

और राज्यों के पुनर्गठन पर फिर से विचार किया जाए। मेरी मांग है कि पांडिचेरी को पूर्ण राज्य का दर्जा देकर बरसों पुरानी वहां के लोगों की इस मांग को पूरा किया जाए। धन्यवाद।

उपसभाध्यक्ष (श्रीमती कमला सिन्हा): कुछ प्राइवेट मेम्बर्स लेजिस्लेटिव बिजनेस रह गया था, उसे हम पूरा कर लेते हैं। इसके बाद पांडिचेरी राज्य विधेयक पर विचार करेंगे।

THE VICE-CHAIRMAN (SHRIMATI KAMLA SINHA): Shri Gurudas Das Gupta. He is not here. Shri Suresh Pachouri. He is also not here.

THE RESERVATION BILL, 1996

MISS SAROJ KHAPARDE (Maharashtra): Madam, I have to move for leave to introduce a Bill to provide for adequate reservation in posts and services under the Central Government and its Public Sector Undertakings for the Scheduled Castes, the Scheduled Tribes and Other Backward Class citizens and for matters connected there with.

The question was put and the motion was adopted.

MISS SAROJ KHAPARDE: Madam, I introduce the Bill.

THE CHILDREN BORN OF PROSTITUTES, WOMEN JAIL INMATES AND MENTALLY ILL OR RETARDED WOMEN (UPBRINGING AND WELFARE) BILL, 1996

MISS SAROJ KHAPARDE (Maharashtra): Madam, I beg to move for leave to introduce a Bill to provide for the custody, maintenance and upbringing of children born of prostitutes, women jail inmates and mentally ill or retarded women by the Central and State Governments and for matters connected therewith and incidental thereto.

The question was put and the motion was adopted.

MISS SAROJ KHAPARDE: Madam, I introduce the Bill.

THE STATE OF PONDICHERRY BILL, 1992 — (CONTD.)

श्री नरेश यादव (बिहार): उपसभाध्यक्ष महोदया, मैं श्री नारायणसामी जी द्वारा प्रस्तुत पांडिचेरी राज्य विधेयक 1992 का समर्थन करने के लिए खड़ा हुआ हूँ। नारायणसामी जी, हम सब 'नारायण' के अधीन हैं, मैं आपके समर्थन में खड़ा हुआ हूँ, थोड़ा इधर ध्यान दीजिए... (व्यवधान)

श्री महेश्वर सिंह: (हिमाचल प्रदेश): आपके नाम का संधि-विच्छेद हो रहा है, जरा सुनिए।

श्री नरेश यादव: 'नारायण' के अधीन हम सब हैं। चूंकि आप 'नारायण' हैं और मैं 'नरेश' हूँ इसलिए 'नारायण' के समर्थन में 'नरेश' को खड़ा होना आवश्यक है और मैं नहीं समझता कि जो नारायण का स्वामी हो, उस पर लैफ्टिनेंट गवर्नर का शासन हो। यह बात मैं कभी पसंद नहीं कर सकता, इसलिए भी मैं खड़ा हुआ हूँ। महोदया, पांडिचेरी महर्षि अरविंदु की धरती है जिन्होंने विश्व को मानवता का पाठ पढ़ाया है और नारायणसामी जी के स्टेट में जो अरविन्दो घोष का उपदेश रहा है और वह है—सब के दर्द को, नारायणसामी जी... (व्यवधान)

उपसभाध्यक्ष (श्रीमती कमला सिन्हा): आप नारायणसामी जी को मत सुनाइए।... (व्यवधान)

श्री नरेश यादव: हां मैडम, आपको मैं कह रहा हूँ... (व्यवधान) चूंकि जिन्होंने इस देश की आजादी की लड़ाई में हिस्सा लिया है कहीं न कहीं वे गुलामी का दर्द समझता है और गुलामी चाहे किसी भी प्रकार की रहे उस गुलामी से मुक्ति के लिए लोक सभा में महिलाओं के 33 परसेंट रिजर्वेशन आ रहा है। यह छाप है उसकी। इसलिए निश्चित तौर से नारायणसामी जी जो बिल लाए हैं मैं उसका समर्थन इसलिए कर रहा हूँ कि कहीं न कहीं उनके दिल में कसक है और वह कसक इसलिए है कि वह आजादी चाहता है। जनता के द्वारा चुने हुए प्रतिनिधि पर लोक सेवक राज करे यह कभी बर्दास्त नहीं हो सकता है। जनता के द्वारा चुने हुए प्रतिनिधि को ही शासन करना चाहिए। इसलिए मैं स्वामी अरविन्दो घोष के उस वाक्य के साथ, उस उपदेश के साथ अपनी बात प्रारम्भ करता हूँ। उन्होंने कहा था कि—सब के दर्द को अपने मन की गहराई से महसूस करना और अपने मन की गहराई से आपके दर्द को मैं महसूस करता हूँ। उपसभाध्यक्ष महोदया, तीन सौ साल फ्रेंच के अधीन रहने के बाद 1954 में पांडिचेरी को मुक्त किया गया और तब से लेकर वहां विधान सभा है। एम० एल० ए०

