

SHRI BHUPESH GUPTA: Sir, as you know very well, I have repeatedly said . . .
(Interruptions)

MR. CHAIRMAN: I am not allowing all. He wanted to speak on your behalf.
(Interruptions)

SHRI BHUPESH GUPTA: Sir, let them not get up.

SHRI MANUBHAI PATEL (Gujarat): Then you should also not get up, if it is under the normal Rules of Business.

SHRI BHUPESH GUPTA: That will be obstructing things.

Sir, too many points have arisen. Do not go by the spur of the moment. Think over it. A Resolution was adopted on August 10 last year. That has not lapsed. There is a Resolution which was accepted by the House. There is no question of time-bar; there is no provision that you should give effect to it within a certain time; there is no limitation of time. During the last year, you thought that you should not appoint a Committee of the House. Well, it is open to you to reconsider and appoint a Committee during this session. It is open to you because that Resolution has not lapsed, only the notice has lapsed. Once a Resolution is passed by the House, it remains; it will remain as long as the Rajya Sabha remains, unless it is implemented. Therefore, Sir, it is open to you still to reconsider whether you should appoint a Committee as wished by the House in the Resolution. You gave us an impression that the Government did not think it necessary and so you did not appoint it. Now what has the Government done? The Government thinks that there is something to be referred to the Chief Justice—the whole proceedings. If the Government thinks that this year there is something to be referred to the Chief Justice—right or wrong; I am not going into it—why does the Government not think it necessary that it be referred to a Committee? When the Government takes the action of referring it to the Chief Justice, there is an implicit acceptance by the Govern-

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ment that there is justification for a Committee of the House being appointed by you. Sir, the Government by its conduct has absolved itself from asking you not to appoint a Committee. Sir, because of the action of the Government, you will be well advised to come to the conclusion that the basis for the appointment of a Committee holds. It is now for you to see whether you should send it to the Chief Justice or let us judge it under your guidance in this House through a Committee. I leave it to you.

Sir, I am very sorry that the Chief Justice is being brought into a matter which could have been dealt with by ourselves. That is not good for the parliamentary system. What will the people think about it? That is the first point I make. You may consider it. I am not going to create any difficulty for you. Still you consider it. Secondly, I would say that I do not accept the procedure adopted by the Government—the Home Minister is present here. Now so many points arise out of it. Will the Chief Justice consider the matter in the same way as he considered the Special Courts Bill in an open court where Kantibhai Desai can go and sit there, others can also go and sit there? Will the Chief Justice, before coming to the conclusion, hold an open hearing where all these people can go? This is not clear. Or is it a secret advice that is being sought? Sir, mention has been made of Shri Jawaharlal Nehru asking for the advice of the Chief Justice in some such matter. This was done privately. If a Resolution of the kind that was passed in this House had been passed in his time, Pt. Jawaharlal Nehru would have advised you to appoint a Committee. Sir, let them not bring in Pt. Jawaharlal Nehru's name. Those days are gone, gone in many ways, gone before the emergency, gone during the emergency and completely gone today as far as Parliament proceedings are concerned. Why bring in Jawaharlal and insult him? Well.

[Shri Bhupesh Gupta]

we have seen him functioning. If he gave a wrong answer to a simple supplementary, he would come to the House and apologise. Do they do such a thing? Therefore, Sir, Jawaharlal's tradition has been buried, whatever good tradition he had built in running the Parliamentary institutions has been buried. The whole thing has gone.

We have been held to ransom by the Government. They have said that they have accepted the resolution. Is it the way to deal with the resolution? Even before we have discussed it, they have accepted it. You may or may not like a resolution. You have not accepted it. We have to say something. Some of us oppose the resolution. I may move an amendment to the resolution. I may move an alternative resolution. They say, it has been accepted. It has not been accepted. What they have done really is a fraud on Parliament. It is a plain fraud on Parliament. The semblance of acceptance shows a patent disrespect for Parliament, a continuous floating of the wishes of Parliament. This is all that has happened. -

Sir, I know, as I said, we have to live with corruption. I have come to that conclusion. Just as we have to live with so many bad things among so many good things in the country, we have to live with corruption.

SHRI MANUBHAI PATEL: With that party.

SHRIMATI PRATIBHA SINGH (Bihar): It is more that side.

SHRI BHUPESH GUPTA: Nothing, I have to say.

Mr. Patel should reply to some of the points that have been raised. This statement of Mr. Patel may be made the subject matter of discussion. I would like to give a motion that the statement made by Mr. H. M. Patel be taken into consideration. This motion we will give tomorrow. We will discuss it. (*Interruptions*)

SHRI MANUBHAI PATEL: The same thing is being repeated again and again.

SHRI ANANT PRASAD SHARMA (Bihar): I am talking on a different point, Sir. I would only repeat what the Law Minister said yesterday. The Law Minister said:

"... the proposed statement of the Prime Minister was drafted, I personally went to the Chief Justice of India, and read the whole statement verbatim, word to word, to the Chief Justice of India. Only after taking his fullest consent it was, that the statement was made."

Sir, the Law Minister says that it was not even for taking his consent, but even before the Prime Minister could make a statement in this House, the draft statement was taken to the Chief Justice by the Law Minister. And this is the Chief Justice who is going to decide the case of corruption, to whom the Government is referring.

Another point, I would like to make. When Mr. Charan Singh was the Home Minister, he had objected to referring it to the Chief Justice. I would like to know from the Home Minister and the Government of India whether Mr. Charan Singh has resiled from that position, whether Mr. Charan Singh has accepted that this matter should be referred to the Chief Justice. What is the position? Therefore, this reference to the Chief Justice of India will not do any justice so far as this case is concerned.

REFERENCE TO NOTICE7 OF PRIVILEGE MOTION AGAINST THE HOME MINISTER

SHRI DEVENDRA NATH DWIVEDI (Uttar Pradesh): Sir, yesterday, I have given a notice of a privilege motion against the Home Minister. My point concerns neither the 10th of August Resolution nor whether the Chief Justice of India was consulted.

I am not concerned with that. I do not want to take up that issue. Sir, my point is a limited one and that is, an extraneous authority is sought to be put to sit in judgment over what happened in the Rajya Sabha, and subsequently the Rajya Sabha will sit in judgment over what the findings of the Chief Justice are. Therefore, this is contempt of the Rajya Sabha, this is contempt of the Chief Justice, and there is likelihood of a confrontation between the Rajya Sabha or Parliament and the Chief Justice. Therefore, this is setting a very bad precedent. I want your ruling on that. My point is confined only to that. I want to know, Mr. Chairman, whether you have given any ruling Or you are going to give a ruling on whether what the Home Minister has done amounts to contempt.

MR. CHAIRMAN: Your notice is under consideration. Shri Ajit Kumar Sharma.

SHRI KALP NATH RAI (Uttar Pra. desh): Sir,, . . .

MR. CHAIRMAN: No, I cannot allow.

SHRI KALP NATH RAI: Why not?

MR. CHAIRMAN: Because you have not taken previous permission,

SHRI KALP NATH RAI: I have taken permission.

MR. CHAIRMAN: No. CaUing Attention. Shri Ajit Kumar Sharma.

श्री कल्प नाथ राय: सभापति महोदय, मैं आपसे निवेदन कर रहा हूँ, आप क्यों नहीं बलाऊ कर रहे हैं ?

MR. CHAIRMAN: Because I will have to do other work also. I have allowed two persons . . . (Intemip-tions).

श्री कल्प नाथ राय: सभापति महोदय, मैं मैम्बर पार्लियामेंट की हैसियत से आपसे निवेदन कर रहा हूँ (Interruptions)

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

**Reported killing of a large number of
persons by a group of Armed Nagas in
villages, of Assam Bordering Nagaland on
January 5, 1979**

SHRI AJIT KUMAR SHARMA (Assam): Sir, I call the attention of the Minister of Home Affairs to the reported killing of a large number of persons by a group of armed Nagas in the villages in Sibsagar district of Assam bordering Nagaland on the 5th January, 1979, necessitating the deployment of Assam Rifles, CRP and BSF for restoration of peace and order.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): Sir, I had already informed the House about the tragic incidents which occurred during the early hours of January 5th in Diphu, Rengma and Nam-bor South Reserve Forests within Assam on the Assam-Nagaland border. The gruesome attack resulted in about 50 persons losing their lives and about 69 persons sustaining injuries,, 17 of whom required to be hospitalised. In all, 469 thached houses were burnt in 13 villages and considerable damage to property was also caused. The Governments of Assam and Nagaland have also taken action to apprehend the culprit, and have been successful in arresting 44 and 59 persons, respectively.

