

Venigalla Shri Satyanarayana,

Vyas, Dr. M. R.

Wajd, Shri Sikander Ali

NOES—26

Advani, Shri Lal K.

Anandan, Shri T. V.

Banarsi Das, Shri

Deo, Shri Bira Kesari

Dhulap, Shri K. N.

Ganguli, Shri Salil Kumar

Ghosh, Shri Niren

Kadershah, Shri M.

Kunjachen, Shri P. K.

Lakshmanan, Shri G.

Mandal, Shri B. N.

Mathew Kurian, Dr. K.

Menon, Shri Viswanatha

Misra, Shri Lokanath

Rajnarain, Shri

Ray, Shri Rabi

Roy, Shri Monoranjan

Shastri, Shri Prakash Vir

Shekhawat, Shri B. S.

Singh, Shri Jagbir

Singh, Shri Sitram

Sivaprakasam, Shri S.

Srinivasan, Shri T. K.

Swamy, Shri Subramanian

Varma, Shri M. P.

Yadav, Shri Shyam Lal

The motion was adopted.

SHRI UMASHANKAR DIKSHIT:
Sir, I introduce the Bill.

THE CONSTITUTION (THIRTY-SIXTH AMENDMENT) BILL, 1974

MR. CHAIRMAN: Sardar Swaran Singh.

[Mr. Deputy Chairman in the Chair]

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH): I move—

“That the Bill further to amend the Constitution of India to give effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim co-operation and inter-relationship, as passed by the Lok Sabha, be taken into consideration.”

SHRI NIREN GHOSH (West Bengal): Sir, we oppose the introduction of the Bill. *(Interruptions)* That is our right.

MR. DEPUTY CHAIRMAN: Order, Order. There is no question of your interrupting now when he is moving the Bill.

SHRI NIREN GHOSH: We have done it. We have opposed the introduction of the Bill.

MR. DEPUTY CHAIRMAN, Please sit down.

SHRI NIREN GHOSH: We are opposed to the introduction of this Bill.

MR. DEPUTY CHAIRMAN: Please sit down. There is no question of introduction now. The Bill is being moved for consideration and if you want to oppose it you can speak against it and vote against it at the time of voting.

(Interruptions)

SHRI SALIL KUMAR GANGULI (West Bengal): Sir, on a point of order.

SEVERAL HON. MEMBERS: No point of order.

(Interruptions)

SHRI SALIL KUMAR GANGULI: If these people behave like ***we shall have to walk out.

MR. DEPUTY CHAIRMAN: If you have called anybody like this, it will be expunged. Now, what is your point of order?

SHRI SALIL KUMAR GANGULI. My point of order is very simple.

***Expunged as ordered by the Chair.

[Shri Salil Kumar Ganguli]

The Constitution of India says that for the purpose, *inter alia* of promoting fraternity assuring the dignity of the individual and the unity of the Nation, the Constitution was made. This is the Preamble to the Constitution of India. Unless the Sikkimese people are part of the nation, they find no place in our Constitution. The Constitution is for the nation and not for people who are not our nationals.

MR. DEPUTY CHAIRMAN: Now, there is no point of order. It has already been passed by the Lok Sabha. You must have known it. There is no question of rising on a point of order. Yes, Mr. Swaran Singh.

(Interruptions)

SOME HON. MEMBERS: You are the Chogyal's men.

DR. K. MATHEW KURIAN: You have rigged the elections in Sikkim.

MR. DEPUTY CHAIRMAN: Order please. Yes, Mr. Swaran Singh.

SARDAR SWARAN SINGH: Mr. Deputy Chairman, Sir, the Bill provides for the insertion of a new article 2A after article 2 of the Constitution providing for the association of Sikkim with the Union of India on terms and conditions set out in a new Tenth Schedule proposed to be added to the Constitution. The House is aware that Sikkim, in its relations with India, has been governed by a series of understandings whereby India exercised certain well-defined responsibilities for defence, external relations, communications and good government. These relations were based upon understandings with the Ruler of Sikkim even though the political leaders, seeing the advent of popular Governments in India in 1947, agitated for accession to India and the establishment of an elected, responsible Government. These aspirations not only remained unfulfilled, but over the last twenty-five years the distance between the Ruler and

the people of Sikkim began to grow progressively wider apart. The growing discontent came to a head with the political agitation of the people against the Government in April, 1973. It was a clear manifestation of frustration with the existing governmental apparatus and a desire for a greater participation in a responsible Government. When law and order broke down completely in the State, both the Ruler and the people appealed to the Government of India for assistance. It was evident that a new force representing the people of Sikkim had at last consolidated itself adequately to make its impact on the body-politic. On May 8, 1973 a historic agreement was signed to which the Chogyal, the people of Sikkim and the Government of India were signatories. For the first time in Sikkimese history the people represented by popular political forces became acknowledged participants in the political process. The agreement of 1973 called for a fully responsible Government in Sikkim, a system of elections on the basis of the principle of one man one vote and the strengthening of Indo-Sikkim co-operation and inter-relationship. The Government of India reaffirmed its responsibility for the defence of Sikkim, for its external relations and for good Government and economic and social development. Elections on the basis of one man one vote were held in Sikkim, for the first time, in April, 1974. The election manifesto of the Sikkim Congress, the party that gained 31 seats out of 32 at the Polls, asked for a strengthening of the bonds that already existing with the Government and people of India to draw them even closer. The manifesto went on to state:

"We also aspire to achieve the same democratic rights and institutions that the people of India have enjoyed for a quarter of a century."

On May 11, the elected Assembly passed a Resolution requesting the Government of India—and I quote from the Resolution—

"to examine the modalities of further strengthening India-Sikkim relationship as already agreed to in the Agreement of May 8, 1973 signed between the three parties and to take immediate steps for Sikkim's participation in the political and economic institutions of India."

The Assembly met on 20th June 1974 to consider a Bill, which later became the Government of Sikkim Act, 1974 that provided a constitutional frame-work for Sikkim. The Bill reaffirms Sikkim's desire for association with India in order to achieve speedy development in the social and economic fields. Article 30(c) of the Bill sought participation and representation for the people of Sikkim in the political institutions of India. The Bill was unanimously adopted after a clause-by-clause examination on 28th June this year. On the same day, the Assembly adopted a further Resolution that measures should be taken, amongst other things for seeking representation for the people of Sikkim in India's parliamentary system. The Chogyal gave his assent to the Government of Sikkim Act, 1974 on 4th July, 1974. Immediately after the formation of a Government, the Chief Minister of Sikkim desired that the Government of India should be requested to—and I again quote from his communications—"confirm their willingness to discharge the right, responsibilities and powers and to accept the requests set out in the Government of Sikkim Act and Resolutions." It was received in the last week of July. A very careful and detailed study of the request of the Sikkim Government was made in consultation with all responsible agencies of Government. The examination took nearly a month. The Bill before the House today as a result of this study is a short constitutional amendment for associating Sikkim with India on the terms and conditions set out in a new schedule. This Schedule binds together all the complex network of existing relations and responsibilities between Sikkim and

India brought out as a result of various agreements and understandings. It incorporates relevant provisions of the Government of Sikkim Act in which the responsibilities of the Government of India are indicated.

In presenting this constitutional amendment, I should like to clarify certain doubts that have been raised regarding the implications of the concept of "associate status". The relations between India and Sikkim are more than characterised by protection of one provided by the other, there can be no more appropriate and acceptable definition of the close relations subsisting between India and Sikkim than to consider Sikkim as associated with the Union of India. I should like to emphasize that Sikkim's relations with India are unique and that none of the constituent States of India, which are enumerated in Schedule One of the Constitution, can be of the same status. Comments have been made that the ultimate effect of this constitutional amendment is to eliminate the distinct personality of Sikkim. Nothing can be further from the intentions of Government. As I have indicated earlier, the status of Sikkim's relations with India is in no way altered by associating herself with India in the frame-work of the present constitutional amendment. The distinct identity of Sikkim continues to be preserved. It has its own Constitution, its own Assembly, and its own Government. The territory of Sikkim has been defined, and does not form part of the Schedule One of the Constitution.

For the last twenty-five years, on the basis of understandings with the Ruler, the Government of India have carried exclusive responsibility in Sikkim for its defence, its external relations, its development, good government, etc. With the advent of a truly popular government in the State the aspiration of these elected representatives to have an opportunity to present their own views to the highest

[Sardar Swaran Singh].

policy-making body of this country by sending one representative each to the Lok Sabha and this House, is understandable and should be accepted by us. We have had reports of jubilation and public meetings held in many parts of Sikkim on hearing of the passage of the Bill through the Lok Sabha. It will be an act of traditional friendship on the part of our country, by this amendment to the Constitution of India, to accept the request of the Government and people of Sikkim. I would, therefore, commend that the Thirty-Sixth Constitutional Amendment Bill be accepted. Thank you

The question was proposed.

SHRI RAJNARAIN (Uttar Pradesh): Sir, I move:

"That the Bill further to amend the Constitution of India to give effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim co-operation and inter-relationship as passed by the Lok Sabha, be referred to a Select Committee of the Rajya Sabha consisting of nine members, namely:

1. Shri Lal K. Advani
2. Shri Shyam Lal Yadav
3. Shri Lokanath Misra
4. Shri Rabi Ray
5. Shri Prakash Vir Shastri
6. Shri M. P. Varma
7. Shri Jagbir Singh
8. Shri Banarsi Das
9. Shri Sitaram Singh

with instructions to report by the first day of the next session."

The question was proposed.

श्री राजनारायण : मैं इसको पहले ही निवेदन कर दूँ कि प्रवर समिति में वही सदस्य ले जाने का संशोधन पेश करता है जो उससे सिद्धांतः सहमत होता है। इसलिए सत्तारूढ़ दल को या अन्य किसी दल को यह मुगलता नहीं होना चाहिए कि इससे हमारी कहीं भी असहमति है। हम इसके पूर्ण समर्थन में हैं।

श्री डा. शम्भू शर्मा : इस पर आप बोलने वाले हैं या रबी राय जी।

श्री राजनारायण : मैं ही बोलूंगा।

श्री उपसभापति : अगर आप ह. बोलने वाले हैं तो फिर बाद में बोलेंगे। क्योंकि इस समय आप बोलेंगे तो शार्ट स्पीच देनी पड़ेगी और बाद में बोलेंगे तो विस्तार से बोल पाएंगे।

श्री राजनारायण : जैसी आपकी ईच्छा।

MR. DEPUTY CHAIRMAN: Before the discussion starts, I would like to know from the House whether they would be prepared to sit through the lunch and finish the Bill today.

SOME HON'BLE MEMBERS: No.

MR. DEPUTY CHAIRMAN: Mr. Mariswamy.