का चुनाव—हमारे जनप्रतिनिधि का चुनाव होता है। हमारे मित्र जी ने अभी बताया कि कई बार विधान सभा ने प्रस्ताव पारित कर-कर के कहा कि इसे पूर्ण राज्य का दर्जा दिया जाए। दुख इस बात का है कि हमारे नेता पूर्व प्रधान मंत्री श्री वी० पी० सिंह ने भी इस प्रस्ताव का समर्थन किया कि पांडिचेरी को पूर्ण स्टेट का दर्जा दिया जाना चाहिए। माननीय गृह मंत्री जी यहां हैं। चूंकि पांडिचेरी शांति और ज्ञान की धरती रही है, पांडिचेरी ने कभी हिंसा में विश्वास नहीं किया है। क्या उसी स्टेट को पूर्ण आजादी दी जाएगी जो हिंसा पर विश्वास करे? ऐसा कभी नहीं होना चाहिए। मैं चाहूंगा कि उस महान स्टेट को, उस महान धरती को निश्चित तौर से पूर्ण राज्य का दर्जा दिया जाना चाहिए। महोदया, अभी वहां पर प्रशासन माननीय गृह मंत्री के नियंत्रण में है। हर स्टेट, हर जनप्रतिनिधि यह चाहता है कि जो भी एडमिनिस्ट्रेशन हो वह जनप्रतिनिधि के मनोनुकूल चले, इसलिए कि जनता की भावना उनके साथ है, जनता अपना विश्वास जनप्रतिनिधि के साथ जोड़ती है और उसके द्वारा बनी हुई सरकार से जनता अपेक्षा करती है कि हमारे द्वारा चुने हुए प्रतिनिधि का शासन होना चाहिए, न कि प्रशासन तंत्र पर किसी राज्यपाल का। इसलिए उपसभाध्यक्ष महोदया, मैं श्री नारायणसामी जी के द्वारा लाए गए बिल का समर्थन करता हूं। लेकिन इस बात का मैं विरोध करता हूं, हमारे पूर्व माननीय वक्ता जी ने कहा कि कई राज्यों का बंटवारा भी होना चाहिए। इससे देश को फिर वहीं ले जाओ जहां से बड़ी मेहनत से गृहपिता पूज्य बापू और सैकड़ों लोगों की कुरबानी के बाद हमने भारत को आजाद किया है तथा रियायतों को जोड़-तोड़ कर हमने एक किया है।

ऐसा नहीं होना चाहिए कि हम राज्यों को खंड-खंड करके फिर वहीं पहुंचा दें जहां कि हम आज से ढाई-तीन सौ साल पहले थे। हम इस बात का समर्थन कभी नहीं कर सकते क्योंकि पांडिचेरी इस सवाल के साथ जुड़ा हुआ नहीं है। पांडिचेरी एक स्टेट है, वहां तीस विधायक हैं, छह मंत्री हैं, वहां चुनाव आयोग का गठन किया गया है। सारी व्यवस्था वहां है, केवल पूर्ण राज्य का दर्जा उसे दिया जाना है जिससे कि वह विकास कर सके और खुली हवा में सांस ले कर कोई निर्णय ले और काम कर सके। इसलिए मैं इसका समर्थन करता हूं। इसलिए नहीं कि राज्यों को खंड-खंड करके हम उसे रियायतों में बांट दें। इसका मैं विरोध करता हूं। राज्यों का बंटवारा निश्चित रूप से नहीं होना चाहिए। राज्यों को स्वायत्तता दी जा सकती है लेकिन उनका बंटवारा नहीं किया जा सकता है। बहुत मुश्किल से हमारे देश का युनिफिकेशन

हुआ है, एकीकरण हुआ है, अब हम क्यों चाहते हैं कि फिर से उन्हीं तत्वों के हाथ में, फिरकापरस्तों के हाथ में देश को सौंपकर राज्यों का बंटवारा करें और उन प्रतिक्रियावादी तत्वों को मजबूत करें? यह बात किसी भी सरकार के लिए अच्छी नहीं हो सकती है। इसलिए इस बात का मैं विरोध करता हूं। ज्यादा वक्त न लेते हुए श्री नारायणसामी जी के द्वारा पांडिचेरी को पूर्ण राज्य का दर्जा दिए जाने के संबंध में जो बिल लाया गया है, मैं इसका भरपूर समर्थन करता हूं। महोदया, आपने मुझे बोलने का समय दिया, इसके लिए आपको भी धन्यवाद करता हूं।

SHRI N. GIRI PRASAD (Andhra Pradesh): Madam, I support the Bill moved by Shri V. Narayanasamy to give full Statehood to Pondicherry. I would like to inform the hon. House that our party, CPI, took a decision in support of forming a separate State of Pondicherry a long time back. In our party congresses we passed two resolutions. Naturally, therefore, I am supporting this Bill. I would like to request the Union Government to consider it. These resolutions were passed when the hon. Home Minister had piloted them as General-Secretary of the party. Naturally, his heart also will go for forming such a State. I would also like to inform the House that recently the whole of Pondicherry came to Delhi. All MLAs, all Ministers, the Chief Minister and the Speaker, all these dignitaries came to Delhi. They met the leaders of various political parties and also the representatives of the Government. Moreover, that delegation consisted of representatives from all political parties, i.e. the BJP, the Congress party, the CPI, the CPI (M), etc. So it is a unanimous urge of the people that a full-fledged Statehood should be given to Pondicherry. There is no point in denying this right to the people of Pondicherry. When they came to meet us, we extended our full support. We also explained to them about the various resolutions passed by our party. In this context, I would like to raise one or two points. The formation of a State is not connected with bigness or smallness of a State. Because of French administration there for quite some time,

Pondicherry evolved for a separate Statehood. Now Pondicherry is a Union Territory with an Assembly. But they do not have a full-fledged Statehood. We are not dividing any State. We are not reorganising many State.

