

देता । वे तो मेरे बड़े भाई के समान हैं ।”

भारत के प्रथम गवर्नर जनरल राजाजी “यंग इंडिया” के सम्पादक थे । उसमें उन्होंने सम्पादकीय में 6 जुलाई, 1922 को लिखा—

“Even Malaviyaji's Constitutionalism has a limit beyond which it can no longer bear the weight of executive illegality. He is reported to have deliberately broken the prohibitory order served upon him by the District Magistrate of Gorakhpur and the SDO of Deoria Kasia and addressed five public meetings in defiance of the orders. The Government must choose to allow the prohibitory orders to remain as dead letter or accept the challenge and face the breakdown which must inevitably result if they imprison a person so innocent and universally respected as Pandit Madan Mohan Malaviya. The Civil disobedience offered by Malaviyaji would be ideal. It would be that of a man who has been giving willingly and perfect submissions to the laws so long as it was humanly possible to do so and who disobeyed without illwill or anger. It is such acts of individual civil disobedience almost perfect in quality, though few in number, that will keep the national struggle for freedom fully alive behind the apparent calm of the people and ultimately by the irresistible pressure of their mutual faces break the Government.”

मान्यवर, जवाहरलाल जी की आटो-बायोग्राफी है उसमें उन्होंने इस बात की बर्फी की है —

“Pandit Madan Mohan Malaviya, with his long record of public work, attracted us, of course, and we used to have long talks

with him, pressing him to give a brave lead to the country.”

मान्यवर, संसद के केन्द्रीय कक्ष में जब उनके चित्र का अनावरण 19 दिसम्बर, 1957 को हुआ उस समय देश के राष्ट्रपति, उपराष्ट्रपति और हमारे लोकसभा के अध्यक्ष तथा प्रधान मंत्री उपस्थित थे । और मैं इस लिये ध्यान आकषित करना चाहता हूँ कि दिसम्बर, 1961 में जब सदन मोहन मालवीय जी का शताब्दी समारोह मनाया जा रहा था तो उस के अध्यक्ष तत्कालीन राष्ट्रपति डॉ० राजगोपालन जी थे और मध्य जवाहरलाल जी ने उस का उद्घाटन किया था और उस समय अपने भाषण में जवाहरलाल जी ने कहा था कि :

“मैं मालवीय जी का अत्यधिक आदर करता था । युवावस्था में जब विलायत से लौट कर आया तो भारती भवन पर उन से मिलता था, प्रश्न किया करता था और वह मुझे समझाया करते थे । कभी कभी मैं महामना से उलझ जाया करता था, परन्तु वह सदैव बड़े मीठे परन्तु पुरस्सर तरीके से मेरी शंकाओं का समाधान किया करते थे ।”

मैं ने यह विशेष उल्लेख इस लिये किया है कि सरकार का ध्यान इस ओर आकषित हो और उन के जीवन से इस देश के युवा वर्ग को प्रेरणा मिले और मेरा निवेदन है इस सदन के माध्यम से कि राष्ट्रीय स्तर पर इस के लिये एक समिति बनायी जाये और उन का जो 125वा जन्म दिवस है इस सिलसिले में राष्ट्रीय स्तर पर कुछ कार्यक्रम बनाये जायें ।

(I) THE CONSTITUTION (FIFTY-THIRD AMENDMENT) BILL, 1986

(II) THE STATE OF MIZORAM BILL 1986

MR. DEPUTY CHAIRMAN: The Constitution (Fifty-third Amendment)

Bill, 1986 and the State of Mizoram Bill, 1986 may be discussed together. Mr. Buta Singh.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): I move:

"That the Bill further to amend the Constitution of India, as passed by the Lok Sabha be taken into consideration."

Sir, I also move:

"That the Bill to provide for the establishment of the State of Mizoram and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

Sir, on the 21st July, 1986, I had made a *suo moto* statement in this House on the Memorandum of Settlement of Mizoram. I had occasion to clarify some of the misgivings expressed by the hon. Members of this august House.

Sir, I had mentioned during the course of my reply to the points raised by hon. Members that the Government stands committed to the implementation of the settlement subject to fulfilment of the conditions laid down in the Memorandum by the Mizo National Front.

The Mizo National Front has since amended their Articles of Association so as to conform to the provisions of law. They have discarded the so-called Constitution of Mizoram based on the assumption that Mizoram is an independent State. They have also abrogated and set aside so-called 'declaration of independence' announced on the 1st March, 1986.

As envisaged in the Memorandum, the process of MNF coming over-ground with their arms, ammunition and equipment, as per the time frame worked out has also been completed. 534 MNF personnel have come over-ground. This excludes their 154 family members.

In the light of this development, we have come forward with the proposed legislative measures which are now before this august House for consideration. The Constitution (Fifty-Third Amendment) Bill, 1986 gives effect to the amendments mentioned in paragraph 4.3 (II) and 4.3 (III) of the Memorandum of Settlement on Mizoram.

Protection of customary laws, social practices of Mizos, administration of civil and criminal justice etc., have been provided for in the Constitution in respect of Nagaland also. Article 371 G recognises the differences between the needs of social conditions in Mizoram and the various stages of development of different parts. Apart from customary laws and social practices, this article seeks to protect administration of civil and criminal justice involving decisions according to Mizo customary laws. People in backward tracts cannot be expected to make themselves aware of the technicalities of a complex code like the Civil Procedure Code or the Criminal Procedure Code. Sir, even today, Civil Procedure Code and the Criminal Procedure Code are not applicable to Mizoram as such. But the Courts are to follow the spirit of these Codes in the proceedings. The problems of the North-East have to be tackled with care, sympathy and tact; what is necessary is a careful, enlightened and a pragmatic approach to the problems. The Bill embodies the hope generated by the Memorandum of Settlement among the Mizos that their culture and way of life will not be undermined by outside forces. I would like to mention here that the Constitution makers had realised that the assimilation of the people of tribal areas in the North-Eastern region with the rest of the country would not take place by the breaking up of tribal institutions. What was required was growth through evolution on the old foundations. This meant that the evolution should come as far as possible from the tribes themselves. Failure to appreciate this aspect has given rise

to ill-informed criticism about the Memorandum of Settlement on Mizoram.

The existing Union territory Assembly of Mizoram has 30 elected Members and 3 nominated Members. The Bill seeks to provide that the Legislative Assembly of the State of Mizoram shall consist of not less than 40 Members.

The State of Mizoram Bill, 1986 again seeks to give effect to the provisions of the Memorandum of Settlement on Mizoram relating to the conferment of Statehood on the Union territory of Mizoram and other connected matters. The Bill seeks to establish a new State of Mizoram comprising the territories of the existing Union territory of Mizoram. The date on which the new State of Mizoram shall be established will be notified by the Central Government in the Official Gazette. The Bill also provides that on or from the appointed day the total number of the seats in the Legislative Assembly of the State of Mizoram to be filled by persons, chosen by direct elections, from Assembly constituencies shall be 40. As the number of seats in the Assembly is sought to be raised to 40, delimitation of the constituencies will be necessary. The Bill provides for delimitation of the Assembly constituencies by the Election Commission according to the procedure generally followed by the Delimitation Commission.

At present, the jurisdiction of the common High Court for the States of Assam, Nagaland, Meghalaya, Manipur and Tripura, called the Gauhati High Court, extends to the Union territory of Mizoram. The Bill provides for common High Court for the States of Assam, Nagaland, Meghalaya, Manipur, Tripura and Mizoram to be called the Gauhati High Court. The Memorandum of Settlement provides that as soon as Mizoram becomes a State, it will be entitled to have a high court of its own, if it so wishes, in the light of the Prime Minister's statement made at the Joint Confer-

ence of the Chief Justices, Chief Ministers and the Law Minister held at New Delhi on 31st August, 1985.

Because of the prolonged isolation of the North-Eastern area from the rest of the country, the economic backwardness of the region and the remoteness of the area, it is essential to generate a feeling among the people of this region that their land, culture and way of life will be secure from any inroads of people from outside. The multi-pronged efforts of the Government which encompass maintenance of law and order, faster economic development and political approach have started yielding dividends in this region. The process of speeding up economic development of the region and the strengthening of links between this region with the rest of the country are bound to have the desired impact. The Memorandum of Settlement on Mizoram and the package of various schemes for Mizoram announced by the Group of Ministers during their recent visit are steps in the direction of enabling the people of Mizoram to join the national mainstream. The people of Mizoram have realised that the disturbed conditions of the last two decades had caused a serious setback to the peace, progress and overall development of Mizoram. They have also realised that they can derive positive gains only by being participants in the overall development of the country.

To the people of Mizoram, the Memorandum of Settlement is a symbol of their hopes and aspirations and ushers in a new epoch for them towards progress and peace. Against this background, I welcome Mizoram as the 23rd State of the Union of India.

Sir, I commend the Bill for the consideration of the House.

The questions were proposed.

MR. DEPUTY CHAIRMAN: Now, before I call the first Speaker, I call Shri Rajesh Pilot to make the statement. (*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE (Madhya Pradesh): Sir, earlier, the statement was made by Smt. Mohsina Kidwai. Today it is Rajesh Pilot. Who will come tomorrow? Sir, this is not the way to treat this House.

MR. DEPUTY CHAIRMAN: She is not here and he is giving the available information.

THE MINISTER OF STATE IN THE DEPARTMENT OF SURFACE TRANSPORT (SHRI RAJESH PILOT): Sir, I want to make a submission in regard to what the hon. Member has said.

Sir, Mrs. Kidwai has left the site and she will be here any moment. I also share the feeling of Mr. Vajpayee. We did not want to keep the House uninformed. So we had written a letter to the hon. Chairman so that whatever information was available with the Department could be given to the House. So we wrote to the Chairman saying that we were ready with the statement, so that the House may not say that we are not keeping it informed. She will be here any moment and if the House agrees, after her return the statement may be made. She has been there and she has seen it personally.

SHRI DIPEN GHOSH (West Bengal): That would be better.

SHRI ATAL BIHARI VAJPAYEE: The suggestion is that the statement need not be made now. Let us wait for the return of Mrs. Kidwai. The House can have the latest information.

SHRI RAJESH PILOT: I agree.

MR. DEPUTY CHAIRMAN: Yes, it is agreed. Now, Mr. Sukomal Sen.

SHRI SUKOMAL SEN (West Bengal): Sir, at the outset, while dis-

cussing the two Bills in regard to granting of Statehood to Mizoram and making of special provisions in the Constitution for the people of Mizoram, from my party and on behalf of myself, I would like to convey my good wishes to the people of Mizoram and I very much wish that peace and tranquillity is restored to Mizoram as soon as possible and they march towards progress and prosperity. But while discussing this Bill, I cannot forget the situation in which the Mizoram accord was signed. I have not stood up to oppose the Bill. I am not opposing the Bill. Rather I would support the Bill. But if I support the Bill simply, forgetting the past, the circumstances under which the accord was signed, I think I will be failing in my duty.

Sir, this accord came to us after more than two decades of armed struggle and insurgency in that part of the country. I am not one of those who condemn an armed struggle outright. People in various parts of the world have taken to arms. But for what cause? For nobler causes, for liberation, for independence, for social revolution, they took to arms. Currently also in South Africa, the people have taken to arms for dismantling apartheid, for freeing themselves from the apartheid regime. In Namibia an armed struggle is going on. So armed struggle as such is not condemnable. It may have to be done for nobler causes. But what was the cause for the armed struggle in the last 20 years in Mizoram? That we have to understand. This struggle was conducted by Lal Denga and his men for seceding from India for having a separate country. That was their intention, and for that they took to armed struggle. For that they made their bases in the Chittagong Hill Tracts in Bangladesh and the Arakan hills of Burma. Lal Denga himself went to London. He shifted to London and he guided the armed struggle, remaining under the protective umbrella of the British

[Shri Sukomal Sen]

Government. And what is that British Government? One of the arch reactionary Governments, an imperialist Government, which is now supporting the apartheid, which is standing behind the apartheid regime, which is standing for all reactionary regimes in the world. Under such protection, Lal Denga conducted an armed struggle for secession of Mizoram from India. This is the background. Clearly it means that the entire struggle conducted by Lal Denga and his men, the MNA, was inspired and guided by the imperialist forces. And what for? For disintegrating our country. They are doing it in Mizoram, they are doing it in Nagaland, they are doing it in Tripura, they are doing it in Punjab, and they are trying to do it in Kashmir also. In various parts of the country these imperialist forces are conspiring to dismember our country. The latest instance is in West Bengal—the Gorkha Land movement. The leader of Gorkhaland movement, Subash Ghising, recently said, after the conclusion of the Mizoram Accord—it is on record in the press—that Mizoram is getting statehood after 20 years of armed struggle, we will get statehood after five months of armed struggle. So it has given inspiration to other secessionists—that is, the Gorkhaland movement leaders also. Can we forget its repercussions? Can we forget the repercussions the Mizoram Accord is creating throughout the country? We cannot. So these are the misgivings and I have great doubts about proper implementation of this Accord, how far peace will be restored in Mizoram. I have already said and sometimes repetition is necessary, Lal Denga, after concluding the treaty, went back and again raised the slogan of Greater Mizoram. Can we forget what he has said? He said, "In the Accord we have not mentioned Greater Mizoram for the sake of the Accord, but we cannot forget Greater Mizoram we have put

it off for the sake of the Accord." It means the concept of Mizoram, the imagination of Mizoram comprising various parts of the neighbouring States is still working in their minds; not only in the mind of Lal Denga but in the minds of his lieutenants also. So, nobody can say what will happen to our future. We have signed so many accords—the Punjab Accord, the Assam Accord, and so on. We know the results of the Accord in Punjab, how it is being implemented, how far peace is restored in Punjab. It is all history. I am not saying anything about Assam now. Punjab is much bigger than Assam. So, what this Accord also will bring to the people of Mizoram or the people of India, history alone can tell us. But as political workers, we can guess that imperialists are conspiring to dismember our country through Lal Denga and MNF. They will not lie dormant. They will not be sleeping. They will try to find out other outlets: they will try to utilise Lal Denga and his men in a different way to commit the same mischief that they have committed for the last twenty years or more.

Now about the special provisions and statehood. I am not opposed if statehood is given to Mizoram, if special provisions are made for Mizoram and its people. If by statehood, by the special provisions, peace is restored to Mizoram and prosperity of the people of Mizoram is guaranteed, I have no objection. How do we implement it? Mizoram has a population of only less than five lakhs. The Prime Minister has promised statehood to Arunachal Pradesh also. There are other Union Territories also which are claiming statehood. I am not opposing them. In Delhi there is a claim for granting statehood. In Andaman and Nicobar Islands they are claiming statehood. The Government should have laid down a policy. Once you grant statehood to Mizoram or then to Arunachal Pradesh as you have already promised, then the other Union

Territories also come up with their demand. I am not inclined to stand in the way of granting statehood to Delhi and Andaman and Nicobar. Rather I would plead for them. But what will be the Government policy?

SHRI DHARANIDHAR BASU-MATARI (Assam): Why not Gorkhaland?

SHRI SUKOMAL SEN: I am coming to that. If you compare Delhi and Gorkhaland as equal, I very much doubt your knowledge of history.

SHRI DIPEN GHOSH: Of all persons you are demanding Gorkhaland, (*Interruptions*). Your Assam will be dismembered four or five times more. Do not forget it. (*Interruptions*).

SHRI SUKOMAL SEN: If you are a proponent of the demand for a Gorkhaland, then let it be recorded that you are a supporter of Gorkhaland. (*Interruptions*).

Sir, there should be a laid-down policy for granting of Statehood to the Union territories. Now, Sir, I come to the special provisions with regard to Mizoram. There are so many things in this Bill. Clause 2 inserts a new article, 371G, in the Constitution and it says like this:

"371G. Notwithstanding anything in this Constitution.—

(a) no Act of Parliament in respect of —

(i) religious or social practices of the Mizos,

(ii) Mizo customary law and procedure,

(iii) administration of civil and criminal justice involving decisions according to Mizo customary law,

(iv) ownership and transfer of land,

shall apply to the State of Mizoram unless the Legislative Assembly of the State of Mizoram by a resolution so decides;"

For the protection of the ethnic and cultural and religious identity of Mizoram, Parliament may enact a law. I welcome it and I will welcome it. But I would like to point out one contradiction that is there and that will be there in Mizoram itself after guaranteeing all these things through the special provisions for Mizoram. Now you have provided that the Gauhati High Court is for Assam, Nagaland, Meghalaya, Manipur, Tripura and Mizoram. Now, this High Court will conduct its activities and it will dispense justice according to the law of the land, according to the law as passed by Parliament. The High Court will have its Benches and lower courts in Mizoram also. Now, in this situation, there will be one set of justice which will be dispensed to the people of Mizoram. But, through this Bill, another set of justice, on the basis of the customary law and religious practices of the Mizos will be dispensed to the people of Mizoram. So, now two types of justice will operate in Mizoram after the Bill comes into force. I would like to know from the honourable Minister how he is going to reconcile this contradiction. Suppose some incident takes place involving two Mizos. This incident, this case, may be tried according to their customary law. But suppose some conflict takes place between one Mizo and another Indian national who resides in Mizoram. How will this conflict be resolved? Through what law? Through the High Court, through the laws of the land or through the the special customary practices of the Mizos? This is what will happen. Also I came across a memorandum submitted to the Prime Minister on behalf of the Chakmas residing in the Union territory of Mizoram. I am not supporting their contention and what they have said in this memorandum. But they have raised one point. What will

[Shri Sukomal Sen]

be the guarantee or special arrangements for the protection of the social and religious and customary practices of the Chakmas in Mizoram since they are the permanent settlers in that particular part of India? Now, Sir, about sixty thousand Chakma people are there. There may be some other small tribal groups also in Mizoram. Sir, there are some people who belong to other States, but who work in Mizoram, either as traders or as Government employees, and there may be others too. So, how will those various ethnic groups be guided in a criminal case or in a civil suit? Will it be through the High Court or on the basis of the customary practices? So, these conflicts would arise and this contradiction is there. I would like to know from the honourable Minister how he is going to resolve these conflicts and contradictions. Now, Sir, there are other problems also. It is about the border trade. Of course, the hon. Minister clarified how the border trade will be controlled. But since border trade is allowed, there will be immense possibility of large-scale smuggling on the border of Mizoram. How is the Government going to ensure that smuggling does not take place? Smuggling takes place. We know that. If border trade is allowed, it will encourage large-scale smuggling on that border. I would like to know from the hon. Minister how he is going to check it.

There are other issues. After the Accord, Laldenga is going to be made the Chief Minister, perhaps on the 12th of August. I don't know. Now, he will be the Chief Minister. His men will be in the Cabinet. They will be in the Government. I would like to know from the hon. Minister whether the Government has become sure by this time that all the arms and ammunition which are in the possession of MNF have already been surrendered to the Government. Laldenga is opposed to the word 'sur-

render'. He says if I am asked to surrender anything, I am the last person to surrender. It may be surrender or laying down. You may use whatever words you like. I would like to ask whether the Government of India is sure that all the arms and ammunitions that are in the possession of MNF have already been laid down before the Government.

Then, what is the number of MNF personnel and have all of them come overground? Have all of them surrendered to the Government? There are reports that Laldenga has sent his men and lieutenants to the jungles and hills. I would like to know it from the hon. Minister. There are reports that some of his men are hiding in different places and Laldenga has sent his men to trace them out. I would like to have a categorical reply from the hon. Minister in this respect.

There is another point about which clarification was sought that day. But a clear clarification was not given on that day. The insurgents of Tripura are getting arms from the MNF. They are getting training from the Mizo National Army. Manipur and Nagaland insurgents are also close to these people. I would like to know from the hon. Minister whether the Government is sure that some of the arms and ammunition are not being transferred to the TNV of Tripura and the insurgents of Nagaland and Manipur. Recently, there was a spurt in the activities of insurgents in Manipur and Nagaland and our soldiers were ambushed in Nagaland only a few days back. Is it a fact that some of those arms have been transferred to these people so that they can step up these activities in this area? Has the MNA actually severed their connections with the TNV because it is the mother force of the TNV? (Time Bell rings) I am concluding.