SHRI S. S. MARISWAMY (Tamil Nadu): Mr. Deputy Chairman, Sir, as the hon'ble Minister of Foreign Affairs expressed that we are having close ties with Sikkim for the last more than 25 years, all these years we were treating Sikkim as the Protectorate of India. As every one knows, the word "Protectorate" smacks of imperialism and colonialism, and we being a Republic cannot use this terminology. So, Sir, it is good that our Government has accepted the unanimous demand of the Sikkim Assembly to be an associate members of our federation. On this count and also on various other counts which I will narrate one after another, I welcome this Bill and we extend our support.

Sir, if we look at the recent developments in Sikkim, it is natural that Sikkim is willingly coming and joining with us. The reason is, that small country with a population of two lakhs was under the heels of a monarch who did not give them any freedom or liberty. So, there was a revolt in that country last year and

with great difficulty, they have achieved a wider franchise and have constituted an assembly. That Assembly has passed a unanimous resolution to take an active part in our Indian parliamentary system by associating itself in both the Houses. Sir, on this aspect, I have nothing against the Government. But what puzzles me is, we met on the 22nd July. To-day is 7th September. Within 47 days we have passed two Constitution amendment Bills. The speed is really fantastic. A few days ago, I read in the newspaper that a small town in Andhra Pradesh by name Nellore had the experience of a Concorde flying over it. Concorde is the latest aircraft that flies at a speed of 1,500 miles per hour at an altitude of 55,000 feet. As a result, that town—it is a fairly big town—had a very strange experience. There was rattling of doors and windows, etc. But if we look at the way in which the Government brings Constitution amendment Bills, we are rather exceeding the Concorde's speed. Within 47 days they have brought two Bills to amend the Constitution. At this rate, I am afraid we will have only amendments in the entire Constitution and not the real, original Constitution. It may become like that, it appears. I may tell the hon. Minister that in spite of his best efforts to convene a meeting with Opposition leaders now and then to consult them, the whole thing was done very hastily. I am yet to be convinced why this sort of hastiness has been exhibited on the part of the Government. They may come out with the statement that things may change in Sikkim. In that case, tomorrow also things can change there. That is not an argument. If we are afraid that things may change in Sikkim and so we must rush through with the Bill, that is not a good argument and we cannot accept it. If you are afraid that things may change, then things may change tomorrow also. In that case, what will happen? We will be in a ridiculous position. So I cannot understand this hastiness of the Government. I

believe that the first intimation reached Delhi somewhere in the last week of June. And the hon. Minister took us into confidence only on the 30th of August. One full month had been wasted. If he had informed as in a week's time, the country would have had the benefit of discussing it threadbare. Now the discussion is not complete so far as I am concerned. Some papers have offered comments. Some papers have posed new problems. Some papers have opposed it and they have advanced their arguments. Also we are not able to study the world reaction. So far as I can see in the papers, China has reacted very sharply. But I am very glad that this is the first time that we have acted boldly. For so many years we have been adopting a policy of appeasement. As my friend has put it in his editorial—Mr. Bhupesh. Gupta showed me just now—all these years we have been waiting for a smile of Mao. And this is the first time that we have put an end to this sort of appeasement and we have come boldly on this issue. So far as China's reaction is concerned, we need not worry because we have been watching China's attitude for the last so many years. Even since it became an aggressor. Instead of being a friend of ours in whom we trusted, its attitude has always been anti-Indian. For example, when we took some interest in Bangla Desh, China came out in support of Yahya Khan and Pakistan as against our attempts and called us expansionist and imperialist. So also when popular revolt took place in Sikkim, China accused us that Indian hand was there and that we incited their people to go against the Chogyal. If we go by the argument of China that it wants monarchy to remain there for ever and democracy should not be ushered in, and also that they should not be given adult franchise or whatever franchise it is, then it is a very reactionary policy. And it is a pity that China which professes to be a socialist country should adopt this old Tory policy and try to create trouble in our border. And I do not

[Shri S. S. Mariswamy]

understand why some agitation is going on in Nepal and other places. I have a feeling that Chinese fifth columnists are active in Nepal, and also that the people who profess to be members of Sikkim and made a trip to Delhi and had addressed a press conference here wherein they accused us that we are doing something against the wishes of the people of Sikkim. I doubt their *bona fides* and I am doubtful if they are not Chinese agents. We have to be very alert and wary and see that we do not give any room for any mischief on their part.

So while welcoming the Bill I would request the honourable Minister that hereafter if he has got any important matter like this, when he is seized of an important Bill like this, he should give enough for the House to discuss about it; otherwise, our haste would be misconstrued outside. So far as I am concerned, I was in two minds whether to support Mr. Rajnarain's amendment because that will give us some time to study the ramifications of the whole thing. But later on I thought that it is not the correct thing, because their Assembly has passed a unanimous resolution and also on hearing that the Lok Sabha has passed this Bill, there has been jubilation in Sikkim, and therefore it is not good to delay the matter any further. Therefore, if the Government is seized of any such important matter, they should take the House and Members of Opposition Parties into confidence and share the secret. We are not going to sell it to China or we are not going to sell it to America or to anybody. If we give our word of honour that we will keep the secret, we will keep it and we have kept it in the past. So the Government of India should hereafter consult Opposition and also the House when they come with such an important Bill.

With these words I support the Bill.

DR. V. A. SEYID MUHAMMAD (Kerala): Sir, apprehension has been

expressed on the basic concept of amending the Constitution frequently. In the course of history human institutions have been evolved according to the necessities and expediencies of the countries concerned. No institution which is not capable of adjusting itself to the compulsions of the time is really worth anything. An institution which becomes incapable of adopting itself to the circumstances and compulsions of the times is a decadent institution. There is no immutability attached to any institution. Our Constitution has been framed under certain situations. As time went on, social necessities and political necessities compelled us to make amendments. For example, when the various land legislations were passed, the courts struck them down as invalid and consequently amendments were brought so that opposing the amendment on the principle that the Constitution is an immutable instrument and any amendment made is an incursion into the democratic principle is without any foundation whatsoever. The question is why this amendment has been made. What was the necessity? What were the compelling reasons and compelling circumstances which made it necessary to make this amendment. Even before 1949, the relation between Sikkim and India was one of protectorate. In 1949, a representative party of the people, the State Congress of Sikkim, passed a resolution requiring accession to India. In 1959 also the same resolution was passed. Subsequently, at the time of tripartite agreement of May 8, 1973, it was also contemplated more closer association with India. Therefore, in 1974 the Government of Sikkim Act was passed and in that Act there is a specific provision, namely, 30(c), to which the hon. Minister for Foreign Affairs referred. That also authorises the Sikkim Government to request the Government of India to provide more political association of Sikkim. In May the Assembly passed a resolution to the same effect and that was repeated subsequently in June and that resolution sought political association and

representation in the political institutions of India. Under the Government of Sikkim Act of 1974, elections were conducted and if I am correct out of 32 seats the majority party got 31 seats. It is that party which has by an overwhelming majority and which represented almost 99 per cent of the population that wanted this association with India. Apart from that, the 1950 agreement itself says that for considerable time the protectorate relations with India will continue. That means that historically the protectorate relation was in existence and the 1950 Act recognises it and says that relationship will continue hereafter also. This is the political background in which the present Bill has been brought forward.

I read today in the papers an allegation by Chogyal saying that even though the Constitution authorises such request to be made, no authoritative request has been made so far. But I find on page 15(a) of the Parliamentary Bulletin which has been made available to Members that on two occasions such requests have been made. This is what it says: I am quoting from the statement of August 31, 1974:

After passage of the Government of Sikkim Act, the Government of Sikkim has made two formal requests for Sikkim's representation in India's Parliament.

If this report which has been published in the Bulletin is correct, then I do not think that there is any foundation or justification for the allegation that no request has been made and therefore the step taken now by the Government of India in bringing forward this Bill before the Lok Sabha and then before this House is really premature or unwarranted. The hon. Foreign Minister may enlighten us on this point whether the statement that on two formal occasions requests have been made is correct and if so in what shape the request has been made and

if it is on that request the Government of India has taken this action.

While I fully support the Bill, I want to refer to some apprehensions expressed outside the Parliament. One of the apprehensions is that introducing such a Bill making such a novel provision for associating another country and giving representation to another country in the Parliament of India—one seat in the Lok Sabha and one in the Rajya Sabha—is an extraordinary thing which has no precedent in the other political associations existing in various countries in the world. But I should point out one example and that is the position of Puerto Rico in America. Even though it is an independent sovereign State, it has a representative in the American Congress. But he has no voting right. As I have stated before, Constitution of any country or the relationship between the countries of the world is not immutable and adjustments have to be made according to the demands of the time and compulsions of the time. In the circumstances, this representation, though it may sound to be novel, is not anything which is abhorrent or breath-taking or against the democratic conscience of any Member of this House or anybody outside this House.

As things stand now, I understand that the continuation of the present relationship between India and Sikkim as contemplated in the Sikkim Act is in the ultimate analysis an unilateral act in the sense that another majority party, when it comes to power there tomorrow, may amend the Sikkim Constitution and take away the present state of affairs, intended to be brought about by this Bill. A bilateral agreement will be more binding. In other words, if India and Sikkim enter into a binding contract or agreement, it will be a bilateral act and cannot be easily abrogated by the one of Parties. It may be pointed out that the tripartite agreement also will have the same effect. But in the tripartite agree-

[Dr. V. A. Seyid Muhammad]

ment the relevant clause specifically deals with only economic institutions and not any political institution. Further, tripartite agreement is a novel sort of agreement. An internationally binding agreement or contract can perhaps be entered into by sovereign bodies. For example, Sikkim Government and the Indian Government are both sovereign. But the representatives of three political parties are also signatories to the tripartite agreement of 1973. Will that constitute a legally binding international document? This is another question to be considered. An agreement which is entered into between non-sovereign bodies might not have the same validity as an agreement signed between two sovereign States alone. In the tripartite agreement there are two sovereign parties and three parties which are not sovereign. They have got representative character within the territory of Sikkim only. As I pointed out, there the provision does not speak of political association. But it speaks of only economic association. Why this particular change in the wording in the tripartite agreement leaving out political representation and emphasizing only economic association? This is another aspect which has to be looked into.

Then, clause 5 of the Tenth Schedule is capable of apprehensions and misinterpretations. Clause 5 reads as follows:

"The provisions of this Schedule shall be in addition to, and not in derogation of, any other power, jurisdiction, rights and authority which the Government of India has or may have in or in relation to Sikkim under any agreement, grant, usage, sufferance or other lawful arrangement."