Presently, Pondicherry is a Union Territory. That is why it is all the more necessary that it should be given statehood. Hon. Members have mentioned that such States were formed in the North-East. We had small States. But it is not a question of small or big. It is a question of fulfilling the aspirations of these people. That is important. Recently, the Prime Minister announced the formation of the State of Uttarakhand. This was done not with a desire to divide the big State of UP. The UP Assembly had passed a unanimous resolution, not once but twice. Almost all the parties in UP had demanded the formation of Uttarakhand. The Uttarakhand people wanted a separate State. We are not demanding the reorganisation of the States. We are not thinking of dividing the States which are big. I heard one voice saying here that there is a demand for the formation of small States. It is not a question of small or big. We should not take up such issues because it will disorient the whole political atmosphere. If the formation of Uttarakhand or the granting of statehood to Uttarakhand is interpreted as reorganisation of States, if such an idea is entertained, it will disrupt the whole thing. Our country has got a bigger agenda and we have to address ourselves to it. The UP Assembly had passed a unanimous resolution. The people wanted to have a separate State. Hence, the State of Uttarakhand was formed. A state should be formed based on its own merit. That has been my approach and my party's approach. In this context, I feel that the entire House should support this Bill and prevail upon the Union Government to take immediate steps for the formation of the State of Pondicherry. I hope the hon. Home Minister and the leader of our party, who has been the General Secretary of our

party for quite some time now, will positively respond to this proposal on behalf of the Government. Thank you.

SHRI O. RAJAGOPAL (Madhya Pradesh): Thank you, Madam, for giving me this opportunity to speak. I will not take much time because two Members from my party have already expressed their views. I would only like to add a few other points. We support this Bill because our party basically believes that for effective administration, smaller States are more desirable. We are supporting this for historic reasons also. This State has been in existence for some time now. If it is given the status of a full-fledged State, it would help in the proper administration of the State. That has been the wish of the people also. Two days ago, a delegation of representatives of all political parties had come to Delhi from Pondicherry. They met the leaders of all political parties. That is also another reason why we should agree to the formation of the State. We are in favour of creating the State of Pondicherry. But I would like to make a special reference to one thing. There are two small areas the population of which is not more than 20,000 to 25,000. The area is Mahe. It is far away from Pondicherry. It is in the Cannanore district of Kerala. It is very difficult for the people from this place to reach Pondicherry. There is no transportation. It is very difficult. Therefore, even though we are in favour of creating a State, these two Assembly constituencies, Mahe and Palloor, which now form part of Pondicherry, should be retained in Kerala. There is no point in having two small villages situated at a very distant place to be a part of Pondicherry. With this modification, I think that it is desirable to give Statehood to Pondicherry. This is my point.

THE MINISTER OF HOME AFFAIRS (SHRI INDRAJIT GUPTA): Madam, Mr. Narayanasamy has been waiting and waiting day after day, week after week, in the hope that not only: his Bill will be adopted by this House but

that Governmental action also will follow in favour of separate Statehood for Pondicherry. I congratulate him for his tenacious and consistent struggle on this issue. Of course, he has the satisfaction of finding that the representatives of all the parties in the House have unanimously supported that idea of Statehood for Pondicherry. A reference was made just now to the fact that a big deputation, including MLAs, Chief Minister, ex-Chief Ministers, Speaker and so on, from Pondicherry, was recently in Delhi lobbying for this very issue. And I had the good luck and privilege of meeting them also. We had a prolonged discussion and exchange of views. I think that this question of recognition of identity of a certain community, certain area, certain people, is coming up in so many places. People are fighting for their identities. Ours is a vast country and we cannot try to submerge everybody's identity into one kind of a common pattern. This is not possible. It does not lead to unity. It leads to more and more tension and discord. And, sometimes, it may even to break up. I venture to say that in 10 years' time or 15 years' time,—I may be wrong, I do not know,—the way the developments are taking place in various parts of the country, I feel that the map of India will have changed a lot. The map of India to which we have become accustomed now will not remain the same. There will be new States. There will be new areas. There will be new autonomous regions. There will be new names. There will be new boundaries. And this is a process which, I think, is natural. It cannot be stopped. Madam, one of the places which is seeking a separate identity as a State is Pondicherry. I think that although they are very close to Tamil Nadu and perhaps the majority of people residing in Pondicherry—I am speaking of proper Pondicherry—are Tamil-speaking people or ethnically Tamil people, nevertheless, they have never been in favour of merging with Tamil Nadu. They want a separate State. To talk of the views of the party to which I belong—I have not