The Government of Assam immediately opened eleven camps to house and provide relief to about 20,000 people who had left their homes due to fear. These camps have since been closed and most of the inmates of the camps have returned to their homes. Relief material worth Rs. 2 lakhs were sent from out o* the Prime Minister's National Relief Fund for distribution amongst the affected people. The Government of Nagaland also sanctioned an ex-gratia grant of Rs. 2,000 for each person killed in the course of these incidents.

[Shri Dhanik Lal Mandal] The Government of Assam and Nagaland have taken earnest steps to restore normalcy in the area. Units of CRP and Assam Rifles have been deployed in order to instil a sense of security amongst the people living in the affected area. The situation has been for sometime now peaceful though undoubtedly there continues a certain tension in the atmosphere. We are in constant touch with the State Governments impressing upon them that they should maintain maximum vigilance to prevent retaliatory moves which might lead to recurrence of such incidents.

SHRI AJIT KUMAR SHARMA; Sir, the statement given by the hon. Minister of State for Home Affairs has only given a description of the incident.

[Mr. Deputy Chairman in the Chair]

It has not indicated what the Central Government has done or will do to settle this issue permanently and to put a stop to such incidents in future. I do regret that sufficient attention has not been given to the very serious implications of this particular incident of 5th January at dead of night. It is not simply a question of killing 50 to 100 people alone. It has got certain deeper implications in it. And there are various political forces working to destroy the relationship between the people of the different political units now existing in the north-eastern region. I particularly emphasise this fact because this incident of January 5 is an unprecedented incident. It is a terrible massacre of people which took place in the form of something like an invasion by an army. So this fact cannot be ignored. Now I would like to place certain things before the honourable Members of the House so that we may take up this whole problem in its proper perspective. In this incident although the recorded number of people killed is 50, it has been admitted by various sources that the number may go up to 100 or 120; about 600 houses were set on fire and 25000 people were rendered homeless. Now, the manner and the method of

the whole killing shows that there was some planning behind it. Who planned it, why it was planned, is a matter for the Central Government particularly to go into; otherwise, it will not only the north-eastern frontier but also the whole country. The Governor of Assam in his speech in the Assam Assembly said certain things which I wish to place before the House. The Governor said,—

"The past year has not, however, been without its stresses and strains. A number of units have been carved out of the State of Assam during the past year and our borders with them have been the subject-matter of their claim although the Acts of Parliament constituting such units clearly specify which areas would constitute their territory. It has always been the endeavour of my Government to solve any genuine boundary claim in a spirit of cooperation and mutual goodwill. It was in pursuance of this policy that an agreement was reached between the Chief Ministers of Assam and Nagaland on 2nd January 1979 to find a permanent solution of the boundary problem between the two States through bilateral discussions. It was hoped that this long standing problem which had resulted in a number of incidents of violence in the past, would be finally solved in a spirit of cooperation thus paving the way for a new era of goodwill between the people of the two States. The heinous crimes perpetrated by bands of armed miscreants who made a surprise attack on the innocent people of Assam along the Assam-Nagaland border on 5th January 1979 leaving behind a trail of death and destruction came as a rude shock. A deep sense of anguish and agony engulfs our hearts when we recall the inhuman atrocities perpetrated by the bands of armed miscreants on our innocent people. The criminals responsible are being hunted down and steps taken to restore confidence and

security of the affected people are yielding good results. It is my pleasant duty to congratulate the people of Assam in this context for the exemplary manner in which they refrained from taking any retaliatory measure against innocent Nagas inhabiting or passing through Assam despite the atrocities committed from across the border on our innocent people."

Sir, I have read out this portion of the Governor's speech to highlight that this incident has been related to the border dispute. My question now is this. If it is on account of border dispute, then it is all the more regrettable and dangerous. If border disputes have to be settled by killing people, then there will be no end to the trouble in our country. Here I must remind the honourable Home Minister that he cannot forget the very background of this whole dispute in that area. The State of Nagaland was created in 1963. That started the ball rolling rapidly and there were more demands for creation of more States inside the area by carving out Assam territories. These demands started from the initial demand of the Nagaland. The demand for new territories or redistribution of territories by the Nagaland Government has been followed up by demands from Arunachal and Meghalaya and nobody knows where it will end. It is in this context that I want to emphasize the responsibility of the Central Government. They created these States on the basis of definite boundaries and it is their duty to respect the Parliament's verdict and enforce the boundaries without allowing the dispute to continue or creating uncertainties about these boundaries. I particularly draw the attention of the Home Minister to the fact that in June last year there was a statement by the Nagaland Chief Minister objecting to certain settlement in some portion of Golaghat area and saying that Nagaland will not be

responsible for the consequences of such settlements.

I would also refer to one timely warning given by Mrs. Rano Shaiza, the LOK Sabha Member from Nagaland, in the course of an interview published in the Sunday. I would quote from her interview. The question put to her was: Do you think that in the changed situation, given greater autonomy, there is a chance to solve the Naga problem? In reply, she said:

"The fact that the underground Nagas never become part of the mainstream of India explains what they stand for. The Nagas would not have shed this much of blood if they were fighting for greater autonomy. The time changes. There was a time when you could not contact underground Nagas. They are available now after the signing of the Shillong Accord. It will be better for you to meet some of them and talk to them on this issue. But I would like to tell you again Nagas have not shed so much blood for such a small gain."

This puts the problem in the proper perspective. I would particularly draw the attention of the Home Minister to this aspect of the problem because without looking into this there will be no settlement of the dispute. I must particularly remind him that the people of Nagaland and Assam have been having very good relations traditionally. Now, this has embittered that good relationship and that is not good for the people of the North Eastern Frontier areas.

In this context, I would put a few questions to the Home Minister. Firstly, has this particular incident been taken as a major criminal incident in the country and accordingly have steps been taken to punish the evildoers? Have the real culprits been rounded up, or at least have necessary steps been taken to round up the culprits? Otherwise, it will also affect

[Shri Ajit Kuma, Sharma] the relationship between Lothas and Rangmas inside Nagaland. Secondly, is the Government of India going to enforce the boundaries of these States on the basis of the 1925 agreement or on the basis of the Parliamentary Act which created these States or whether it will allow the uncertainty that is there to continue?

Thirdly, Sir, there are five outposts maintained by the Nagaland Armed Force well inside the boundary of Assam for many years. I would like to know whether the Central Government is going to ask the Nagaland Government to remove these outposts immediately. The Central Government has asked both the Governments not to violate the territorial limits of each other. Now, with this advice, the second advice also must go together, that is, for the removal of the outposts by the Nagaland Armed Police inside Assam. If any such outposts are there maintained by the Assam Government inside the Nagaland territory, they must also go along with it. Otherwise, Sir, we will not be able to arrive at any happy solution of this problem. So, Sir, I place these questions before the Home Minister. Thank you. Sir.

SHRI DHANIK LAL MANDAL; Sir, the North-Eastern Region is a sensitive region and there can be no two opinions on this issue. And it is also a fact that all these States have been carved out of the former Assam State, whether it is Arunachal Pradesh or Meghalaya or Nagaland. They have been carved out of Assam only one by one and, therefore, the boundary problems are there. When I say boundary problem, I mean that at some places the actual demarcation on the spot has not taken place. Otherwise there is a definite boundary and there can be no two opinions on that. When the State of Nagaland was created in the year 1963, the hill districts of Nagaland and the Tuensang Division were defined as the boundary of Nagaland and, after that, there were some problems! Then, in the year 1972,

the Sundaram Committee was able to sort out some problems and settle those problems. So, Sir, the honourable Member is perfectly right...

SHRI AJIT KUMAR SHARMA: I want one clarification.

SHRI DHANIK LAL MANDAL: You please listen to me first.

SHRI AJIT KUMAR SHARMA; I want one clarification only. Sir, the honourable Minister referred to the Sundaram Committee. Is there any Report of the Sundaram Committee or there only a paper from the Sundaram Committee?

SHRI DHANIK LAL MANDAL; I am saying that honourable Member is perfectly right...

SHRI SHRIMAN PRAFULLA GO-SWAMI (Assam); The Sundaram Committee Report has not been published.

SHRI DHANIK LAL MANDAL: You please listen

SHRI SHRIMAN PRAFULLA GO-SWAMI: In your statement you have used the words the Sundaram Committee Report.