The substance of this clause is that it has retrospective as well as prospective agreements in view because, by the use of the words "The Government of India has", which means the present and "may have" which means the future, changes can be brought about

and those changes will automatically override the provisions of the 10th Schedule. That means legally that any agreement, usage, custom, sufferance, etc. existing outside the Constitution can really alter the state of affairs now getting crystallised in the present provision. It means that the moment the 10th Schedule becomes a part of the Constitution so that any amendment to that will have to be done according to the procedure prescribed in article 368, etc. which means two-thirds majority of the members present and voting. But this clause says that if any agreement is entered into, any usage of sufferance or valid arrangement will override the provisions of the 10th Schedule and this is an extraordinary situation. Here a sovereign body passes an amendment to the Constitution and the 10th Schedule is introduced and it says by using the words "any agreement, grant, usage, sufferance or other lawful arrangement", outside the Parliament will override the 10th Schedule. This is how I understand it. And, Sir, if this is the meaning, that is really taking away the power of amending the Constitution and giving it to and investing it in some other body and these expressions are so wide covering "agreement, grant, usage, sufferance or lawful arrangement" and giving such wide powers will create an extraordinary situation and this is how I understand it and if my understanding is correct, then, Sir, it creates an extraordinary situation and the honourable Minister of External Affairs may consider this matter.

(Time bell rings)

Sir, I do not want to take much time of the House. But I wish to mention only one matter. The moment the hon. Minister rose to move the Bill, the members of a particular party rose in vehement protest. I still fail to see what the reason was for their protest. I can understand if on merits and on honest difference of opinion they make some cogent and constructive criticism of the Bill. But this sort of opposition has been expressed by them and I do not know why. Pro-

bably they are afraid that China may not approve of this and anticipating such a disapproval by China, they must have thought it their duty to make this vehement protest and I do not see any reason for this protest except this. One more point is there. There is an apprehension that this will set a bad precedent in the sense that giving associate membership to a body outside India, that is, Sikkim, may create precedents for the other States in India to make similar requests which will ultimately end in the complete negation of the integrity of India. I may assure those friends who have got such apprehensions—these apprehensions have been expressed outside in the papers and in speeches also—that there is no reason for such an apprehension. Kashmir, for example, has been treated in a special way and there are special provisions in the Constitution with regard to Kashmir. But nobody has so far, on the ground that Kashmir has been given a special status, said that he also wants it. No State will demand that it will also ask for a special status just because Kashmir has been given a special status. I do not think that any State would be so unreasonable and I do not think that the States will behave like small boys. Just because one brother has got a toy, the other brother also may say that he also wants a toy. Like this, I do not think, the States will behave. I do not think that other States are so... (*Time bell rings*). And simply for the reasons that a provision to this effect is made, other States will be clamouring for it, which will ultimately lead to confusion... (*Time bell rings*).

Thank you very much.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2 p.m.

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

The House reassembled, after lunch, at one minute past two of the clock. Mr. Deputy Chairman in the Chair.

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन्, मैं सिद्धांतः इस संशोधन विधेयक के पक्ष में हूँ और इसलिए मैं चाहता हूँ कि जब इतने विलम्ब के साथ यह विधेयक आया है तो जरा और अच्छा तथा सर्वांगीण विधेयक आए जो कि बाद में हमारे लिए कोई खतरा उत्पन्न न करे। श्रीमन्, मुझे अफसोस है कि इस समय हमारे मित्र सी० पी० एम० के लोग यहाँ नहीं हैं क्योंकि और बहुत से लोग तो इस विधेयक के पक्ष में हैं।

श्री उासभापति : वे भी आ जायेंगे।

श्री राजनारायण : इस समय नहीं हैं वरना मैं उनको सिक्किम, भूटान, नेपाल, तिब्बत और भारत के साथ जो सम्बन्ध हैं थोड़े में बताना चाहता था ताकि वे अपनी राय को बदल दें और अपनी राय बदल कर विधेयक पर प्रस्तुत हमारे संशोधन के पक्ष में वोट करें।

सरकारी पक्ष के लोग भी जिनका पढ़ने लिखने से कम काम रहता है केवल सदन में जोर से बोलना और हाथ उठाना ही अपना धर्म समझते हैं मैं उनको बताना चाहता हूँ कि भारत की जो इच्छा रही है, भारतीय जनता की इच्छा रही है उनकी कितनी दूर तक भारत की सरकार ने अवहेलना की और भारत की जनता की इच्छा को भारत की सरकार ने किस ढंग से लात मारी।

श्रीमन्, 1947 के समय को आप जानते हैं। 1947 में सिक्किम स्टेट कांग्रेस की स्थापना हुई थी और उसके मकसद क्या थे वह मैं बतलाना चाहता हूँ। एक तो है राज्य को भारत में मिलाना....।

दूसरा पट्टेदारी की सामन्ती प्रथा का उन्मूलन और संवैधानिक प्रधान के रूप में... (*Interruptions*)। यह किताब है, डा० लोहिया

[श्री राजनारायण]

के लेखों का संकलन और जो मैं आपको बता रहा हूँ, वह लेख है, भारत, चीन और उत्तरी सीमाएँ। मैं चाहूँगा कि भारत की सरकार को "भारतीय विदेश नीति का मूल्यांकन-डा० राम मनोहर लौहिया" नाम की यह पुस्तक तमाम कांग्रेस के लोगों के लिए उपलब्ध करानी चाहिए ताकि वे लोग इसको पढ़ सकें। यह बात सदन के सम्मानित सदस्य जानते हैं कि डा० राम मनोहर लौहिया जब हमारे देश में पुरानी कांग्रेस थी, कांग्रेस एक पार्टी नहीं थी, बल्कि कांग्रेस एक नेशनल फोरम थी, उस समय डा० राम मनोहर लौहिया उस कांग्रेस के विदेश विभाग के अध्यक्ष थे। डा० लौहिया ने समय समय पर विदेश नीति के सम्बन्ध में लेख लिखे हैं और जो उन्होंने भारत की सरकार को सलाह दी है उन सभी का संकलन इस किताब में मिलेगा। इसलिए इस किताब में से कुछ अंश मैं आपके सामने पढ़ देता हूँ—"राजनैतिक संगठनों में सिक्किम स्टेट कांग्रेस यहां का मुख्य राजनैतिक दल है। इसके अलावा सिक्किम नेशनल पार्टी और सिक्किम प्रजा सम्मेलन जैसे छोटे-छोटे गुट भी हैं। दिसम्बर, 1947 में सिक्किम स्टेट कांग्रेस की स्थापना हुई। राज्स को भारत में मिलाना, पट्टेदारी की सामंती प्रथा का उन्मूलन और संविधानिक प्रधान के रूप में महाराजा को रखते हुए जनता का लोकतांत्रिक शासन स्थापित करना यही इसके उद्देश्य हैं।"

इसको मैं यही छोड़ देता हूँ। इसके बाद जो दूसरी पार्टी है वह केवल यह चाहती थी कि विदेशी मामले, सुरक्षा और संचार व्यवस्था भारत की सरकार के हाथ में रहे, मगर सिक्किम एक स्वतंत्र राज्य रहे। पूरी तरह से भारत में मिल जाने का प्रस्ताव सिक्किम कांग्रेस का है और यह बात उन्होंने सन् 1947 के दिसम्बर में कही और तब से अब तक सिक्किम कांग्रेस ने बराबर इस बात की मांग की है कि सिक्किम पूर्णरूपेण भारत में मिला

दिया जाय और सिक्किम की सामंती प्रथा को खत्म किया जाय और सिक्किम में लोकतांत्रिक व्यवस्था स्थापित की जाय। मैं पूछना चाहता हूँ कि भारत की सरकार के दिसम्बर, 1947 से अब तक इस प्रस्ताव के वहां पर पाम होने के बावजूद कार्यान्वित क्यों नहीं किया। मैं चाहूँगा कि भारत की जनता आज डा० लौहिया को याद करे। मुझे उम्मीद है कि आज डा० लौहिया की आत्मा कुछ अर्थ रूप में जरूर खिलेगी इस बात को देख कर कि जो उन्होंने बात कही थी कि सिक्किम भारत का अंग है, अब सिक्किम को एक रूप में भारत के नजदीक लाने की कोशिश भारत की सरकार कर रही है। किसी भी देश के लिए सन् 1947-48 से अब 28 सालों का जीवन एक बहुत बड़ा जीवन होता है। मैं यह कहना चाहता हूँ कि इस 27 सालों तक भारत की सरकार भारत की जनता और सिक्किम की जनता की राय की बराबर अवहेलना करती रही है और पता नहीं कितनी साजिश वहां पर होने देती रही। यह तो मैंने सन् 1947 की बात बताई है। मैं इसके पहले भी जाना चाहता हूँ। 14 फरवरी, 1949 का एक लेख है जिसमें उत्तरी सीमाओं पर खतरे की ओर इशारा करते हुए डा० लौहिया ने भारत की सरकार को चेतावनी दी थी। मैं इसलिए इसको पढ़ देता हूँ ताकि इस सदन के सम्मानित सदस्य इस बात को समझ जाय कि डा० लौहिया इस देश के वह नेता रहे ने जो भारत की सीमा के बारे में चिन्तित रहते थे और भारत का विकास कैसे हो, भारत की सीमाओं की सुरक्षा कैसे हो, भारत अपनी सर्वप्रभुत्त को कैसे सम्पन्नता के साथ रख सके इन तमाम बातों के ऊपर समय समय पर सुझाव देते रहे हैं। यह लेख 14 जनवरी, 1949 का है जो हमारा ध्यान उत्तरी सीमाओं की तरफ से कम्युनिस्टों के बढ़ते हुए खतरे की ओर आकर्षित करना चाहता है। काश्मीर युद्ध या पाकिस्तान के पखतून क्षेत्र में होने वाली घटनाओं या पूर्व में चाऊ एन-लाई की फौजों की मैं यहां चर्चा नहीं करूँगा नेपाल,

सिक्किम और तिब्बत में जो हो रहा है, वह इससे कहीं अधिक महत्वपूर्ण है।

“... हिन्दुस्तान की जनता उसके बारे में बिलकुल अनभिज्ञ है। बड़ी संख्या में चीनी कम्युनिस्ट तिब्बत में चले आए हैं, कई मठों को अपने सद्धांतिक प्रभाव में कर लिए हैं और गुप्त ढंग से इस सुंदर देश में हथियार जमा करा जा रहे हैं। चीनी कम्युनिस्टों ने नेपाल भी अपनी आंख लगा दी है और उस देश में भी कम्युनिस्ट कार्यकलाप बढ़ता जा रहा है। हिन्दुस्तान से ब्रिटिश सत्ता के चले जाने के बाद यह स्वभाविक था कि नेपाल, सिक्किम और तिब्बत की अयोग्य सरकारों पर गहरा अंदरूनी दबाव बढ़ेगा। अगर उन दूर और पूर्वी देशों में अंततोगत्वा जनतंत्र की हत्या हो जाती है तो भारत सरकार को उसकी पूरी ज़िम्मेदारी लेनी होगी। जहां तक समाजवादी दल का सम्बन्ध है वह जनतंत्र और स्वाधीनता की रक्षा के लिए हिन्दुस्तान और एशिया की जनता के साथ कंधे से कंधा लगा कर उनके साथ लड़ेगी।”

श्रीमान्, यह 19 जनवरी, सन् 1949 को हमने भारत की सरकार को चेतावनी दी थी कि तिब्बत में क्या हो रहा है, सिक्किम में क्या हो रहा है, भूटान में क्या हो रहा है? मैं भूटान की चर्चा पर जब आउंगा तब बोलूंगा कि भूटान में किस तरह से रस निकालने के कारखाने, कपड़ा धोने के कारखाने चीन के कम्युनिस्ट के आकर खोल कर, दुकान के रूप में अपनी विचाराधारा का प्रचार करना शुरू कर रहा है। किस ढंग से महात्मा गांधी की फोटो वहां टांगना बर्जित कर दिया गया है? यह उन व्यक्तियों के द्वारा कही हुई बात है जो वहां जाकर देख आए हैं।

म सरकार स्वर्ण सिंह जी की बड़ी इज्जत करता हूं, इस मानी में करता हूं कि वे एक साइनारिटी कम्युनिटी के हैं, अल्पसंख्यक समुदाय के हैं...