resigned from my party; I still belong to my party—what Mr. Giri Prasad said a little while ago is on record. That party has extended its wholehearted support to the demand for a separate State for Pondicherry, but I am also a member of the Cabinet. It is not a Cabinet represented by my party alone. There are 13 parties in this Government which the history has thrown up or an accident of history has thrown up. It was not a pre-planned thing. I don't want to go into all that now. The fact of the matter is that we have got a coalition a broad coalition, the broadest coalition, perhaps, this country has every seen, stretching from the North-East right down to the so-called regional parties of the South. They constitute a very broad base for this coalition and decisions, policy decisions, which are to be taken by such a Government, naturally, require a great amount of thought and consideration, some of which are reflected in our Common Minimum Programme, but not all.

And therefore, what I want to say on this particular question is, if it were a Government of the CPI, of course, I would have no difficulty in spelling out that we were going to introduce a Constitutional amendment and legislation in the very near future so that the people of Pondicherry can achieve what they want. But, it is also a fact that the Government of India, the earlier Governments—we have only been in power for three months—before this there were Governments for all these years—Madam, and they did not have, perhaps, the difficulty of functioning as coalition Governments, they were one party Governments mainly—could have taken decisions much more quickly and expeditiously. So, those Governments also never conceded this demand of statehood for Pondicherry. As a Government, we have not yet taken a final decision on this question, let me make it quite clear. As for two previous Governments—for whom I am not their spokesman and I don't want to plead their case at all—but, from what I came to know from the records of the House

Ministry after I assumed office—it was claimed that there were some factors which required consideration before a final decision was taken, and those factors were under consideration for a good many years. For example, one of the factors, I am told, which has been creating some kind of a question mark in the minds of the previous Governments was the fact—after all, all of us had been more or less reconciled to the view—that reorganisation of States which took place earlier was mainly done on a linguistic basis. There were bilingual States; there were trilingual States which the people converted into unilingual States. Bitter struggles were fought on that issue. Hundreds of people sacrificed their lives. The bilingual State of Bombay has now become a unilingual State of Maharashtra, but hundreds of people gave their lives for it. They died facing police bullets on the streets of Bombay. In order to realise the ambition of Andhra Pradesh, *Vishalandhra*, for which the Telugu people fought, we remember a martyr by the name of Potti Sriramulu sacrificed his life.

So, I don't want to go into more details. This has been a long struggle. It is basically a struggle for the cultural, social and ethnic identity of people who want that our country should not remain as it was under the British, but that it should be made of a mosaic of different communities, different people, speaking different languages, having different cultures, may be, belonging to different religions, but all living together in this country as citizens of one motherland.

Now Pondicherry has got a specific historical and cultural identity. There is no doubt about it. Even so many years after independence it is considered to be in India as the central window of French culture. In my own State of West Bengal, we had a similar French colony by name Chandanagar which is now, of course, merged with West Bengal. But somehow Chandanagar has not retained that kind of cultural identity which Pondicherry has

managed to retain. There is, of course, the Aurobindo Ashram and Auroville which are also cultural attractions for the people of the entire world who come there. I remember that during the days when the people of Pondicherry were fighting for freedom against the French colonialists, I am proud to say, the leader of our party, Comrade V. Subbaiah, was the foremost leading figure of that movement. The French were very clever as colonialists; they were not like the British. They even gave representation to leaders from their colonies in the French Parliament in Paris. The British never did that. They never could get to that stage of reconciliation. Comrade Subbaiah was several times elected to the French Parliament from Pondicherry. He used to make his journey from Pondicherry to France everytime to sit in the French Parliament as a representative of the people of Pondicherry. So, there is a long history, there is a tradition, there is a different kind of cultural and historical identity of Pondicherry which naturally the people there also have absorbed and today it is expressed in their desire for a separate State. Of course as somebody here has mentioned, the State of Pondicherry includes small enclaves, an enclave in Kerala and an enclave in Andhra and Pondicherry proper with Karaikal which is very remotely situated, far off from Yanam and Mahe. These are scattered pockets, the main centre being Pondicherry. I am told that this is one of the factors which was always inhibiting the mind of the Government of India in deciding what to do with this. When Goa was given Statehood, Daman and Diu which were part of the old Portuguese colony of Goa, were not allowed to be retained with Goa proper. They had to be separated. The State of Goa, which was given Statehood, does not include Daman and Diu. I do not know what is to be done in the case of Pondicherry, as a friend over here has said. One is an enclave within Kerala and another within Andhra Pradesh. Telugu-speaking people in one case and Malayalam-speaking peo-

ple in another case. But, anyway, these are fringe problems, I do not think they can be treated as major or decisive problems at all. We are well aware of the fact that the Legislative Assembly of Pondicherry, I think, on two occasions, had unanimously passed the demand for Statehood and, as Mr. Giri Prasad has pointed out, in the case of Uttarakhand, for the 9 hill districts of Uttar Pradesh also, the Legislative Assembly of Uttar Pradesh had on two occasions passed a unanimous resolution recommending a separate hill State for Uttarakhand.