SHRI DHANIK LAL MANDAL: I am referring only to 1972 when, with the help of the Adviser—Mr. Sundaram was the Adviser in the Home Ministry on the North-Eastern problems—and with the co-operation of the two Government, the Nagaland and Assam Governments, some agreement was reached and some issues were sorted out and settled. That is what I am referring to. It is true that as long as a certain area, which is the subject-matter of any claim or counter-claim by any State Government or Union territory, as long as that area is a constituent part of the State of Assam, the other States or the Union territories must respect that and there can be no two opinions on that. The Nagaland Government cannot send its police force or any other agency into the area which is

today the constituent a part of Assam. It is no business of the Nagaland Government and, therefore, it is true that as long as certain areas whether claimed by the Nagaland Government or any other State, as long as those areas are parts of a certain State, say, Assam...

SHRI BHUPESH GUPTA (West Bengal): They may be fighting in the Nagaland area or Assam. But your Home Minister's sleep is not disturbed at all.

SHRI DHANIK LAL MANDAL: You please listen. He is meditating, not sleeping. (Interruptions). It is not a question of laughter. You should seriously ponder over this. So, I was saying that it is true and that this has been impressed upon the States. The Central Government has impressed upon the States and is impressing upon the States the point that as long as an area is a constituent part of a State, the other Governments which claim that area have no business and it is none of the business of its police or any other agency—to interfere with its law and order problem or any other problem in that area. We are doing that.

As far as the incidents which took place on the border are concerned, we—myself, the Home Minister and others—do not minimise its significance. We do not say that it is not a gruesome murder or heinous crime or barbarous action. But we are also insisting that normalcy is restored and to see that even while restoring normalcy proper action is taken against those people who have indulged in such activities, criminal activities. I am glad to inform the House that 59 people have been arrested by the Nagaland Government and 44 persons have been arrested by the Assam Government till now. There is not any kind of let-up on the part of the Government to apprehend the culprits and to bring them to book, and there is also no let-up on the part

of the Government to impress upon the people that law and order must be maintained. The hon. Member, while talking of the background of Nagaland, might be referring to insurgency and all those things. But the insurgency came afterwards, not before. Nagaland came into existence in 1963 and as a result of negotiations and talks. Dr. Ao, who came as the head of the delegation and the Government of India reached an agreement, and in order to protect Naga-land's individuality, their culture and everything, Nagaland State was created. So there is no question of associating violence with this. Sir, the demand for more territory is obvious. But, as I was pointing out Sir, on the basis of claims and counter-claims, no Government has any authority to interfere in the area which forms constitutionally a part of a State. Obviously, this can be solved only by talks and agreements, and not by violence, and not by interference by any border State.

As far as the question of other Government's making more demands for areas is concerned we are aware of it, and we insist that whatever constitutional boundary is there that should be respected. And there is no going back on it. Only Parliament has the right to change that boundary. No other authority has any right to change that boundary. If there is any dispute regarding the actual boundary on the land, then the Survey of India is there to help the State Governments. They should come together and settle this. We are insisting on that.

As far as Rano Shaiza's interview is concerned, I am not concerned with this. But I would like to make it clear, as the Prime Minister and the Home Minister have also made it clear, that any insurgency will be put down with determination, with a strong hand, with an iron hand; and we are not going to tolerate any insurgency or anything of the kind.

[Shri Dhanik Lal Mandal]

About steps being taken to see that boundary problems are solved, as I told you, we are taking several steps. We are holding conferences. We are making the Chief Ministers to come together and agree to discuss. They are meeting. They are discussing. Some agreements have been reached and other agreements will be reached, I can say.

SHRI DINESH GOSWAMI (Assam): Mr. Deputy Chairman, Sir, what happened in Assam on the border of Nagaland on the 5th January, 1979, defies all description. If that thing had happened near Delhi, I have no doubt that the Parliament would have been rocked. But because the area is a far-flung area and the voices take some time to reach and, may be, because the number of Parliament Members coming from that region is comparatively less, the effect of such incidents in the capital scene is comparatively much less.

Sir, on the 5th of January, 1979, in the early morning from across the border of Nagaland, hundreds of armed people came and ravaged a number of villages. They attacked innocent villagers and killed, maimed and wounded them. The Government has given the number of people killed as 50, but nobody knows the actual number because dead bodies are still being recovered. And in some places, it has been found that out of a total number of six or seven family members, only one has survived, and he has gone back to far flung areas out of fear, and he has not yet reported as to what has happened to his dear and near ones. Therefore, Sir, the number of wounded and the number of killed has remained unascertained. It has been admitted by the Government that 25,000 or more people who left their places have to be sheltered. And the atrocities committed were so gruesome that the breasts of young girls were cut, the abdomens of pregnant women were pierced, young children were killed by opening up

their intestines, and groups of people were shot at. Sir, it was almost like an armed invasion from one country to another country. Sir, when I am describing, this, I know and I realise the importance of amity and friendship between the people of Assam and Nagaland because our amity and friendship has been there for a very long time. But this incident has undoubtedly caused a tremendous amount of bitterness and resentment in the minds of the people of Assam. And I feel that both the Governments and the people of both the States have now a very onerous duty and responsibility to see that it is not embittered further and amity is restored. So, the unfortunate part of it is that both the Governments must share full responsibilities for what happened as both the Central Government and the State Governments had advance information of the likelihood of the occurrence. They were notified even by the Intelligence Department. There were poster campaigns in these villages, Naga villagers residing in that territory were evacuated before. And on the 23rd of December, 1978, the Assam Government informed the Central Government that there is the likelihood of such an occurrence. The unfortunate part is, in spite of the fact that the Assam Government had earlier information about it, the Government did not do anything. And in spite of the fact that the Assam Government had written to the Central Government on the 23rd December, 1978, unfortunately, what the Central Government did was only convening a meeting, if I am correct, between the two Chief Ministers without realising or without trying to ascertain as to who is creating these disturbances, and without trying to find out whether a meeting between the Chief Ministers will stop such an occurrence. Sir, I was amazed by the reply given by the Home Minister. Mr. H. M. Patel, when he said that the responsibility lies with the State Governments. Sir, it is very unfortunate that now the Central Government is taking a stand as if the Centre and the States.

are working as watertight compartments. The constitutional responsibility of protecting the lives of citizens rests squarely upon you, Mr. Home Minister. The Constitutional provision is, for the protection of my life, the Government of India is responsible. Sir, may I know from the hon. Minister if a group of people from a State come and attack a group of people in another State, does not the Central Government have the full responsibility in the matter? This shows the absolute callous attitude with which the Governments have tackled this problem. Sir, it has also come to light and admitted by the Home Minister that people were killed in the very presence of police officials. In the Chungajani police outpost there was a police battalion and when the armed people came from across the border, these police people retreated into their barracks and allowed the atrocities to take place. Once the atrocities were over, they came out of their barracks. In the evening, again when the armed people came, I am told, they went back to their barracks, and only when the atrocities were over they came out of their barracks. When they were asked, why they did such a thing, they said that they did not have the orders, which were to come from a place some miles away. How the situation has reached such a level that even the police is not able to protect the lives of innocent people. (*Time bell rings*). The action has been taken there but I would like to ask the hon. Home Minister why such a situation did take place? (*Time bell rings*). As you are ringing the bell, I will not take much time because there are many other speakers who also want to speak. You have said that action has been taken. I would like to know what action has been taken. Secondly, I want to know why is it that the police took such an attitude. Then, Sir, you have also referred to the boundary question. I would like to have a categorical answer from you and would like to know what the stand of the Central Government in the matter is. Are you

reopening the entire boundary issue of the North-Eastern region, or, is it that the issue will be related only to the question of ascertaining of whether a particular area comes within the boundary of one State or another on the basis of existing well determined boundary. Meghalaya and Naga land were carved out of Assam with a definite and determined boundary. I would like to have a categorical answer from the Central Government to the question whether it is going to allow all the States in the Eastern region, Assam, Nagaland, Meghalaya and Arunachal Pradesh to claim and counter-claim each other's territories, including the settled boundaries of these States, or, is it the position of the Central Government that this question will never be reopened and that the only question on which there can be some discussion is whether a particular area falls within the boundary of one State or the other. Please remember that you have said that the North-Eastern region is a sensitive zone, in which sensitive zone you have dealt with Governments which have encouraged cessationist forces. It was also pointed out by many, including Mr. Bipinpal Das, that when you lent support to the U.D.F. Government in Nagaland, you were doing a great disservice to this country because the U.D.F. has also stood for or supported the cessationist movement. Therefore, you can see what is happening today, because there is evidence to show that the Nagaland police took active part in these things. Some of them have been arrested. You cannot absolve yourself of your responsibility and you cannot say that the guilt does not lie upon you for creating a certain amount of lawlessness in that region.