I would like another commitment from the hon. Minister. Laldenga has refused to forget about this greater Mizoram. He says that greater Mizoram is their concern. But for the time being he has to put it off. Now, if they raise this issue of greater Mizoram after getting power, is the Government again going to negotiate with the Laldenga Government for an Accord on greater Mizoram with some parts of Tripura, with some parts of Manipur and Assam and then a greater Mizoram because, Sir, it is our feeling that the Government is suffering from an euphoria of accords. Sign an accord and that will keep the prestige of the Government. Perhaps, that is the feeling because Mr. Buta Singh could not refute the other day categorically when it was said that there are reports that they are trying to have direct negotiations with the Gorkhaland people. I asked him to refute it. He did not refute on the floor of the House. He avoided it and he minced words. So, whether it is again Laldenga for a greater Mizoram or Subhash Ghaishing for Gorkhaland, there may be a craze for accords. They feel that it is adding prestige to them forgetting that it may lead to further disintegration of the country, further dismantling of the country and balkanisation of the country. I would like to know from the hon. Minister whether...

SHRI BUTA SINGH: I would like the hon. Member to put some food into my mouth instead of these words.

SHRI SUKOMAL SEN: When this question was asked, he did not reply. He avoided it. Now, he may clarify that he will not negotiate with Laldenga on any demand for greater Mozoram or he will not negotiate with Subhash Gheishing on any demand of Gorkhaland and that this Mizoram Accord is the final accord. That you must admit. You give a commitment to us. Then we will be satisfied. (Time bell rings)

Sir, my land question is to the hon. Minister and he may clarify whether the Government is fully aware of the activities of the American imperialists around India, including Mizoram and also inside. The accord with Laldenga is good. You are going to settle it. If the peace is restored, we will be happier. But what about the activities of the American imperialists, what are their other conspiracies, in which part are they going to again conspire for the dismemberment of the country? Has the Government got any report, and if there is a report, what is the Government going to do about it? I want the hon. Minister to clarify this.

SHRI HOKISHE SEMA (Nagaland): Mr. Deputy Chairman, Sir, I stand to support the Constitution (Fifty-third Amendment) Bill, 1986.

Sir, I am sorry to say that most of our people of India, including many of our important leaders, are very ignorant of the people and the problems of the North-East of our country. We know that we are kept secluded by geographical isolation as well as the British policy of divide and rule. Unluckily, again when our country achieved independence our union leaders were engaged in various bigger political problems and, therefore, timely help was not given to us. And during these days of neglect, many things have happened in the North-East. When we say North-East of our country, we speak about six States and two Union Territories. Assam, Meghalaya, Manipur, Nagaland, Tripura and Sikkim these are the six states. The two Union Territories are Mizoram and Arunachal. All that our leaders know and have heard about, is a little of Assam and Tripura. The rest are not known to our people intimately. As this North-East is hemmed in between China, Burma and Bangladesh, we are faced with

[Shri Hokishe Sema]

the Chinese intrusion and aggression. We face the influx of refugees from Bangladeshi. These problems are not going to be once in the series. We have always to be prepared. And our people here, especially our leaders in the Rajya Sabha, the elder statesman, ought to appreciate the difficulties, the problems that we are facing in that region. Mizoram revolted initially against the apathetic handling of the famine problem which was caused due to the flowering of the bamboo, which produced large rats and they destroyed the crops completely and therefore they faced a very severe famine. But later on it has developed into a demand for a separate State. It has taken twenty years and during these twenty years the people of Mizoram, the innocent people of Mizoram, they have passed through many trials and tribulations. I want our leaders to understand firstly that today we must appreciate that peace has come to Mizoram and those trials and tribulations of the people have come to an end. As elder statesman should we not appreciate the achievements of the people in that region. Secondly, this area needs development. These areas were neglected and what I want to assure our Members is that insurgency problems, underground problems are due to many reasons, the economic problems are there, the hardships of unemployment are there. Many reasons are there and these areas were neglected for ages. Now, when they come to the sudden transition of coming into contact with the modern life, there is a sudden change and therefore there is a situation like this and now to overcome this problem is through proper economic development. By giving a separate State, by giving many other facilities, we can do it. Many of our leaders do not know that those areas are really thick jungles. When the army operation was there, we said that the border is sealed, things are all right, we are trying to maintain peace. Well

the jungle of that area is different. The growth is so thick that six feet away you will not be able to see the underground hiding there with arms and therefore we used to get a lot of ambushes, we used to face a lot of death and sufferings. Now, when we are faced with this situation, many people complain as to why peace is not restored as early as possible. There is a difficulty in those areas and to overcome the situation, the underground situation, the hostile elements, we need the support of the local people, the inhabitants of those areas. Only when they come to our rescue, only when they persuade the underground people not to fight, not to go against the country, there will be a hope of achieving peace.

Now, in Mizoram, this is an achievement that the local people have worked so hard and we should be happy that we have several patriotic leaders among the Mizos who have worked so hard, tirelessly, for so many years—20 years—and they have been able to persuade the underground people, including Mr. Laldenga. Therefore, it is an achievement for all of us. We must appreciate this; we should not go against that. Even after the settlement, there have been a lot of problems and Mr. Laldenga has taken a responsibility of accepting the leadership in the State. He has cleared the underground people. I have checked it up from the Mizoram leaders and they have no doubt that all the underground will come out, and they have all come out. They have no doubt that all the arms will come out; and they have exhibited that they have come out. There is one good thing in Mizoram that there has been a clean solution to this problem and we should be happy that at least we have been able to clear underground problem here. We cannot solve all the problems at a time. There is a process and this process is in the right direction.

What do we expect from those people? They are the sentinel of our country. We will need much more support from these people for any eventuality, against any unfriendly elements and we need to strengthen it. Whether it is the Congress Party or any other party, we need your support. When you give support to these people on the border, to these sentinels of our country, then they will take up the courage but when you go on talking without knowing how you are injuring the minds, how you are impairing their progress, then I am afraid, those people are also human beings; they are still backward and, therefore, they will not be able to take up courage. Problems are there; jungles are so thick. Even the army had to face a lot of problems. I had the privilege of working in that area, going through all those problems and I know these things. Even my own people were afraid of the hostile and problems there. Unless some people take up the courage and are brave enough to enlist the support of others, peace cannot be achieved and we cannot make our borders strong. Therefore, we need your support. Grant of statehood will not end all this. This is an offer asking people to stand up for the country and when the people realise it, they will share the problems; they will march shoulder to shoulder with the rest of the people. This is a very right direction. I really give credit to Pandit Jawaharlal Nehru. I need not quote what he said about tribals, his approach to tribals. He said that in some ways, tribal life is much better than ours. Why should we impose our way of life on them? Let us protect their culture, let us protect their customs so that India can be rich and India can be strong. I always feel how wise these words were. During those days, when fighting was going on every day, we were reminded of his words and these were words of encouragement to us. Therefore, when the Government seeks to protect the customs, traditions and other things

of the Mizoram people, why should you worry? Have the Nagas gone away from the mainstream because they were given Statehood? No. It is by a gradual process that people are being drawn nearer and nearer to the mainstream. We should be proud that many north-eastern regions have come into the mainstream. I am happy to have come here to share my experience with you. The Central Government, the Central authority, has realised. You know how my courage and my faith comes? It is from Pandit Jawaharlal Nehru, from Mrs. Gandhi and now it is Mr. Rajiv Gandhi, our Prime Minister. I expect the same thing from all other leaders. They should not oppose us, but encourage us and ask us to work more. There are problems still. Now, there is Chinese intrusion in the area. It cannot be done away with just by shouting in Parliament. Preparations on the ground are required. Only when the local people are prepared and they are strong, our army can work, operate, properly. Therefore, we need the support of the people. In the end, I would request all Members to support these two Bills which seek to grant Statehood to Mizoram and ensure the protection of their customs and traditions. It is my privilege to have participated in the debate. Thank you.

SHRI M. KADHARSHA (Tamil Nadu): Mr. Deputy Chairman. Sir, the hon. Home Minister while assuming charge promised that the settlement of the Mizo problem will be given the topmost priority. Accordingly, he has completed the job with missionary zeal for which he deserves to be congratulated. Sir, the settlement has come after a lapse of twenty long years. We have already discussed elaborately this subject when the hon. Home Minister made a *suo moto* statement in the House and, therefore, I will not repeat all those points. I will only add a few points.

[Shri M. Kadharsha]

Sir, the reason why I support these two Bills is, Government has come forward to respect the aspirations and the regional feelings of the people. The Government has acknowledged and is willing—as the hon. Minister himself has said in the Statement of Objects and Reasons—to satisfy the desires and aspirations of all sections of the people. State autonomy and regional aspirations which were hitherto considered as anathema by the Government have now been admitted as political realities. Therefore, there is a welcome change in the attitude of the Government as well as in the attitude of Mr. Laldenga. This is the reason why I support these two Bills. Secondly, Sir, the settlement will be a beginning of the end of insurgency in the North-East. There are so many underground organisations in the North Eastern region, like the Mizo National Organisation in Mizoram, the Naga National Council in Nagaland, the Tribal National Volunteers of Tripura, the United Liberation Front of Assam. There are so many organisations indulging in underground activities in the North-East.

[The Vice-Chairman (Shri Pawan Kumar Bansal) in the Chair].

The settlement has now brought peace to the people of Mizoram. On this occasion I would also like to convey my best wishes to the people of Mizoram who were struggling for the last 20 years to achieve their goal. What is the attitude of the Government towards other parts of the North-East? The Tribal National Volunteers of Tripura were given assistance by the Mizo National Front. They were given training and money by the Mizo National Front till now. I learn that the TNV leaders also wanted to come to an agreement with the Government. I would like to suggest that the Government should

evolve a long-term plan to counter the insurgency in the North Eastern region.

Sir, the whole of Mizoram was declared as a disturbed area 20 years back and till today it has not been revoked. The whole of Mizoram and Manipur, parts of Tripura, Nagaland and Arunachal have been declared disturbed areas under the Armed Forces Special Powers Act. Sir, it is not proper in the interest of democratic set-up to continue to keep the parts of North-East as disturbed areas. There is potential to make the North Eastern region into a tourist paradise but unfortunately, the Government is keeping the places as disturbed areas. An iron curtain has been hung between the States and the main parts of the nation. So, the Government should evolve a long-term programme to end insurgency in other parts of the Union territories also.

Sir, the Mizo accord is almost similar to the 1975 Kashmir accord by which Sheikh Abdullah was made Chief Minister. Now the ruling party, the Chief Minister of Mizoram is stepping down in order to pave way for Mr. Laldenga to become Chief Minister. If we had expressed any apprehension at the time of the statement of the hon. Minister, it was not without any ground because this is not the first time that the Mizo Chief has come to an agreement with the Government. Even before this there was an agreement on three occasions. The first agreement was signed in 1976 by Mr. Laldenga and the then Home Secretary, Mr. S. L. Khurana in 1978 when Shri Charan Singh was Home Minister and lately there was another agreement in 1980, but Mr. Laldenga went out of his promise, he did not surrender the arms. The deadline was extended on so many occasions. In spite of that he did not fulfil his promise and the agreement could not be effected at that time. Now the agreement has been successfully com-

pleted. I hope that Mr. Laldenga has come to the mainstream. Some of his statements about greater Mizoram, separate flag and separate High Court are also not in the interest of integrity. He has withdrawn these remarks. But in Kashmir, even though Sheikh Abdullah was also kept out of power for more than 20 years, he remained a nationalist first and a nationalist to the last. Unlike Laldenga he did not indulge in any anti-national activities or any insurgency movement. Laldenga had proclaimed independence for Mizoram and announced a separate constitution for it in 1966. That is why we expressed our concern. Now we are satisfied that there is an improvement in the approach of Mr. Laldenga. So I hope the agreement will be successful.

Finally, statehood is being given to Mizoram. We have no objection. Although the expenditure on non-Plan affairs will comparatively go higher in a small State than in a big State, yet if people of Mizoram want it, we have no objection to it. But there are demands from other union territories also. Mizoram which was a small hill district in the composite State of Assam became a union territory on 21st January, 1972 and now it is becoming a separate State. In this connection I would like to remind the hon. Minister that Arunachal Pradesh became a Union Territory one day earlier than Mizoram—i.e. on 20th January, 1972. Sir, the population of Mizoram is 4.93 lakhs according to the 1981 census. The population of Arunachal Pradesh is 5 lakhs and its area is 5 lakh square meters as compared to 21,000 square meters of Mizoram. There are demands from other union territories also. For instance my neighbouring union territory of Pondicherry has been demanding statehood for a long time. Some vested interests want the merger of Pondicherry with Tamil Nadu against the total wishes of the people of Pondicherry. Pondicherry is also demanding statehood. Day before yesterday the Goa Assembly passed a resolution demanding state-

hood for Goa, Daman and Diu. The Goa Assembly passed such a resolution in 1971, again in 1976, again in 1983 and again day before yesterday a resolution has been passed demanding statehood for Goa. Why I would like to mention all this here is, if the Government gives statehood to Mizoram and if the same is denied to other parts of the country—including Delhi—it will give the impression that Government yields only if the people take up arms against the Government. Such an impression will be created. People of Arunachal Pradesh are peace-loving and calm. You are only sowing the seeds of dissension among the people of Arunachal Pradesh. Why is the Government showing disparity towards Goa, Daman and Diu? Why are the wishes of the people of Delhi—where more than 70 lakh people are living—not considered? These are moot points which the hon. Minister has to answer.

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): There was a State Assembly in Delhi earlier.

SHRI M. KADHARSHA: Sir, the utter neglect of the Central Government towards certain parts of the country is mainly responsible for these dissensions. So, the Government should give uniform treatment to all parts of the country. This is my humble suggestion.

The paramount need is the socio-economic development of the north-eastern region. Not only Mizoram but all parts of the north-eastern region should be developed. In this connection I would like to bring to your kind notice that the North-Eastern Council representing all States and Union territories of the area was constituted to assist integrated development of the area. Unfortunately, the Committee which consists of the honourable Home Minister, the Finance Minister, the Transport Minister, the Programme Implementation Minister and the Deputy Chairman of the Planning Commission hardly meets

(Shri M. Kadharsa)

to discuss the problems of the people of that area. This is very unfortunate. So, I would like to appeal to the honourable Home Minister that the Committee should meet frequently and sort out the problems in the development of the north-eastern region.

Sir, as the honourable Minister himself has stated, the only way to wean away the misguided and disgruntled youths from insurgent activities is to implement the programme to the best satisfaction of the people of the area.

With these words, Sir, I support the Bills. Thank you.

DR. C. SILVERA (Mizoram): Mr. Vice-Chairman, Sir, I feel privileged to be here and on behalf of the people of Mizoram and on my own behalf I welcome the 53rd Constitution Amendment Bill, 1986 and the State of Mizoram Bill, 1986, as they symbolize the fulfilment of the hopes and aspirations of the people of the Territory and mark a happy end to a long and successful march of Mizoram from a District to a State. It will open up new vistas of political and economic development and will bring the Territory closer to the mainstream of our national life.

Sir, the Bill is a direct offshoot of the Peace Accord signed between the Government of India and the MNF on the 30th June, which has ushered in a new era of hope, peace and progress to an area which was plagued by violence and disturbances for more than two decades. Many a heart bled and many a heart remained silent during the last two decades and more. Quite a few passed away with the dream of a prosperous Mizoram unfulfilled. The new generation which came up saw nothing but strife, insecurity and uncertainty. The Accord, therefore, marks the end, as it were, of a dark night of despair and heralds the dawn of a bright new morning of good cheer and hope. It has proved that given the goodwill and understanding, any problem,

however complicated and intricate, can be solved peacefully across the table. It is a tribute to the statesmanship of the leaders of both sides and the sacrifices of the leaders of the present Government of Mizoram that this understanding could be reached, defying the most pessimistic prognostications. In this sense the "Peace Accord" is not only a precious gift of a life-time to the people of Mizoram but also to posterity which will surely acclaim the farsightedness and the spirit of accommodation demonstrated by our leaders. While the Accord ushers in peace and amity, in the strife-torn Territory, it is necessary for both the Government and the people to keep their vision clear and sights high while riding a new wave of enthusiasm. We have to engage ourselves in healing the wounds, pay unremitting and undivided attention to the urgent task of socio-economic development and help established a just and equitable social order. It is a big challenge, but I have no doubt that the Government and the people of Mizoram shall accept it.

In this connection, I must congratulate the Prime Minister and the Home Minister...

THE VICE-CHAIRMAN (SHRI PAWAN KUMAR BANSAL): You please continue after lunch.

We adjourn now for lunch to meet again at 2.30 P.M.

The House then adjourned for lunch at thirty minutes past one of the clock.

The House re-assembled after lunch at thirty-two minutes past two of the clock. The Vice-Chairman (Shri M. P. Kaushik) in the Chair.

DR. C. SILVERA: In this context I must congratulate the Prime Minister, the Home Minister and the Chief Minister of Mizoram whose political sagacity, pragmatic attitude, and deep understanding of the human problem in Mizoram have made

the Mizo Peace Accord a reality. Sir, it has been the concern of the Prime Minister for the tribals, particularly in the backward North-East that immediately after signing the Accord he undertook a strenuous journey for four days covering far corners of the territory carrying the message of peace, amity and integration. I am particularly grateful to the Prime Minister for the anxiety he has shown for faster social and economic development of the territory which is lagging far behind other States due to the insurgency in the territory during the last 20 years and for the various measures he has already announced in this behalf.

Now that peace and normalcy has been restored, I would like to appeal to the Government of India to render all assistance—financial or otherwise—to help the territory make up the neglect of centuries in couple of years.

Mizoram which continued to be an autonomous district of Assam till 1972 showed very little progress in any front till it became the union territory in 1972. The basic infrastructure required for the development was totally lacking. With the attainment of Statehood this process will be accelerated. It will call for a much larger investment of funds in the field of transport and communications, power, development, improvement of agriculture etc. When the nation is preparing to enter the 21st century, Mizoram still does not have the minimum wherewithal for development. It has only 12.5 kilometres of road for over 100 kilometres of land area and the per-capita power consumption is as low as 5 k.w.h. There is no industry worth the name and the traditional shifting pattern of agriculture known as "jhumming" is still practised by about 12,000 families. More than 60 per cent of the rural population live below the poverty line. All these underscore the imperative need of having a comprehensive programme of development and a package deal

with much larger financial and technical inputs.

I would like to make a particular reference to the urgent need of introducing daily regular vayudoot service for Aizawl, construction of a larger airfield capable of taking bigger aircraft, early improvement of national Highway No. 54, which is the only lifeline connecting the capital with the plains of Assam, an early execution of the Bairabi Hydel power project by N.H.P.C., completion of the only railway line in the territory from Lalaghat to Bairabi, expansion of TV and All India Radio coverage for the territory and promotion of tourism.

I have no doubt that Mizoram will get fair deal in the hands of the Prime Minister. The new article 371G being added in the article 371 envisages protection of religious and social customary laws of Mizos. Their way of settling criminal and civil issues through Mizo customary laws shall continue in keeping with the spirit of Schedule VI of the Constitution. The Accord merely provided a kind of Central resources in the form of assistance to fill any residuary gap. There are other States also where such Central assistance is provided. This is done to uplift the poor, the tribals and the neglected.

Sir, the Mizo Accord has been attacked on the ground that is a complete sell-out and surrender to the insurgents. But this is not the case. This Accord is a political settlement of a regional and ethnic problem. This is an example that things can be settled round the table. The Accord does not confer any special status on Mizoram as voiced out by the opposition. The special status is in the form of Central assistance for overall development of Mizoram. An area which has been neglected throughout the centuries is getting a face-lift through diffe-

(Shri C. Silvera)

rent development programmes. We cannot term it as a special status as has been given to Jammu and Kashmir. The apprehensions in the minds of the opposition that there will be a demand for greater Mizoram are totally uncalled for as this is just a slogan. It is a defeat of the fissiparous tendencies. So the scope of the Constitution (Amendment) is rather limited and the inclusion of Article 371 G in the Constitution has made it clear that some laws in respect of religious or social practices or any customary laws can be made applicable to the State of Mizoram if a Resolution is passed by the Legislative Assembly of Mizoram. The inclusion of sub-clause (b) is a welcome step as it raises the strength of the Mizoram Legislative Assembly from 30 to 40. This will give more representation. It is a welcome sign. The wishes of the Mizoram have been codified.