As regards linguistic identity, I have mentioned, if you take Pondicherry proper, there is, of course, linguistic identity. As regards territorial contiguity, this factor was determined in the past on how to define a State. Territorial contiguity does not embrace the separate enclaves which are there in different States. As regards cultural unity, it is all right. As regards administrative viability, this was another question which I found from the records. It had been discussed over and over again in the Government of India in the Ministry of Home Affairs. Administrative viability is, of course, a weak point as far as Pondicherry is concerned, a very weak point. They have not been able to meet 50% of their expenditure from their own resources or from their local revenues. The remaining 50% or more has to be met completely from Central assistance and Central subsidies and that position, for the time being, I think, will have to continue for some time. These points were coming up over and over again. I am now speaking as a Minister. I think, the time has now come, in view of the aspirations of the people and the undeniable unanimity which is there behind this demand, the Government of India should try to meet it as expeditiously as possible. If this House passes a unanimous resolution also, I am sure, it will strengthen the hands of the Government of India in this matter and I would commend that this should be done. It looks as if it is going to be done. I do not agree with the idea that because there are very big States like

Uttar Pradesh and Madhya Pradesh, on the question of administrative convenience they should be broken up into smaller States. It is not a question of big or small States, it is a question of treating each case on its own merits. Of course, in some cases administrative convenience also has to be thought about. I know of Uttarakhand because people feel very strongly that it is not possible to govern effectively at all from Lucknow and they want it, apart from other considerations. Similarly, in Madhya Pradesh there is a movement going on for a separate Chhattisgarh State, one of the reasons being the whole State is geographically so unwieldy that it is really not possible for it to be administered conveniently from one State centre. These are also additional considerations which are being taken into account. But as far as Pondicherry is concerned, Madam, I think, they have a very, very strong case, an undeniable case which cannot be refuted and I have been personally very much in sympathy with this cause and I support it fully. I hope, this House, by passing a unanimous resolution would enable the Government of India as a whole to take a step which is long overdue, though officially I may say, that the stand of the Government, to which I belong, at the moment is not that they are against it in principle. They are not against it in principle but their argument is that the time is not yet appropriate. The time is not ripe yet. I do not know when it will be ripe and how it will be appropriate at any particular time. But, in view of what is happening in the country, I think, it is definitely a democratic aspiration of the people. In the whole country you are seeing it, Madam, that there is a mood growing everyday towards reorganisation in the sense of what the Sarkaria Commission has talked about.

SHRI INDRAJIT GUPTA: The Centre-State relations, the devolution of powers from the Centre to the States, the question of autonomy in different forms, in varying degrees, whether you have

separate States, whether you have autonomous District Councils, whether you have Union Territories, whether you have, as we were discussing in the House the other day, Statutory Development Boards for particular regions and all that, all these are different expressions of the urge of people for self-development, for self-reliance, for being able to develop according to their own desires and their aspirations which they have not been able to do at present, in the present structure within which we are functioning. Therefore, one of these is the case of Pondicherry. I think the Government of India will be—I am talking about the present Government—quite sympathetic and supportive to this cause and in view of that, I would request Mr. Narayanasamy to hold his patience for a little more time and not to press his Bill, to withdraw his Bill and I can assure him that the Government of India will give the fullest consideration to this demand to see that it is implemented as soon as possible. Thank you...(*interruptions*)...

SHRI PRANAB MUKHERJEE (West Bengal): We were worried that you would recommend to pass this Bill. Thank God, you have requested him to withdraw it.

SHRI INDRAJIT GUPTA: I cannot do that, because you may not pass it. How do I know?

SHRI V. NARAYANASAMY (Pondicherry): Madam Vice-Chairman, I thank the hon. senior Members of this House, Shri O.P. Kohli, Dr. B.B. Dutta, Shri Jalaludin Ansari, Shri Vayalar Ravi, Shri R. Margabandu, Shri Maheshwar Singh, Shri Sushilkumar Shinde, Shri Nilotpal Basu, Dr. Ranbir Singh, Shri Rahman Khan, Prof. Naunihal Singh, Dr. Jagannath Mishra, Shri Giri Prasad, Shri Naresh Yadav and Shri Rajagopal, who participated in the discussion. I am also thankful to the hon. Minister who gave his reply, one as a leader of the C.P.I. and another as the Home Minister. Madam, the hon. Members, irrespective of party considerations,

have supported the demand for Statehood.

The West Bengal Government, especially the CPM Members of the Legislature of West Bengal, are supporting the demand for Gorkhaland. The legislators of West Bengal signing a Memorandum and giving it to the Government for a separate Gorkhaland in West Bengal. The hon. Prime Minister has announced on 15th of August, from the ramparts of the Red Fort that Uttarakhand State will be formed. Madam, I tried to convince the hon. Minister on the demand which has been made by us. One secret was also leaked out by the hon. Member, Shri Giri Prasadji, that under the leadership of the then General Secretary of C.P.I., the hon. Home Minister, when he was presiding over the meeting of the National Executive of their party, a resolution was unanimously adopted in the National Executive for grant of Statehood for Pondicherry.

[The Vice-chairman (Shri Md. Salim) in the chair]

Hon. Vice-Chairman, Sir, here the hon. Minister relied upon three or four points which I would like to answer because being the mover of the Bill it is my duty to do so. First of all the hon. Minister has talked about the linguistic States.