Therefore, if you go on reopening this issue of boundaries in the North-Eastern region where so many States are involved, I have got a grave doubt that it may burst into a volcano, eruption. I would like to know from the hon. Home Minister

[Shri Dinesh Goswami]

in categorical terms as to what the stand of the Government in this regard is.

THE MINISTER OF HOME AFFAIRS (SHRI H. M. PATEL): Sir. I am sorry, the hon. Member has expressed himself in certain terms which are not strictly in accordance with facts. He has said, for instance, towards the end, that the Nagaland police had taken part in this attack. There is no foundation and there is no evidence whatsoever for making this kind of a statement. I can assure this House and the hon. Member that the Nagaland police or any official was not at all involved in this matter.

SHRI DINESH GOSWAMI: Was anybody arrested?

SHRI H. M. PATEL: Not at all. No one has been arrested.

SHRI SYED ABDUL ~ MALIK (Assam): Is it a fact that the killers were in uniform?

SHRI H. M. PATEL: I am answering Mr. Goswami at the moment. The hon. Member has referred to the fact that the police was inactive at a certain point. I have mentioned it myself when I answered a question before. But I pointed out that this particular police force was the Assam Armed Police and the Assam Government have taken action against the officers in charge for their failure and dereliction of duty. And that will take care of itself. Now I will point out that there is no question of these people going into the barracks because this is an open post. There are no barracks; there are tents. The incident of burning etc. took place within the visual distance.

SHRI BIPINPAL DAS (Assam): For the information of the Minister, there are no tents. There are barracks. I have seen it myself.

SHRI H. M. PATEL: I have myself been to the place and...

SHRI BIPINPAL DAS: I am referring to Chungajan post.

SHRI H. M. PATEL: I am referring to the post where this thing has happened, I have been there myself and saw it unless my eyes deceived me and I saw a wrong thing. Otherwise, there are tents only. Anyway, it makes no difference whether there are barracks or tents. But they were there; they saw it and they did not take action which is the utter dereliction of duty. There are no words to describe such a dereliction of duty. That is the most unfortunate thing that happened on that occasion.

So far as the question of hundreds of people coming along and attacking is concerned, the exact number can be anybody's guess. Nobody is able to say the exact number but considering that 13 villages were demolished and burnt and people were attacked and so on, it is possible that the total number of people would be in the region of 500 to 1000. The number of people involved would not be more than this. That is the view which has been taken and about which I have been informed.

The question of boundary again I think I mentioned last time. There is no question of it being reopened. Constitutional boundaries, boundaries as set out in the Acts which constituted these States are the boundaries. But, nevertheless, in various areas the boundaries have to be clearly demarcated on the ground that in some areas, this has not been done. And that is why, Mr. Sundaram had been appointed to try and reconcile the position. Therefore, the point that we are reopening this question, is not correct. I say it categorically that there is no question of its reopening. This has been conveyed to the two States by the Prime Minister in a letter which he sent. He said that if there is any such dispute, it can be settled by discussion between the Chief Ministers and, therefore, when I said that this is a

matter to be settled between the Chief Ministers, it had reference to this matter that when there are boundary-disputes, it has been made quite clear that whatever has been set out in the Acts constituting these States, constitutes the boundaries and if there is any deviation to be made, there must be a discussion. Where there is a dispute on the ground that the boundary has not been clearly demarcated, that again has to be settled through a discussion. I think this is to point on which the hon. Members wanted an assurance from me.

SHRI DINESH GOSWAMI. I only pointed out that similar problem might come up in the case of other States also.

SHRI H. M. PATEL. In the case of Meghalaya, again it is the same position, I have informed the Chief Minister of Meghalaya as also the Chief Minister of Assam that they should settle it by a discussion. I have myself written a letter 1, P.M. only couple of days ago to these two Chief Ministers of Assam and Nagaland to say that if they need any assistance of the Survey of India, we shall make it available to them. But as I said, it is all within the description of the boundary as laid down in the Acts constituting these various States. I think, Sir, the fact that this incident had taken place is unfortunate. But I do not think it is necessary to magnify it as if one State is being permitted to attack another State or anything of that kind. The Chief Minister of Nagaland has expressed the view in no uncertain terms that this was the most deplorable incident to have taken place and that he was ashamed of it. This is correct. There is nobody who says that this is something which should have happened. Now, our attempt should be to see that such incidents do not happen again. The people from the camps have now returned

because the situation today is peaceful though I concede that tension still prevails. This is bound to prevail because the incident which had taken place is not of such a nature that one can wash it off in no time. The people from the camps have all returned to their villages. Some of the Nagas on the Assam side of the border who had left their villages have not returned to their villages as yet chiefly through the fear of some action being taken. But even there, a number of people have returned and this is how, gradually things are becoming normal. I think, I have answered all the points.

SHRI TILOK GOGOI (Assam): Mr. Deputy Chairman, Sir, this incident on the Assam-Nagaland border took place on the 5th January, 1979. We saw this in the newspapers. We read in the newspapers that there has been an attack by the Nagas on the Assam soil. We visited the affected area on the 9th January. We went to the Csugajan area and we visited the Pahutia village. We saw that most of the houses have been burnt. Eleven people were killed in this village. But the police remained inactive. This Assam-Nagaland border dispute has been there for a long time. The State of Nagaland was created by a declaration of the then Prime Minister Nehru. This State was created in 1963. For centuries, we have been having good relations with the Naga people. After the State of Nagaland came into existence, a lot of problems arose. There were many problems and sometimes there were encounters between the Assam and the Nagaland Police.

Sir, this is a very sensitive area. This problem should be dealt with at the national level. The worst part of this incident is that the killing which had taken place in this area has surpassed all brutalities that one can imagine. Even little children were killed by the Nagas. We met hundreds

[Shri Tilok Gogoi]

of people in the camps who were coming out from the forest areas.

We had a discussion with the Home Minister. He has given some figures in the House, as dead 50 and injured 69. The number of houses burnt given by him is 469 whereas actually it is 600. The number of villages affected is 56 but he has given the number as 13 only. These are the figures collected by us. Sir, the naked attack on the border is covering a distance of 40 kilometres. The attack is simultaneous. They started at 3.00 O'clock in the morning of 5th January and continued up to 8.30 in the evening of the next day. In the South Reserve area village they were there up to 8.30 a.m. of the next day. All the people saw the armed police there who had been seen helping the Naga people. Who were those people of the armed police? That is the question. Did they belong to the Nagaland police or they were hostile? That is the question. Who were those armed people who helped the Naga people to kill Assamese living in the Assamese living in the Assam area? I would like the hon. Home Minister to appoint an Inquiry Committee to ascertain this fact.

Sir, while looking at the cause of the trouble, we must blame the State Governments also, as far as possible. In 1972 there was an inter-State agreement between the Nagaland and the Assam Government which says that till the demarcation of the boundry is finalised by the Home Ministry no party should dig any portion of the forest reserve land and settle people there, within a radius of three miles. In 1978 the Assam Government dug up a part of the forest reserve land and settled the people in the last July or August. And this has created problem because Nagaland is also interested in this border land. The question is, after this agreement how this land was taken and the people settled there. This is a clear violation of the agreement and this is the whole problem. So, I think the Government

should take appropriate steps, at least, to demarcate the boundry and define it properly. People should be given to understand the procedure to be followed in respect of settlement etc. The simple question is, what is the number of people killed? The Assam Government has no information till today. Once Mr. Rajnarain went there on 21st January and according to a press release he said that more than 2000 people were killed. According to the report in the Assam Tribune, more than 2000 people were killed. The Janam Bhoomi, a local paper, has said that the total population in these villages is about 95,000. The information regarding the number of people killed is not with the Assam Government, I think it is not with the Government of India also. I would like to know from the hon. Minister whether the Nagaland Government, or the Assam Government or the Government of India has any information in regard to the number of people killed in that region where disturbances took place.

SHRI H. M. PATEL; The hon. Member has only put one question, which is about the number of people killed. So far as that is concerned, the information as we have got is the latest information. It is also based on a certain amount of checking which was done with the people who were in the camps that had been set up to find out from each family as to who were missing etc. On that basis, the total number of people killed was ascertained. There was certain crosschecking that has been done. I would certainly concede that it is impossible to say the exact number of persons killed, but this figure is as reasonably accurate as is possible in the circumstances.

SHRI M. KADERSHAH (Tamil Nadu): Sir, the hon. Home Minister is a retired civil servant, but he seems unconcerned to find out the causes of the hostilities. Whenever such an incident takes place, the ready-made reply 'given by the Government' is

that attempts will be made to see that *no* such incident takes place in future. This is the routine reply given by the Government. But we do not know what attempts have been made and how far those attempts have been fruitful in checking such incidents.