In this context, I would also like to mention that late Shrimati Indira Gandhi was instrumental in these peace talks. It was she who initiated peace talks in 1976 with Mr Laldenga who was known to India from abroad. So the talks had started from 1976 on wards except a gap of three years when Janata Government was there. But when she came back to power in 1980 the talks were resumed. But the talks failed again because of the local Government in Mizoram. When the Congress Party came to power in the State in 1984, the talks resumed again because of the efforts put in by the Prime Minister Shri Rajiv Gandhi, the Home Minister Shri Buta Singh and the officials. This Accord was signed on June 30 this year. The Accord has been welcomed by all sections of the people of Mizoram.

In conclusion, I would like to thank all those who gave their helping hands by way of thoughts and

deeds to make the dreams of the people of Mizoram come true. I would like to request all the hon. Members of this august House to join and share the joy and happiness felt by the people of Mizoram after 20 long years of suffering and help it to rebuild the strife-torn territory. Thank you.

SHRI DHARANIDHAR BASUMATARI: Mr. Vice-Chairman, Sir, I am concerned with this subject under discussion. So, my name should be included in the list of Speakers.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): Please sit down.

SHRI M. S. GURUPADASWAMY (Karnataka): Mr. Vice-Chairman, Sir, let me make clear at the outset that we wish to extend our critical support to the accord. Sir, I deal with the accord in three parts:—

1. The accord itself,
2. The background to the accord; and
3. The post accord development.

Taking up the background of the accord, let me say a few words. Sir, the accord was necessitated by continuous insurgency activities of the underground mizos and this accord has been signed between the Government of India, Mr. Laldenga and the Chief Secretary of the present Mizoram Government. Sir, Mizoram is only one of the areas which has been posing a problem to us. There are also other areas in the North-Eastern region. There are 8 States including two Union territories. It should be our concern that this important strategic area which is touching three foreign countries, China, Burma and Bangladesh should be peaceful, stabilized and should be consolidated in all aspects, politically, economically and socially and here, Sir, my criticism comes. I would have been

happy if the Government of India had taken a macro view, a comprehensive, total view of the entire Eastern region and all the problems connected with this region and solved them not by piece-meal but wholly, totally and comprehensively so that the problem may not recur again and again in future. This thing has been completely side-tracked or if I may say so, overlooked in the past. I do not know whether the Mizo Accord is yet the beginning or the end. The Prime Minister, Mr. Rajiv Gandhi has said that it is the end; whereas Mr. Laldenga has said it is the beginning. I would like to know whether this accord is the end or the beginning—the end of what and the beginning of what? If it is the end of acrimony, dispute, it should be welcomed. If it is the beginning of a new era of peace and tranquillity in that area, it is also welcome. But if it is not so, then this would create a new problem.

Sir, these areas are ethnically, socially and geographically interconnected, integrated. The problem of one area cannot be isolated and solved to the exclusion of the problems of other areas. Therefore, I wish to record a note of caution, while welcoming this accord, that this accord may not usher in all the good things of life in that territory and that this accord may also become a potential instrument of discord later on. I am just expressing my concern.

As I said, the whole region has got to be taken into consideration. The whole region has got to be viewed in a proper perspective. A piece-meal approach perhaps will cause more trouble, will generate new problems. Therefore, I would like my friend, Mr. Buta Singh, to throw some light on this issue as to what is the thinking of the Government of India in solving all the cognate problems, inter-related problems which are partly ethnic, partly regional, partly social, partly political and partly economic.

Sir, I will refer to another aspect which has not been referred to by my friends who spoke previously, and that is the extra-constitutional means adopted by the Government of India in reaching the accord. An accord is always good. Any agreement, for that matter, creates a sense of jubilation in the minds of people. But we should not lose our sight, deeper sight. The accord has been signed between the Government of India, the Government of Mizoram and Mr. Laldenga, the leader of the Mizoram National Front, which was formed after the famine in 1966, which became a political forum later on. Sir, is it wise to sign an accord with a person who does not enjoy any official status? We have done it in the past. But is it wise to sign it with Mr. Laldenga? All right, we can take the plea; where was the alternative? Where was the choice? We had to sign an accord with him because he represented the forces there. Conceding that, when the Accord was signed, what impelled Government of India to agree for making Laldenga the Chief Minister of a new Government? He is not elected. If the intention is to make him the leader and the Chief Minister there, the royal and straightforward course was to order election, immediate election; Laldenga could contest, his party could contest. (*Time-bell rings*) If the intention is to fraternise these forces, the underground elements and Laldenga, the leader, the straight forward course was to hold election immediately without any loss of time. Why throw out an elected Government there? It is your own Government. Why throw it out and impose a non-elected person as Chief Minister of that Government? Why? I cannot understand this. For God's sake, in your anxiety to reach an accord, don't throw away the fundamental things, the basic tenets, the basic Principles, important conventions, which we have been observing. Why throw out an elected Government? This is the second point. (*Time-bell rings*) Since you have been ringing the

[Shri M. S. Gurupadaswamy]

bell, I do not want to go on with this. In fact, I have not touched the Accord itself. Anyway, may I, with your permission, say something about the Accord? One or two things are disturbing. Firstly, the Accord gives a special status to Mizoram State. There is no denying the fact. The very fact that you have allowed trade between the State of Mizoram, the people of Mizoram, with a neighbour—the neighbour is not Indian neighbour, a foreign neighbour—that itself signifies a deviation from the normal pattern. Mr. Buta Singh the other day took shelter under the plea that the terrain is so difficult. I know the terrain, I had been there some time back. It is very difficult, no doubt. Because the terrain is so difficult there, is no escape for the people to trade in the neighbourhood—neighbourhood means foreign territories—this is what he says. I know there is a safeguard. Trade is permissible under the scheme formulated by the Government of India. Even under this scheme how do you prevent infiltrators from the other territories, China, Bangladesh—I do not name Burma? There has been infiltration even now. He was saying the other day, there was a lot of infiltration from Pakistani side into India, into Punjab. In the name of trade if there is a flow of infiltrators, trafficking of people, how do Government propose to go about to meet the situation? That is why I said, this may pose a problem in future for the Government of India. I do not want to touch any other feature of the Accord except one, and that is that the Accord will be sanctified only when—I repeat, only when—the insurgents give up arms and ammunition and equipment. But what is the guarantee that these arms and equipment have been surrendered or are being surrendered? My friend has said that he knows about the amount of the arms held by the insurgents. I do not know whether he can testify to that to his own statement. I am not very sure but I want to be very sure, whether the

arms and ammunition and equipment used by these insurgents would be surrendered in toto. I am not sure.

Lastly, Sir. I come to the post-accord situation. Sir, the Government of India, the Home Minister, the Prime Minister, they have all said that they have not conceded a Greater Mizoram. Very good. The Prime Minister has denied that he has at any time agreed to a larger Mizoram. But, Sir, Mr. Laldenga has not denied it. The Prime Minister has denied it and perhaps the Home Minister also has denied it and the Government of India might have denied it. But Mr. Laldenga has not denied it. But he has said—I think he has issued three or four statements after the accord was signed—that he believes in Greater Mizoram. Will it work as a destabilizing factor in the future? So far as the Prime Minister is concerned, he is very clear about his stand whereas, so far as Mr. Laldenga is concerned, he is also very clear and he wants a Greater Mizoram in the future. If that is so, how do you sort out this issue with Mr. Laldenga? Have you conferred with him later on and got the denial in writing? Mere oral denial has no meaning, because even agreements of all these years have not been sanctified or agreed to later on. Therefore, I would like to know whether the Government of India has received any denial in writing from Mr. Laldenga on this matter. Otherwise, the whole purpose will be lost. My friend here wants to bring the Mizos into the mainstream of the country, into the national mainstream. If that is the purpose, has the Government of India got an assurance, firm assurance, from Mr. Laldenga?

Sir, I do not want to say anything more on this now though I would like to. But still I would like to say that Mizoram is going to be State with near five lakhs of people like Arunachal Pradesh. Five lakhs of people constitute the total population of Mizoram. It means that about one lakh and

twenty-five thousand people would be adults and the rest of them would be children and others. So, for these one lakh and twenty-five thousand people, you concede a State, a separate State. I have no quarrel on that. But I am only raising this issue that for one lakh and twenty-five thousand people a State is given.

Then, number two, you have given power to the Mizos to protect their religion, customs, traditions, and all that. They have got to be given and they have been given. Sir, my friend has already raised the issue.

What will happen if similar 3.00 P.M. demands are raised by tribals in other areas. There are bigger tribals in Orissa or Madhya Pradesh, for instance. What will happen if we sow these seeds in the minds of these tribals? We concede that they have got to be treated well. They are part of us and they have got to be treated and treated even better than us because they are more backward. They are tribals. I do believe there is no disagreement on that point.

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): Please conclude.

SHRI M. S. GURUPADASWAMY: I want to know whether this kind of approach will lead us anywhere in bringing about consolidation and unity of the country and particularly in the North-Eastern region which is strategically so important to us and whether some sort of other political solution can be thought of even now because I believe in fraternisation of every type of people in this country. I believe in absolute unity, consolidation and integration of all elements living within India. I want to achieve this. Will the present accord lead us anywhere? It is all right to express our happiness over it. I wish them well. I wish the people of Mizoram all prosperity. At present, I extend my critical support to the Bill.

SHRI K. VASUDEVA PANICKER (Orissa): Sir, in Kohima, Nagaland, you will see a cemetery. That cemetery was constructed nearly 40 years ago. That cemetery is one of the most beautiful cemeteries in the world, well maintained and protected. This is the cemetery which embodies the physical remains of two classes of people—of soldiers who came from fascist Japan to penetrate into the Indian region and to conquer India. The other class of people are those Indians who lived in India and who fought against the onslaughts of the Japanese aggression. You will see in the cemetery at a particular place that the Nagas who were living in Nagaland fought so valiantly against the fascist army and defeated them. It is in commemoration of that historic fight at that particular time when the Nagas of India had fought against the Japanese Army. This war cemetery stands out as an eternal monument of two things. Firstly, it is a monument of the fight of Nagas against the fascist Japan trying to grab not only India, but the whole world. At the same time, it stands out as a brilliant monument of the commitment, dedication and national spirit of the people of India. And those people who are nobody but the Nagas who fought against the Japanese army in Nagaland during the fag end of the Second World War when Japan tried to grant... (Interruptions) I did not interrupt when others were speaking. I am not going to intervene when you speak...

THE VICE-CHAIRMAN (SHRI M. P. KAUSHIK): Please continue.

SHRI K. VASUDEVA PANICKER: What I am trying to bring out is that the hill tribes people who are living in the North Eastern part of India are as much nationalist as the people who belong to any other part of India. This is the case with Mizoram; this is the case with Manipur; this is the case with Tripura or any part which you call the seven sisters or the North

[Shri K. Vasudeva Panicker]

Eastern States. They were always a part and parcel of the aspirations of the Indian mainland and they were never separate. Unfortunately, it so happened because of certain physical and historical reasons that there happened to be a misunderstanding not among the totality of the hill tribes who are living in the Seven States or in the North Eastern region but because of the culmination of certain forces which actually tried to create a situation in the North Eastern States in order to destabilise India. This process was going on there ever since India became free, since 1947, when the British people, the imperialist forces had to vacate the land of India. In those parts, the Mizos were never against the national mainstream. The Nagas were not at any point of time in history against the national mainstream. Or any other tribe or the people who belong to that tribe at any particular time in history was opposed to the national mainstream. It is only I am guilty, you are guilty and all of us are guilty and we were not in a position to understand the aspirations of the people who were living there. And we are not even able to understand the aspirations of the people who still live there. This is the problem which we are faced with. There is a political party whose leaders are not sitting at this moment which came out openly opposing the Accord when the Accord was reached between Lal Denga and the Government of Mizoram for settlement of peace. And that is BJP, the Bhartiya Janata Party. The BJP is totally opposing the Accord. I am grateful to the other political organisations which do not oppose the Accord. This Accord is not between Lal Denga and the Chief Secretary of Mizoram or this Accord is not between the MNF people and the Government of Mizoram. This is an Accord between two aspirations. One aspiration is the aspiration of the people who live

in Mizoram who are called the Mizos, who want permanent peace and tranquility to be established in Mizoram. On the other hand, this is an Accord with the aspirations of the people at large who are living in the totality of this country, that is India. So, this is an Accord between the aspirations of the mainstream and the aspirations of the people who were longing for eternal peace in Mizoram. And this is that accord and nothing but that accord. But, unfortunately, my learned friend Advaniji as well as Atal Bihari Vajpayeeji and the Party which they represent are not in a position to understand the meaning of the Accord, why we are going in for the Accord because they are basically cut off from the mainstream. I respect Advaniji as a senior parliamentarian; I respect Advaniji as a gentleman but I can never respect the philosophy which his Party represents on this because his Party is representing a philosophy which is totally against the aspirations of the people of India. This is the whole question. This they have to concede. Luckily or fortunately the other parties have agreed that this is an accord for the settlement of peace. I can understand if they have got certain hesitation. This is something which we can understand. But if you oppose the accord, this is something which we cannot understand. That also I can understand because for everything that is going to be good for this country. Atal Bihari Vajpayeeji and Advaniji's party, the BJP, will be totally opposed and they will be opposed in future also. What is the philosophy which Atalji's party is preaching? Is it the philosophy for the emancipation of the people of India? Is it a philosophy which is trying to redeem the destitutes who are facing starvation in this country? No. They are believing in a philosophy in which they

want to build on an edifice, which is nothing but the edifice of a theocratic society. In parliamentary democracy, where democracy is the basic living faith of the people can the philosophy which is preaching a theocratic society stand valid? It can never stand valid. But his party is preaching that philosophy. That party which is always trying to build up a society on the basis of the upper crust of the society, in India will be totally opposed to the aspirations of the people of India. The people of India consist not only the upper crust of Indian society; it consists as well of the poorer sections of the people who constitute an average of 80 per cent of the people. They are the Harijans, they are the Scheduled Tribes, they are the Christians, they are the Muslims, they are the Parsees, they are the Sikhs and they are so many minorities and minorities put together and they form the people of India. Not only those people for whose aspirations Atal Bihari Vajpayeeji and Advaniji are fighting are the people of India, they are also the people of India, but the majority of the people, 80 per cent of the people are those who are not having anything in the this country, who are trying to come out from their destitution, and they are the majority of the people and this is the India to which they belong and they belong to this India and this India is for those people and for nobody else.

Have you not seen Pakistan across your border? Pakistan was born on the basis of a philosophy and that philosophy was nothing but theocratic. They wanted a Muslim nation where Muslims are the predominant force and no other community should live there. And, what is the fate of Pakistan today? That Pakistan happens to be divided into two. And what else is going to Pakistan and what else is going to Bangladesh?

Are you not witnessing the countries in the Gulf region? Could they emancipate the poor people from their turmoil? It is impossible. If you believe in theocratic conception based on religion and religion alone, such a people can never be redeemed and such a nation can never survive. Pakistan can never survive if they are continuing this philosophy for their survival. It is impossible. Zia-ul-Haq cannot do it. The same Zia-ul-Haq are in this country in the form of Atalji and Advaniji and they are representing the same philosophy which Zia-ul-Haq is preaching.

SHRI ATAL BIHARI VAJPAYEE:
Sir, what are we discussing?

SHRI K. VASUDEVA PANICKER:
The same philosophy which Zia-ul-Haq is preaching in Pakistan to crush the aspirations of ten crores of people in Pakistan. These people are the same counterparts here. These people are trying to trample upon, dismantle and demolish this country. They are trying to build up a theocratic society in India where the upper crust of the Hindu society will be the predominant force. Is it possible? It is impossible. Here the people of India are not going to permit it. You go to Mizoram. The people of Mizoram will fight before this country. The people of Mizoram will shed their tears and blood for the survival of this country for the emancipation of this country. The Nagas are fighting and all the tribals who are living in the North-Eastern States are fighting for the people of India, for the survival and for the maintenance of this country. This is the contribution of those tribals. Unfortunately, these people who never travelled to North-Eastern States, who have never seen the War Cemetery in Kohima and who are not going to see the war Cemetery in Kohima are opposing this Accord.

[Shri K. Vasudeva Panicker]
 Their India is only Madhya Bharat and their society is same as Zia's society, the theocratic society where Harijans are nobody, where tribals are nobody, where scheduled class Adivasis are nobody, where Christians are nobody, where Muslims are nobody, where the poor people who are working on the soil, are nobody and Shri Atal Bihari Vajpayee's party is against all these people. So, my country is not going to permit this... (Interruptions). My country that is, India, that is great Maha Bharat, has undergone a bloody revolution in the country for more than 100 years and this country was emancipated from the imperialist clutches of the British capitalist forces, not for Mr. Atal Bihari Vajpayee and his party, but for the man who is working on the soil. If Advaniji is going against the interests of the common man who is working in the fields, that man and like him the down trodden million of people will reply back Atalji, you will have to reply to these people. But unfortunately, you will not survive to reply to these people, not physically but politically.

SHRI ATAL BIHARI VAJPAYEE:
 You please tell him to speak on the Bill.

SHRI K. VASUDEVA PANICKER:
 So, my submission is in the interest of the nation, for the welfare of the nation, my humble request to Advaniji and Atalji is to reconsider their decision and support the accord because this is an accord of the people for the people and by the people. Thank you.

PROF. C. LAKSHMANNA
 (Andhra Pradesh): We, belonging to Telugu Desam party, have welcomed the accord. We had welcomed the accord for the simple reason that the area was under strife, was

under insurgency, was under turmoil and was facing problems during the last twenty years. As a result of this accord peace has returned to that area. And as ones who welcome peace everywhere, we have welcomed this accord.

While we welcomed this accord, we had certain reservations and we continue to have some reservations regarding the accord, regarding the Bill by which there is a Constitutional amendment and also the conferment of Statehood on Mizoram. We welcome the status of Statehood being given to Mizoram. Reasons which compelled the Government of India, the reasons which compelled the people of this country to recognise Mizoram as a state, are also the reasons which should compel and make the Government of India accept the reasonable, legitimate demand of certain other Union Territories in the country. There is a demand on the part of Arunachal Pradesh. There is a demand on the part of Goa, Daman and Diu. There is also a demand from Delhi. If there is sufficient reason and if that reason warranted the granting of Statehood to Mizoram which we welcome, we would also like to impress upon the Government the need to confer Statehood on these Union Territories which do have a legitimate claim. I would request the hon. Minister to consider these demands which are legitimate, dispassionately, with farsightedness, clarity and understanding and appreciation for the aspirations of the people of these areas and come forward as soon as possible with necessary legislation to grant statehood to Arunachal Pradesh, Goa, Daman and Diu and also Delhi.

SHRI CHITTA BASU (West Bengal): Pondicherry.

PROF. C. LAKSHMANNA: Of course, Pondicherry and other Union Territories which are also asking for

Statehood. (*Interruptions*) However, while welcoming the conferment of Statehood on Mizoram, we have some apprehensions, apprehensions which are shared by a majority of the people in this country regarding the persistent demand on the part of Mr. Laldenga for Greater Mizoram. The concept of Greater Mizoram runs counter to the wishes, aspirations and demands of the neighbouring States. It also runs counter to the philosophy for which all of us stand. This should be curbed, Mr. Laldenga should be made to realise the futility of the demand which he has been persistently making before, during and after the accord. I would like to impress upon the hon. Home Minister to use his good offices to prevail upon Mr. Laldenga not to make any such demand. Then and then alone, it will be possible for the country to think in terms of comprehensive understanding of the problems of any area.

Sir, then comes the question of special status. Special status is in respect of three or four aspects, namely, religious or social practices of Mizos, Mizo customary law and procedure, administration of civil and criminal justice involving decisions according to Mizo customary law and ownership and transfer of land. I have looked into the Act by which the Constitution was amended while granting statehood to Nagaland in the year 1962. I find, these are exactly the same as they were incorporated in that Act.

SHRI CHITTA BASU: There is a little difference.