6.00 P.M.

As far as Pondicherry is concerned, though we have four pockets—Pondicherry, Karaikal, Mahe and Yanam—it has a common cultural identity. The hon. Minister was saying that Mahe was in Kerala and Yanam in Andhra Pradesh. But I would like to point out to the hon. Minister that we have five official languages—English, French, Tamil, Telugu and Malayalam. These five languages have been accepted as the official languages of the Union Territory. Sir, the people who are living in Mahe—everybody—speak Tamil, the common language. The people who are living in Yanam also speak Tamil. The people

who are living in that region are not finding it difficult, administratively or otherwise, to have regular contracts with the other parts of the Union Territory. Therefore, the question of linguistic identity does not arise.

There was one proposal mooted by the hon. Member, the senior Member from the BJP, Mr. Rajagopal. I expected it from the BJP Member because the BJP would never agree to anything unless they add a rider to it. But unfortunately—I would like to point this out to him—his party unit in Pondicherry is not in favour of the proposal put forward by him in this House. He wants Mahe to be taken by Kerala. That is the demand made by him.

SHRI E. BALANANDAN (Kerala): Kerala?

SHRI V. NARAYANASAMY: Mahe should be given to Kerala. That is what he said.

All kinds of sweeping remarks they would make. But one thing he has forgotten. There is a Historical background of Pondicherry. The hon. Member has forgotten it.

Sir, there is a treaty, Treaty of Accession, signed in 1954 between the Government of India and the French Government, wherein it has been clearly stated—this has been referred to by the hon. Home Minister also—that the cultural identity of Pondicherry territory would be maintained. This is one thing.

Secondly, if they want to change the existing arrangement, or, even merge one pocket with any State, there has to be a referendum. The wishes and the aspirations of the people of the territory should be taken into consideration. Therefore, it is not as if that somebody can just say in the House that Mahe should be merged with Kerala and Yanam with Andhra Pradesh. That is not the question at all. It is a question of international agreement. The Minister of External Affairs is also sitting here. We have to honour the international agreement.

Therefore, when Pondicherry is being considered as the window of French culture, as was said by Pandit Nehru, its cultural identity has to be maintained. This is one thing.

Secondly, the question of contiguity. The hon. Minister said 'territorial contiguity'. That is what he was referring to. Take the case of North-East. Take the case of some other States. Territorial contiguity is not the only criterion for the purpose of granting Statehood, or, a particular status to an area. The main consideration is: the wishes and the aspirations of the people.

I would like to remind the hon. Home Minister about one thing here. He might have forgotten history. When Shri Morarji Desai was the Prime Minister, he announced: 'I would like Pondicherry and Karaikal to be merged with Tamil Nadu: Mahe with Kerala and Yanam with Andhra Pradesh. I do not want it to remain as a Union Territory'. Immediately after the announcement, Pondicherry was in flames. Hundreds of people were killed in police firing. There was a law and order problem. Ultimately, Shri Morarji Desai had to take back the announcement which he had made.

Therefore, it is a sensitive issue. One can very easily say in the House that one pocket should be merged with Kerala and the other with Andhra Pradesh. But you have to take into account the wishes and the aspirations of the people. You have to take into account the sentiments of the people. The point of territorial contiguity, which the hon. Minister was referring to, is not valid. Fortunately, he agreed in regard to cultural identity. In all the four pockets, the same cultural identity, a mixture of Indian and French culture, is there. It is being maintained even today.

I would like to inform this august House that it is not just that there is one Member in the Lok Sabha, and one Member in the Rajya Sabha, representing Pondicherry. Even today, Pondicherry is

represented in the French Parliament by one Member. This is because there is dual citizenship. The French people who are settled in Pondicherry elect one person from among themselves who represents them in the French Parliament. It is there even today. It is continuing there. Therefore, let us not take the issue so lightly.

The hon. Minister said about administrative viability, which point I would like to dwell upon, because administrative viability is a debatable point.

SHRI INDRAJIT GUPTA: Financial viability.

SHRI V. NARAYANASAMY: Financial viability is a debatable point. Take, for example, the case of Bihar and Andhra Pradesh. Those States have got full Statehood. Some of the States are not able to pay even salaries to their employees. Then, are you going to withdraw Statehood from them? It is going to be there. And you are giving 90 per cent grants to the North-Eastern States and 100 per cent grants to Jammu and Kashmir.

The basic problem for us is, Tamil Nadu and Pondicherry have been under constant threat from the LTTE, in the coastal areas. The hon. Minister has to consider that also. Shri Lanka is hardly 100—150 kilometres away from Karaikal, and the speed-boats that the LTTE has got can reach the coastal areas of Tamil Nadu and Pondicherry within one or one and a half hours—I raised the issue several times. And they are smuggling petrol, diesel and groceries. This is going on. The Government of India, in spite of its best efforts, has been able to prevent it only to a certain extent. Therefore, when it is a question of national security in this territory and in the coastal areas, you have to give protection to them. This is also one of the reasons why we are claiming it.