SHRI NIREN GHOSH: What is minority community?

श्री राजनारायण : इस लिये इज्जत करता हूं कि सीधे-सादे हैं, बहुत ज्यादा तिकड़मी नहीं हैं, इज्जत इसलिए करता हूं कि वे अपनी बात कहने एक विशेष कला बना रखे हैं, कहते कहते चले जाएंगे, किसी को पता ही नहीं चल पाएगा क्या कहे। तो तिब्बत के बारे में अब आता हूं। आज भी मैं निश्चित मत का हूं कि तिब्बत कभी भी चीन का अंग नहीं थी...

श्री नीरेन घोष : एकदम गलत है।

श्री राजनारायण : भारत की जनता और भारत के देश के साथ यह बड़ा धोका हुआ है कि भारत की सरकार ने तिब्बत को चीन के खूनी पंजे में दे दिया। श्रीमान्, हमारी गराब पार्टी थी। उस समय आप भी हमारी गरीब पार्टी में शामिल थे, मगर ये 2 नक्शे छपवा कर हमने देश में बटवाए हैं...

SHRI NIREN GHOSH: He is distorting the history.

श्री राजनारायण : इस मामले में भाई नीरेन घोष और हम लोगों में काफी मतभेद है।

श्री नीरेन घोष : है तो है,।

श्री राजनारायण : हमको डिस्टर्ब मत करो, सुनो। भारत की सीमा रेखा क्या होगी, उसका नक्शा हमने बटवाया था। उस नक्शे में या “यह या” 2 नक्शे हमने छपवाए थे—एक नक्शा यह दिया था कि भारत और स्वतंत्र तिब्बत के बीच मैकमोहन रेखा ही काम दे सकती है सीमा का, अगर तिब्बत को स्वतंत्र मान तब तो मैकमोहन रेखा भारत और तिब्बत की रेखा रहेगी और अगर तिब्बत आजाद नहीं है, स्वतंत्र बफर स्टेट के रूप में नहीं है, तो हमारी सीमा रेखा होगी कैलाश मानसरोवर और संगपो नदी—जिसको हम भारतीय भाषा में कह

[श्री राजनारायण]

सकते हैं पूर्ववाहिनी ब्रह्मपुत्र । भारत की जनता समझ ले कि भारत की सरकार भारत की जनता के साथ क्या कर रही है और कर चुकी है । क्या कैलाश हमारा नहीं था, क्या मानसरोवर झील हमारी नहीं थी और क्या मंसर गांव हमारा नहीं था ? श्रीमान्, मंसर गांव से बराबर हमने लगान वसूल किया और और मंसर गांव को आबादी बराबर हमारी आबादी में जुड़ती रही । आपको मालूम है और आप जानते होंगे कि श्री रामसिंह जो अल्मोड़ा में हमारी पार्टी के आज भी सदस्य हैं, वहां सरकारी आफिसर थे । उनके पास पुराने नक्शे थे । उन्होंने ये नक्शे 1960 में डा० राममनोहर लोहिया जी और हमको दिये थे । हमने उन नक्शों को लेकर यह एलान किया था कि भारत सरकार देश के साथ गद्दारी कर रही है । मंसर गांव हमारी आबादी का गांव है, जनता का गांव है । उस मंसर गांव में चीन का कब्जा हो गया और भारत सरकार ने अपने देश की जनता को बताया भी नहीं ।

मुझे खुशी है कि 1961 में लोक-सभा में श्री अटल बिहारी वाजपेयी जी ने और दूसरे लोगों ने यह सवाल उठाया था कि डा० लोहिया जी के पास जो नक्शा है उससे यह सिद्ध होता है कि मंसर गांव हमारा है और सरकार इस मामले को दुनिया की अदालत में जाकर सिद्ध करें कि हमारे देश के गांव पर बलात् चीनियों ने कब्जा कर लिया है ।

SHRI NIREN GHOSH: Why have you not published it?

श्री राजनारायण : लोक सभा की प्रोसीडिंग में यह चीज है । श्रीमान्, श्री जवाहर लाल नेहरू उस समय वहां पर थे । उन्होंने कहा था कि यह गांव नक्शे में है, यह यह बात सही है । जो नक्शा डा० लोहिया जी के पास है, वह नक्शा हमारे पास भी है ।

यह सही है कि 1954 तक वहां से लगान वसूल किया जाता रहा और उन लगान से मंसर झील पर दीयदान घाटी का होना था । मगर लगान वसूल करने में जितनी रकम खर्च होती थी, उतनी वहां से लगान वसूल नहीं होता था । मैं राज्य सभा के सभी सदस्यों से अपील करूंगा कि लोकसभा की कार्यवाही को लेकर पढ़ें । यह बात अप्रैल और मई 1961 में कही गई है और उससे सारी बात की जानकारी हो जायेगी ।

मैं यह कहना चाहता हूं कि क्या हमारा देश इतना लुंज-पुंज हो गया है कि वह इन सारी बातों को भूल जाय । क्या यह भी भूल जाय कि नैना का घर यहां था, पार्वती का नेहर था और शंकर की समुद्राज थी । मैं तो यह जानना चाहता हूं कि हमारे राष्ट्र की सीमा क्या रहे और हमारे राष्ट्र की सीमा क्या होनी चाहिये ? यहां पर प्रश्न हिन्दू मुसलमान, पंजाबी और बंगाली का नहीं है । श्रीमान् मैं यह चाहता हूं कि कैलाश और मंसर झील हमारे हैं । सांगपो नदी के किस देश के साथ है ? इसके लिए क्या कसौटी है, कसौटी है लिपि, कसौटी है भाषा, संस्कृति कसौटी है धर्म, कसौटी है इतिहास, कसौटी है बहने वाले पानी का बहाव और अंत में सर्वोपरि जनता की इच्छा । ये कसौटियां हैं, जिन कसौटियों की बुनियाद पर हम मूल्यांकन करेंगे कि कौन से देश का हिस्सा किस देश के साथ है ? कौन कह सकता है कि तिब्बत हम से अलग है ? तिब्बत की लिपि, भाषा, संस्कृति और रहन सहन, इन सबको देखा जाय । धर्म को देखा जाय । तिब्बत की आबादी बौद्ध धर्म वालों की है । श्री बुद्ध कहां पैदा हुआ और उसको दर्शन कहा प्राप्त हुआ ? क्या बुद्ध चीनी देवता रहा है और क्या वह चीन में पैदा हुआ ?

श्रीमान्, गंगा है, सरस्वती है, मंदाकनी है, ब्रह्मपुत्र है, ये सभी नदियां हिमालय से निकलती हैं और इनके पानी का

ढलाव भारत की ओर है और भारत की सीमा में आती है। इसलिए ये सब स्थान हमारे हैं, ये स्थान भारत के हैं और ये स्थान किसी दूसरे के नहीं हैं।

SHRI NIREN GHOSH: Yes, say Japan also, Lanka also.

श्री सुल्तान सिंह : आपका संशोधन सिक्किम पर है, तिब्बत के बारे में नहीं है।

श्री राजनारायण : जब हम इतने गम्भीर विषय पर चर्चा कर रहे हैं तो बीच में इस तरह की मजाक नहीं होनी चाहिये। आज मैं कह रहा हूँ कि अफगानिस्तान से लेकर बर्मा तक का जो इलाका है, जो हिमालय का यह इलाका है अफगानिस्तान से लेकर बर्मा तक, जो कि 8 करोड़ आबादी का है, वह भारतीय इलाका है। इसलिए मैं बहुत साफ कहना चाहता हूँ कि जब अंग्रेज गये। (Time bell rings) आप घटी बजायेंगे, तो हस मर जायेंगे।

श्री उप-सभापति : समय देखिये।

SHRI BHUPESH GUPTA: One a point of order. Are you going to die? I thought you are immortal.

श्री राजनारायण : श्रीमन्, श्री भूपेश गुप्त किसी दिन मृत लेंगे जब हमारे गवाहों के रास्ते में रोककर भाला और बल्लम दिखाया जाता है तो किसी दिन हम को भी मारा जा सकता है। श्रीमन्, मैं पूछना चाहता हूँ आज सरदार स्वर्ण सिंह से कि क्या तिब्बत में हमारे डाक बंगले नहीं थे? तिब्बत में हमारे डाक-बंगले थे; हमारी दो फीजी चाँकियाँ, हमारा तार घर, डाकघर तिब्बत में था। ये तिब्बत में थे। लेकिन अगर संधि देखी जाये तो उसमें भी मुआवजे की बात थी। बाद में भारत की सरकार ने कहा ठु शो दि गुडविल सम्भावना के प्रतीक स्वरूप बिना पैसे लिए सब चीन को दे दो और सब चीन को दे दिया। क्यों दे दिया? सर चार्ल्स वेल एक अंग्रेज था जो पहाड़ी इलाकों का बहुत अच्छा जान-

कार था। उसने एक लेख लिखा है। सर चार्ल्स वेल ने कहा है कि यदि भारत में कभी कोई ऐसी सरकार आई कि तिब्बत में शक्ति संतुलन गड़बड़या तो मैं पहले से ही आगाह कर देता हूँ कि नेपाल भूटान और सिक्किम भारत की ओर से अपना मुँह मोड़ेंगे और चीन की तरफ तर्केंगे। चार्ल्स वेल का यह लेख, जब हम उत्तर प्रदेश की विधान सभा में सदस्य थे 60-61 में अच्छी तरह से डिस्कस किया गया था। माननीय सम्पूर्णानन्द जी मुख्य मंत्री थे। मुझे खुशी है कि माननीय सम्पूर्णानन्द जी ने बराहोती पर जय चीन की पलटन आई थी तो कहा था कि भारत की सरकार उसकी रक्षा करे या न करे बराहोती उत्तर प्रदेश का अंग है और उत्तर प्रदेश की हथियारबन्द पुलिस उसकी रक्षा करेगी।