PROF. C. LAKSHMANANA: I will come to that. I also realise that during the last 24 years, after these special provisions were made, there was not much of a problem experienced by either Nagaland or the rest of the country. Therefore, it is my fervent hope that the special status and the special provisions proposed in this Constitution (Amendment)

Bill will not also have any problem. As in the earlier cases in the present case also, there is no need, perhaps, for including the fourth one because already there is a law in existence in the country by which tribals cannot be alienated from their land by anybody else. I do not know whether this was sufficient or not. Nevertheless, it was incorporated in the earlier Act and it has been incorporated in the present one. Now comes the major difference. While the amendment was being brought when Nagaland became a State there were some problems in, what is known as, Tuensang area. By inserting clauses B to D in the amendment the Governor was given certain powers to constitute a Regional Council, if necessary, so as to meet the problems of the Tuensang area because there were some disturbances. I understand that there are about 40,000 Chakmas. Chakmas are, no doubt, nomadic and at the same time they are in the district of Chhimitui-pur.

SHRI DHARANIDHAR BASUMATARI: To correct you, these Chakmas are not of nomadic type.

PROF. C. LAKSHMANANA: Mr. Basumatari, I said, I understand and if my understanding of their being nomadic is not correct I am not insisting upon it. I am only saying that there is a tribe known as Chakmas. This tribe is having some problems and reservations. Therefore, was it not proper if a provision was made in the present Constitutional amendment to provide for the Governor to act if he felt necessary to constitute or legalise the district councils which are already existing not only for Chakmas but also for Pawis and Lakher? I would like to have a clarification on this.

Consequent to the amendment of the Constitution, do the district councils for Lakher Pawis and Chakmas continue or not? If not, if they cease to exist as a result of this amendment, what are the provisions made

[Prof. C. Lakshmanan]

to safeguard the interests of these people which were earlier safeguarded through district councils?

My second question is, why did the Government not think it fit to incorporate what was incorporated in the earlier Act enabling the Governor of the State to constitute a regional council or a district council or any such council, whatever name you may like to give it, in order to protect the interests of these 40,000 Chakmas and other two tribes? I would like to have a clarification on this.

My last point is this. Earlier also the Minister has tried to explain about this that it is nothing new. In the accord, there was provision for border trade. My only question is, providing a facility for the border trade of the type which has been envisaged in the present transaction, will it not lead to problems with regard to other border States, and if necessary, is the Government of India prepared to accept the same facility being extended or is it being already extended to other border States? If that is allowed, what will be its impact upon several issues, like the trade and commerce of the country and various other aspects which concern the Money Bills? I would like the Minister to clarify this point also. Then, Sir, I would like to know whether there is any necessity of this type of special provision being made and the justification therefor.

With these words I would like, once again, to state that we welcome the accord, we continue to welcome the accord and we are also welcoming the conferring of Statehood on Mizoram subject to the provisions that I have mentioned seeking clarifications on those aspects which are very vital, which are likely to touch upon the very continued existence of peaceful conditions of the post-accord Mizoram State.

SHRI KAMALENDU BHATTACHARJEE (Assam): Respected Vice-Chairman, Sir, I rise to support the Bills No. 88-C of 1986 and No. 89-C of 1986, which intended to give effect to the undertaking reached in the course of Mizoram Accord. Hon. Member, Mr. Sen, from CPM has made an observation that this Government is suffering from a euphoria of accords. There is also a certain allegation against our most respected and dear Prime Minister. Many senior Opposition leaders very casually say that he is "Mr. Accord Prime Minister". Now let us go by the facts. This was our respected Rajivji's election commitment that he would bring peace, he would solve the Punjab issue, he would solve the Assam issue. He made the Punjab Accord; he made the Assam Accord. Who suffered? Respected Rajivji is not only the Prime Minister of India, he is also the President of Congress(I) Party. And in these two cases the Congress has suffered. In these two cases, to be very sure, you know it, it is a historical fact, the Congress has suffered. And still very senior Members of Parliament go on saying that he is "Accord Prime Minister". One remark I am just remembering. That remark is that certain people stop thinking at a certain age and they live on their intellectual fact. This might be applicable to them. They just don't believe in the logic, they do not see beyond the facts; they do not try to realise what is happening.

One aspect of the Accord is that it has been promised that the interests of the minorities will be safeguarded. I welcome this provision. Hon. Home Minister is here. I beseech him to see to it that the interests of minorities, the Chakmas, the people from other States of India, have been safeguarded. In the Assam Accord also there was this provision that the interests of the minorities will be safeguarded. If you look into this Accord vis-a-vis the

whole North-East, Assam issue automatically creeps in. In the Assam Accord this provision was there that the interests of Hindu minorities, Muslim minorities will be properly safeguarded. Mr. Vice-Chairman, you will be surprised that families who have been living in Assam since 1931, families who have been living in Assam—Muslim families—since 1921, 1923, 1925 have been driven out, have been compelled to go to the other side of the border. We are protesting but we are getting no justice. I would beseech the hon. Home Minister to give his sharp and pointed attention to this aspect. Eviction is going on. The fire is breaking out, especially in those areas where minority people have their shops. I am strangely reminded of Charles Lamb's peculiar story—dissertation on a roasted pig—where in China just to hide the fact of roasting a pig, people used to burn the whole house. Fire is breaking out where? No where in Assam but only in those particular areas where the tribal people, where the Hindu and Muslim Bengali people have their shops. Only those areas are burning. So I am apprehensive. In this particular Accord, there is a provision that the interests of minorities will be safeguarded, interests of the other sections of people living in Mizoram will be safeguarded, I have grave apprehensions and I would like the hon. Home Minister to give his sharp and pointed attention to this particular aspect of the Accord.

Now, Respected Vice-Chairman, the air in North-East is thick with the smell of gun powder. There has been this sort of violence in Mizoram. There is violence in Tripura; there is insurgency in Tripura. In Assam, one Minister of State in Hiteshwar Saikia's Cabinet was gunned down, was brutally killed. Yesterday an attempt was made to kill Mr. Bhumidar Burman who was the Health Minister in Hiteshwar Saikia's Cabinet. The signs are very ominous. We should not overlook these signs.

Why? In Cachar also there has been a demand for a long time. The students of Cachar are agitating to have a Central University in Cachar. When Madam Indira Gandhi went there, she described Cachar as a land of peace amidst all the troubles. The students there are now saying that unless and until we go the Mizoram way, we cannot have our demand met. This is a very bad sign for the whole of India. You know we want to live in peace and we would just warn that the Central Government should see that proper development works take place there.

If there are lots of development works going on in Mizoram, I have nothing to envy. Mizoram is as good a State like other States. But if a man from Assam, Tripura or Manipur—these are States bordering Mizoram—goes to Mizoram and finds that Mizoram is being developed while Barak Valley—the most backward area of Assam—is being neglected or Tripura is being neglected or Manipur is being neglected, or if he goes to other States in India and finds that States like Maharashtra are prospering and Punjab is prospering and feels that Barak Valley in Assam is being neglected or Tripura or Manipur is being neglected, what is the question that will spring up in his mind? He will think, while they are all prospering we are being neglected and so, let us go the Mizoram way. I am not saying that the Accord gives a premium to violence. I will be the last person to say that. This Accord has been reached with the Mizo people who have got the national sentiment. Only a few people were misled—all the Mizos were not misled—and they have come back to the mainstream. That is a welcome sign. But, Sir, through you I would beseech the concerned Ministers: Let there be development works in the most backward region of Assam, the Barak Valley, in the most backward region of the Tripura State and let the people feel that

[Shri Kamalendu Bhattacharjee] they are also part of India as other States are, and let there be proper sharing of the Plan money. Then this sort of dangerous tendency to go in for insurgency can be curbed once for all.

Before I conclude I have a point to make. This Accord contains all the good points, but there is a fly in the ointment. It is the repeated assertion of Mr. Laldenga regarding the creation of Greater Mizoram. On the 2nd of August, the *India Abroad* magazine gave out a report from New York. While giving an interview to a reporter of that particular magazine, he asserted that he should have Greater Mizoram. When the reporter asked him why he did not put in the question of Greater Mizoram while the Accord was being made, he said, "I suppressed it because I feared that whatever advantage I would get by this Accord might be annulled by that." I am reminded of a saying of Emerson:

"Society is a masked ball where everyone hides his real character and reveals it more by hiding."

I fear this quotation is applicable to Mr. Laldenga. I hope I am mistaken.

With these words, Sir, I support these two Bills.

SHRI JASWANT SINGH (Rajasthan): Mr. Vice-Chairman, Sir, I would like to start by saying that I was deeply touched and moved by the intervention of my distinguished friend, Mr. Hosishe Sema, and what he had to say about the whole of our north-east. I cannot find fault with his sentiments. I also found the choice of words employed by draftsmen in the Ministry of Home Affairs—and voiced in the House by the honourable Home Minister—quite impressive, the choice of words being "care", "sympathy", "tact" and "evolution rather than revolution."

I found my good friend Mr. Panicker's intervention confusing, but then that was perhaps his intention. Predictably enough, my friend, Mr. Bhattacharjee, brought in, but somewhat irrelevantly, aspects of eulogies to the Prime Minister. Sir, when one is considering the question of the Mizoram Accord, some principle questions arise in one's mind. With whom is this Accord and for what is the Accord? I do not have enough time to go into the whole question of this or the Mizo problem and why the insurgency came about in the first instance. Even though it is not necessary to do so, I would like to make it quite categorically clear here that I do not think there is anyone in this House, whether on that side of the well of the House or this side, who does not stand for, or cannot support or does not advocate, reconciliation, does not advocate integration. A divergent and heterogeneous country like India can be enabled to develop, move or grow or even as simply as live together only by a process of reconciliation and by eliminating discord. I do not think those are the issues which are under consideration.

What are the principal difficulties, therefore, that we have about this Accord and about this constitutional amendments? The primary one, Sir, is that there is an over-riding impression, and I have marked that each and every speaker has said so, and this is indeed also the comment made in papers to a considerable extent, particularly after the Accord was signed with the insurgents, that this is an Accord with insurgency and that this Accord with the insurgents and the overall implications of such an Accord must be fully recognised by Parliament before we go ahead with the measure that we are considering this afternoon.

This Accord is tantamount to granting a post-facto sanction to secessionism. I do not have to repeat

here. what for the last two decades or so, Mr. Laldenga and his Mizo National Front stood for. Even now in the text of the Accord or even in the constitutional amendment itself there is a specific mention, "Unless the Mizo National Front amends its constitution." My viewpoint is implicit in the very demand for an amendment of the Constitution. This is precisely the point that I am making, that this is tantamount to a *post-facto* sanction to secessionism. I do not have time to elaborate these points. Surely, the Home Minister would, in his reply, cover them.

My next substantial difficulty is a more broader difficulty and does not limit itself to Mizoram alone. And that difficulty is about the tendency that we have within the country, manifesting itself every now and then, of legislating for a separate identity. The Mizos have a separate identity. Nobody can possibly extinguish that identity. The day it is extinguished, India in that measure will be a poorer nation. I do put it to you, Sir, that if we repeat this process of legislating for every separate identity in this diverse land that is India, we will be creating for ourselves unmanageable problems. You cannot legislate for an identity. An identity is fundamental to a people. I do not have to go into a philosophical discussion about identity. Time does not permit me, and the occasion is also not proper. The key or principal difficulty about it is that it is however continuing, whether it is Punjab or it is Jammu and Kashmir or it is Gujarat or other parts of India. It is a hankering after seeking a legislative identity. And this measure that we are, this afternoon, discussing is a part of that same pattern. You are conceding something in the belief that by a legislated law and by so granting an identity, we shall be achieving something. On the contrary, I think that we are, for the posterity, perhaps sowing the seeds of much greater difficulty.

What is my next difficulty with this particular legislation? It is about three or four things. A number of earlier speakers have also referred to them. It is about the whole question of 'special status' and the 'inner line', about aspects of integration and regionalism. I shall not refer to aspects of integration and regionalism because there will be other occasions as there have been other earlier occasions to mention them. I would confine my self to the question of 'special status' and 'innerline'.

Here lies the confusion. If you want to subscribe to a concept of legislated identity, then things will not stop there. Then the very next demand will be that this legislated identity is not enough. Therefore, within the framework of this legislated identity, we need a special status. Here you have the instance of Jammu and Kashmir, now a demand for a special status being sought for Punjab or a special status sought elsewhere, or as it may be insisted upon in the North-East; it may be sought in Darjeeling or in Sikkim, but the next step inevitably becomes that of a special status. In this manner every segment of the Indian society would like to have a special status.

The hon. Home Minister started by saying that in the governance of India care, sympathy and tact are required. If care sympathy and tact is what guides the Home Ministry, then certainly this proliferation of special status all over the country is not necessary because it is definitely a dangerous exercise.

Now, Sir, I would just like to say a word or two about 'the inner line'. I do not want to go into the historical aspects on 'the inner line'. In certain parts of India for various reasons there are restrictions on the

[Sari Jaswant Singh]

unlimited use of land, exploitation of the land and there is protection of special categories of Indians who reside in hills etc. This might be necessary, but I think in practice what has happened is that the inner line has become another status symbol, another identity symbol. Therefore, this concept of inner line gets misused whichever part of North-East it might be, not only Mizoram. When this 'inner line' gets misused by preventing Indians free movement of traffic, not necessarily owing property. Then we are not by legislation granting an identity, but also separateness. This is my difficulty.

I have one more difficulty with this particular Constitutional amendment which I do believe—and I said earlier—that it introduces separateism. I believe that it would have made sense to me as an Indian if persons like Brigadier Sailo, who led Mizoram eminently and with success, were encouraged. Instead just when insurgency is dormant for the last six years, when there has been no noticeable or marked incidence of violence, you suddenly resurrect Mr. Laldenga with whom personally my objection is only that he raised the banner of revolt against India. He wanted to secede. You put aside Brig. Sailo, who risked his life, a distinguished eminent ex-serviceman who served the Indian Army and went back to his home State to serve the people of Mizoram. You put aside Brig. Sailo, a proven nationalist and resurrect a man who was already on the wane. This is a very serious matter for me to reconcile with. Certainly the Government is not going to change its mind, but this is my difficulty.

My next difficulty is about the manner of installing or agreeing to instal Mr. Laldenga as Chief Minister. If you have agreed to have anybody, who subscribes to the Constitution of India and he is a citizen of India,

then he is free to contest the due process of election in that land. If the people of Mizoram want Mr. Laldenga in opposition to Brig. Sailo they are perfectly free to elect him to be their Chief Minister, but not by an executive fiat which is decided in South Block or North Block or whichever blockless block. You then go and instal, by an executive order, that such and such citizen of India is going to be the Chief Minister. This is a travesty of all processes of democratic functioning. You are not going to achieve an Accord. I do believe in this one single action you are, in fact, sowing the seeds of future discord between Mizo and Mizo.

Sir, I am reminded here of what late Prime Minister Mrs. Gandhi once said when she was particularly vexed about the repeated mentioning of Mizos... (*Time bell rings*). I will take only a minute or so. She was particularly vexed on one occasion. This is not my belief. She said about the Mizos, "I could settle them in the Defence Colony if I wanted to." The size of the whole Mizo population, other speakers have already spoken about it, is a factor. Now, you confer a Statehood on barely half a million people. Here my friends from Arunachal Pradesh are a larger State and have larger number of people. Why do you deny them Statehood? This business of continuing... (*Interruptions*)... I won't persist with this because I am sure they can fight for themselves better. This, however, strikes me as a serious anomaly in the measure that this Government has come out with.

There is a mention also about joining the mainstream of the national life. Again, I have some serious reservations. I want to know which is the mainstream of our national life that we are talking of. To my mind, Sir, I find that my friends coming from the North-Eastern region have plenty of this. I find them

immensely more charming—I find them immensely more civilised—I find them immensely more naturally democratic than I might be. When we talk of the mainstream of our national life it is ironic, we have ourselves turned that into a sullied and clogged nullah of political corruption. Whom are we asking? And who is to join whom? (*Time bell rings*) Sir, I have just one or two specific questions to ask. You have talked of three schemes. In para 3.2 of the Accord there is a mention that they will amend their Articles of Association. What is your latest information on the subject? Have they actually amended the Articles of Association?

Point No. 3.3 relates to the rehabilitative schemes and all the insurgents will be rehabilitated in accordance with the schemes framed by the Government of Mizoram, etc. Now there is a principle involved here. Take this principle very seriously. You are applying a principle of amnesty to the citizen of India. How do you apply it to Mizoram? Then how do you deny it in Punjab? Please attempt to answer this question, because this question will face you squarely.

Regarding 4.3 (ii) (c) & (d) about special status a number of speakers have already spoken. The hon. Home Minister has also said in his opening statement that because of lack of acquaintance with the Civil Procedure Code and Criminal Procedure Code these are necessary. Sir, I come from Barmer District and the people in this District are totally ignorant of the Civil Procedure Code and Criminal Procedure Code. That does not mean that there is no crime at all. They are totally ignorant of Criminal Procedure Code. They do not know the C.P.C. In such a situation will you grant us a similar status? I think about 'special status' nobody has sought clarification. You have granted special status because of customs, usage, etc., of Mizos which is understandable.

Will you extend it to income tax laws and economic laws because the Mizos customs and usages might say that income tax is not payable, wealth tax is not payable, octroi is not payable, duties like inter-state traffic of goods are not payable according to Mizos customs. What, therefore, is the Government thinking? If you find that you are going to extend these facilities, criminal procedure code, penal code, are you going to give Mizos that status and if you do, then, I appeal to my friends from North-East, please mark what the Home Minister says? (*Interruptions*)

SHRI BUTA SINGH: There is a proviso also.

SHRI JASWANT SINGH: Yes, but you could clarify.

SHRI BUTA SINGH: But it is there. You have to read down what is written in the proviso.

SHRI JASWANT SINGH: I have followed that. I have read the proviso.

SHRI BUTA SINGH: That will answer all your questions. (*Interruption*)

SHRI JASWANT SINGH: Sir, within the ambit of the proviso, I am asking for a clarification. Now, about a border trade, a number of speakers have commented and I think this is a dangerous precedent you are establishing. I too come from a border district. We have a flourishing border trade in opium, in heroin. It is our traditional trade with Sindh. Are you, therefore, going to permit us, are you going to regularise it? By giving this kind of example, perhaps, I am overstating the case but I think, you are setting up a principle which is dangerous, a precedent which is dangerous, please mark it. Then about chakmas, a number of people have already spoken. Also about greater Mizoram, a number of speakers have

[Sari Jaswant Singh]

spoken. I would therefore, conclude by saying something about honesty of implementation, which is an important thing. Whatever difficulties I might have with this constitutional amendment, standing for reconciliation and accord, I would appeal to you that when you actually go to implement it, please implement it honestly because the recent example that we have seen of Mr. Laldenga wanting to hold a meeting in Aizwal and Mr. Lalthanhwala not allowing him to use that maidan is not encouraging. There is only one maidan in Aizwal. He did not allow him electricity. On part of that maidan, CRPF was playing foot-ball and this is done deliberately by the ruling party, by the existing Govt. in Mizoram. So, what I appeal is when you go to implement the accord, please implement it honestly. Otherwise, you will not be sowing the seeds of accord, you will be perpetuating discord.

SHRI BUTA SINGH: and you support it.

SHRI JASWANT SINGH: Not discord but certainly accord.

[The Vice-Chairman, (Dr. Bapu Kaldate) in the Chair]

SHRI BAHARUL ISLAM (Assam): Mr. Vice-Chairman, Sir, I rise to give my support to the two Bills under consideration. Originally, I intended to speak on one point namely the establishment of a Bench in Mizoram and allied matters but Mr. M. S. Gurupadaswamy and Mr. Jaswant Singh have raised two points which are of great constitutional and political importance and I think, I should try to meet these two points. The point made by Mr. Jaswant Singh was that this accord is the post-facto sanction to secession. If it is so, certainly, it will be highly objectionable. But is it so? The Prime Minister has categorically said that we have nothing to do with people who are not our citizens. Now, in order to appreciate the worth of

the accord, we must know the background of the MNF movement. You 4.00 P.M.

can never properly appreciate the Assam Accord unless you had visited Assam between 1980 and the day of the Assam accord. Similarly if you had not visited Mizoram since the uprising of 1966 till the date of the accord, you would not know the circumstances and the background. Now the original demand of MNF was, "We are neglected people; we are not Indians; by no stretch of imagination we are Indians." Therefore, the MNF demanded a separate Sovereign Mizoram. Now, if they still continued that demand, if Mr. Laldenga said, "I am the leader of the MNF; we continue the demand even today of a sovereign Mizoram; you Mr. Rajiv Gandhi, Prime Minister of India, please come forward and talk with me", and if Mr. Rajiv Gandhi accepted that, then the argument of Mr. Jaswant Singh would have been valid. No. Those people have given up their old demand of a sovereign Mizoram. They have realised their folly. They say, "We now realise that we are Indians and our future lies in India." They come to the Prime Minister and say, "We are Indians. but we have our grievances". The Prime Minister says, "I am the Prime Minister of the country. I am the head of the Government and you are our citizens. Certainly tell me your grievances and we shall try to redress them as far as possible." Now, what is wrong? It is completely right from the point of view of political propriety. There cannot be any objection to it. It cannot be said to be post facto sanction to secession. Certainly not. On the contrary, it is removal of grievances of a certain section of Indian citizens, which is the duty of any Government.