Therefore, financial viability, territorial contiguity, cultural unity, linguistic base,

are all there. The hon. Minister saying that the areas are different is not a point of consideration.

Now the Government has to have the political will. You have to decide on political considerations because the bureaucracy is there only to deny everything. Whether the hon. Home Minister is greedy to get more powers and administer my State, sitting in Delhi—through remote control—it is left to him. But you say that that you want decentralisation of power—it is one of the points in your Common Minimum Programme. But I find that you are greedy to get more powers, ignoring your Common Minimum Programme.

SHRI INDRAJIT GUPTA: How did you find that out?

SHRI V. NARAYANASAMY: Because the hon. Minister is supporting me only 50 per cent. I want 100 per cent support from the hon. Minister. That is why I am saying this. When you say decentralisation of power and giving more power to the regional parties, to hear it is good, but when it comes to implementation, you are going back to square one. Therefore, I hope the hon. Minister will consider this. The hon. Minister gave some reasons. I have met each and every one of them and the reason given by the hon. Minister cannot stand the scrutiny of facts. That I would like to tell the hon. Minister.

I would like to submit further that the people want it, the political leaders want it, the legislators want it and hon. Members of Parliament want it. What more does the hon. Minister want? Hon. Members of Parliament, irrespective of parties, support my stand. Once Rajivji said that he concept of Union territory should not be there on the Statute Book. The only consideration is—and I agree with it—that when the Congress Government was there, they were saying that the international agreement has to be honoured. It has to be honoured. It is an international commitment. The

agreement entered into between the Government of India and the Government of France has to be honoured. For that, cultural identity has to be maintained. If there is any question of merging one territory with another State, there should be a referendum.

Recently—the hon. Minister also stated it—the hon. Minister was kind enough to receive the delegation of Chief Minister, Council of Ministers, political leaders, former Chief Ministers and MLAs of the State. They met all the political leaders, they met the hon. President of India, the hon. Prime Minister, the hon. Home Minister and leaders of the Congress Party, leaders of BJP, leaders of CPI (M), leaders of CPI, leaders of AI-ADMK, leaders of DMK and leaders of TMC. They have met all these leaders. All of them unanimously supported the move. In the House also the hon. Minister saw the tenor of the discussion. All the political parties are supporting it. The hon. Minister has rightly mentioned this. I am very glad that he said that the need had arisen and that, therefore, it had to be done expeditiously, as early as possible. This is what the hon. Minister has said about giving statehood to Pondicherry. In the same tenor the hon. Minister said that we would have to wait for some time.

I came to Parliament in 1985. In 1986 I raised the demand. Now we are in 1996. More than ten years have passed. Earlier we found that the population was the criteria. Then they put forth the same argument that was given by the hon. Minister. Then it was said, "Delhi is getting the State status. After that we will consider it." Now they are going back to the 1986 position. They are saying that there are blockades. Therefore, I submit to the hon. Minister that this is not a question to be given a partisan consideration. Kindly do not go by the bureaucracy. Now there is demand for other States. The only apprehension I find is that the officers say "Look, what are we going to do for Delhi?" When the people of Delhi want you to help them,

help them also. But, showing Delhi, the status of Pondicherry should not be diluted.

Sir, the hon. Minister was talking about the financial viability. The then Chief Secretary and also a Professor in the Department of Economics did their home-work and submitted a paper on that to the Finance Ministry.

I submit that the hon. Minister has been giving 40 per cent grant and 60 per cent is the mobilisation of resources from the State. I dispute the figure given by the hon. Minister. It is on record.

SHRI INDRAJIT GUPTA: I have also got figures.

SHRI V. NARAYANASAMY: Sometimes what is happening is that you are not giving us a share in the Central Sales Tax and in the Central Excise Duty. You are not giving us grants from the Calamity Relief Fund. These matters should also be considered.

Here, what happens is that on every matter, whether it is a question of administration or it is a question of planning or it is a question of natural calamities, we have to go to the Home Ministry. What does the Home Ministry do? It has got pressure of work. Whenever we make a representation, we ourselves have to run after the file. Ultimately it takes minimum two to three years. Our main grievance is against the Home Ministry only. The Home Ministry is sitting tight on every file. Sitting in Delhi, 2,400 km. away from Pondicherry, they want to rule over the Union Territory of Pondicherry.

Apart from that, as far as the financial aspect is concerned, they are not providing funds even for the purpose of developmental schemes and programmes and they are treating us on par with other States. The hon. Minister says that there is no financial liability. They wanted to delay all these matters.

I want a categorical assurance from the hon. Minister in this House. They should decide about it just now in the House

Let the hon. Minister make an announcement. I am very glad that the hon. Minister has said that the Government agreed on it in principle. I want to know from the hon. Minister when the Government is going to give full statehood to Pondicherry.

Sir, I apprehend that the Central Government will ignore the wishes and aspirations of the people. When we met the hon. Prime Minister about two days back, he went through the memorandum submitted by the Chief Minister. He said, "We are considering your demand favourably." This was the reply given by the hon. Prime Minister. The President of India was also very sympathetic. Leaders of various political parties are also supporting the move. Therefore, where is the bottleneck? I have given my reply to the various points raised by the hon. Minister. Where is the bottleneck? Where is the problem?