श्रीमन् मैं इसी को लेकर सम्मानित सदस्यों से और कुछ कहना चाहता हूँ। जब तक इमकोसमझे नहीं तब तक सिक्किम को समझेंगे नहीं और सिक्किम के इस प्रस्ताव को गम्भीरता को नहीं समझेंगे, हमारे संशोधन की गम्भीरता को नहीं समझेंगे। श्रीमन् एवरेस्ट चोटी के माने क्या है? एवरेस्ट चोटी या सरगमाथा के संबंध में माननीय डा० लोहिया की दो लाइनें पढ़ देता हूँ—मैं भारत और विश्व की जनता से अपील करता हूँ कि संसार के सबसे ऊँचे पर्वत शिखर को एवरेस्ट न कह कर सरगमाथा कहा जाय। तिब्बत, नेपाल तथा भारत की तराई स्थित जनता इस चोटी को सरगमाथा के नाम से पुकारती है। इसलिए भारत के लोगों को भारत की सरकार को, भारत के विद्वानों को एवरेस्ट शिखर न कह कर अंग्रेजी की गुलामियत न सह कर, इसको सरगमाथा के नाम से पुकारना चाहिए। जो सिक्किम को अपने साथ और सिक्किम के प्रतिनिधियों को अपनी संसद में लाने की बात करते हैं उनका पहला कर्तव्य है कि इसको सरगमाथा कहें। अगर मैं कहूँ क्या? शक्ति और संकल्प का कमजोर बिन्दु है भारत की सरकार। मैं

चाहता हूँ कि भारत की सरकार या तो हटे, अगर रहे तो ठीक से भारत राष्ट्र के साथ वफादारी के साथ चले ।

श्रीमान, मैं हिमालय वचाओ आन्दोलन का संयोजक रहा हूँ । मुझे खुशी है कि जिस सम्मेलन का मैं संयोजक था आज की कार्यवाही इसमें अंकित है। एक लेख है मई 60 का हिमालयी हिन्दुस्तानी । हिमालयी हिन्दुस्तान क्या है ? इसमें कुछ दल-विहीन और निर्विवाद सुझाव शीर्षक से डा० लोहिया के सुझाव दिए गए हैं :

“हिमालयी हिन्दुस्तान के लिए एक समा-कानित आर्थिक और जनसंख्या संबंधी योजना को कार्यान्वित करना चाहिए और उसे पूरे क्षेत्र को फल-वाटिका से हरा भरा कर देने के लिए समूचे हिन्दुस्तान के पैसों और आदमियों के साधन का उपयोग करना चाहिए । भूटान है अभी सिक्किम से ही लोग परेशान हैं—भूटान, सिक्किम और उर्वशीयम में उत्तरदायी सरकार स्थापित करनी चाहिए और यहां की जनता को हिन्दुस्तान की लोक-सभा में अपने प्रतिनिधि भेजने का अधिकार मिलना चाहिए । यह 1960 की मई का वक्तव्य है जिसमें डा. लोहिया ने सांग की थी कि भूटान और सिक्किम की जनता को भारत की लोकसभा में अपने प्रतिनिधि भेजने का अधिकार मिलना चाहिए । मैं पूछना चाहता हूँ कि भारत की सरकार अब तक बैठी क्यों थी ? वह बालू में मिर गाड़ कर नाच रही थी और हम लोगों को परेशान कर रही थी” ।

श्रीमान्, हिमालय वचाओ सम्मेलन में भी करीब करीब यही सब बातें एक एक कर के अंकित हैं और उसमें कहा गया है कि भाषा, लिपि, रहन सहन, धर्म और लोक इच्छा की कसौटी पर तिब्बत हिन्दुस्तान से बहुत नजदीक है और साथ ही हर हालत में तिब्बत जैसे बड़े देश के लिए लोकेच्छा ही सर्वोपरि होनी चाहिए । इस अवसर पर मैं भूतपूर्व प्रथम

राष्ट्रपति बाबू राजेन्द्र प्रसाद जी का स्मरण किये बिना नहीं रह सकता । मुझे याद है कि जब हम ने हिमालय वचाओ सम्मेलन की शुरुआत की थी तो वह अपनी बीमारी की अवस्था में थे और उस समय महात्मा बाबू कांग्रेस में थे । राजेन्द्र बाबू को उन्होंने मना किया कि यह तो डा० लोहिया की नोटकी है, इस में मत आना । मगर राजेन्द्र बाबू ने कहा कि जब पटना नगर बाढ़ में डूब रहा है उस समय डा० लोहिया के लोग बांध बना रहे हैं, मैं क्या उन की मदद नहीं करूंगा, और राजेन्द्र बाबू उसमें अपने आप आ गये । और वहां उन्होंने तीन वाक्य कहे हैं । उन्होंने कहा कि भारत की सरकार ने भयंकर भूल की कि तिब्बत पर चीन का कब्जा कबूल कर के और उस पाप का फल भारत भोग रहा है चीन के हमले के रूप में । भारत को प्रायश्चित्त करना होगा तिब्बत को अज़ाद करा कर । यह बात राजेन्द्र बाबू ने कही थी ।

MR. DEPUTY CHAIRMAN: Now you will have to wind up.

श्री राजनारायण : श्रीमान्, मैं बहुत जल्दी खत्म कर रहा हूँ । आगे के लेखों में भी यही है । डा० लोहिया ने बहुत ही खेद के साथ दुख प्रकट किया है कि सिक्किम को आज तक यह अधिकार नहीं मिला है कि वह अपने प्रतिनिधि को भारत की लोक सभा में भेजे । आज यह संशोधन भी आया है तो सरकार की ओर से संशोधन है और उस में कहा जा रहा है कि राष्ट्रपति के चुनाव में सिक्किम का प्रतिनिधि भाग नहीं लेगा । क्यों भाग नहीं लेगा ? क्या कारण है ? क्योंकि हम उस को दूसरा दर्जा दे रहे हैं और मैं इस बात को कहना चाहता हूँ कि जब यहां अंग्रेजी राज्य था तो चेम्बर आफ प्रिसेज में क्या एक प्रतिनिधि सिक्किम का नहीं था । जिस तरह से हिन्दुस्तान के दूसरे राजा थे उसी तरह से सिक्किम का राजा भी हमारे यहां के राजाओं की तरह था । तो इस समय सिक्किम के

लिए दूसरा स्टेटस क्यों रखा जाय। क्यों नहीं आप सिक्कम के प्रतिनिधि को पूरा हक देते जो हक यहां के प्रतिनिधियों को है। जो भी संसद सदस्यों की जिम्मेदारी है वही सिक्कम के चुने हुए प्रतिनिधि की जिम्मेदार क्यों न रहे। अगर वह न रही तो वह दुविधा की स्थिति होगी कि वह हमारी लोक सभा का सदस्य भी रहेगा और वह राष्ट्रपति के चुनाव में भाग भी नहीं लेगा, उपराष्ट्रपति के चुनाव में भाग भी नहीं लेगा। यह स्थिति तो असहनीय होनी चाहिए। तो श्रीमन्, मैं आज स्वर्ण सिंह जी से करबद्ध प्रार्थना करूंगा कि हे स्वर्णसिंह जी, इस देश के प्रति अपनी वृद्धावस्था में तो वफादारी दिखा दो। सिक्कम की जनता को अधूरे मन से प्रतिनिधित्व मत दो। उसे खुले मन से, चौड़ी छाती ने, संकल्प की दृढ़ता के साथ प्रतिनिधित्व दो और कहो कि सिक्कम भारत का एक अंग है, सिक्कम भारत का भाग है, सिक्कम के लोग हमारे वैसे ही भाई हैं जैसे कि विभिन्न राज्यों के दूसरे लोग एक दूसरे के भाई हैं। इसलिए मैं चाहता था कि यह हमारा संशोधन अगर प्रवर समिति में जायेगा तो वहां हम अपनी बातों को रख सकेंगे और सरकार को हम अपने तथ्यों से, तर्कों से और सत्यों से बतलायेगे, समझायेगे ताकि सरकार हमारे संशोधन को मान ले। इस लिए मैं चाहता हूं कि हमारा संशोधन प्रवर समिति में जाय और वहां हम इस बिल को पूर्ण कर सकें और एक पूर्ण बिल के साथ यहां आवें जिस से कि सिक्कम की जनता को अधमरापन खत्म हो जाय। श्रीमन्, जब आप की आज्ञा है तो उस को शिरोधार्य कर के मैं पुनः बारबार सदन के सम्मानित सदस्यों से और सरकारी पक्ष के लोगों से कहूंगा और सरकार से अनुनय विनय करूंगा कि जो काम वह करें पूरे मन से करें, पूरे दिल से करें और उसमें कोताही मत करें वरना यही एक तर्क हो जायगा कि सिक्कम की नागरिकता और सिक्कम की जनता भारत की जनता से भिन्न है क्यों?

क्योंकि सिक्कम के प्रतिनिधि को राष्ट्रपति और उपराष्ट्रपति के चुनाव में भाग लेने का हक नहीं है। इस लिए स्वर्ण सिंह जी, हमारी बात मानो। इन बिल को प्रवर समिति में जाना चाहिए। अब इतने दिन तक धरा नहीं धंसी और गगन नहीं फटा तो दो चार दिन में कुछ नहीं होगा। जल्दी बैठक बुला लेना। हम रात दिन तैयार हैं देश की सुरक्षा के लिए तैयार रहेंगे।

MR. DEPUTY CHAIRMAN: Shrimati Pratibha Singh.

SHRI NIREN GHOSH: An outright chauvinistic speech.

MR. DEPUTY CHAIRMAN: We will hear your speech also.

SHRIMATI PRATIBHA SINGH (Bihar): Mr. Deputy Chairman, Sir, I want humbly to congratulate our Prime Minister ...

SHRI BHUPESH GUPTA: The only question is whether Mr. Rajnarain will pay the cost of Rs. 300/-.

श्री राजनारायण : श्रीमन्, मेरा पाइंट इन्होंने उठा दिया, मैं साफ कर दूँ। श्रीमन्, हमारे गवाहों को इंदिरा जी के गुडों ने, वहां की पुलिस ने, कलक्टर ने इलाहाबाद जाने से रोक दिया। इसलिए हमने उनकी गवाही में पेश करने के लिए समय मांगा। इसलिए अदालत ने कहा कि 300 पया दीजिए।...

MR. DEPUTY CHAIRMAN: We are not discussing your case here. (Interruptions). Order please.

SHRIMATI PRATIBHA SINGH: Sir, through you, I want to congratulate our Prime Minister for her sagacity, for-sightedness and her decision to bring forward this thirty-sixth amendment to the Constitution. Sikkim, which is already a protectorate of India, becomes now an associate State of India through this Bill. This is a new concept. This has been done to

[Shrimati Pratibha Singh]
give effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim co-operation and interrelationship.