Then another point was raised by Mr. Gurupadaswamy. He said, "There has been no election there. Have the elections in Mizoram. Then the

Governor can appoint the leader of the largest party in Mizoram to be the Chief Minister." But the Constitution has many provisions whereby even without election, persons can be appointed as ministers. Even in Delhi, the President can appoint somebody as the Prime Minister and some other members as Ministers of the Cabinet without election. Similarly under the Constitution, a Governor can appoint somebody as the Chief Minister and other persons as Cabinet Ministers. Their election to the legislature must take place within six months. Otherwise their ministership will lapse. Now, I do not know; I can only guess, and I think I can correctly guess. The Prime Minister of India, Mr. Rajiv Gandhi, consulted not only Mr. Laldenga but the Chief Minister of the present party in power. Possibly the Chief Minister of the present party in power, who is supposed to be the leader of the largest party duly elected, consents, and possibly by consensus or by other methods, it was found that the majority opinion was represented by Mr. Laldenga rather than by the present Chief Minister and if the Chief Minister says "Yes", then what objection can you have from outside? Therefore, from that point of view...

SHRI SATYA PRAKASH MALAVIYA: What about elections?

SHRI BAHARUL ISLAM: We are having elections. Now the Government will say, "We are appointing the Chief Minister and the Ministers in terms of the Constitution. Election will be held within six months." If the election is not held in six months, that Government will lapse. That is the position. In the elections, if Mr. Laldenga is elected and he becomes the leader of the majority party, certainly he will head the Government at that time, or whoever heads the majority party after the elections will be made the Chief Minister. You cannot stop that. What is the illegality, what is

the unconstitutionality in appointing Mr. Laldenga as the Chief Minister? There is no constitutional objection.

Another objection was raised by Mr. Sukomal Sen. He is not present now. As far as I can see, it was a genuine one arising from some misunderstanding or misgiving. He says: when you are enacting this new Article 371G saying "Notwithstanding anything contained in this, no Act of Parliament in respect of religious, social, ... Practices of Mizo Customary Law... etc. etc." Actually this is already existing everywhere in the entire north-eastern region. Customary laws are prevailing in Nagaland, in Meghalaya, in the hill areas of Manipur, in the hill areas of Assam, even in Mizoram before and till now; it is there. The objection was that if the Cr. P. C. and the Civil code do not apply, then there will be duplicity of law. No, because the practice in that area is this. Normally the Cr. P. C. or the Civil Procedure Code do not apply in that area. Murder cases and other sessions triable cases are not tried by Sessions Judges. They are tried by the Deputy Commissioner and the Deputy Commissioner has other Assistants to Deputy Commissioner. Ordinary primary trials are done by the magistrates who are called Assistant to the Deputy Commissioner. Against their orders appeals are taken to the Deputy Commissioner or in more serious cases directly to the High Court. In the sessions cases the Deputy Commissioners who are invested with the powers of Sessions Judges try these. So this is the practice. The Cr. P.C. does not apply there. In Cr. P.C. lawyers like Bhandare can go into the matters in detail, examination, cross-examination, this Article, that Article, this, that. But in that area because the life is simple their social system is also simple. Most people have not even learnt to tell a lie. I can tell you a story from my own experience. I was trying an appeal in the High Court from Arunachal

[Shri Baharul Islam]

Two people were walking together one day. One was a man from Arunachal Pradesh, a young man of 19-20 years; another man was from Bihar side, he was a worker. When they were tired they sat under a tree. Then the Arunachal man suddenly took out his dagger and cut the other man into two pieces. Then he was tried for murder. He was asked: "Did you murder this man?" He said, "Yes". "What did you do?" "I cut him." "Why did you cut him?" In his own language he said: "I felt like cutting and I cut him." They have not learnt most of them have not yet learnt, to tell a lie. They will have to learn the definition of a "lie" as was the case in Gulliver's Travels in the land of Huinnms. People were so simple. Therefore, the trial is simple in civil Procedure area also. The Transfer of Property Act and so many other Acts are there in other parts of the country but not in those areas. Yet, transfer of Property is there according to the Customary Laws. In most cases there is no registration. In civil matters also, there is not the long, fat, civil procedure code, but the Spirit is there, there is no difficulty. In serious cases the appeal will lie in the High Court; in ordinary cases from the decisions of Assistants to the Deputy Commissioner, the appeal lies to the Deputy Commissioner. There is no difficulty. Therefore, in all propriety it is just and proper that these Mizo Customary Laws are allowed in Mizoram. It is very simple. I wonder whether you have visited those areas. I had occasion to visit Mizoram and Arunachal Pradesh. There are areas in Arunachal here there are practically naked people; they have not seen the light of the world. Most of the people of the family live in one room—the father, the mother, the newly married girl, son, all of them live in the same house. There are areas where the use of a match box is a taboo. A piece of wood must be burning all the time all round the clock, all through the year.

Now I come to my point regarding establishment of benches of the High Court and I particularly draw the attention of the honourable Minister—this may not really be his function; it may be the function of the Law Ministry. Here it has been said in sub-clause (2) of Clause 21—

"The President may, by notified order, provide for the establishment of a permanent bench or benches of the common High Court at one or more places within the territories to which the jurisdiction of the High Court extends, other than the principal seat of the High Court at Gauhati..."

Now, these seven States include Mizoram also. There is a promise for the establishment of permanent Benches in all these States including Mizoram. At present, there is one principal seat of the High Court at Guwahati and there are four outlying Benches, namely, one in Kohima in Nagaland, one in Shillong in Meghalaya, one in Imphal in Manipur and one in Agartala in Tripura. Now, when the State of Mizoram comes into existence, there will be another Bench at Aizwal. For this purpose, sufficient strength is necessary. I was myself the Chief Justice of the Guwahati High Court and I know what difficulties I had to face in constituting Benches. People in these areas, in Tripura, in Manipur, in Meghalaya, etc. are tired and they were offended that we did not constitute Benches for these areas, for their areas. Now, if you have four or five Judges, how can you constitute Benches for all these areas? At present, the strength of the High Court is 8 + 1, 8 permanent and one additional i.e. 9. Now, there will be 4 + 1, i.e. 5 outlying Benches plus one at Guwahati. So, according to me, the minimum strength of the High Court should be 15. Otherwise, it will be impossible for any Chief Justice to constitute permanent Benches in other places. And, Sir, their demand is very reasonable. The original demand was for a permanent High Court. Every State

was demanding a permanent High Court. My personal opinion is that a High Court is very expensive and it is a very expensive business and the cases are very few there. The number of cases does not justify the establishment of a permanent High Court in each of these States. I was telling my friends of those areas personally in my private talks; "Please do not demand a separate High Court. It will be very expensive. You demand a permanent Bench." One of the Judges will be permanently there. One Judge at least must be on each Bench. Then another will come from Guwahati and join the Division Bench. It can go on that way. So, if the Government appoints at least 15 Judges to the Gauhati High Court, then permanent Benches can be constituted. This is necessary because their real grievance is this: Suppose a man is arrested under the National Security Act. Now, a *habeas corpus* petition has to be moved. How can the people run from Kohima, Agartala, Imphal and Shillong to Guwahati for this purpose? It is very difficult. Secondly, there are cases of bail and they have to run from all these places to Gauhati. Therefore, their demand is genuine and, in order to remove these grievances, you must have a permanent Bench and a permanent Bench is necessary. I will, therefore, request the honourable Home Minister to convince the Law Ministry to make immediate appointment of at least 15 Judges. Otherwise, it will be impossible to render justice. Thank you.

THE VICE-CHAIRMAN (DR. BAPU KALDATE): Now, Mr. J. P. Goyal.

SHRI J. P. GOYAL (Uttar Pradesh): Mr. Vice-Chairman, Sir, there is no provision under the law, in my humble opinion, under which such an accord can be entered into. Our Prime Minister has entered into such accords in relation to Assam and Pun-

jab and now with Mr. Laldenga. But I do not find any provision under the law for entering into such accords or memoranda of settlement.

Now, Sir, I have got the Memorandum of Settlement. There is a preamble to it and there are various clauses therein and it is signed by the Home Secretary to the Government of India and the Chief Secretary to the Government of Mizoram, and by Mr. Laldenga on behalf of the Mizo National Front. I do not find any provision in the Constitution of India under which such an accord can be entered into. The only provision in our Constitution regarding entering into any accord or contract is under article 299 which says that if the Government enters into a contract with anybody, it is to be done in the name of the President or the Governor, as the case may be, and it has to be expressed in the form which is prescribed and all that. Also, it has to be signed by the Secretary who is authorised in that behalf. Now, in the case of these accords, I would like to make a humble submission. An honourable Member from the other side said that the Prime Minister is not only the Prime Minister of India, but he is also the Congress (I) President. He promised in the election campaign that he will see that peace is restored in Punjab, Mizoram and other places. Let us take the case of Punjab. The insurgents or the terrorists were creating trouble in Punjab. I am not attributing any bad faith to the Government of India or the Prime Minister. The Punjab Accord was entered into in good faith. It might be illegal or unconstitutional. But let us see what has happened thereafter. Elections took place in accordance with the Accord or the Memorandum of Settlement. But the same thing is going on. Even it is more. People are migrating from Punjab. The British Government ruled over a major portion of the

[Shri J. P. Goyal]

world. They ruled India only with the Indian Penal Code, Code of Criminal Procedure and the Evidence Act. We cannot govern our country. We have got so many laws. What is the use of having so many laws? The terrorists and the insurgents should be punished according to law made by Parliament. Now, we are talking to the insurgents and the criminals. We are talking to the people who should be in jail, who must be hanged and who have killed so many people. We are making them the Chief Minister. It is Laldenga who declared the independent State of Mizoram in 1956. Mizoram is having only 5 lakhs of people. Laldenga is responsible for creating insurgents and criminals. Now, you are asking him to come along and sit with you and you shall make him the Chief Minister. The duly-elected Chief Minister will be ousted and this man will be the Chief Minister. I have come across some speech in the other House which says that the arms which have come out are of Chinese mark. These persons have been having their connections with China, Bangladesh and other States. They have been trained there. What will happen if these people come into power? Do you think that peace will be restored? Laldenga had an interview with a U.S. paper. A question was asked saying that this means surrender or surrender of arms. He said that it did not mean surrender. It was their victory. Regarding greater Mizoram, he says that it is in obedience. So, we are being befooled. The Central Government has become very weak. It does not know how to govern the country. The law and order position has deteriorated everywhere. Now you have conceded that China has built a helipad. Now you have said about huts also. They will come. You have become so weak. We have become so weak that if China or Pakistan attack us, the country is going to be disintegrated. The country will be taken over by these forces with the help of American arms.

They say that if there is an attack on Pakistan, it will be an attack of them. This is the position of our Government today. It is clear to China and other countries also that the Central Government is very weak. They can bow down before a criminal like Laldenga. I am totally opposing this **constitutional Amendment Bill** and the so-called Mizoram State Bill where the population is only 5 lakhs. It means that it is a premium on insurgency. You will concede the demands of people who come up with arms. You will concede the demands of people who are violent. You will bow down to them. The population of Arunachal Pradesh is more than 7 lakhs with about 3 lakh adult voters. You will not concede Statehood to them. You will not concede Statehood to Goa which has a population of 20 lakhs. Please withdraw this Bill. Let a parliamentary committee be constituted. Let us examine the question of Statehood to these Union Territories, whether it is Arunachal Pradesh or Pondicherry or Andaman and Nicobar Islands. You will bow down to anyone who comes up with arms. You will say that peace is coming to the country. What peace is coming to the country?

As regards High Court and all that, I am not going into the details of the Bill. These are only small matters. The same Government servants will be the Government servants of the new State and all that. These are all small matters. But it is a question of principle. We have to take a decision. This is the Parliament of India. Has the Government of India now become so weak that while Mahatma Gandhi said non-violence, they say that now if anybody becomes violent all right, we are welcoming it? Laldenga entered into similar agreements in 1976, as my friend says, and in 1978 and 1980 and he went back. I am asking the Home Minister whether this man is a citizen of India today. Somebody was saying in the Lobby that he is not an Indian citizen at all, that he is a British citizen. So, the question is: Are you having an agreement

with a foreigner? And such accords show as if the Government of India is negotiating agreements or accords with foreign powers—such accords or agreements are entered into between one country and another—as if these persons, Mr. Longowal and Mr. Laldenga are representing some other countries, as if the Government of India is entering into contract and agreement with these persons which has never happened.

SHRI BUTA SINGH: Sir, may I remind the hon. Member that he cannot make such kind of wild allegations against some of the people who cannot defend themselves in this House?

SHRI J. P. GOYAL: Who is not able to defend himself? (*Interruptions*) I am not making any wild allegation against anybody.

THE VICE-CHAIRMAN (DR. BAPU KALDATE): You had mentioned a name...

SHRI BUTA SINGH: You mentioned the name of Mr. Laldenga and Mr. Longowal.

SHRI J. P. GOYAL: It is a matter of history. I am not saying anything personal against anybody. I have not said anything personally against the late Mr. Longowal. What I said is that such contracts or agreements by the Government of India are under what provision of law with such and such people, with a citizen of India. And these are the accords. Now, there might be another accord. There might be some other accords. We do not know what type of accords are going to come. This is going to disintegrate the whole country. I am telling you so, if you cannot deliver the goods let us have another election, let some powerful Government come because you are now functioning by the Anti-Defection Act which you just passed after the election. Freedom of speech under article 105 of the Constitution has gone now from this House where

we have got some privileges as Members of Parliament, the same privilege as in the House of Commons. Now nobody can say anything from the treasury benches. At least, I swear I am not going to become a member of the treasury benches. If I become ever, if ever my Party comes to power and they say that you do not speak, I shall resign. At least, the freedom of speech is now gone from the House. So, let us very coolly see how can you give Statehood to 5 lakh people where 1,25,000 are voters. There are others having so much population. So, in my submission, you please withdraw both these Bills. Let us reconsider. Don't be so rigid. You are the Government. You are having a brute majority. But please think over what the country is thinking about all this.

SHRIMATI OMEM MOYONG DEORI (Arunachal Pradesh): Mr. Vice-Chairman, Sir, I rise to support the Constitution (Fifty-third Amendment) Bill, 1986, for Statehood to Mizoram.

Sir, for the past two decades, one of the most beautiful parts of our country inhabited by charming people has been the scene of violence and strife causing considerable loss of life and property. The people of the territory have been praying for respite from continuing violence. The Government have been making efforts to resolve the problem and the search for a settlement acceptable to all concerned has been continuing. Our young and dynamic Prime Minister, from the day he took over the onerous responsibilities of the office has been making all efforts to resolve various complex problems facing the country. Settlement of the Mizo problem coming soon after Punjab and Assam is a big feather in his cap. It fully demonstrates his sincerity and his will to resolve the delicate problems through negotiations with goodwill and understanding. Everybody in the country has welcomed the accord and the people of Mizoram are extremely happy. In fact, it is their, I

[Srimati Omem Moyong Deori]

mean the present ruling Government, their elected representatives who took the initiative and made sacrifices for the good of the common man and woman in Mizoram. There are however, some who will always be critical, when violence and conflict was continuing they blamed the Government for not initiating measures to resolve the problem. Now that a settlement has been reached the same people are accusing the Government and finding fault with the terms of the Government. I will not go into this as this has been discussed in the august House already I would only like to congratulate the Prime Minister. He has shown the way that issues,

however complex they may appear, can be resolved through understanding and goodwill. We are part of a great family and no member of this family has to resort to violence to get a fair deal. Violence only brings misery and suffering.

One is happy to note that MNF leaders have carried out their part of the agreement. The MNF underground have come out with their arms and ammunition. The Bill before this august House for grant of Statehood to Mizoram is part of the commitment and the Government needs to be commended for bringing this before the House in such a short time. With Mizoram becoming a full-fledged State the people of the State will have full say in regulating the development of their State. Mizo people are hard working and versatile. I am confident they will now direct all their energies and efforts for the development of the territory to ensure lasting welfare of its people. Let us all wish them well in their future endeavours.

In the North Eastern region, because of various factors historical,

social and cultural, a pattern of smaller political units has been accepted. With Mizoram becoming a full-fledged State Arunachal Pradesh will be the only territory left in the region having the status of a Union territory. Arunachal Pradesh, as the Members are aware, is much larger in area and population than Mizoram. I am happy that the Prime Minister has already taken the initiative in examining the proposal for Statehood for Arunachal Pradesh. Arunachal Pradesh and Mizoram were conferred the status of a Union territory at one and the same time. Arunachal was declared a Union Territory on 28th January 1972 and Mizoram on 21st of January 1972. The peace-loving people of Arunachal Pradesh are watching anxiously that they are not left behind in any way. We are already called a Pradesh. I am confident we will be given that status also.

With these words, Sir, I support the Bill. Thank you.

SHRI N. E. BALARAM (Kerala):

Mr. Vice-Chairman, Sir, all of us are aware of the problems of North-Eastern region. You know that we should try to solve some of the problems which are there in the minds of the people in that area. In this context, as far as this Bill is concerned, I think it is a very positive step, so I am supporting it. But I would say, Sir, if it is sincerely implemented it will help to end two decade long insurgency there. I am underlining the words 'if it is sincerely implemented'. Why is it so? I say this because we have signed two other agreements. I am not repeating the points which have already been made. But I would like to repeat only one thing. After signing the two earlier accords we had hoped that an atmosphere will be created whereby the problems can be slowly solved. But unfortunately the Government is not serious enough to implement those accords. I do not know why they are resorting to such methods. When

I say that they are not very seriously implementing those accords, of course it is obvious I am referring to the Punjab Accord and the Assam Accord. Now in Assam another round of agitation is slowly coming. Why is the Government not very serious about implementing that Accord? Very seriously agitations are going on. Why do you buy such problems again and again, I ask this question of the Home Minister. But as far as people of Assam are concerned, these are big things. They want to implement the accord as quickly as possible. But the attitude of the Government of India is totally negative, as far as my knowledge goes. Either on the question of fencing the border, or on the question of identifying the foreigners, all these things are agreed but neither all these things have been implemented nor any steps taken in this direction. So the agitation has again started. I do not say anything about Punjab because I would be going away from the present Bill. I strongly protest against this attitude of the Government. Once we agree, we should implement it totally and seriously. We should not create a feeling among the people that the Government is going back from its own commitment. Is it good for the country? That is why, I said, if this accord is implemented seriously and sincerely, there is a possibility of ending the two-decade long insurgency in Mizoram; I underline it. Otherwise, you are going in for another problem like Punjab. You shed away this political attitude. I am firmly convinced that with all the diversities of India, diverse in languages, culture, ethnic regions, religious etc. of this great country, if its unity and integrity is to be maintained, we have to convince the minorities that their legitimate right will be always safe. I firmly believe that we should create that impression in the minds of the people. But what is the impression they are trying to create? One fine morning, even without consulting this Parliament, even without consulting the Opposition parties—I

would say most of the Opposition parties are not opposing any of these accords—after signing the agreement, you come to the House and say that you have signed it. All right. If these accords are positive, we support it; but you take us for granted. Don't treat us like this. This is not a democratic way of functioning. I have been seriously concerned with this way of functioning of the Government.

As far as North-Eastern part is concerned, I have another point to mention. For the last 25 years, the State of Manipur have demanded that Manipuri language should be included in the Eighth Schedule. Still, agitation is going on. What is their demand? Their demand is simply to include Manipuri language in the Eighth Schedule. I do not know what stands in the way of the Government...

SHRI P. BABUL REDDY (Andhra Pradesh): So also Nepal.

