

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.

VIDYA CHARAN SHUKLA) : I beg to move for leave to introduce a Bill to provide for the setting up of a Council for the north-eastern areas of India to be called the North-Eastern Council and for matters connected therewith.

श्री शिव चन्द्र झा (मधुबनी) : उपाध्यक्ष महोदय, इस के मुतालिक भी मुझे वही कहना है कि जहाँ तक राष्ट्रपति के रैकमेंडेशन की बात है 117 (3) का रैकमेंडेशन इन्होंने लिया है जो कंसिडरेशन स्टेज के लिए है। इंट्रोडक्शन स्टेज के लिए 117(1) की रैकमेंडेशन होनी चाहिए। वह चीज मैं इस में नहीं पा रहा हूँ। इसलिए जब तक राष्ट्रपति का रैकमेंडेशन 117(1) में यह नहीं लाते हैं तब तक मंत्री महोदय इस को कैसे इंट्रोड्यूस कर सकते हैं। 117(3) कंसिडरेशन के समय आएगा। लेकिन पहले 117(1) की रैकमेंडेशन चाहिए।

SHRI VIDYA CHARAN SHUKLA : In this Bill our legal opinion is that we do not require any recommendation under Art. 117(1); only recommendation under Art. 117(3) is required. Therefore, only that recommendation of the President has been obtained and that is given in the Statement of Objects and Reasons.

श्री शिव चन्द्र झा : अध्यक्ष महोदय, जरा मुन लिया जाये लीगल ओपिनियन इन को यह कहता है लेकिन संविधान भी तो कुछ कहता है। आखिर में संविधान को भी तो मानना पड़ेगा। यदि इस तरह की बात है तो इस में फिर संशोधन की जरूरत है। संविधान में 117(1) में यह कहा है :

"A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced."

यह इंट्रोडक्शन स्टेज पर है। इनकी लीगल ओपिनियन कुछ भी कहती हो लेकिन संविधान यह कहता है कि जैसे 117(3) में यह लाए हैं ऐसे ही 117(1) में इनको लाना चाहिए।

MR. DEPUTY SPEAKER : You have made your point and the Minister has given his reply. It is before the House now. I will put the question. The question is :

"That leave be granted to introduce a Bill to provide for the setting up of a Council for the north-eastern areas of India to be called the North-Eastern Council and for matters connected therewith."

*The motion was adopted.*

SHRI VIDYA CHARAN SHUKLA : I introduce the Bill.

14.59 Hrs.

REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) BILL\*

THE MINISTER OF HEALTH AND FAMILY PLANNING AND WORKS, HOUSING AND URBAN DEVELOPMENT (SHRI K. K. SHAH) : I beg to move for leave to introduce a Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952.

श्री शिव चन्द्र झा (मधुबनी) : अध्यक्ष महोदय, जरा इस पर भी सफाई कर दें। 117(1) में इसकी रैकमेंडेशन नहीं है राष्ट्रपति महोदय की जो कि इंट्रोडक्शन स्टेज पर चाहिए। इसीलिए जब तक वह नहीं आती तब तक यह इंट्रोड्यूस नहीं कर सकते हैं। 117(3) में इस की रैकमेंडेशन है जो कंसिडरेशन के वक्त जरूरी है लेकिन इस वक्त 117(1) में राष्ट्रपति की सिफारिश चाहिए जो कि नहीं है।

MR. DEPUTY SPEAKER : I will put it to the House. The question is :

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