It has been argued, Sir, by some hon. Members in the opposition in the other House that if it would have been necessary, the framers of the Constitution would have taken the steps then to make Sikkim an associate State of India. They would not have maintained Sikkim as a protectorate, as the Maharaja of Sikkim was a member of the Princes Chamber. If I am permitted, through you, Sir, to humbly state the necessity has arisen today. I humbly want to state that it is obvious that the circumstances have gradually developed to create an atmosphere for action of this type. Although the people of Sikkim had desired as far back as 1950 that they should have responsible government representing the people and closer link with India, it could not be done at that time. But, Sir, this wish gradually grew stronger with the growth of aspirations of the people. Conditions are changing everywhere and they demand changes. The people of Sikkim are now wide awake to their problems. They know how they want to administer their State and how they wish to associate themselves with their neighbours. They have in the last so many years, by a gradual process of evolution, brought democracy in the State and restricted the powers of monarchy. Now they wish by their latest unanimous resolution passed on the 11th May, 1974 by the 32 elected members of their Assembly besides other things, to "augment the modalities of further strengthening Indo-Sikkim relations as already agreed to in the May 8, 1973 agreement between India and Sikkim." This resolution has also been incorporated in the Sikkim Act, 1974 which comes into force from 4th July, 1974. In this Sikkim Act of 1974, article 30(C) clearly says to take immediate steps for Sikkim's participation in the political and economic institutions of India. The Government of India could either reject the proposal or accept it. India

has brought in this Bill in fulfilment of the wishes of the people of Sikkim. Do our friends in the opposition realise the consequences of refusing to accept the Sikkimese proposal in the national interests of our country, as well as those of Sikkim? Sir, the people of Sikkim are quite aware of the happenings in the neighbouring countries, north and south. Here is a tiny little State composed of proud people who have enjoyed a civilisation comparable to any other. They have witnessed the transformation going on in India. The Sikkimese people have given ample proof of their ambition to ensure a life of advancement, political, economic, cultural and all that. They wish to give themselves the opportunities others have. By now, with our association and their own effort, they are mature enough to realise that no longer it is possible for them to live in the isolation of the 17th or 18th century. A relationship of interdependence is the logical consequence. For this where would the Sikkimese cast their eyes for association—towards north or south? So, Sir, the people after full consideration for a number of years, have decided to become associate State of India. Another point is Sir, that it is the people's age and the power of monarchy world over has either become out of place or wherever it exists, it has been reduced to a status of constitutional heads of States. In Sikkim, it is possible that the Chogyal and his friends will not be happy with the democratic set-up of Government in Sikkim. If these few put up opposition at this juncture, it cannot be given too much importance. He may feel hurt temporarily. Sir, those who have enjoyed powers and are suddenly deprived of it, they feel hurt and their utterances are based on emotional and other types of disturbances. So, that is not a point which should be taken too much note of, or attached too much importance.

Another point is that some Congress (O) friends—as it appeared in the press—say that the Congress Government has taken this step to divert the

attention of the people of India from the economic issues or crisis which our country is facing at the moment. I cannot understand this argument. Obviously, Sir, such utterances are futile attempts at imputing coarse motives to something great which we are doing. May I ask if in their hearts they do not realise that it is a great and bold step taken by our Prime Minister and the Foreign Minister? The Congress is aware of the economic issues and is trying to find solutions. At the same time, if the Sikkim people wanted to become our associate State, could we delay the process? Or do we give them also an opportunity to participate in the proceedings of our parliamentary system and to take active interest in the matters connected with Sikkim and India?

Some people in the Opposition also argue and say, what will happen if some other units also want to become Associated States. This is not relevant to the present issue. At all times, Sir, according to circumstances and our national interests, decisions will be taken. Politically, we do not act on imaginary circumstances.

It has also been argued that we are changing the Constitution too often. We are here not changing the Constitution; we are only adding in the Tenth Schedule what is contained in the Indo-Sikkim Agreement of 1973 and the Sikkim Act, 1974 and in the article 2 of the Constitution, article 2A has been inserted. If we bring about amendments in the Constitution, we do so for we have a live Constitution and we do not wish to work with a dead one. So according to the wishes of the people of Sikkim, we are giving representation to their people in both the Houses and trying to maintain communal harmony in Sikkim. Already we are looking after defence, external affairs and communication which includes road, railways and airports. Now, both of us propose to have closer and closer association in the various spheres of life, political, social, cultural and educational etc.

Between palace and people, we have given preference to people's wishes and aspirations. And, Sir, I do not think the action has been delayed. In fact, it has been taken at the appropriate time and at the appropriate moment, and that is why we find that the passing of the Bill has been welcomed by the people of Sikkim in general, as well as our own country. So far as international reaction is concerned, that too has not been unfavourable. In fact, some of the major powers have said that it is an internal matter—what type of relations they want to formulate and maintain must depend on India and Sikkim.

Sir, the question is simple. Have less than half a million people who live locked in Sikkim to be left to be dwarfed by circumstances? Has a feeling of constant insecurity to torment them? Should or should not they breathe fresher air in a wider world? Must they remain comparatively underdeveloped? These and other questions had to be answered.

So, once again, the Prime Minister who has on all crucial occasions risen to heights has not failed us and our country.

No matter how difficult times face her she has the courage and determination to take correct decisions and carry them out. That is how we hold our head high in the comity of nations. We congratulate her and we felicitate Sardar Swaran Singh and wish him success. They have not let down Sikkim or India. Thus Sir, I support the Bill. Thank you.

SHRI BHUPESH GUPTA (West Bengal): Sir, we are now discussing a very important matter both morally and politically. The Constitution amendment is also important in one respect in the sense that we are now in our Constitution introducing a new concept of "Associate State" and laying down certain relations in the particular case for our relations with that State. One can understand some

[Shri Bhupesh Gupta].

debate over this new concept that is being brought into our Constitution. But what is surprising is that in some quarter it has been suggested that India is really absorbing or grabbing Sikkim. Others, like China, have gone to the extent of saying that India is annexing Sikkim and they say that it is the continuation of, what they call the policy of the Government of India

Sir, the Chinese did not take such a view of us or of our country in 1954 when the famous Panchsheel Agreement was signed between us on the one hand—Pandit Jawaharlal Nehru representing India and Premier Chou En-lai representing the People's Republic of China. At that time there was no apprehension or suspicion on any point raised about it that India was treating Sikkim in a most objectionable and accessionist or aggressive manner. At any rate, there was no suggestion from the Chinese side against the arrangement that existed in 1954 between us and Sikkim. Now, of course, Peking has come out against India and has not only accused India but has accused the Soviet Union and has gone even to suggest that this is being done, the Constitution Amendment that we are passing, in collusion between India and the Soviet Union. Nothing could be a more scurrilous and fantastic statement than this. Well, everybody knows that it is a matter between the Government of India and the Government of Sikkim, the people of India and the people of Sikkim and we are deciding it in Parliament. The Soviet Union nowhere comes into the picture at all. This is an internal matter between India and Sikkim and that is how it is being settled. We are doing it in our Parliament. They have done it in their Legislative Assembly a few months ago.

Sir, not only Peking but some quarters in our country like the Statesman of the Tatas came out against it, and interestingly, Hindustan Times of

the Birlas has also come out against the Constitution Amendment move.

SHRI HARSH DEO MALAVIYA (Uttar Pradesh): Mr. Niren Ghosh also.

SHRI BHUPESH GUPTA: That is all right. You deal with them. But the same Hindustan Times hailed the Indo-Sikkim Treaty when it was signed on the 15th December. Now after 24-25 years we find the same Hindustan Times, now more prosperous, no doubt, more aggressive, in some respects, no doubt, undoubtedly more helped by the Government of India than before, has come out to denounce it, almost suggesting that India is advancing into the Himalayan region in order to capture one territory after another. Now, why Hindustan Times is doing it, I cannot understand, but I know that in 1950 the Government of India circulated the Hindustan Times editorial in support of the step they took by the signing the Indo-Sikkim Agreement. Things do change in political life. It has changed here also. As far as the others are concerned, of course, the Chogyal is now in Calcutta. I was there in Calcutta yesterday. Here is a picture. He has collected a lady lawyer. I do not know where she practises, at which bar she practises. Anyhow he has collected one and she has been making statements. However, I am not concerned with the lady lawyer; I leave ladies alone. Now, he has been making all kinds of statements. He did not come to Delhi. We find to-day in the Statesman a picture of all of them—Bhandari and so on; all these names are there. But the Chief Minister of Sikkim, Kazi Lendrup Dorji, has taken serious exception to the statement by the Chogyal. He has said that the Chogyal must go. Now, it is for them to decide, not for me to decide, who should remain there and who should go. It is for the Kazi and the people the Chief Minister and the people of Sikkim, to decide. The Chogyal is quite a misfit. He

does not seem to understand in which world he is living. That is why I find that in a statement issued from Gangtok, the Chief Minister of Sikkim has demanded that he should go. One can understand this sentiment....

SHRI HARSH DEO MALAVIYA: You are referring to the Chogyal's visit to Calcutta. May I ask whether it is a fact that Mr. Promod Das Gupta, leader of the Marxist Party, met the Chogyal in Calcutta? Can you enlighten us?

SHRI MONORANJAN ROY: Mr. Deputy Chairman, Sir, Promod Das Gupta is very much in Delhi for the last seven days. He is making a fool of himself.

SHRI NIREN GHOSH: Malaviya's brand of socialism has spoken.

SHRI BHUPESH GUPTA: Let us not waste time on this question. It is quite irrelevant and immaterial because even if they have met, the Chogyal would not be Promod Das Gupta and Promod Das Gupta would not be the Chogyal. Therefore, let us not go into these things. Now, I say that we should be prepared for certain international difficulties. Also some disturbances are there. Protests are there in Nepal. We know how these things are organised. I do not wish to say anything about it. But we should be ready for meeting certain artificial protests or protests worked up by certain quarters. We should keep our balance and we should tell the world through discussion in this House and elsewhere what exactly we mean, what we are doing, what we propose to do.

Sir, I should very much like to make our position clear as to why we are supporting this measure. First of all, this measure is certainly a step in an anti-feudal, anti-imperialist and democratic direction. If you just go back to the history of Sikkim, you would certainly say that the creation of a responsible

Government, with all its limitation—I am conscious of them—is a step in the right direction. There is an Assembly, there has been adult franchise and there is a responsible Government, though with limitations. These are steps in the right direction. One could not think of such steps some years ago, some 25 or 26 years ago.

SHRI RAJNARAIN: Why?

SHRI BHUPESH GUPTA: They could not think of such things. They would not allow such things. But the people of Sikkim....

श्री राजनारदन : मैं आपको जानकारी करा दूँ। वहाँ के प्रतिनिधि लोग हमारे पास बराबर आते रहे। भारत की सरकार ने वहाँ के जन आंदोलनों की बराबर मुखा-लिकत की। नेपाल में जब हम संघर्ष कर रहे थे तो यह सरकार राणाओं के साथ जा रही थी।

SHRI BHUPESH GUPTA: That is true, I am coming to that. It is quite right. I am talking about the rulers there, those who ruled Sikkim. They were completely oblivious of the changes. Then we are supporting it in the hope that this process will go forward and our association with Sikkim will come closer. Their association with us will come closer, and will give a momentum to the historic process which is unfolding itself before our eyes. The second reason is we expect that the relations between our two countries, Sikkim and India, will now develop on a just democratic basis wiping out all the legacies of the past. These are the two basic reasons for which we think the measure should be supported. There were no conventional relations or inter-State relations between Sikkim and India. There had not existed this thing at all. Some kind of a special relation has always obtained between Sikkim and India.