SHRI N. E. BALARAM: I am coming to that point. What stands in the way? What is the philosophy? Somebody talked of philosophy. What is the philosophy on the ethnic problems of the country? There is the question of language. Whenever a Tamilian gets up and says something about the country, you immediately poohpoo him. You should understand the feelings of the people as this is a country with diverse views; this is a country of so many nationalities, and they are trying to unify the people. If you want to unify this country, and keep the unity and integrity of the country, you should respect the sentiments of the people. They demand inclusion of Manipuri in the Eighth Schedule. You have included Sanskrit. I ask, how many of you know Sanskrit? I am not against Sanskrit because I am a student of Sanskrit.

SHRI P. BABUL REDDY: Home Minister know it.

SHRI N. E. BALARAM: If you can include Sanskrit, you cannot include Manipuri with big literature behind it. You can do it. Now, when we are talking about language as you know in the case of the Nepal Language... (Time bell rings) Please give me two-three minutes. I am not going out of the purview of the discussion. They have been demanding that the Nepali language should be included in the Eighth Schedule of the Constitution. No answer. Mum. I do not know what is your stand. If this is the position, I strongly protest. My party strongly protest. You should understand the feelings of the people on language. When the question of some other language comes, you are shivering in your shoes, Mr. Buta Singh. But when the question of the Nepali language comes, when the question of the Konkani language comes, when the question of Manipuri language comes, you laugh at them. This is the approach. Is it a proper approach, I ask you? You should not hesitate to concede such a demand if you are for the unity of the country. Are you incapable of understanding the feelings of the people in language? (Interruption) There are several languages in the country. Do you know there is one Konkani language? Do you know about it? They are demanding for it also. There is...

AN HON. MEMBER: Maithili.

SHRI N. E. BALARAM: There is Maithili language. They are demanding for its inclusion in the Eighth Schedule of the Constitution. There is lot of Maithili literature. It is also taught in the M.A. Class. Why am I raising this problem? The question of language in the North-Eastern Region is quite relevant. You should include Manipuri and Nepali in the Eighth Schedule of the Constitution. I would like to know, what is your approach, long-term approach, towards this area. You are having a piecemeal approach. This is what I

say. Only when somebody takes to insurgency, you say 'Please come for talks'. Do you want another insurgency in some other area? That is why, I say, you should understand the feelings of the people and try to solve the problem. Even after such bitter experience, you are not taking it up seriously and you are not reconsidering your stand in regard to the problems that are there in those areas. My question is, what is your approach towards the North-Eastern Region? You should have some perspective. Then, Arunachal Pradesh will come up. Definitely they will come up. All these problems will come. That is why, I am saying, you should have a policy, you should have a proper approach, towards specific nationalities, specially on the question of language. You are denying the right of the Manipuri people by not including their language in the Eighth Schedule of the Constitution.

THE VICE-CHAIRMAN (DR. BAPU KALDATE): You have to conclude now.

SHRI N. E. BALARAM: I have some more points. Some Members have raised the problem of minorities in Mizoram. I am not going to repeat all those things. In conclusion, I will say Government should reconsider their stand on the question of these two languages, Manipuri and Nepali.

श्री अजीत पी० के० जोगी (मध्य प्रदेश) : उपसभाध्यक्ष जी, राष्ट्र के सुदूर उत्तर-पूर्वी छोर पर स्थित हैं लुहार पहाड़ियां जो अत्यंत ही मनोरम, मनोहारी, सुंदर और हरे-भरे वृक्षों से, सघन वनों से आच्छादित हैं और वहां रहते हैं लगभग पांच लाख आदिवासी और वे भी उतने ही सुन्दर, उतने ही शिक्षित, उतने ही सभ्य और उतने ही सुसंस्कृत हैं। यह एक सुखद संयोग है, एक सुखद क्षण है कि आज हम इन पांच लाख आदिवासियों के सपनों को इन दो विधेयकों के माध्यम से साकार करने जा रहे हैं।

हम जानते हैं पिछले बीस वर्षों का इतिहास इस क्षेत्र का, जबकि इस पूरे क्षेत्र

में इतिहास की ज्वाला, हिंसा की आग भमक रही थी। अब इस ऐतिहासिक समझौते के माध्यम से जो राष्ट्र के प्रधान मंत्री, हमारे नेता श्री राजीव गांधी ने अपनी पहल पर, विशेषकर आदिवासियों की संस्कृति और परम्परा को देखते हुए संपादित किया है—इसके माध्यम से जब वहाँ एक अध्याय समाप्त हो रहा है—हिंसा का अध्याय, दुःख का अध्याय और एक नया अध्याय प्रारंभ हो रहा है—सुख का अध्याय, समृद्धि, उन्नति और प्रगति का अध्याय। इसके साथ ही यह क्षेत्र और यहाँ के ये पाँच लाख आदिवासी जो अब तक हमारी राष्ट्र की मुख्य धारा से मात्र भौगोलिक रूप से जुड़े हुए थे, एक राजनीतिक इकाई के रूप में जुड़े हुए थे, वह अब हृदय की अन्ततम गहराइयों से, अपनी भावनाओं से हमारे राष्ट्र की मुख्य धारा से जुड़ रहे हैं। यह वास्तव में न केवल इन पाँच लाख आदिवासियों के लिए, किन्तु इस राष्ट्र के 75 कोटि नागरिकों के लिए प्रसन्नता और हर्ष का प्रसंग है।

महोदय, मैं व्यक्तिगत रूप से इन दोनों विधेयकों का विशेषकर इसलिए स्वागत करता हूँ क्योंकि ये विधेयक यह बख्ति है कि हमारे राष्ट्र के नेता, हमारे प्रधान मंत्री और हमारी पार्टी आदिवासियों की प्रगति, आदिवासियों की संस्कृति और आदिवासियों की परम्परा का सम्मान करते हैं। यह पूरा समझौता और ये दोनों विधेयक, इनका केन्द्र-बिन्दु ही आदिवासियों की परम्परा और आदिवासियों की संस्कृति का सम्मान है। यह इस सीमा तक किया गया है कि जहाँ आवश्यकता पड़ी है वहाँ संविधान को भी संशोधित किया जा रहा है, जिससे आदिवासियों की परम्परा और आदिवासियों की संस्कृति बनी रहे, उसका सम्मान हो।

महोदय, मैं यह कहना चाहूँगा कि जो लोग मैदानी इलाकों में रहते हैं, वे आदिवासियों की संस्कृति का—जो पहाड़ों में, जंगलों में रहते हैं, न समझते हैं और न समझ सकते हैं। यदि, जो बातें उस ओर से कुछ माननीय सदस्यों ने कहीं, उसके संदर्भ में मैं कहूँ, तो यह बात स्पष्ट है कि मैदानी

क्षेत्रों में रहने वाले लोग जब तक वे कांग्रेस की संस्कृति से धोए न गए हों, आदिवासियों की संस्कृति और आदिवासियों की परम्परा का सम्मान नहीं कर सकते। जो बात मैदानी क्षेत्र में रहने वाले व्यक्ति को अपराध लगती है, जघन्य अपराध लगती है, वह संभवतः एक आदिवासी के लिए अपराध नहीं है और जो बात, जो तथ्य, जो कार्य एक आदिवासी को जघन्य अपराध लगता है वह संभवतः मैदानी क्षेत्र में रहने वाले व्यक्ति के लिए अपराध नहीं है। वस्तर में आदिवासी रहते हैं, मैं एक उदाहरण दूँगा—मैदानी क्षेत्र में रहने वाला व्यक्ति यह कभी नहीं सोच सकता कि ताड़ी का एक फल तोड़ लेना कोई एक बहुत बड़ा अपराध है, पर वस्तर के किसी आदिवासी के ताड़ी के वृक्ष पर चढ़कर तो कोई देखे... वह आदिवासी उसकी हत्या कर देगा। उसके लिए वह सबसे बड़ा, सबसे जघन्य अपराध है। वह इसलिए है कि जब वह पैदा होता है तो उसके मातापिता उसके नाम पर एक वृक्ष लगाते हैं और वह अपने जीवन के साथ उस वृक्ष को आत्मसात कर लेता है। मैदानी क्षेत्र में रहने वाला जो कांग्रेस की परम्परा को नहीं समझता और आदिवासियों की परम्परा का सम्मान नहीं करता वह नहीं समझ सकता कि आदिवासियों की व्यवस्था, आदिवासियों के कानून मैदानी क्षेत्रों में रहने वाले लोगों की व्यवस्था और उनके कानून से भिन्न हैं। यही कारण है कि इस समझौते में और उस समझौते के बाद बनाए गए इन दोनों विधेयकों में यह प्रावधान रखा गया है कि आदिवासियों की संस्कृति, उनके इतिहास, उनके रीति-रिवाजों को पूरा सम्मान दिया जाएगा। इसलिए संविधान के इस संशोधन 371 (जी) को सम्मिलित किया गया है।

आदिवासियों की परम्परा के सम्मान का एक बड़ा उदाहरण इस विधेयक में यह भी है कि परम्परागत रूप से जो आदिवासी इस अंचल में रहते हैं और अपनी जीविका सीमा पार व्यापार करके चलाते हैं उसे भी इसमें सम्मिलित किया गया है। यह दर्शाता है कि हमारी पार्टी आदिवासियों के हितों का संरक्षण करने वाली एकमात्र पार्टी और हमारे प्रधान

[श्री अजित पी० के जोगी]

मंत्री आदिवासियों के हितों के सम्बन्ध में सजग रहने वाले एकमात्र नेता हैं ।

इसमें यह भी प्रावधान रखा गया है कि वे युवक जो अब तक अपनी संस्कृति और अपनी परम्परा को बचाए रखने के लिए लड़ रहे थे उन युवकों को विशेष रूप से रोजगार दिया जायगा, उन युवकों को विशेष रूप से प्रोत्साहित किया जायगा । यह सब कहने का मेरा अभिप्राय यही है कि संशोधन के माध्यम से और इन दोनों विधेयकों के माध्यम से यह स्थापित किया जा रहा है कि आदिवासियों की संस्कृति और परम्परा का यह सरकार सम्मान करती है और उनकी परम्परा और संस्कृति के अनुसार ही उनको एक पृथक राज्य का दर्जा दिया जा रहा है ।

ये विधेयक और यह संशोधन विशेष रूप से आज की परिस्थितियों में सामयिक भी हैं । यह संशोधन और ये दोनों विधेयक इस बात को भी निर्विवाद रूप से स्थापित कर रहे हैं कि इस राष्ट्र की व्यवस्था में हिंसा का कोई स्थादनहीं है । जब तक इन लोगों ने हिंक रह कर, बागी रह कर अपनी बात मनवाना चाही तब तक हमारी सरकार ने, हमारे नेता ने उनकी बात नहीं मानी, पर जब उन्होंने हिंसा से अलग हट कर यह कहा कि हम राष्ट्र के संविधान को मानते हुए राष्ट्र की मुख्य धारा से जुड़कर आप से बातचीत करना चाहेंगे तभी उनसे बातचीत की गई और तभी यह समझौता किया गया और तभी उन्हें इस पृथक राज्य का दर्जा दिया जा रहा है । यह इसलिए सामयिक है कि राष्ट्र के कुछ अन्य इलाकों में हिंसा के माध्यम से लोग अपनी बात मनवाना चाह रहे हैं । इस संशोधन और इन दोनों विधेयकों के माध्यम से हमारे प्रधान मंत्री यह बताना चाहते हैं कि जब तक वे लोग हिंसक रहेंगे, तब तक वे उनसे समझौता नहीं करेंगे, वे तभी उनसे बातचीत करेंगे जब वे अहिंसक होंगे, अहिंसा का रास्ता अपनाएंगे और जब वे संविधान को पूरा सम्मान देना हुए सुलह करना चाहेंगे, समझौता कर लेंगे ।

मैं इस ऐतिहासिक समझौते के सन्दर्भ में और इन दोनों विधेयकों के सन्दर्भ में अपनी ओर से मिजोरम के आदिवासियों की ओर से, और इस राष्ट्र के एक नागरिक की हैसियत से प्रधान मंत्री को बधाई देना चाहूंगा, अपने ऐसे प्रधान मंत्री जी को जिन के नेतृत्व में यह तीसरा समझौता हुआ, जिन के नेतृत्व में शान्ति की ओर बढ़ने का यह नया अध्याय नया युग प्रारम्भ हुआ है ।

[उपसभापति पीठासीन हुए ।]

और जिनके नेतृत्व में पूरे राष्ट्र के आदिवासियों को यह विश्वास हो रहा है कि कांग्रेस अपनी संस्कृति के अनुरूप, जैसा कि कांग्रेस ने सदैव से कहा है आदिवासियों के हितों का, आदिवासियों की परंपराओं का, आदिवासियों के रीति रिवाजों का, आदिवासियों के इतिहास का सम्मान करती रहेगी । इसलिये मैं प्रधान मंत्री जी को विशेष कर इस समझौते के लिये, इन विधेयकों के लिये इन तमाम लोगों की ओर से बधाई, साधुवाद और धन्यवाद देना चाहूंगा । साथ ही बधाई और साधुवाद के पात्र हैं मिजोरम की समस्त जनता, मिजोरम के यह 5 लाख आदिवासी जिन्होंने ऐसा जनमानस तैयार किया कि वे लोग जो हिंसक थे, उनमें उन्होंने ऐसी आस्था तैयार की कि वे लोग जो लालड़ेगा के नेतृत्व में हिंसक हो कर सुलह करना चाहते थे, अपने बात मनवाना चाहते थे उन्हें उन्होंने मजबूर किया कि वे हिंसा का रास्ता छोड़ें और शान्ति का रास्ता अपनायें और भारतवर्ष की मुख्य धारा में, राष्ट्र की मुख्य धारा में मिल कर राष्ट्र को प्रगति और उन्नति में सहयोग दें । वे भी अत्यधिक बधाई के पात्र हैं । विशेषरूप से बधाई देना चाहिए मिजोरम के मुख्य मंत्री महोदय को, लालथनावाला जी को जिन्होंने इस समझौते के साथ ही अपने मुख्य मंत्री की कुर्सी को छोड़कर बहुत बड़ा योगदान दिया है और कांग्रेस की ओर से एक ऐसा उदाहरण स्थापित किया है कि जब राष्ट्र-हित की बात होती है जब राष्ट्र की

मुख्य धारा से जुड़ने की बात होती है तो कोई भी कांग्रेस का कार्यकर्ता, कोई भी कांग्रेस का नेता चाहे वह कितनी ही बड़ी कुर्सी पर क्यों न बैठा हो उसे छोड़ने को तैयार रहता है ।

और अंत में हमें शतशत प्रणाम करना है उन तमाम प्रहारियों को, पुलिसवालों को, सेना के अधिकारियों और कर्मचारियों को और पैरा मिलिटरी फोर्स के कर्मचारियों और अधिकारियों को जिन्होंने पिछले 20 सालों की हिंसा के दौरान अपनी शहादत दी, अपना बलिदान दिया और अपनी जानें दीं जिस से मिजोरम इस राष्ट्र का अंग बना रहा और मिजोरम एक राज्य के रूप में भारत वर्ष में स्थापित हो रहा है ।

इन शब्दों के साथ मैं इन दोनों विधेयकों का पूरे हृदय से स्वागत करता हूँ, समर्थन करता हूँ । धन्यवाद ।

MR. DEPUTY CHAIRMAN: Mr. Matto. Only two minutes. Time is running short.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Why are you so inconsiderate. Sir?... (Interruptions)... He says, because we are going to form a Government. Is forming a Government a sin?

SHRI P. BABUL REDDY: Not to form is a sin.

SHRI GHULAM RASOOL MATTO: Not to be permitted to form.

Sir, I rise to support the Constitution (Fifty-third Amendment) Bill and the State of Mizoram Bill. Sir, quite a lot has been said about why this Accord was entered into by the Central Government with Mizoram. The Government of the day and the Government in power fully knows the facts and talks only to those who count in that particular State. If there was a dialogue in Punjab with the Akali Dal, the Government of the day knew that the Akali Dal was a factor in Punjab which had to be taken into consideration and

started the process of the dialogue with them. Similarly, in connection with Mizoram, whatever may have been the previous history of the case, the fact remains that the Government of the day knows that Mr. Laldenga was a factor. And if they entered into a dialogue with him and came to an understanding which resulted in peace, it should be welcomed by all of us.

Mr. Jaswant Singh said that this might start a beginning of demands for special status for different States. I do not know. Unless the party in power has a centrist attitude, how will it be in conflict with the land of diversities which is a Continent, in other words, with diverse culture and races? And if the races want to retain their identity, how does it go against the integrity of the country? I have not been able to follow this logic, unless the logic is, by implication, that the centrist authority, whoever may be in power, wants to impose a particular type of culture, a particular type of thing. Then alone this goes in conflict with this thing. Otherwise, in diversity also one can have a common union, community of thought.

Some speakers have also referred to Jammu and Kashmir, about the special status enjoyed by Jammu and Kashmir. I do not want to go into the history of article 370 and the history of the special status enjoyed by Jammu and Kashmir. But I want to tell the hon. friends particularly my friends in the BJP, that if Kashmir today is a part of India, it is because of the community of thought that our leaders in 1947 had with the then leaders of India, that is, Mahatma Gandhi and Jawaharlal Nehru. Of course, if Kashmiris at that particular point of time had thought and come to know that there would be an authority which would not be wedded to secular ideas, democratic ideas, the history of India would have been different, and Kashmir would not have been a part of India. I have only to tell

[Shri Ghulam Rasool Matto]

my hon. friends that when they talk of article 370, they should talk with caution.

In this connection, Sir, I have only to bring to the notice of my friends in the BJP that when they came to power in the Janata regime, they themselves made it known to the entire world that article 370 would not be abrogated or tampered with without the consent of the people of Jammu and Kashmir. When they are out of power, they try to tell us that they want to do away with article 370.

SHRI SAT PAUL MITTAL (Punjab): They do so not only with regard to article 370 but with regard to everything.

SHRI GHULAM RASOOL MATTO: My submission to you, Sir, is that this is very sensitive thing. I would request the hon. Members that so far as the identity of Kashmir is concerned or so far as the identity of article 370 is concerned, they should try to understand the history and see the writing on the wall.

I have only to support these two Bills.

With these words, I complete my speech.

MR. DEPUTY CHAIRMAN: Gen. Aurora, there are only two minutes left please.

SARDAR JAGJIT SINGH AURORA (Punjab): Mr. Deputy Chairman, Sir, I wish to support the amendment and also like to congratulate the people of Mizoram with whom I had contacts in 1962, for being able to achieve this Accord. I wish them best of luck.

I do hope that this Accord will be implemented sincerely and speedily, certainly more than that of Punjab.

Thank you very much, Sir.

5.00 P.M.

SHRIMATI BIJOYA CHAKRAVARTY (Assam): Sir, I take this opportunity to support the Mizo

Accord and the Bill to confer Statehood to Mizoram.

I support it because I come from North-eastern region. This is the most neglected part of the country. Now that the Central Government has come out to think for the people of this region, I congratulate the Central leadership. At last, after so many years, wisdom has dawned on the Government to treat the Mizo people as human-beings.

I personally know the Mizo people. They are very peace-loving. They have their own customs, traditions and customary laws. They want to live with dignity and honour having identity of their own.

The second point for which I support this is that the Accord and the Bill will confer the Statehood to Mizoram. Sir, Laldenga is a nationalist leader and he will surely maintain peace and harmony in the country and in the area.

Thirdly, Sir, there is the Assam Accord, the Punjab Accord and now there is the Mizoram Accord. And if the intention of the Central Government is to develop that part, then and only then there will be peace and real economic development. Otherwise, this Accord and this conferring of the Statehood will simply be a paper work.

I again support this Accord because peace will come back to Mizoram and the entire North-Eastern area will live in peace and the Mizo people who are spending their days and nights in the Jungles for the last 18 years will now come over-ground and join the mainstream of the Mizo population and the country. I hope the Central Government will also look after the interests of the people of Arunachal Pradesh and of Manipur too.

SHRI BUTA SINGH: I rise to commend to this House for the passing of the Constitutional (Amendment) Bill and the State of Mizoram Bill today.

This Bill has been supported by all the sections of the House. But for the slight discord of BJP and the Lok Dal, the very fact that no hon. Member has moved any amendment to this Bill either from this side or from that side is a proof that this whole House is unanimous behind the spirit of the Constitutional Amendment. Sir, this is my unique privilege.

