of Meghalaya has also come into existence. And they are now forgotten chapters of history, so to say. Now, the tribal people in the plains of Assam also want a separate state in the sense that they also want to have a district council for themselves. Of course, I was opposing this demand for the greater interest of the State of Assam and I was opposed by the tribal people for not supporting the demands of the plain tribals. Now, what shall I do? How shall I go to them? How can I refuse to support their demand and oppose their proposition and go to them to seek votes from them? It is very

[Shri D. Basumatari]

difficult for me to oppose this demand made by the plains, tribals of Assam whose population is more than twelve lakhs.

Therefore, I am suggesting to Government that they should accept the demand of the plains tribal people also. Sir, I have been in the Congress ever since the days of my student life when I was a small boy. I have myself spoken in this House several times that the demands of the tribal people have not been fulfilled and they are considered only when there is some strong agitation made by them. Only one Deputy Minister has been taken in the Council of Ministers from the tribal out of 32 representatives (M. Ps.) from different states. I did not want to go out of the way and criticise Government at this stage of emergency. But I have to voice their demand here. In fact, I had given expression to my views in this regard not only to the present Prime Minister but even to her father Pandit Jawaharlal Nehru, and yet the demands of the tribals have not been conceded. I did not want a slicing down of the State of Assam in the past, but since the process has already started, to satisfy the aspirations of these tribal people, there is no way out now but to slice out a small State consisting of specified areas for these people.

I may not support what my hon. friend Shri Dasaratha Deb has said in regard to nominations. He might have pointed out rightly and correctly that the system of nomination is just to include somebody through the backdoor, just to take care of the interests of the plains people. That may be in the interests of the Central Government. But what about the interests of the people who have been fighting for their existence, for the safety of their culture, customs and manners and the safeguarding of their lands? Their demand also has to be conceded. That perspective has also to be looked into. I am glad that it is being conceded now in the form of the district council.

My hon. friend from Madhya Pradesh is here and he knows that I had visited the tribal areas in Bastar and the Jhabuas etc. When late Shri G. B. Pant was the Home Minister

here, he had appointed a committee called the Nomadic Tribal Inquiry Committee, and I had occasion as a Member of that Committee, to visit the tribal areas of all States.

I told the authorities by that time that the tribal people are neglected like anything. They are treated like beasts. Only the other day we had visited all the tribal areas with the Committee of the welfare of scheduled castes and scheduled tribes. But I do not see any change. On the other hand, I see the same old attitude of apathy. What was the condition in 1958, we found it is the same; there is no change, it is rather worse.

After establishing the tribal development blocks, roads have been constructed, houses have been built and schools have been constructed. They have set up even a college. But how many tribal students are there? only one percent in the college. All the money comes from the Centre in the name of development of the tribal areas. In the school, there are just 3 percent tribal students. The money for this also comes from the Central Government. The money is spent in the name of development of the tribals, but the benefit therefrom has been derived by the non-tribals, specially officers, in the name of tribal development, social workers and so on. On seeing this, one cannot but shed tears at this state of affairs. I have seen with my own eyes this state of affairs. Even after 24 years of independence women do not know how to wear clothes, they do not know how to put oil; they remain just like *junglis*.

There is a tribe called by the name of Bonda Porja in Orissa. They go about completely naked. Can you imagine this in this age of civilisation after so many years of independence?

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Is he relevant?

SHRI D. BASUMATARI : Why does he interrupt? I do not interrupt him when he speaks.

SHRI JYOTIRMOY BOSU : Because he is a Congressman, he is relevant.

MR. SPEAKER : He may continue.

SHRI D. BASUMATARI : Therefore, this measure taken by Government is a welcome measure. At the same time, I would like to point out that it should not be a piecemeal measure. There should be sincerity of heart to safeguard the customs, culture and the economy of the tribals. If Government think of this problem only from the political angle and do something to keep them silent, that will not do. They must be sincere in what they say and do. I hope the hon. Minister of State will look at this problem and proceed about it with the same outlook and breadth of vision of our talented leader his father, late Pandit G. B. Pant. Then we can expect a solution to this problem.

SHRI N. TOMBI SINGH (Inner Manipur) : I am extremely glad to welcome this measure. The hon. Minister, Shri Pant, has explained in detail the background in which the Bill has been brought forward and is now before the House for its consideration.

I know the hon. Minister and also the Prime Minister have been at great pains in trying to know about the problems of the hill areas of Manipur and the neighbouring areas. This Bill is a clear indication of the masterly way in which the problem has been studied and the difficulties encountered are sought to be solved. I am, therefore, very happy, on behalf of the people of Manipur, especially the tribal people of the Manipur hill areas, in supporting and welcoming this measure. In fact, Manipur is a very peculiar area, and it is very difficult to compare this area with other areas of India. My hon. friend from Assam, Shri Besumatari, has made a reference to the hill areas of Manipur. He raised the question why these areas not integrated with Nagaland. He must be knowing the problems in his own district in his own areas, but I am very sorry to point out that his knowledge and information about the hill areas in Manipur, especially the problems of the whole of Manipur, is very far from the truth. Therefore, I would like to differ from him and would like to inform

the House that the State of Manipur—I think it will not be out of place to give a little background here—is divided broadly into two parts; the valley and the hills. The valley is a small area comprising only a little more than 700 square miles, and the hill areas comprise about 8,000 sq. miles. Within the 8,000 sq. miles, a little less than one-third of the population of the entire Manipur State is accommodated. Anthropologically and also in respect of religion, except for certain religious affiliations, the people of Manipur, whether they are in the valley or in the hills, do not differ from one another basically. They belong to more or less the same broad spectrum of people. Therefore, it is very difficult to compare the problems of Manipur, whatever they are—whether it is the problem of customs, culture, language, politics or other things—with those of other areas. For instance, in Assam, our neighbouring State, there are problems known as tribal problems, and that is so in other areas also like Tripura and Madhya Pradesh, to which reference has been made by hon. Members. We cannot compare easily the problems of Manipur with those of other areas, because, the advent of religion 300 years back in the valley of Manipur, expounded by Chaitanya Mahaprabhu, created only an apparent barrier between the hill people and the plains people. (*Interruption*)

MR. SPEAKER : We have to take some other business at 12 O' clock.

You will be called later on also.

SHRI N. TOMBI SINGH : I will be brief. This being a rather significant measure in respect of the hill areas of Manipur, I would need a little more time. I shall be brief.

MR. SPEAKER : I told you that you could continue tomorrow. We are taking up another Bill at 12 O' clock as decided by the house a little earlier. You can, if you want, continue your speech tomorrow.

SHRI N. TOMBI SINGH : Yes.