[Shri Bhupesh Gupta]

Under the British colonial rule it was a different type of relation. It was a relation between the colonial rule on the one hand and a feudal potentate not very powerful I think. There was no basis of democracy or any principle of democracy; people nowhere figured in the picture either in our country or in Sikkim in that context of inter-State relations. However, we had our contacts, cultural and many other historical contacts with the people of Sikkim at the popular level. Now, when I am talking about the inter-State relations, there were people nowhere in the picture at that time. Here we had the Viceroy and the Governor-General and there was the King or the Maharaja of Sikkim who incidentally was also a member of the Indian Chamber of Princes. This was the relationship that was absolutely unequal, imposed, a colonial relation, imposed, on a country. This relationship obviously had to go. And it has taken a long time to go. Under the British treaty which was signed in 1861 it was declared that Sikkim was a protectorate of India, of British India....

श्री रजनारयण : गवर्नमेंट ने क्यों प्रोटेक्शन दिय ।

SHRI BHUPESH GUPTA: Now of course, Sikkim has a population of 2 lakhs and an area of 2750 square miles. The treaty was signed at that time, when the population was much less. Yet that treaty continued over the years; even after independence it continued. In the treaty that was signed between free India and the Maharaja of Sikkim at that time the people were nowhere in the picture in Sikkim. Even at that time article 2 of that treaty said that Sikkim shall continue to be a protectorate of India and shall enjoy autonomy in relation to its internal affairs. We adopted almost the concept of protectorate into our treaty and we wrote this into our treaty. Although the very first article of the India-Sikkim

treaty of 1950 declared all treaties between British Government and Sikkim as cancelled, yet we retained the same concept and the hang-over came. The people at that time also wrote against the Maharaja but the Government of India gave protection to the Chogyal as they were giving protection to some Maharaja here in this country.

SHRI RAJNARAIN: Why did the Government of India do it?

SHRI BHUPESH GUPTA: They should not have done it. It is right. Entirely agree with you..

SHRI RAJNARAIN: This Government is anti-people.

SHRI BHUPESH GUPTA: Anyway let us go into this question here. Now, the question that arises is this. I have very carefully studied the treaty of 1950, I have studied the agreement between the Government of India and the Chogyal and the leaders of political parties of Sikkim of May 8, 1973, and I have studied the Government of Sikkim Act 1974. These three documents taken together will give anybody an idea of what actually we are incorporating. I find basically what we are doing now—apart from giving representation to two Sikkimese in our Parliament, one in each House—is there in one or the other of these documents. What is written here in clause 2 is in the treaty of 1950. Basically most of these are more or less reproduction from the agreement signed between the Government of India, Chogyal and the leaders of political parties. Therefore, what appear in this Bill are not something, which we are imposing here. These are contained in the tripartite agreement between Chogyal, the Government of India and the leaders of political parties. In fact the Government of Sikkim Act of 1974 begins with the words: "To provide in pursuance of the historical agreement of 8th May 1973". Therefore, Govern-

ment of Sikkim Act gives flesh and blood in the Constitutional framework to the agreement which has been signed between the Government of India on the one hand and the Government of Sikkim on the other. Therefore, it is wrong for any country to think that we are legislating for Sikkim. All that we are trying to do is something in consonance with the treaty of 1950,—which I do not like very much—the agreement which was signed on 8th May, 1973 and above all the Government of Sikkim Act, 1974. That is why I support it. This is as a result of the universal expression of wish by the people of Sikkim made through their legislative assembly. What else could be done? Well, you can criticise. I can also criticise that everything is not perfect there. But this is the procedure that we have to follow (*Time bell rings*). You have given half an hour to Shri Rajnarain. Let me have also that much time.

Therefore, I think that it is unfair for international element or any nation to think that we are encroaching on somebody's domain. What happens to Sikkim's identity? These are not taken from them. These remain. Suppose this Act is not there. The treaty is there; the 1973 agreement is there; the 1974 Act is there. Then perhaps there would not have been any uproar in Nepal or any objection in China. Why? The only thing we are doing really new and which is not there in express terms in the Sikkim Act is that we are providing representation to two Sikkimese in our Parliament—one in each House. This is the only crime which we are committing today, if at all somebody thinks it is a crime. That will derogate our position. How can Indian Parliament be accused of compromising the position. Suppose I am given representation in the British Parliament. Would it be really as if Indian Parliament is being compromised? No. It will be the British people who may complain. I can understand some people complaining as to why

we are taking somebody, who is not an Indian citizen, into Parliament. I can understand that. But, how on earth, on that ground, it can be criticised that we are allowing two representatives from their country and, therefore, the status of Sikkim is denied? That cannot be so. If it is so, it is only extended, it is highlighted and it is elevated or everything remains there and they get the representation.

SHRI NIREN GHOSH: It is elevated from there and again elevated..

SHRI BHUPESH GUPTA: No. I have seen your resolution, Sir, with all respect to the Marxists, I must say that even the CPM does not object to Foreign Affairs and Defence being in the Indian hands. Then, how do they criticise this and how do they ask the Government of India as to why it is not doing something internal within Sikkim? They cannot blow hot and cold. I am asking the Government of India to treat Sikkim as an absolute sovereign power and not to interfere in any manner in its internal affairs. Only in special contexts you can do certain things; otherwise, not. You cannot run with the hare and hunt with the hound. It is not possible. Sir, it is not possible. Therefore, Sir, I say that that argument is wrong. These are some of the observations that I have made and, Sir, I think there is no basic reason for objecting to this.

SHRI NIREN GHOSH: There have been many exercise in your mind during the course of the discussion on the Bill.

SHRI BHUPESH GUPTA: Yes, if there is a mind and if it is not a closed minds, there will be exercises. It all depends on what steps of an exercise it is.

SHRI NIREN GHOSH: I concede that.

श्री राजनारायण : वह प्वाइंट आय व्यू
तुम्हारा मत था, मगर अब कुछ तुम में फर्क
आ गया है ।

SHRI BHUPESH GUPTA: I agree with Mr. Ghosh that he has his point of view.

Now, Sir, I am very glad that the Foreign Minister raised this discussion and I must congratulate Mr. Swaran Singh for this discussion. Well, he could not accommodate those who opposed it. But generally we supported it and we suggested, some of us suggested, that the representative who comes to the House of the People should be directly elected. In the original Bill, as you know, the provision was that he should also be elected by the Assembly. But he took care, special care, to have it changed and he himself introduced this amendment in the other House. Now, Sir, in the Government of Sikkim Act, I find an article—article or section, whatever you may call it—to the effect that at the head of the Administration of Sikkim, there shall be a Chief Executive who shall be a person nominated by the Government of India and appointed by the Chogyal. I do not like this thing. Somehow or the other it should go. Sir, why should it be like this? Why should it be like this that the Chief Executive shall be nominated by the Government of India, but appointed by the Chogyal? Then, this is not good and it is not good—for the democratic process because he will have to function like you sitting in a place like the one in which you are sitting now. I do not know whether you would like it or not. I do not like it.

SHRI NIREN GHOSH: He does not like it nor does he dislike it.

SHRI BHUPESH GUPTA: Now, according to the relevant section, the Chief Executive the person who will be nominated by the Indian Gov-

ernment and appointed by the Chogyal what will he do? The Chief Executive shall act as the ex-officio President of the Assembly and as such will perform the functions of the Speaker from there. Therefore I would not like that, Sir, the Assembly Speaker, no doubt, should be elected by the Assembly. But now, nominated by New Delhi and appointed by the palace, he goes there to the Assembly to occupy the Chair there. This is mockery of the Chair. Democratic institutions do not serve in this manner.

SHRI NIREN GHOSH: It is only a mockery of the Chair or mockery of the democratic institution?

SHRI BHUPESH GUPTA: Sir, this is wrong. I know that this is there in the Treaty also. This thing is there. I am not talking about our Government. But it occurs in the Government of Sikkim Act. Obviously, we are not writing here their constitution and it is not for us to do that. But....

SHRI NIREN GHOSH: But some say that you are writing it.

SHRI BHUPESH GUPTA: Sir, such things should go and they can go only by agreement. I do not mean to say that we should amend their Constitution here. By discussion and through mutual confidence the democratic process should be developed there and I think it is developing and I think we can come to conclusion, at an early date that this kind of anomalous arrangements should go. Chief Justice should be there. We can give help in so many other things. We will discharge our responsibility under clause 2 of this amending Bill as you are incorporating in the Tenth Schedule. But certainly the anachronistic arrangements that are there in the scheme of the Act, to which we are indirectly subscribing at the moment, should not stand, because we want a full, responsible government.

I do not wish to say much. Finally, before I sit down, I will say only one or two things. Much depends now on Parliament. We are taking upon ourselves a great responsibility when we are passing this Constitution (Amendment) Bill. We are introducing a new concept in our Constitution which will certainly evoke criticism and also understanding in different parts of the world. It will be our task now to help the Sikkimese people to develop their culture further, to economically progress, and above all, to develop their democratic institutions. We must not look at it as if we are interfering. We must so behave that those people also see that we are not in any manner interfering in an anti-democratic or bureaucratic manner in the internal affairs of Sikkim. That is very, very essential. This is why we must not send our Police Superintendents as officers there. Why should they be sent—Police Superintendents, the IAS or ICS officers? If we have to render advice to the Sikkimese people and develop bonds of co-operation with them, we can send political persons, political leaders, political personalities, if you like, from the ruling party itself, to go and assume the responsibility. Sir, it is not necessary that we send retired officials and others to assume responsibility there....

SHRI S. S. MARISWAMY: Do you want Shashi Bhushan to go?

SHRI BHUPESH GUPTA: I do not know, Sir. I have not anybody in mind. I am laying down a principle. But certainly I do not like retired people, Superintendents of Police, and other such people to go and become President of the Sikkimese Assembly...

MR. DEPUTY CHAIRMAN: Wind up....

SHRI BHUPESH GUPTA: ICS officers or IAS officers after retirement or during service should not be sent there.