This subject was discussed when I took the earliest opportunity to come to this House for placing before the hon. Members the Memorandum of Settlement signed with Mr. Lal-denga and the hon. Members had an opportunity to discuss almost in detail every point contained in that Memorandum. Today we have, I should say as Gen. Aurora has said, implemented the Accord as a matter of fact. This is perhaps the final thing which is given in the Accord that we will introduce a Bill in the House and perhaps that is the climax of this Accord.

Most of the hon. Members while speaking on this historical Bill—it is historic for the people of Mizoram for many reasons, because they are going to get for the first time the full Statehood which will go a long way in meeting the aspirations of the people of Mizoram—I would say that this State will march forward in its social and economic development.

The hon. Prime Minister, when he made his visit to Aizawl, was received by the people of Mizoram in a most affectionate manner. He received full welcome from all the people from all walks of life, from all tribes from all corners of Mizoram. He was so much impressed by the beauty of the State and the people of that area that he immediately decided for the full-fledged development of the State of Mizoram and there should be a big team from the Government of India headed by a senior-most Minister who could feel the pulse of the people, go into

the problems of the development and in one stroke give a big boost to the economic development of the State. As a result of this, a team of Ministers including the Deputy Chairman of the Planning Commission visited the area and they took decisions on the spot sitting with the Government of Mizoram. While taking decisions on the spot they have announced a package of about 23 major which are going to give a big boost to the economy of Mizoram like declaration of two roads as national highways—one from Lunglei-Thara and the other from Lunglei-Thulpa. These were read by me in this House and in the other House. I need not repeat them. But this is the first package of the development of Mizoram. It has been made possible because of the atmosphere prevailing in Mizoram which has been worth to some extent. We can introduce a method for the development of the area.

Sir, what is happening in Mizoram, most of the hon. Members who come from the North-Eastern region—Shri Baharul Islam, a distinguished and learned Member, Shri Hokishe Sema and my distinguished colleague Dr. C. Silvera—have already informed the House about the various conditions prevailing in that part of our country.

Sir, there are only two or three points, I would like to make certain clarifications and these points have been raised earlier. Some of my distinguished colleagues and hon. Members made a mention about giving some special status to Mizoram and also the question of greater Mizoram. Shri Baharul Islam has already met the point raised by the hon. Member Shri J. P. Goyal who did not know that his party supported it in the other House. Perhaps he is not aware of what is happening in his own party in the other House. He rightly informed this House that his party is not going to come to the Treasury Benches. Sir, even if they dream, I am sure, in the foreseeable future that party is not going to come

[Shri Buta Singh]

to the Treasury Benches. Therefore, he need not worry about these issues.

Regarding High Courts, hon. Member, Shri Baharul Islam has already dealt with this issue and also the social life in that area. I think one cannot describe better than the great Judge, Shri Baharul Islam. Even in Manipur, Tripura, Nagaland, in certain parts of Assam and the hill tribes, the customary law is in vogue. It is mentioned in the Memorandum of Settlement itself that the Government of Mizoram have given an assurance that they will codify their customary law in the Assembly. As soon as that law is codified, it will be placed before this august House. Then law of the land will prevail without any hinderance. There will be no question of having dual Judicial system. Sir, at the moment also, the District Councils and their local tribal customary laws are running. In their village life and perhaps in many respects they are much better than our I. P. C. or Criminal Procedure Code. I need not go into this because it is not good to criticise the system. But some of the hon. Members especially Mr Jaswant Singh—I agree with him at least for one when they said that the mainstream people are much more advanced. It is unfair to the people of North-Eastern. Their cultural development, their social customs are far more advanced and they are far more fair. They are far more friendly, they are more truthful whenever they go according to their customs. At the village level even at the present moment, whether it is criminal side or the civil side, the cases are decided by their Gram Panchayat and they are competent and when the aggrieved party needs further investigation, further justice, they go to the higher authority. they go to the District Magistrate and then on to the High Court. It is not that the Indian law, the law of the land is not applied to these areas. It

is very much applicable. Upto the village level, they have their own foolproof system which is in vogue for centuries and it has stood the test of time but even then, there is a provision in the Memorandum of Settlement that the Assembly of Mizoram will codify these laws and once it is done, we will place these laws before the House for information. There is nothing of a special status. This special status was available in Nagaland and even today, it is present there and one hon. Member rightly mentioned that there has not been any problem. If it could be constitutionally, without any problem governed in Nagaland, I see no reason why it could not be governed in Mizoram. Therefore, constitutionally speaking there is no special status as such. It is only trying to preserve the social system, the cultural heritage of our people in those remote areas and to remove from their minds the fears that we are keen to encroach upon their social system.

Sir, about greater Mizoram also. some of the hon. Members mentioned. The hon. Prime Minister in his last visit to Aizawl made it very clear and also it is provided in the Memorandum of Settlement and in the Bill that the territory of the State of Mizoram will be the same as the Union Territory of Mizoram. There is no question of any change and after the hon. Prime Minister made it clear to the country and to the people outside, there was a conference of all the Chief Ministers of that area. Even in the Constitution, the scheme which provides for altering the boundaries, or the territories of any State, there is a provision in the Constitution also. But in that conference of the Chief Ministers of that area all the Chief Ministers, including Tripura, have said with one voice that there is no question of interfering with the boundaries of their present States touching with the Mizoram. There is not an iota of doubt in the mind of anybody. It is no use to carry on this controversy beyond a certain

point because some of the press sections are trying to praise it unnecessarily to create some kind of misunderstanding in the minds of the people of that area and for that reason some statements are being ascribed to Shri Laldenga. I am not here to defend Mr. Laldenga. He is there. Sir, here they say, it is a surrender to insurgency. As Shri Baharul Islam has very rightly pointed out that it would have been a surrender to insurgency if the Government of India or for that matter, even the Government of Mizoram had gone all the way to request Shri Laldenga that you come and sign this accord. It was Mr. Laldenga who came with a pledge that I want to come under the Constitution of India. I want to disband my party. I want to amend the constitution of my party to fall in line with the Constitution of India. I want the people of Mizoram to enter the mainstream of our national life. It was done on that request. Sir, some of the hon. Members have raised question. I should not say ignorant but they did not have this information that Mr. Laldenga is an Indian citizen. It has been clarified by him and many a times, I made it clear on the floor of the House but even then, some of the hon. Members are continuing saying this. He is a citizen of India. He made an unconditional request to the hon. Prime Minister in 1975. It was on the basis of this unconditional acceptance of the Constitution of India and Mizoram party accepting the law of the land, amending the constitution of their own party that this was done. And through various stages it has taken time. Yes, we have acted strictly according to the provisions of the constitution of India. We have not gone beyond the four walls of the Constitution of India. Whatever provision has been made in this accord is within the framework of the Constitution of India. Somebody asked about the constitutional legality. Political issues are not given in the Constitution. J. P. Goyal saheb. Political issues are decided through negotiations and then the Constitu-

tion takes care of the provisions made in these things. It is in that tradition in a democratic set-up that this accord has come about.

Sir, about border trade, it has been clarified earlier also. This is nothing new. In all such border States. this kind of border trade with the neighbouring countries is in practice. This was there in Manipur; this was there in West Bengal also; we made arrangements with Bangladesh. It is there in Tripura. And this will be under the overall scheme of the Government of India. And the whole system will be subject to the rules and regulations of the Ministry of Commerce and, for that matter, even the Ministry of Finance. Therefore, there is nothing new that has been created. Highly perishable commodities like fresh vegetable...

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Is it existing now between West Bengal and Bangladesh? You said it is already existing between West Bengal and Bangladesh.

SHRI BUTA SINGH: I said there was a treaty between Bangladesh and some of the States including Manipur and Tripura. This treaty was there for two or three years. There is nothing new that we are trying to introduce through this clause. Border trade is a normal practice in such difficult areas where perishable commodities cannot be...

SHRI M. S. GURUPADASWAMY: Sir. I think if I heard him rightly, he said there was a treaty between Bangladesh and Manipur and West Bengal. How can there be a treaty with our States? Have I heard you correctly?

SHRI BUTA SINGH: No, no, I said there was an arrangement between Bangladesh and some States like West Bengal...

SHRI M. S. GURUPADASWAMY: You said there was a treaty.

SHRI BUTA SINGH:... to have this system of trade.

MR. DEPUTY CHAIRMAN: You have the Minister's statement now.

SHRI BUTA SINGH: Unfortunately Mr. Gurupadaswamy perhaps has not heard it. Therefore, this is nothing new. This border trade is within the overall supervision of the Government of India and under the policy and the rules framed by the Government of India. There is nothing new. It is only that across the border, certain commodities of daily use are being exchanged are being traded with those States.

So, Sir, these are some of the points on which I wanted to inform the hon. Members and I would like to join Shri Hokushe Sema in what he said, that people living in these difficult terrains are the real sentinels of our country. No doubt about it. They should not feel that they are a deprived lot. They should not feel that the rest of the country does not care for them. Only those who have gone through the past experience of our conflicts with our neighbouring countries can realise the help, the utility, the importance of the local population—how our army Jawans got help from these people, how they were helped while fighting against the enemies of the country. It is our duty to see that the people living in the border States are fully contented, there is complete peace, complete law and order and their aspirations are met. That is why the Government of India has set apart a special fund for the development of the border areas. The people of Mizoram or, for that matter, even of Tripura, West Bengal and the States which are exposed to the international borders should not have a feeling of isolation. They should have a feeling that the whole country is at their back. Whenever there is a threat to the country, the people of that particular border State which happens to be exposed to that particular threat, should not only stand with the great soldiers of the Indian Army, but they should have a stake in that particular cause. It is through them

that our army will be able to deal more effectively with the enemies of the country. It is with this spirit that the Government of India is trying to help the people of all the border States. Shri Hokushe Sema has picked up the real spirit. It is in this spirit that we are trying to strengthen the economy, social structure and the development of Mizoram, and we congratulate the people of Mizoram; on behalf of the entire House, on behalf of the entire parliament, we congratulate them. This is the day for the people of Mizoram a great day for rejoicing that they are getting full Statehood with the blessings of parliament, with the blessings of the honourable Prime Minister that the people of Mizoram are joining as the twenty-third State of the Indian Union, and I request the Deputy Chairman also to express happiness for the people of Mizoram.

SOME HON. MEMBERS: Why?

SHRI BUTA SINGH: Why? Because the people of Mizoram are the happiest lot today; they are people whose aspirations have been fulfilled by the great leader, Rajiv Gandhi, happiness for the people of Mizoram...

With these words I commend to this august House that the Bill be passed with our congratulations to the people of Mizoram.

MR. DEPUTY CHAIRMAN: The question is —

"That the Bill further to amend the Constitution of India, as passed by the Lok Sabha, be taken into consideration."

The House divided.

MR. DEPUTY CHAIRMAN:

Ayes—169

Noes—11

Ayes—169

Abdi, Shri Hashim Raza Allahabadi
Ahluwalia, Shri S. S.
Alva, Shrimati Margaret
Amarjit Kaur, Shrimati
Anand Sharma, Shri

Ansari, Shri Hayat Ulla
 Antony, Shri A. K.
 Arun Singh, Shri
 Aurora, Sardar Jagjit Singh
 Baby, Shri M. A.
 Balaram, Shri N. E.
 Bansal, Shri Pawan Kumar
 Basu, Shri Chitta
 Basumatari, Shri Dharanidhar
 Bhajan Lal, Shri
 Bhandare, Shri Murlidhar Chandra-
 kant
 Bhardwaj, Shri Hansraj
 Bhatia, Shri Madan
 Bhattacharjee, Shri Kamalendu
 Bhim Raj, Shri
 Bhuyan, Shri Gaya Chand
 Birla, Shri Krishna Kumar
 Chakravarty, Shrimati Bijoya
 Chatterjee, Prof (Mrs.) Asima
 Chatterjee, Shri Nirmal
 Chaturvedi, Shri Bhuvnesh
 Chowdhary Ram Sewak
 Chowdhury, Shrimati Renuka
 Darbara Singh, Shri
 Deori, Shrimati Omem Moyong
 Desai, Shri Jagesh
 Dhusiya, Shri Sohan Lal
 Faguni Ram, Shri
 Ganeshwar Kusum, Shri
 Gan Shyam Singh, Shri
 Ghosh, Shri Dipen
 Gupta, Shri Vishwa Bandhu
 Gurupadaswamy, Shri M. S.
 Hanspal, Shri Harvendra Singh
 Hanumanthappa, Shri H.
 Heptulla Dr. (Shrimati) Najma
 Idam, Shri Baharul
 Jadhav, Shri Vitthalrao Madhavrao
 Samuda, Shri Durga Prasad
 Jani, Shri Jagadish
 Jha, Shri Lakshmi Kant
 Jogi, Shri Ajit P. K.

Joshi, Shri Krishna Nand
 Joshi, Shrimati Sudha Vijay
 Kadharsah, Shri M.
 Kailashpati, Shrimati
 Kakodkar, Shri Purushottam
 Kaldate, Dr. Bapu
 Kalita, Shri Bhubaneswar
 Kalmadi, Shri Suresh
 Kalvala, Shri Prabhakar Rao
 Kamble, Prof. N. M.
 Kar, Shri Ghulam Rasool
 Kaul, Shrimati Krishna
 Kaushik, Shri M. P.
 Khaparde, Miss Saroj
 Khatun, Kumari Sayeeda
 Kidwai, Dr. Mohd. Hashim
 Lakshmananna, Prof. C.
 Laxmi Narain, Shri
 Mahendra Prasad, Shri
 Mahto, Shri Bandhu
 Majhi, Shri Prithibi
 Makwana, Shri Yogendra
 Malaviya, Shri Radhakishna
 Malik, Shri Mukhtiar Singh
 Malik, Shri Satya Pal
 Manhar, Shri Bhagatram
 Masodkar, Shri Bhaskar Annaji
 Matto, Shri Ghulam Rasool
 Meena, Shri Dhuleswar
 Mehta, Shri Chimanbhai
 Mishra, Shri Mahendra Mohan
 Mishra, Shri Sheo Kumar
 Mittal, Shri Sat Paul
 Mohanan, Shri K.
 Mohapatra, Shri Basudeb
 Mohanty, Shri Subas
 Moopnar, Shri G. K.
 Naik, Shri G. Swamy
 Naik, Shri R. S.
 Nalwa, Shri Hari Singh
 Narayanasamy, Shri V.
 Natarajan, Shrimati Jayanthi
 Natha Singh, Shri
 Pachouri, Shri Suresh

Pahadia, Shrimati Shanti
 Palaniyandi, Shri M.
 Pandey, Shrimati Manorama
 Pandey, Dr. Ratnakar
 Panicker, Shri K. Vasudeva
 Panwar, Shri B. L.
 Patel, Shri Vithalbhai Motiram
 Patil, Shri Dinkarrao Govindrao
 Patil, Shrimati Pratibha Devisingh
 Patil, Shrimati Suryakanta Jayawantrao
 Poddar, Dr. R. K.
 Prasad, Shri K. L. N.
 Pugalia, Shri Naresh Kumar Chunnalalji
 Quasem, Shri Mostafa Bin
 Radhakrishna, Shri Puttapaga
 Rafique Alam, Shri
 Rai, Shri Kalpnath
 Rajagopal, Shri M.
 Rajangam, Shri N.
 Ramamurthy, Shri Thindivanam K.
 Ramanathan, Shri V.
 Ramesh Babu, Shri S. B.
 Rao, Shri Gopala Rao
 Rao, Prof. B. Ramachandra
 Rao, Shri R. Sambasiva
 Rao, Shri Yalla Sesi Bhushana
 Rathvakoli, Shri Ramsinghbhai Pataliyabhai
 Ray, Shri Deba Prasad
 Rayka, Shri Sagar
 Reddy, Shri Adinarayana
 Reddy, Shri P. Babul
 Reddy, Shri T. Chandrasekhar
 Reddy, Dr. G. Vijaya Mohan
 Richharia, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roshan Lal, Shri
 Sahu, Shri Rajni Ranjan
 Sahu, Shri Santosh Kumar
 Salve, Shri N. K. P.
 Sambasivam, Shri Era
 Santos Kumar, Shri
 Saring, Shri Leonard Solomon
 Sema, Shri Hokishe

Sen, Shri Sukomal
 Sharma, Shri A. P.
 Sharma, Shri Chandan
 Sharma, Dr. H. P.
 Sharma, Shri Satish Kumar
 Shukla, Shri Keshavprasad
 Siddiqi, Shri Shamim Ahmed
 Silvera, Dr. C.
 Singh, Shri Bir Bhadra Pratap
 Singh, Thakur Kamakhya Prasad
 Singh, Shrimati Pratibha
 Singh, Dr. Rudra Pratap
 Singh, Shri Vishvajit Prithvijit
 Singh, Shri Vishwanath Pratap
 Sukhdev Prasad, Shri
 Sukul, Shri P. N.
 Surendra Singh, Shri
 Tariang, Shri Jerlie E.
 Thakur, Prof. Chandresh P.
 Thakur, Jagatpal Singh
 Thakur, Shri Rameshwar
 Thakur, Shri Surendra Singh
 Thangababalu, Shri
 Tiria, Kumari Sushila
 Tiwari, Shri Narayan Datt
 Tripathi, Shri Chandrika Prasad
 Tyagi, Shri Shanti
 Upendra, Shri Parvathaneni
 Vaduthala, Shri T. K. C.
 Valiullah, Shri Raoof
 Verma, Shri Kapil
 Verma, Shrimati Veena
 Vikal, Shri Ram Chandra
 Yadav, Shri Ramanand

Noes—11

Advani, Shri Lal K.
 Ashwani Kumar, Shri
 Goyal, Shri J. P.
 Jaswant Singh, Shri
 Mahajan, Shri Pramod
 Malaviya, Shri Satya Prakash
 Mishra, Shri Kailash Pati
 Scindia, Shrimati Vijaya Raje
 Vajpayee, Shri Atal Bihari
 Verma, Shri Virendra
 Yadav, Shri Jagdambi Prasad

The motion was carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

MR. DEPUTY CHAIRMAN: We shall now take up the clause-by-clause consideration of the Bill.

MR. DEPUTY CHAIRMAN: The question is:

"That Clause 2 stand part of the Bill."

The House divided.

Ayes 169

Noes 11

Ayes—169

Abdi, Shri Hashim Raza Allahabadi

Abluwalia, Shri S. S.

Alva, Shrimati Margaret

Amarjit Kaur, Shrimati

Anand Sharma, Shri

Ansari, Shri Hayat Ulla

Antony, Shri A. K.

Arun Singh, Shri

Aurora, Sardar Jagjit Singh

Baby, Shri M. A.

Balaram, Shri N. E.

Bansal, Shri Pawan Kumar

Basu, Shri Chitta

Basumatari, Shri Dharanidhar

Bhajan Lal, Shri

Bhandare, Shri Murlidhar Chandrakant

Bhardwaj, Shri Hansraj

Bhatia, Shri Madan

Bhattacharjee, Shri Kamalendu

Bhim Raj, Shri

Bhuyan, Shri Gaya Chand

Birla, Shri Krishna Kumar

Chakravarty, Shrimati Bijoya

Chatterjee, Prof. (Mrs.) Asima

Chatterjee, Shri Nirmal

Chaturvedi, Shri Bhuvnesh

Chowdhary Ram Sewak

Chowdhury, Shrimati Renuka

Darbara Singh, Shri

Deori, Shrimati Omem Moyong

Desai, Shri Jagesh

Dhusiya, Shri Sohan Lal

Faguni Ram, Shri

Ganeshwar Kusum, Shri

Ghan Shyam Singh, Shri

Ghosh, Shri Dipen

Gupta, Shri Vishwa Bandhu

Gurupadaswamy, Shri M. S.

Hanspal, Shri Harvendra Singh

Hanumanthappa, Shri H.

Heptulla, Dr. (Shrimati) Najma

Islam, Shri Baharul

Jadhav, Shri Vithalrao Madhavrao

Jamuda, Shri Durga Prasad

Jani, Shri Jagadish

Jha, Shri Lakshmi Kant

Jogi, Shri Ajit P. K.

Joshi, Shri Krishna Nand

Joshi, Shrimati Sudha Vijay

Kadharsha, Shri M.