Sir, Nagaland was formed as a separate State in 1963. Since then, this boundary dispute is going on between the two States. I do not propose to apportion blame to either side. I am looking at this problem purely from humanitarian and political angles which is necessary to bring about peace in that strategic region. If anybody is to be blamed, it is the Union Government, as Mr. Goswami has pointed out, for its complacency, for its inefficiency, for its total failure to bring the two States to a compromise and to bring about an amicable settlement and to demarcate the boundary. This indecision of the Government has done great harm to the unity of the people in both the States. There had been frequent clashes. In April last year, there was a bloody clash in which some lives were lost. If the Government had acted promptly on the earlier incidents and on the intelligence reports, this unfortunate incident would not have happened; it would have been avoided.

Sir, the hon. Minister referred to the report of Mr. K. V. K. Sundaram. This Commission was appointed by the previous government in 1972 and Shri K. V. K. Sundaram submitted an interim report in 1975. But the Government has not spelt anything so far on what Mr. Sundaram has given in his report. I would like to know whether the report of the Commission will be placed on the Table of the House.

It is said that the report has been recently circulated to the States of Assam and Nagaland. I would like to know when it was circulated and what is the reaction of the concerned

governments on this report. Why was the report kept in the dark for the last two or three years and what is the outcome of the concerned Chief Ministers' meeting in Shillong on this issue?

Sir, both the Assam and Nagaland Governments made an agreement in 1972. But it is reported that both the States did not adhere to the agreement with their fullest conscience. May I know how on many occasions the agreement has been violated and, if violated, what was the action of the Centre? What advice has been given to the concerned State Governments from the Union Government? Why has the Government not thought it fit to have a formal inquiry on this violent attack? What is the monetary compensation and other rehabilitation measures supposed to have been taken by the two governments? What has happened to the sum of Rs. 2 lakhs released from the Prime Minister's Relief Fund? I do not know whether the money has reached the victims because on many an occasion statements remained only on paper. It will not in any way compensate for the loss of innocent lives. Where will the dependents of these fifty persons go? Are they to be satisfied with the inefficiency of our intelligence people, their characteristic apathy to the dead persons and the lack of sympathy for the persons residing on the border? May I further know whether the rebels Nagas have acknowledged the legality and sovereignty of the Government of Nagaland? Every effort should be made to help the State Government of Nagaland to bring about a change in the outlook of the underground Nagas so as to bring permanent peace in the area and save the lives of the persons inhabiting these places.

Sir, Parliament should be taken into confidence on the measures the Government have in their mind to bring about amity among different sections of the population in the North-Eastern region. May I know whether it is a fact that the people in general have

faith in the capacity and the capability of the underground Nagas and that the underground Nagas are able to receive the cooperation and support indirectly from the villagers as a whole and Naga population in particular while the Government has failed to inspire the confidence among the local people on their approach to solve this problem resulting in the loss of credibility and effectiveness of any government in the States?

Sir, in this connection I would like to point out that the statement of the hon'ble Prime Minister has also added fuel to the fire. He had recently been to the North-Eastern region. When he was at Kohima the Prime Minister was met by some Naga students. In 1959 the Naga People's Convention passed a 16-point resolution. When the students asked him about the problem of forests and integration of Naga areas based on the 16-point agreement the Prime Minister bluntly told them that there was no such 16-point agreement.

Secondly, Sir, the Union Government had decided to conduct the U.P.S.C. examinations in all the regional languages. When the students asked whether their language will also be included in the Eighth Schedule, they again got a provocative reply. May I, therefore, know whether it is a fact that some of the Nagas, particularly educated youths, were agitated over the remarks of the hon'ble Prime Minister as the people of Pondicherry were agitated over the untimely and unwarranted statement of the Prime Minister?

SHRI H. M. PATEL: I am very sorry that the hon'ble Member has thought it fit to make certain observations in regard to a very sensitive matter. He has put really no questions and has not made any new points except to put the whole blame on the Union Government. I hope the hon'ble Member realises that the Union Government does not act in a State within the State limits. The State has its own

urgent public importance

autonomy and the Union Government is not responsible for every act of disturbance or breach of law and order etc. So to put the blame on the Union Government is not altogether right.

The hon'ble Member said that there was a boundary dispute which has been decided and wanted to know the number of incidents. Let me tell him that the boundary dispute that existed here is not of the kind that causes regular breaches. This area which was in dispute is called the reserved forest. It was understood that until these points are all resolved they will be treated as reserved forests and no new settlement will be permitted. It was an announcement by the Assam Government—an untimely announcement, I would say, but, nevertheless, an announcement—that they intend throwing a certain area open for settlement for new people to come in. It is this which caused a certain apprehension but, as I said, these are certain points which have come out in the course of the inquiry. In this respect it is very necessary that we do not go further into the matter in this way. Inquiries are being conducted to analyse the entire position and to see whether these things could have been even avoided. The meeting between the two Chief Ministers will certainly be productive because they are both desirous of seeing that such outbreaks of violence do not recur. Both are agreed upon that and both are also agreed upon finding a solution.

SHRI M. KADERSHAH: What is the role of the Centre when a dispute arises? Were you keeping idle?

SHRI H. M. PATEL: Yes, yes, very idle, so idle indeed that I do not understand what you expect me to do.

Sir, there is a common Governor for both the States and he is present even during the discussions.

SHRI M. KADERSHAH: What is the Home Ministry doing?

SHRI H. M. PATEL,: I am sorry, the hon. Member is not going to be satisfied with anything. If it satisfies him to say that the Central Government is completely idle over this matter, he can consider so. I would only like to assure you that the Central Government is as active as is necessary in order to see that this position does not escalate, that solutions are found. But it is a very difficult matter in which the temperaments of the people, all manner of things, have to be considered and borne in mind and nothing that can unnecessarily provoke or cause misunderstanding should be uttered.

SHRI SRIMAN PRAFULLA GOSWAMI: Mr. Deputy Chairman, Sir, this is a very complicated and delicate problem, and this problem has already created a very bad atmosphere in the minds of the Assamese people—may be in the minds of the Nagaland people also. It is a ghastly incident involving the common people.

It has been admitted by the Government that the attack was made on innocent people when properties and houses were burnt and other atrocities took place. We normally hear of atrocities: against Harijans where violence and so on are involved but this is another kind of atrocity. Some Naga people have done this and this has vitiated the political atmosphere. This is a matter between two States. As for myself, I am very closely associated with the Naga problems since 1948. On many occasions I was asked to negotiate with the Nagas and I have met the hostile Nagas. I met Phizo also. I also conducted a Naga goodwill mission. So, my heart breaks when I see that the good relations between the Nagas and the Assamese are vitiated like this. How can I explain this when the common people ask me, "You are a good friend of the Nagas but how has this happened?" This incident has vitiated the political atmosphere the psychological atmosphere. Some Naga miscreants did this; I will put my questions after this introduction.

The Central Government—not only the present one but the former Congress Government also—did not pay the maximum attention that was needed to the sensitive north-eastern zone, specially Nagaland and Assam. This boundary dispute was there when Nagaland was created. Then I was an Assembly Member. In the Assembly when we passed the Bill, I spoke very emotionally. I said, let there be a separate Nagaland State because they will, after all, remain in India. Because, before that, the Nagas wanted to secede from India and create a separate Nagaland. Dr. Rano Shaizo, who presently belongs to Janata, was also a hostile Naga. I conducted a goodwill mission to her. Now from that State when most of the Nagas are feeling that they are Indians and part of India and working with the Government which, at one time, they avoided, I am very happy. I was very happy, but now this incident has disturbed the whole atmosphere. The Assamese common people are thinking that the Nagas are so cruel and brutal, and all those things—I do not like to narrate them in a magnified way. But my point is that the Government did not take sufficient care at the time of the demarcation of boundaries when the 1972 Pact was made. Then, Sir, on 2nd January, the two Chief Ministers met and reached an agreement at the initiative of the Central Government to maintain peace in that area, but then suddenly on 5th this happened. So I feel that the Nagaland Chief Minister who heads the Nagaland Government and the Assam Chief Minister who heads the Assam Government, both have failed in two respects. First, the Nagaland Chief Minister could not control some Naga people who attacked and all those things were carried on. The Assam Chief Minister who posted the outpost could not protect the innocent people because the police, as has been said on other occasions, remained helpless spectators; they said that they were not under orders to shoot. Under the IPC, if I am attacked by a miscreant, to defend my life I can shoot; the only