Let the hon. Minister explain to me and then bring a Government Bill in this House. The people of Uttarakhand demanded a separate State only about two or three years back and you are acceding to their demand; but when there has been a demand for Gorkhaland and it has been supported by your coalition partners and the CPM, their demand is pending for several years and it has been totally ignored.

SHRI NILOTPAL BASU (West Bengal): I think that is not the position.

SHRI V. NARAYANASAMY: This is my information about West Bengal.

SHRI NILOTPAL BASU: Whatever your information, but that is not the position. You speak about Pondicherry. Don't mention about West Bengal and the Darjeeling areas. That is not a fact. You don't talk about the stand of other parties. Don't take up their responsibility unnecessarily. (*Interruptions*) Since you are saying something, I want to put the record straight. What you are stating is not a fact.

SHRI V. NARAYANASAMY: I will tell you on another occasion, not now, because I do not want to vitiate the atmosphere.

Sir, the hon. Home Minister can agree, because the hon. Minister was also suggesting this. He was kind enough to say that a resolution can be brought in this House and passed. That is what he said. The Government can accept this Bill and then it can bring a fresh Bill on Pondicherry after the rules and regulations are vetted by the Law Ministry and then pass it, so that we can say that the hon. Minister is supporting the stand as is claimed by all the political parties. I hope the hon. Minister will agree to that. When all the parties are supporting and the Government is supporting, the hon. Minister can favourably respond.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Home Minister, do you want to respond to his request?

SHRI INDRAJIT GUPTA: I am sorry, I cannot accede to the request that I must immediately here and now announce exactly when this demand is going to be accepted in the form of a Bill or a decision of the Government. The Government has to function on the basis of collective responsibility. I think, Mr. Narayanasamy need not visit the sins of the previous Government, which belonged to his party, on my head. All these things that he is narrating were happening in the past years when his Party Government was here. Our Government has come only now. The Government has to collectively go into the whole question and then come to a proper decision. He has himself admitted that the Prime Minister's reaction was favourable when a delegation met him. Rashtrapati Ji's reaction was also very favourable.

SHRI V. NARAYANASAMY: And the hon. Home Minister's reaction was very favourable.

SHRI INDRAJIT GUPTA: Yes. Then why do you insist? Kindly withdraw it and give the Government an opportunity to see that the assurance that it is giving, the sympathy it is showing is translated into legislative practice.

SHRI V. NARAYANASAMY: Sir, in the light of the assurance given by the hon. Minister that the Government will bring a new Bill.....(*Interruptions*)

SHRI R.K. KUMAR (Tamil Nadu): Sir, it should be a New Year gift. (*Interruptions*)

SHRI INDRAJIT GUPTA: It will require a Constitutional amendment. (*Interruptions*)

SHRI PRANAB MUKHERJEE (West Bengal): Say, at the appropriate time. (*Interruptions*)

THE VICE-CHAIRMAN (SHRI MD. SALIM): Don't frame sentences.

SHRI V. NARAYANASAMY: Sir, my only demand is let the Bill be brought into this House by the Government in the next session of Parliament. At least that can be told by the hon. Minister.

SHRI INDRAJIT GUPTA: It would come at the appropriate time. Mr. Narayanasamy, has made a forceful plea. He made a lengthy speech. I am sure it would do him a lot of good in Pondicherry. So, please don't press for it.

SHRI V. NARAYANASAMY: This plea is not only of mine, but also yours. When you visited our State as a General Secretary of the CPI, a delegation of political parties met you. You supported the move. Now, sitting as Home Minister you want to delay it. I know that you have got a mind to help us.

SHRI PRANAB MUKHERJEE: He has agreed to bring it at the appropriate time.

THE VICE-CHAIRMAN (SHRI MD. SALIM): He has promised to bring it in the next session. He would consider it.

SHRI N. GIRI PRASAD: He would bring it in the next session of Parliament.

SHRI V. NARAYANASAMY: This is my request. I would request the hon. Home Minister to bring the Bill in the next session of Parliament because he knows the problems of the people of the State more than anybody else. As a General Secretary of the CPI.....

SHRI INDRAJIT GUPTA: I am not General Secretary of the party.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Narayanasamy, with this request, are you withdrawing it?

SHRI V. NARAYANASAMY: The hon. Minister is getting agitated. As a General Secretary of the CPI, he visited our State. That is what I was telling him. I know that now he is not a General Secretary of the CPI, but he is Home Minister.

As the hon. Home Minister said that the Government would come forward with a Bill at the appropriate time I withdraw my Bill.

SHRI INDRAJIT GUPTA: Thank you.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Has Shri Narayanasamy the leave of the House to withdraw the Bill?

SOME HON. MEMBERS: Yes.

(*The Bill was, by leave, withdrawn*)

THE CONSTITUTION (AMENDMENT) BILL, 1992

(to amend article 77)

SHRI M.A. BABY (Kerala): Mr. Vice-Chairman, Sir, I move:

"That the Bill further to amend the Constitution of India, be taken into consideration."

Thank you very much for having permitted me to commend this Bill for consideration of the House. The Constitutional (Amendment) Bill seeks to amend article 77 of the Indian Constitu-