Kailashpati, Shrimati

Kakodkar, Shri Purushottam

Kaldate, Dr. Bapu

Kalita, Shri Bhubaneswar

Kalmadi, Shri Suresh

Kalvala, Shri Prabhakar Rao

Kamble, Prof. N. M.

Kar, Shri Ghulam Rasool

Kaul, Shrimati Krishna

Kaushik, Shri M. P.

Khaparde, Miss Saroj

Khatun, Kumari Sayeeda

Kidwai, Dr. Mohd. Hashim

Lakshmana, Prof. C.

Laxmi Narain, Shri

Mahendra Prasad, Shri

Mahto, Shri Bandhu

Majhi, Shri Prithibi

Makwana, Shri Yogendra

Malaviya, Shri Radhakishan

Malik, Shri Mukhtiar Singh

Malik, Shri Satya Pal

Manhar, Shri Bhagatram

Masodkar, Shri Bhaskar Annaji

Matto, Shri Ghulam Rasool

Meena, Shri Dhuleshwar

Mehta, Shri Chimanbhai

Mishra, Shri Mahendra Mohan

Mishra, Shri Sheo Kumar

Mittal, Shri Sat Paul

Mohanan, Shri K.
 Mohapatra, Shri Basudeb
 Mohanty, Shri Subas
 Moopanar, Shri G. K.
 Naik, Shri G. Swamy
 Naik, Shri R. S.
 Nalwa, Shri Hari Singh
 Narayanasamy, Shri V.
 Natarajan, Shrimati Jayanthi
 Natha Singh, Shri
 Pachouri, Shri Suresh
 Pahadia, Shrimati Shanti
 Palaniyandi, Shri M.
 Pandey, Shrimati Manorama
 Pandey, Dr. Ratnakar
 Panicker, Shri K. Vasudeva
 Panwar, Shri B. L.
 Patel, Shri Vithalbhai Motiram
 Patil, Shri Dinkarrao Govindrao
 Patil, Shrimati Pratibha Devisingh
 Patil, Shrimati Suryakanta Jayawantrao
 Poddar, Dr. R. K.
 Prasad, Shri K. L. N.
 Pugalia, Shri Naresh Kumar Chunnalaji
 Quasem, Shri Mostafa Bin
 Radhakrishna, Shri Puttapaga
 Rafique Alam, Shri
 Rai, Shri Kalpnath
 Rajagopal, Shri M.
 Rajangam, Shri N.
 Ramamurthy, Shri Thindivanam K.
 Ramanathan, Shri V.
 Ramesh, Babu, Shri S. B.
 Rao, Shri Gopala Rao
 Rao, Prof. B. Ramachandra
 Rao, Shri R. Sambasiva
 Rao, Shri Yalla Sesi Bhushana
 Rathvakoli, Shri Ramsinghbhai
 Pataliyabhai
 Ray, Shri Deba Prasad
 Rayka, Shri Sagar
 Reddy, Shri Adinarayana
 Reddy, Shri P. Babul
 Reddy, Shri T. Chandrasekhar
 Reddy, Dr. G. Vijaya Mohan

Richharia, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roshan Lal, Shri
 Sahu, Shri Rajni Ranjan
 Sahu, Shri Santosh Kumar
 Salve, Shri N. K. P.
 Sambasivam, Shri Era
 Santos Kumar, Shri
 Saring, Shri Leonard Solomon
 Sema, Shri Hokishe
 Sen, Shri Sukomal
 Sharma, Shri A. P.
 Sharma, Shri Chandan
 Sharma, Dr. H. P.
 Sharma, Shri Satish Kumar
 Shukla, Shri Keshavprasad
 Siddiqi, Shri Shamim Ahmed
 Silvera, Dr. C.
 Singh, Shri Bir Bhadra Pratap
 Singh, Thakur Kamakhya Prasad
 Singh, Shrimati Pratibha
 Singh, Dr. Rudra Pratap
 Singh, Shri Vishvajit Prithvijit
 Singh, Shri Vishwanath Pratap
 Sukhdev Prasad, Shri
 Sukul, Shri P. N.
 Suraj Prasad, Shri
 Surendra Singh, Shri
 Tariang, Shri Jerlie E.
 Thakur, Prof. Chandresh P.
 Thakur Jagatpal Singh
 Thakur, Shri Rameshwar
 Thakur, Shri Surendra Singh
 Thangababalu, Shri
 Tiria, Kumari Sushila
 Tiwari, Shri Narayan Datt
 Tripathi, Shri Chandrika Prasad
 Tyagi, Shri Shanti
 Upendra, Shri Parvathaneni
 Vaduthala, Shri T. K. C.
 Valiullah, Shri Raoof
 Verma, Shri Kapil
 Verma, Shrimati Veena
 Vikal, Shri Ram Chandra

Yadav, Shri Ramanand

Noes—11 ..

Advani, Shri Lal K.

Ashwani Kumar, Shri

Goyal, Shri J. P.

Jaswant Singh, Shri

Mahajan, Shri Pramod

Malaviya, Shri Satya Prakash

Mishra, Shri Kailash Pati

Scindia, Shrimati Vijaya Raje

Vajpayee, Shri Atal Bihari

Verma, Shri Virendra

Yadav, Shri Jagdambi Prasad

The motion was carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

Clause 2 was added to the Bill.

MR. DEPUTY CHAIRMAN: The question is:

“That Clause 1, the Enacting Formula and the Title stand part of the Bill.”

The House divided.

Ayes	169
Noes	Nil

AYES—169

Abdi, Shri Hashim Raza Allahabadi

Ahluwalia, Shri S. S.

Alva, Shrimati Margaret

Amarjit Kaur, Shrimati

Anand Sharma, Shri

Ansari, Shri Hayat Ulla

Antony, Shri A. K.

Arun Singh, Shri

Aurora, Sardar Jagjit Singh

Baby, Shri M. A.

Balaram, Shri N. E.

Bansal, Shri Pawan Kumar

Basu, Shri Chitta

Basumatari Shri Dharanidhar

Bhajan Lal, Shri

Bhandare, Shri Murlidhar Chandrakant

Bhardwaj, Shri Hansraj

Bhatia, Shri Madan

Bhattacharjee, Shri Kamalendu

Bhim Raj, Shri

Bhuyan, Shri Gaya Chand

Birla, Shri Krishna Kumar

Chakravarty, Shrimati Bijoya

Chatterjee, Prof. (Mrs.) Asima

Chatterjee, Shri Nirmal

Chaturvedi, Shri Bhuvnesh

Chowdhary Ram Sewak

Chowdhury, Shrimati Renuka

Darbara Singh, Shri

Deori, Shrimati Omem Moyong

Desai, Shri Jagesh

Dhusiya, Shri Sohan Lal

Faguni Ram, Shri

Ganeshwar Kusum, Shri

Ghan Shyam Singh, Shri

Ghosh, Shri Dipen

Gupta, Shri Vishwa Bandhu

Gurupadaswamy, Shri M. S.

Hanspal, Shri Harvendra Singh

Hanumanthappa, Shri H.

Heptulla, Dr. (Shrimati) Najma

Islam, Shri Baharul

Jadhav, Shri Vithalrao Madhavrao

Jamuda, Shri Durga Prasad

Jani, Shri Jagadish

Jha, Shri Lakshmi Kant

Jogi, Shri Ajit P. K.

Joshi, Shri Krishna Nand

Joshi, Shrimati Sudha Vijay

Kadharsha, Shri M.

Kailashpati, Shrimati

Kakodkar, Shri Purushottam

Kaldate, Dr. Bapu

Kalita, Shri Bhubaneswar

Kalmadi, Shri Suresh

Kalvala, Shri Prabhakar Rao

Kamble, Prof. N. M.

Kar, Shri Ghulam Rasool

Kaul, Shrimati Krishna

Kaushik, Shri M. P.

Khaparde, Miss Saroj

Khatun, Kumari Sayeeda
 Kidwai, Dr. Mohd. Hashim
 Lakshmana, Prof. C.
 Laxmi Narain, Shri
 Mahendra Prasad, Shri
 Mahto, Shri Bandhu
 Majhi, Shri Prithibi
 Makwana, Shri Yogendra
 Malaviya, Shri Radhakishan
 Malik, Shri Mukhtiar Singh
 Malik, Shri Satya Pal
 Manhar, Shri Bhagatram
 Masodkar, Shri Bhaskar Annaji
 Matto, Shri Ghulam Rasool
 Meena, Shri Dhuleshwar
 Mehta, Shri Chimanbhai
 Mishra, Shri Mahendra Mohan
 Mishra, Shri Sheo Kumar
 Mittal, Shri Sat Paul
 Mohanan, Shri K.
 Mohapatra, Shri Basudeb
 Mohanty, Shri Subas
 Moopnar, Shri G. K.
 Naik, Shri G. Swamy
 Naik, Shri R. S.
 Nalwa, Shri Hari Singh
 Narayanasamy, Shri V.
 Natarajan, Shrimati Jayanthi
 Natha Singh, Shri
 Pachouri, Shri Suresh
 Pahadia, Shrimati Shanti
 Palaniyandi, Shri M.
 Pandey, Shrimati Manorama
 Pandey, Dr. Ratnakar
 Panicker, Shri K. Vasudeva
 Panwar, Shri B. L.
 Patel, Shri Vithalbhai Motiram
 Patil, Shri Dinkarrao Govindrao
 Patil, Shrimati Pratibha Devisingh
 Patil, Shrimati Suryakanta Jayawantrao
 Poddar, Dr. R. K.
 Prasad, Shri K. L. N.
 Pugalia, Shri Naresh Kumar Chunnalaji
 Quasem, Shri Mostafa Bin

Radhakrishna, Shri Puttapaga
 Rafique Alam, Shri
 Rai, Shri Kalpnath
 Rajagopal, Shri M.
 Rajangam, Shri N.
 Ramamurthy, Shri Thindivanam K.
 Ramanathan, Shri V.
 Ramesh Babu, Shri S. B.
 Rao, Shri Gopala Rao
 Rao, Prof. B. Ramachandra
 Rao, Shri R. Sambasiva
 Rao, Shri Yalla Sesi Bhushana
 Rathvakoli, Shri Ramsinghbhai
 Pataliyabhai
 Ray, Shri Deba Prasad
 Rayka, Shri Sagar
 Reddy, Shri Adinarayana
 Reddy, Shri P. Babul
 Reddy, Shri T. Chandrasekhar
 Reddy, Dr. G. Vijaya Mohan
 Richharia, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roshan Lal, Shri
 Sahu, Shri Rajni Ranjan
 Sahu, Shri Santosh Kumar
 Salve, Shri N. K. P.
 Sambasivam, Shri Era
 Santos Kumar, Shri
 Saring, Shri Leonard Solomon
 Sema, Shri Hokishe
 Sen, Shri Sukomal
 Sharma, Shri A. P.
 Sharma, Shri Chandan
 Sharma, Dr. H. P.
 Sharma, Shri Satish Kumar
 Shukla, Shri Keshavprasad
 Siddiqi, Shri Shamim Ahmed
 Silvera, Dr. C.
 Singh, Shri Bir Bhadra Pratap
 Singh, Thakur Kamakhya Prasad
 Singh, Shrimati Pratibha
 Singh, Dr. Rudra Pratap
 Singh, Shri Vishvajit Prithvijit
 Singh, Shri Vishwanath Pratap

Sukhdev Prasad, Shri
 Sukul, Shri P. N.
 Suraj Prasad, Shri
 Surendra Singh, Shri
 Tariang, Shri Jerlie E.
 Thakur, Prof. Chandresh P.
 Thakur, Jagatpal Singh
 Thakur, Shri Rameshwar
 Thakur, Shri Surendra Singh
 Thangabalu, Shri
 Tiria, Kumari Sushila
 Tiwari, Shri Narayan Datt
 Tripathi, Shri Chandrika Prasad
 Tyagi, Shri Shanti
 Upendra, Shri Parvathaneni
 Vaduthala, Shri T. K. C.
 Valiullah, Shri Raoof
 Verma, Shri Kapil
 Verma, Shrimati Veena
 Vikal, Shri Ram Chandra
 Yadav, Shri Ramanand

Noes—Nil

The motion was carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI BUTA SINGH: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed."

The House divided.

MR. DEPUTY CHAIRMAN: Ayes—
 169 Noes—11

Ayes—169

Abdi, Shri Hashim Raza Allahabadi
 Ahluwalia, Shri S. S.
 Alva, Shrimati Margaret
 Amarjit Kaur, Shrimati
 Anand Sharma, Shri
 Ansari, Shri Hayat Ulla
 Antony, Shri A. K.

Arun Singh, Shri
 Aurora, Sardar Jagjit Singh
 Baby, Shri M. A.
 Balaram, Shri N. E.
 Bansal, Shri Pawan Kumar
 Basu, Shri Chitta
 Basumatari, Shri Dharanidhar
 Bhajan Lal, Shri
 Bhandare, Shri Murlidhar Chandrakant
 Bhardwaj, Shri Hansraj
 Bhatia, Shri Madan
 Bhattacharjee, Shri Kamalendu
 Bhim Raj, Shri
 Bhuyan, Shri Gaya Chand
 Birla, Shri Krishna Kumar
 Chakravarty, Shrimati Bijoya
 Chatterjee, Prof. (Mrs.) Asima
 Chatterjee, Shri Nirmal
 Chaturvedi, Shri Bhuvnesh
 Chowdhary, Ram Sewak
 Chowdhury, Shrimati Renuka
 Darbara Singh, Shri
 Deori, Shrimati Omem Moyong
 Desai, Shri Jagesh
 Dhusiya, Shri Sohan Lal
 Faguni Ram, Shri
 Ganeshwar Kusum, Shri
 Ghan Shyam Singh, Shri
 Ghosh, Shri Dipen
 Gupta, Shri Vishwa Bandhu
 Gurupadaswamy, Shri M. S.
 Hanspal, Shri Harvendra Singh
 Hanumanthappa, Shri H.
 Heptulla, Dr. (Shrimati) Najma
 Islam, Shri Baharul
 Jadhav, Shri Vithalrao Madhavrao
 Jamuda, Shri Durga Prasad
 Jani, Shri Jagadish
 Jha, Shri Lakshmi Kant
 Jogi, Shri Ajit P. K.
 Jeshi, Shri Krishna Nand
 Joshi, Shrimati Sudha Vijay
 Kadharsa, Shri M.
 Kailashpati, Shrimati

Kakodkar, Shri Purushottam
 Kaldate, Dr. Bapu
 Kalita, Shri Bhubaneswar
 Kalmadi, Shri Suresh
 Kalvala, Shri Prabhakar Rao
 Kamble, Prof. N. M.
 Kar, Shri Ghulam Rasool
 Kaul, Shrimati Krishna
 Kaushik, Shri M. P.
 Khaparde, Miss Saroj
 Khatun, Kumari Sayeeda
 Kidwai, Dr. Mohd. Hashim
 Lakshmana, Prof. C.
 Laxmi Narain, Shri
 Mahendra Prasad, Shri
 Mahto, Shri Bandhu
 Majhi, Shri Prithibi
 Makwana, Shri Yogendra
 Malaviya, Shri Radhakishan
 Malik, Shri Mukhtiar Singh
 Malik, Shri Satya Pal
 Manhar, Shri Bhagatram
 Masodkar, Shri Bhaskar Annaji
 Matto, Shri Ghulam Rasool
 Meena, Shri Dhuleshwar
 Mehta, Shri Chimanbhai
 Mishra, Shri Mahendra Mohan
 Mishra, Shri Sheo Kumar
 Mittal, Shri Sat Paul
 Mohanan, Shri K.
 Mohapatra, Shri Basudeb
 Mohanty, Shri Subas
 Moopanan, Shri G. K.
 Naik, Shri G. Swamy
 Naik, Shri R. S.
 Nalwa, Shri Hari Singh
 Narayanasamy, Shri V.
 Natarajan, Shrimati Jayanthi
 Natha Singh, Shri
 Pachouri, Shri Suresh
 Pahadia, Shrimati Shanti
 Palaniyandi, Shri M.
 Pandey, Shrimati Manorama
 Pandey, Dr. Ratnakar

Panicker, Shri K. Vasudeva
 Panwar, Shri B. L.
 Patel, Shri Vithalbhai Motiram
 Patil, Shri Dinkarrao Govindrao
 Patil, Shrimati Pratibha Devisingh
 Patil, Shrimati Suryakanta Jayawantrao
 Poddar, Dr. R. K.
 Prasad, Shri K. L. N.
 Pugalia, Shri Naresh Kumar Chunnalaji
 Quasem, Shri Mostafa Bin
 Radhakrishna, Shri Puttapaga
 Rafique Alam, Shri
 Rai, Shri Kalpnath
 Rajagopal, Shri M.
 Rajangam, Shri N.
 Ramamurthy, Shri Thindivanam K.
 Ramanathan, Shri V.
 Ramesh Babu, Shri S. B.
 Rao, Shri Gopala Rao
 Rao, Prof. B. Ramachandra
 Rao, Shri R. Sambasiva
 Rao, Shri Yalla Sesi Bhushana
 Rathvakoli, Shri Ramsinghbhai
 Pataliyabhai
 Ray, Shri Deba Prasad
 Rayka, Shri Sagar
 Reddy, Shri Adinarayana
 Reddy, Shri P. Babul
 Reddy, Shri T. Chandrasekhar
 Reddy, Dr. G. Vijaya Mohan
 Richharia, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roshan Lal, Shri
 Sahu, Shri Rajni Ranjan
 Sahu, Shri Santosh Kumar
 Salve, Shri N. K. P.
 Sambasivam, Shri Era
 Santos Kumar, Shri
 Saring, Shri Leonard Solomon
 Sema, Shri Hokishe
 Sen, Shri Sukomal
 Sharma, Shri A. P.
 Sharma, Shri Chandan
 Sharma, Dr. H. P.

Sharma, Shri Satish Kumar
 Shukla, Shri Keshayprasad
 Siddiqi, Shri Shamim Ahmed
 Silvera, Dr. C.
 Singh, Shri Bir Bhadra Pratap
 Singh, Thakur Kamakhya Prasad
 Singh, Shrimati Pratibha
 Singh, Dr. Rudra Pratap
 Singh, Shri Vishvajit Prithvijit
 Singh, Shri Vishwanath Pratap
 Sukhdev Prasad, Shri
 Sukul, Shri P. N.
 Suraj Prasad, Shri
 Surendra Singh, Shri
 Tariang, Shri Jerlie E.
 Thakur, Prof. Chandresh P.
 Thakur, Jagatpal Singh
 Thakur, Shri Rameshwar
 Thakur, Shri Surendra Singh
 Thangabalu, Shri
 Tiria, Kumari Sushila
 Tiwari, Shri Naryan Datt
 Tripathi, Shri Chandrika Prasad
 Tyagi, Shri Shanti
 Upendra, Shri Parvathaneni
 Vaduthala, Shri T. K. C.
 Valiullah, Shri Raoof
 Verma, Shri Kapil
 Verma, Shrimati Veena
 Vikal, Shri Ram Chandra
 Yadav, Shri Ramanand

Noes—11 ..

Advani, Shri Lal K.
 Ashwani Kumar, Shri
 Goyal, Shri J. P.
 Jaswant Singh, Shri
 Mahajan, Shri Pramod
 Malaviya, Shri Satya Prakash
 Mishra, Shri Kailash Pati
 Scindia, Shrimati Vijaya Raje
 Vajpayee, Shri Atal Bihari
 Verma, Shri Virendra
 Yadav, Shri Jagdambi Prasad

The motion was carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

MR. DEPUTY CHAIRMAN: Now, I shall put the motion regarding the consideration of the State of Mizoram Bill, 1986 to vote.

The question is:

"That the Bill to provide for the establishment of the State of Mizoram and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up clause by clause consideration of the Bill. There are no amendments.

Clauses 2 to 48, the First Schedule, the Second Schedule, the Third Schedule and the Fourth Schedule were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI BUTA SINGH: Sir, I beg to move—

"That the Bill be passed."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: Now, the Home Minister to make a statement.

STATEMENT BY MINISTER

Explosion that took place in Hansa-laya Building, New Delhi on the evening of 6th August, 1986

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): Sir, I wish to inform the hon. House that on 6th August, 1986... (Interruptions)

SHRI SURESH KALMADI: (Maharashtra): Sir, what he is speaking is totally inaudible and secondly there are no copies of the statement. Please do something. (Interruptions)