[Shri Sriman Profulla Goswami] thing is that it will have to be proved that my life was in danger. It is strange that the policemen who are supposed to protect the lives and properties of the people themselves said that they required orders to shoot. Nobody has mentioned about the SDO, Golaghat, a young IAS officer. He is a hopeless officer. He does not know anything. I visited that area on 15th when the Home Minister also went. It was tragic that our Chief Minister did not rush to the area immediately after the incident. Afterwards, the Home Minister went there on 16th. I did not meet him because that was a secret programme of his. Somehow, I went there. The question is that, while the Central Government is now seized of this thing, the two Chief Ministers failed to protect the lives of the people by maintaining law and order and peace there in spite of their agreement of 2nd January. But the Government of India should have been seized of the matter earlier and should have taken effective steps in time. Simply by saying that law and order is a State subject, they cannot shirk responsibility. They will have to see that such incidents do not recur. They will have to depute the Central Reserve Police there and they should hold a thorough inquiry into the matter, not a public inquiry but an administrative inquiry, not like the commissions of inquiry set up by the Janata Government but some administrative inquiry with a competent officer as the head to probe into the historical background and all those things, to see how such incidents could be averted. That is very important because today this is happening between Nagaland and Assam, tomorrow it can happen between Arunachal Pradesh and Assam and the day after it can happen between Assam and Mizoram. If such things continue, you will have to lose the north-eastern region. Even now some people say that it is better to be anarchic than to remain under such a Government, whether the Central Government or the State Government. Some people

have started thinking like that. What the Home Minister is thinking is that there is a political aspect. Another point is that they are again asking the two Chief Ministers to arbitrate in the matter. The Central Government owes a responsibility in it. The former, Central Government on many occasions when the law and order machinery failed declared President's Rule in the concerned State. Now they are not doing it because the two Governments belong to the same category. Leave aside your party considerations. Maintain law and order and carry the confidence of the people—whether the people of Assam or Nagaland or Mizoram—so that the people know that the Central Government is there to look after them in such a situation. Otherwise, what is the use of the Central Government? Let Assam remain independent, let Mizoram remain independent and let them fight. Therefore, from that point the Home Minister should give a specific reply.

Then about compensation. The former speaker has also spoken about it. What sort of compensation is given? You cannot bring those persons back to life. But even then, there should be rehabilitation. When there were atrocities on the Harijans in Muradabad, very speedily resettlement was started. Houses were constructed by the Government help. Compensation was paid for the loss of property. This thing the Government of India should take up in co-operation with both the State Governments. The Nagaland Chief Minister is sitting silently. He is also a little getting nervous that if he takes drastic action, the Naga people will be enraged. Again, the Assam Chief Minister is looking to Delhi. But no information is there. You have to arbitrate because these are two small States. They are inexperienced Chief Ministers after all, not like Mr. Morarji Desai, Mr. Patel or Mr. Charan Singh. They are inexperienced. overnight they have become Chief Ministers. Therefore, you have to give guardianship to them

and also protect the lives and property of the people and maintain peace.

Then regarding the boundary. Has the Home Minister taken immediate steps to set up pillars and demarcate boundary on the spot by local survey? This is going on. The former Government started the work on it, but then it was stopped later. Now within six months you have to settle this boundary by survey, by local survey and by setting up boundary pillars between Nagaland and Assam, between Assam and Mizoram, between Assam and Arunachal Pradesh and between Assam and Meghalaya.

The Home Minister should lay down a clear cut policy that if there is some land in Nagaland, if there are Assamese people in Dimapur and if Assam claims Dimapur, it cannot be allowed. You have to go through the debates of the Constituent Assembly of that time. There should be humanitarian consideration. After all we will have to take that we are part and parcel of India, and that feeling has to be roused from the leadership at the Centre. They should go to Nagaland and Assam and create the feeling of being Indian. After all, these are small things. From that point I want to hear from the Home Minister, Sir.

SHRI H. M. PATEL: I am in great agreement with what my friend has said.

SHRI KALP NATH RAI (Uttar Pradesh): This is not a reply.

SHRI H. M. PATEL: Why is it not a reply? When I am saying that with a great deal I am in agreement, it is not a proper reply, and if I say that I am entirely in disagreement, that is right?

I consider that the hon. Member is right in pointing out how sensitive and difficult this area is. It is a

complicated matter. It cannot be resolved just by merely wishing to resolve it. But he is perfectly right that the Central Government as well as the State Government must do everything possible to see that this problem is resolved as quickly as possible. Nevertheless, I think, every one of us, including the House, must realise that when the Adviser Mr. Sundaram had been put on this task of bringing about an agreement in regard to the boundary, for several years he laboured, and in the end it was not possible for him to do more than to bring together the facts regarding the boundary, and to say that these were the facts and that on the basis of these facts the boundary should be settled.

The hon. Member also then asked what was it that we asked the Chief Ministers to do. The meeting of the 2nd of January between the two Chief Ministers was held as a result of knowing that certain disturbances were apprehended. If you remember, an intimation had come. The announcement of the fact that they were in agreement, provoked some people, the miscreants, who wanted to create trouble. They thought that the claims they had been making, they may not be able to get, and so, they moved speedily and moved faster and created the trouble before other precautionary measures could have been taken. However, that does not mean that, therefore, the meeting of the Chief Ministers failed. The Chief Ministers, I am glad to say, are both desirous of seeing that an agreement is reached. I hope these efforts will result in an agreement. So far as the Union Government is concerned, it is at their disposal to assist them in every way, to assist them in finding a solution.

MR. DEPUTY CHAIRMAN: Shri Bhupesh Gupta.

SHRI SRIMAN PRAFULLA GOSWAMI: Sir, there is another aspect. The Home Minister has rightly spoken. I appreciate it. But there is

[Shri Sriman Profulla Goswami] another aspect. Does he take into account the landless people from Nagaland and Assam and also their economic conditions? I am asking this because the Naga people are also gradually coming down and they want cultivable land. And the area where troubles took place is a very fertile area and there Naga people...

MR. DEPUTY CHAIRMAN: Please don't bring in other matters.

SHRI SRIMAN PRAFULLA GOSWAMI: The Naga people are also taking land for Cultivation, as also the Assamese people. That aspect is also there. There is not only the political aspect. The quarrel comes ^{to} 1st and also. Is he aware of that aspect?

MR. DEPUTY CHAIRMAN: What can the Central Government do in that respect?

SHRI SRIMAN PRAFULLA GOSWAMI: I want to know whether he is aware.

MR. DEPUTY CHAIRMAN: Of course, he is aware. Shri Bhupesh Gupta.

SHRI BHUPESH GUPTA: Sir, much has been said by our colleagues who come from that region. According to information, 65 villagers of Assam were attacked and 25,000 villagers have been rendered homeless, apart from several hundreds being killed. Three days after the meeting of the two Chief Ministers, the ⁱⁿid took place. What preventive actions were taken? And people have begun to doubt as to why preventive action could not ^{be} taken. Much has been said about it. Now what I want to say in this connection ^{is} that the problem that we are facing is a bigger one. The incident that took place on the Assam-Nagaland border cannot be viewed isolated from a very disturbing development in the entire northeastern region where certain foreign agencies, including missionaries, ^{are} very active and are utilising the discontent and grievances of the tribal people and others, in order to create

a very explosive situation, difficult for our country, difficult for the Government and difficult really for all of us who want to maintain the integrity and unity of the country. Now, Sir, in the statement that has been made, there ^{is} no indication as to how the problem is assessed and viewed. Here, Sir, I have only a few suggestions to make because I do not want to dilate on facts, they have been given.

First of all, rehabilitation of the uprooted villagers must be taken in hand much more vigorously than has been done. The compensation should be adequate. Protection to the villagers must be given. And the Government should also take other necessary measures to remedy the situation and help those who are in need of help. The Central Government should come into the picture and help the process.

But, Sir, as I said, it should be viewed ⁱⁿ the larger context of things. I think certain other measures are urgently called for in the whole region. As I said, foreign agencies are operating. Sir, we know the Chinese have been training certain hostile Naga elements. To what extent they are connected with this is for the Government to find out. But the people there feel that the hostile elements being trained in this manner has something to do with this incident also. Here, in this connection, I think Manipur is also an important factor. As I said yesterday, I repeat today, why, to improve the situation. Manipuri language should not be included in the Eighth Schedule. It has been the official language; Manipur was an Indian State. People are very cut up about it. And this ^{is} also being contested by some people who are not interested in the unity of the country. Therefore, I would ask the Government to give immediate thought to this problem of Manipuri language. Just as there is a demand for inclusion of Nepali in the Eighth Schedule, this ^{is} also very important. I am sorry the Prime Mi-

nister has taken a very rigid stand in this matter, when he said nothing will be done. This is number one. Number two: The Home Minister went there; he met the Chief Ministers there. The Tripura Chief Minister has submitted a memorandum earlier to the Prime Minister saying how the missionaries were exploiting the tribal people in Tripura. Now the Home Minister seems to have said, "no such problem, no serious danger". Here is a press cutting in which he is quoted as having said, "It is neither threatening regional integrity nor is there any risk of the Government in the region, Mr. Patel". I am surprised how he says so after having gone there. Therefore, here also another demand has come and that should also be attended to by the Government. I understand that he has discussed this matter with the Tripura Chief Minister. At the present moment there is a Tribal Bill. Discontent among the tribal people is very great in Tripura. That Bill is there. Insofar as that Bill goes, as you know, we will all support that Bill.

What is needed in Tripura is a tribal autonomous council. And for that Tripura should be brought within the scope of the sixth Schedule of the Constitution so that the tribal autonomous council could be formed there. You have to do so; otherwise discontent will go on and spill over. I therefore demand the formation of a tribal autonomous council. And for that purpose the Sixth Schedule should be amended to include Tripura so that Article 244 can be operative there. This is my suggestion.

Finally there is another serious point. A reference has been made to Meghalaya. Only a few days ago I got information that the Union Government issued a circular according to which the people of Meghalaya, those who sit for the UPSC examinations and so on, are handicapped, because English is their official language and it is said in that circular that language for certain purposes will be only

the language included in the Eighth Schedule. English obviously is not there.

The people of Meghalaya feel handicapped because English is their official language and they speak English. But English is not there in the Eighth Schedule. They are, therefore, prejudiced in this manner and they would suffer very much. Therefore, these three demands need to be attended to: (1) Tripura should be brought within the scope of the Sixth Schedule; a tribal autonomous council should be formed. (2) Manipuri language is a rich language and it is given recognition as such by the Sahitya Akademi. It should be included in the Eighth Schedule, just as we have been pressing that Nepali should be included. (3) For UPSC examinations that circular should be withdrawn to enable the people of Meghalaya to sit for UPSC examinations, so that those who speak in English—and English has become more or less the mother-tongue of many people—are not handicapped in this matter. Such steps are needed by the Central Government to deal with the entire situation. Apart from the many good suggestions that have been made, I find the Central Government has defaulted; both the Central and State Governments have defaulted seriously; both their intelligences have failed; their enforcement authorities have failed; preventive action has not been taken. When the raids took place they failed to take any action. Now, Sir, this makes up the picture. I do not wish to say very much. I think the matter should be discussed. My suggestion to the Government is some kind of a meeting should be held. If I may say so, through him, may I suggest to the Prime Minister that he should call a meeting—nowadays he does not do so—of the Opposition leaders and Government representatives to discuss the situation in the entire north-eastern region? It is a grave and serious situation. We know very well how, despite Mr. Vajpayee's attempt to normalise relations, the

[Shri Bhupesh Gupta] Chinese really have not given up training the Naga hostiles and giving us provocations. Then, the missionaries are working . . .

MR. DEPUTY CHAIRMAN: That -will do.

SHRI H. M. PATEL: The hon. Member has spoken on a number of very interesting matters, which have to be dealt with, I have had discussions with the Tripura Chief Minister. I have also had discussions with Manipur Chief Minister. The Central Government are aware of all these problems. But they have nothing to do with the Calling Attention Notice which relates to the incident that took place on the Assam-Nagaland border. On that particular issue, beyond saying that this has been badly handled he had no question to ask and I have nothing to answer.

SHRI KHYOMO LOTHIA (Nagaland): Mr. Deputy Chairman, I rise to speak on this subject with a heavy heart because what has happened on the 5th January is a very serious crime. We all have condemned it and as the Home Minister said Mr. Vizol has condemned the action and the ruling party has, condemned the action. We are sorry for what has happened. Our Government has gone out to arrest the criminals and extended all cooperation to the Assam Government. However, the situation is still tense. Only the other day, the Chief Minister in his press conference has said that normalcy is returning along the borders, but still the situation is tense.

This crime has been committed by a section of people who have for many years been living underground and who fought for independence, but later on surrendered to the Government of India. When Mr. B. K. Nehru was the Governor, it was either in 1971 or 1972 that this group led by Mr. Scato Swu—who is a Member of this House but who is absent

today—surrendered to the Government of India as they wanted to live peacefully. However, since they have been involved in so many years in underground movement and have been away from the villages, to come back to settle down in villages was a problem for them. So many of them have sought for new land and new area where they could settle down and begin a new life. Some of these people are said to have unfortunately been involved in these incidents in recent times. What and who provoked them to commit such a crime?

Sir, a crime is a crime whether it is committed by Nagas or Assamese; or whether it is committed in Bihar or U.P. we condemn the crime. But you cannot hold the whole Nagas responsible for this. You cannot hold us to ransom for this action. You cannot treat the whole community as criminals and harass them. This is what the Assam Government and the people are doing now. So far as this border issue is concerned, it is not a new case as all the Members have said. When the Nagaland Government said that a joint operation should be there, by the Assam police and the Nagaland police, to arrest the criminals, they agreed at the initial stage. But, later on, they wanted to do as they liked, even to take vengeance on the innocent Nagas. So, they brushed aside the Nagaland police and accused them of many things. Who are these Nagaland police today Sir, the IGP is from U.P. He is an IPS Officer. Perhaps the Dy. IGP is also from U.P. He is also an IPS officer. And, Sir, the AIG is a Cachari himself married to an Assamese lady. When you accuse Nagaland Police of involvement in this, we are very much concerned and we feel that perhaps these people were not doing their duty well and, if it is so, they should be sent out from Nagaland. Why should, if any of their jawans are involved as it has been accused in many quarters, especially from Assam, these people remain there? Why should

they remain there bringing a bad name to the State where they are to serve that State? If they cannot control their men, then they have no right to be there. But I believe that the Nagaland police was not involved and yet it is said that their collusion is there. Therefore, I strongly urge upon the Central Government to go into this and inquire into this. You cannot just leave aside this and you cannot say that it is a matter between two States. Sir, the Nagas, as all the Assam leaders know, are composed of different communities and in Nagaland, especially my tribe, the Lotha tribe in the Wokha district, has the longest boundary adjoining Assam. We are the most harassed people because we are not in a very advantageous position. We have no other means of communication. We have no place to go to except the Assam market. If we have to come to India, where do we go? We have to come through Assam only. All our farmers have to go to Assam and all their produce has to be sold in Assam. They have to go there to get salt, rice, cloth, etc. and even to travel they have to go to Assam only. Because of this, all these years, for years together they have been harassing the people living in this area. Today, when we talk of integration, integrity of nation, when we talk of the people coming out and joining the mainstream of this great country, we only talk and do only lip service. But, in actuality, we do not practise it at all. How do we integrate the people when the attitude of the brother, the big brother, is and continues to be only to harass us, to discriminate against the others, to molest the girls, to kill the farmers, one by one, to take away their lands, and so on? Now Sir, the Home Minister says that the question of boundary will not be reopened. I am sorry for this statement. The State came into being under a 16-point agreement. When the Naga leader came to Delhi and met and arrived at the agreement with the Government of India, in this 16-point agreement, Sir, the Naga leader had

raised the issue of boundary, the issue of communication, and it is yet to be fulfilled and, Sir, nowhere in this agreement has the boundary of the 1925 notification, which has been claimed by some, or the other notification, ever been mentioned. Our claim is around five thousand square kilometres. But all these lands have been occupied by the people from Assam. We have occupied a very small area in this disputed area. When in 1972 the boundary question came up again, there were disputes. There was an agreement between the two Governments. Now what do you say? When there are agreements between two State Governments, you violate the agreement. Only one Member was honest and brave enough to say that the agreement of 1972 was violated by Assam. I have got a copy here. I will read out clause 4 only just to give the background:

"4. The Assam Government agrees that the Disolj Valley Reserved Forest and the Doyang Reserved Forest shall continue to be Reserved Forests and maintained as such. No settlement of villagers and no encroachment will be allowed. In dealing with encroachments, the Assam Government will enforce a uniform policy irrespective of the area or State to which the encroachers belong. The Assam Government however agrees that the Naga settlements in the Disoli Valley Reserved Forest existing on the date of this agreement will not be disturbed".

But where are these Naga settlers today? Where are they? They have been driven out. They were living there for years together. They spent money and they sweated to improve the cultivation. Today, these have been taken away by Assam. Do you think we are happy? And yet, we have been telling our people that the agreement is there, that they will cer-

[Shri Khyomo Lotha] tainly be settled, that the Government will come to our aid and that the agreement will have to be honoured. All along we have honoured this agreement. But today there is no forest at all. There are no Reserved Forests. The area has been deforested.

Sir, here is a news-item in the 'Assam Tribune' dated 23rd January 1979. What does it say? I will read out:

"GAUHATI, Jan. 22—Sri Nibaran Bora, Chairman Purbanchaliya Loka Parishad, said here today that the tragic part of the January 5 incident in Assam village, bordering Nagaland was the brutal killing of the Bodo Kacharis who were earlier driven out of their hearths and homes in Goalpara, Darrang and Kamrup districts. .

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These people were the owners, landowners, in these districts. Yet the Assam Government have driven them out. Their lands were given to the refugees from East Pakistan and these people were later on brought and settled in this area, violating the 1972 agreement. Here it says—I quote: "Holding the Government of Assam solely responsible for the happenings of January 5, Sri Bora demanded immediate resignation of the Borbor Ministry which according to him, gave immediate provocation to the Nagas by opening the Doyang reserve forests *or settlement and thereby violated the 1972 Agreements. To substantiate his contention, Sri Bora quoted from the 1972 agreements which read as follows— The Government of Assam sets that Desoi Valley Reserve forest and Doyang reserve forest shall continue to be reserve forest and maintained as such. No settlement of village and no encroachment will be allowed, if the Government, however, agrees that Naga settlement in Desoi Valley Reserve Forest existing on date of this agreement, will not be disturbed.

Sir, the Agreement was brought about in 1972 when the 2 P.M. Congress Government was in power. None of the Members from Assam has the guts to mention about this agreement. They have not been honest. They are in a majority, as one Lady Member said this morning—why should we minorities suffer in the hands of the majority. That is what this is happening today in Nagaland. And today, none of the Nagas can travel to Assam. The students are not going to their hostels; they are not going to their colleges. They cannot travel by train. They have to fly if at all they want to come to this side. Are we really going to improve the situation with this state of affairs?

MR. DEPUTY CHAIRMAN: Please be brief.

SHRI KHYOMO LOTHAS: We have to solve this problem; we have to defuse the situation. And those who committed the crime cannot escape. Today or tomorrow or in the near future, the law will take its own course. That is known to everybody. But, there is a section and some elements in Assam who want to continually create a lot of trouble. They simply brand the Nagas as anti-national». Now a Member has said that the UDF is pro-secessionist. We have come out, and so many of us have come out from the earlier movement to join the mainstream. Should they continue to say that we are secessionist? How can we be friends if I say that you are anti-Naga? If he is anti-Naga, then he is anti-national. By that, he wants to keep the Nagas out. They know that the Nagas cannot integrate with the country unless they pass through Assam. That is our position. Do we not have a right to cultivate? The Nagas have every right to cultivate the lands. They are now gradually coming down to the foothills, as one Member rightly said. They have every right to cultivate. Why should they be driven out?

MR. DEPUTY CHAIRMAN: Please finish now.

SHRI KHYOMO LOTH: Therefore, Sir, these are my questions: Will not the Nagas question the *bona fides* of this agreement if the agreements reached between two States, and between the Naga leaders and the Government of India are not kept, not respected? And that day will be a sorry day. Therefore, help us not to lose our face, those of us who have come here. And we are Indians. There are people who are still fighting. That is known to everybody. There is that movement. But to continually call those who are participating in the development of the State today, those who are participating in the elections as 'hostile and underground Nagas' is wrong. That is a wrong phrase; that is a wrong attitude that you are taking. Those who are saying that they are anti-national are themselves anti-national because the trouble in Nagaland and Mizoram benefited Assam more. It is benefiting them. They have been at the pinnacles of power for so many years because of that. What does the Central Government know? They know only Assam. They don't know any other place.

MR. DEPUTY CHAIRMAN: Please conclude now.

SHRI KHYOMO LOTH: I feel that an inquiry should be conducted into this because not only the Nagas are involved but, as has already been reported, other elements are also certainly involved. There are some political groups who have kept law to themselves when the incident occurred. They did not say anything about it. But let them ask their counterparts, their partymen in Nagaland.

SHRI H. M. PATEL: Sir, I think, what the hon. Member has said really emphasises what I have been trying to urge all the time that this is a highly sensitive matter, and every hon. Member who speaks on this subject

should really speak with great prudence and caution. I fully understand the various points that the hon. Member has made. I think, it is correct, as has been pointed out already, that this forest had to be preserved as a reserve forest. That particular point had not been fully kept which really caused a provocation to those who were settled there. I think the hon. Member has also somewhat exaggerated the point when he said that the Naga villagers settled on the Assam side have all been pushed out. That is not correct.

SHRI KHYOMO LOTH: Yes, Sir. During the emergency most of them have been pushed out.

SHRI H. M. PATEL: I am talking of the present incidents. They are still there. Anyhow, none of them realise all these things. The general observations that he has made are well-taken. We will certainly see to it that whatever agreements are reached are honoured and it is for that reason that I have been saying that the Chief Ministers concerned must get together and see how best these things can be implemented on the ground physically and otherwise. In that process the Central Government is helping them and we will continue to help them to see that these agreements are implemented.

MR. DEPUTY CHAIRMAN: Yes, Shri Bipinpal Das.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): Sir, will there be no lunch today?

MR. DEPUTY CHAIRMAN: We will have a very short break.

DR. RAM KRIPAL SINHA: Give us the lunch break, Sir. After that we will resume.

SHRI BIPINPAL DAS: If you object, I will sit down.

DR. RAM KRIPAL SINHA: I only asked whether we are going to have lunch break today or not and, if so, we can resume after lunch.

MR. DEPUTY CHAIRMAN: Yes, Mr. Bipinpal Das, please be brief.

SHRI BIPINPAL DAS: Mr. Deputy Chairman, Sir, I will be brief. I am interested only in making some observations because I have some idea about the overall political situation in that area. Moreover, after the incident, I also visited that area and met quite a large number of people all along the border. It is on this basis and from that point of view that I will make these observations.

The ghastly occurrence of January 5 on the Assam-Nagaland border was not only terrible in terms of criminality, which has been emphasised by many Members, and human suffering, but it has also grave political implications, which I would like to emphasise. Sir, it is not a quarrel over land. It has certainly some connection with the boundary question. But the actual motivation for the brutalities committed by the Nagas, the Naga invaders, a section of the Nagas—not all of them—must have deeper political reasons to which I would like to draw the attention of the hon. Minister. There are also reasons to suspect—I do not want to go into them—the hand of foreign agencies in this matter. The whole operation was pre-planned and well-organised. That itself raises suspicion about the brains behind the operation. It is difficult to make a correct estimate of the killed, as the hon. Minister has said. But after talking to a large number of people, the displaced persons, the police officials, the intelligence people, and so on and so forth, I have come to the conclusion that the number of people actually killed cannot be less than one thousand, which the hon. Minister has just now more or less admitted.

Sir, I would point out a few significant facts. Firstly, the main target of the Naga invaders was the Bodo-

Kachari community. This is politically very significant. I do not want to go into it, because the matter is very delicate. Secondly, the invaders used not only spears and long *daos* and ordinary country-made guns, but on the authority of the police officials and intelligence people I am saying, they used also automatic weapons like the LMG. Sir, the Home Minister has said that the Nagaland police was not involved, but the people who are responsible for law and order in that area and who have been investigating and looking after it, have told me that there is clear evidence of Nagaland Armed Police personnel having taken part in the operation. Maybe, the number is very small, but some personnel of the Nagaland Armed Police did take part.

Then the next point is, those settled along the border on the Nagaland side by the Nagaland Government and who really organised this operation were former members of the underground movement and Mr. Lotha just now admitted it and Mrs. Shiazia of Lok Sabha has also publicly admitted. These are significant political matters. These are not simple things. Ex-hostiles, ex-members of the underground movement did surrender their arms, that is true, but not all the arms in their possession have been surrendered and certainly the brain and the skill which was trained in China was not surrendered and that fact also must be taken into account and those were the persons who were mainly responsible for organising this operation. [•*]

Sir, I put it to the Home Minister and he will check up. Two battalions of Nagaland Armed Police were raised with recruits from these very ex-members of the underground movement. I want him to check it up. Sir, throughout the long history of hundreds of years, I have never heard of any such clash or quarrel between the Assamese and the Nagas. Never did it happen. Why did it happen today? What is the background? What has