Sir, as far as other things are concerned, this has been a blow to feudal forces and other forces. I think the process of democracy has to be extended by the people themselves there. Imperialists will suffer. I understand some British papers and some American paper are writing against it... (Interruption). I do not know whether Americans are good wives when they are separated or when they are united. Only American wives can tell us—upper class wives who marry princes—whether in separation they are better wives or in union they are better wives. But I find, Sir, that at that time they were going in the entire Himalayan region. The American lady suddenly developed a linking—or I do not what?—for the Sikkimese Maharaja, get married and when everything misfired, they left and separated. But I do not know. You better find it out, because this is a serious matter. That is why the American Press, that is why the imperialist propagandists, are very, very angry, because it has been a blow to imperialist forces and designs. But if you take a wrong step, if you have bureaucratic interference, if you do not allow people to go forward with their urges and aspirations within the framework of Indo-Sikkimese relation, which is a willing partnership and a relation of friendship, the enemies of our country, the enemies of the Sikkimese people, the enemies of democracy, who are waiting on their toes, will take advantage of the situation and make it a major international issue, to malign our country. . . (Time Bell rings). Therefore, Sir, I say again that a great responsibility has devolved on us. I must say, Sir, that Mr. Swaran Singh has been very objective in this matter. He has put the case in a very objective manner. Sir, there will be provocation and I hope that we shall not give in to provocation. It is necessary to keep our head cool. Our fund of affection and goodwill for the Sikkimese people should not dry up. It should not be distorted in any manner by bureaucratic and other interference.

[Shri Bhupesh Gupta]

Finally, I wish well of the people of Sikkim. We are looking forward to their representatives coming to our House. When they come, they will find us good friends. Not only, we shall make good friends, but also the understanding between us and them will be deeper as a result of their association. After all, we are struggling for carrying forward the Indian democracy for the welfare of the people against the forces of reaction, feudalism, monopolists and capitalists. I think they will understand us. I will appeal not to allow our monopolists and capitalists to go there. The Birla paper and the Tata paper have opposed it. Do not allow them to go there.

MR. DEPUTY CHAIRMAN: I am calling the next speaker.

SHRI BHUPESH GUPTA: Let the Sikkimese people develop their economy with our earnest wish for the well-being of the people there. We should not allow exploitation of the people there.

SHRI R. K. MISHRA (Rajasthan): Mr. Deputy Chairman, Sir while I rise to congratulate the Government and the Minister of External Affairs for acting speedily in response to the wishes and aspirations of the people of Sikkim, I would not like to cover the constitutional and legal ground which has already been covered by the previous hon. speakers in this House. I would only like to deal with one aspect. What exactly the people who are opposing the representation to the people of Sikkim in the two Houses of Parliament are doing? The Government of India is responsible for defence, external affairs, communications and maintenance of good administration and law and order in Sikkim. Now, this Constitution Amendment Bill provides to the people of Sikkim and their elected representatives an opportunity to participate in the deliberations of the two Houses of Parliament where major policy decisions are taken in regard to their fate and in regard to

the defence policy, the communications policy and the foreign policy which affect them also. To oppose the proposal to give them representation is to deny them a opportunity to participate in these discussions and deliberations which vitally affect them. Therefore, Sir, I think those who are opposing the Constitution Amendment Bill are, in fact, not fighting for the people of Sikkim, but are fighting against the people of Sikkim and they are trying to deny them the opportunity which this Constitution Amendment Bill will provide to them to participate in the deliberations which are vitally important for them.

Mr. Deputy Chairman, Sir, we have seen one or two voices of protest within the country and also outside the country during the last few days. I am not all surprised at the reaction which the officially controlled press in Peking has come forward with. We have had experience of the fact that the rulers in Peking have been siding with anti-people forces not only today, but during the last three or four years. We have seen their role during the Bangladesh struggle. We have seen their role when the hands of the rulers of a particular country, Sudan, were drenched with the blood of the communists who were killed there. They congratulated them. We have only recently seen how in a dispute over a small island, the Chinese used force unilaterally in order to grab the Paracel Island. The dispute was with the heroic people of Vietnam. In view of this record, I am not surprised that in the context of the Sino-American political honeymoon that has been going on, the officially-controlled press in Peking has taken this position. Mr. Deputy Chairman, Sir, I am sad and unhappy at the reactions which have taken place in Kathmandu. More than any other country, Nepal knows that the Government and the people of India have scrupulously followed a policy of non-interference in the internal affairs of their neighbours. Everyone

knows that the leaders of the Nepalese people were a part and parcel of the freedom struggle against the British imperialism and that we have great respect for them. Not only the Government but also the people of India have not allowed the Indian soil to be used against the established rule in Nepal. though we may have sympathy for the democratic aspirations of those who are struggling for the establishment of democracy in that country. This restraint on the part of the Government, all the political parties in India and the people at large should be a clear, eloquent demonstration that the Indian people and the Indian Government have no wish to interfere in the internal affairs of Nepal. Therefore, in this context, Sir, I am rather sad that the demonstrations should have been allowed, aided, abetted and inspire by the authorities in Kathmandu and that the press there should have commented in the manner in which they have done. And extremely regrettable is the fact that anti-India propaganda material, put out by the Chinese, should have been allowed to be circulated in which the late Prime Minister Nehru and our Prime Minister Mrs. Indira Gandhi have been commented upon in a derogatory language. I am very happy that our Embassy in Kathmandu took up this matter with appropriate firmness and unambiguity, and I hope that the Government of Nepal will see that nothing is done which will come in the way of development of cordial relations between India and Nepal.

Mr. Deputy Chairman, Sir, the manner in which Peking has reacted is also surprising from another point of view. We are all aware that in December 1960, Premier Chou En-lai himself had said, and I am quoting: "China fully recognizes India's special relationship with Sikkim." Of course, later in 1963 after they violated our borders, the Chinese propaganda media changed its tune. And what did it say at that time? And, again, I am quoting, Sir: "Tibet is China's

palm. Nepal, Bhutan, Sikkim, Ladhak and the NEFA are the five fingers. Now that the palm was restored to China, the fingers should go with it." It is very clear, Mr. Deputy Chairman, Sir, the danger to the Himalayan States, if it comes, it does not come from India. The fact that our Army withdrew from Pakistan from the territory which we had occupied, that we came back in record time from Bangladesh, that we have settled the small dispute with Sri Lanka about Kachchativu island, that, one by one, we are trying to resolve all our difficulties, all our problems with our neighbours and other countries, and that we are following and pursuing consistently a policy of friendship and co-operation with all the countries in the world is a clear indication that neither the Government nor the people of India have any territorial ambitions. And, therefore, this attempt to malign India on the part of China, I can only see, is a continued reflection of a policy which supports preservation of the US Seventh Fleet, which supports the NATO, which keeps mum on Diego Garcia and all those things. The pro-imperialistic stance in Peking's foreign policy, the anti-people and anti-liberation movement stance in Peking's foreign policy is reflected in this case also.

Mr. Deputy Chairman, Sir, I would like on this occasion to express our appreciation of the stand taken by other countries in the world. Most of the countries in the world have shown appreciation of India's stand in this matter. They have recognised India's special relationship with Sikkim. They have seen and recognised the fact that this is an internal affair as the Soviet press has also said that this is an internal matter between India and Sikkim, between the people of India and the people of Sikkim.

Mr. Deputy Chairman, Sir, the Indian offsprings of the Sino-U.S. political honeymoon have been playing the same tune as is played in Washington or in Peking. Now, this

[Shri R. K. Mishra]

should not cause any surprise to us. As hon. Shri Bhupesh Gupta has pointed out, the spokesmen of the big business press in India have been speaking with a vehemence which only shows that neither the interests of the people of India, nor the interests of the Indian nation and nor the interests of the people of Sikkim are dear to them. They only want to aid and abet the forces of feudalism, the forces of reaction, the forces which will take back Sikkim to the days of feudalism. Sir, I have heard protests from some of my friends belonging to the C.P.I.(M), saying that they do not support Chogyal. Now, Mr. Deputy Chairman, Sir, when it is said that the elections in Sikkim were rigged, what exactly are they doing? Are they not supporting the Chogyal? Are they not trying to undo the democratic gains of the people of Sikkim belonging to all communities there? Are they not undoing the gains that they have registered under the May 8 Agreement and the gains that they have registered by having the first democratic constitution in Sikkim. They may be claiming that they are opposing Chogyal, but actually they will be pursuing a course of action, pursuing a policy which will help Chogyal and they will be denying the fruits and gains of the democratic struggle to the people of Sikkim. All this, I submit, Sir, is hypocrisy and nothing else.

SHRI P. K. KUNJACHEN (Kerala): Why cannot the people of Sikkim be given full powers for deciding their affairs?

SHRI R. K. MISHRA: Mr. Deputy Chairman, Sir, it happens with all hypocrites who talk with tongue in their cheek. Hon. Shri Bhupesh Gupta has pointed out that the CPM says the 1950 Treaty was all right. You say that the Sikkim Act is all right. You say that Defence, External Affairs and Communication and other things should remain with the Government of India and at the same time you are pretending that you

are demanding full rights for the people of Sikkim. Neither the people of Sikkim nor the people of India can be befooled by such talks and such double talk and such hypocrisy in political life.

Mr. Deputy Chairman, Sir, I am extremely sorry that contrary to the advice given by hon. Shri Bhupesh Gupta, I had to use strong words. I am very sorry that some Members of the Indian Parliament, responsible Members, who claim themselves to be progressive and communists should act in a manner which objectively supports an outmoded, obscurantist institution of Chogyal in Sikkim. (Interruption). The Indian people will recall with great distress the attitude of those people who claim to be progressive and leftists and socialists and what not and for their acting in such an anti-people and anti-democratic manner.

Mr. Deputy Chairman, Sir, I would also like on this occasion to point out, and I have no doubt, that the views expressed by Kazi Lhendup Dorji about the propriety and the necessity to continue the institution of Chogyal will be taken into full account by the Government of India. (Interruption).

MR. DEPUTY CHAIRMAN, Sir the difficulty is that those who have allowed themselves to drift away both from the international communist movement and those who have allowed their eyes to be blinded by the reality of the democratic movement in India, cannot act in such a manner. (Interruptions).

MR. DEPUTY CHAIRMAN: Let him conclude now.

MR. R. K. MISHRA: I know that. I have read very carefully your (CPM) resolutions, I have heard very carefully the speeches which leaders of your party delivered in the other House and I have also seen with great disgust the ludicrous

vehemence with which a demonstration was being held here in the morning when the Bill was being moved. Do you think you can fool the Indian people and the Sikkimese people by saying that you are opposed to the Chogyal and you are opposed to this Bill? As Shri Bhupesh Gupta said, you cannot run with the hare and hunt with the hound.

In conclusion, Mr. Deputy Chairman, Sir, on this occasion I would like to say that we are very happy that the Sikkimese people are marching forward towards the realisation of their democratic aspirations. We know that they have yet to go a great distance forward and when they come here and join this House and the other Houses, they will find the Indian people and the democratic and progressive movement in India extending full support in their political march towards realisation of their goals.

MR. DEPUTY CHAIRMAN: Yes, Mr. Prakash Vir Shastri.

SHRI BRAHMANANDA PANDA: Mr. Deputy Chairman, before calling the next speaker, will you please allow me one minute at least to make one submission?

MR. DEPUTY CHAIRMAN: No.

SHRI BRAHMANANDA PANDA: Only one minute, Sir. My submission is this: You know, Sir, that a bachelor often runs the risk of not getting married but getting unmarried. Viewed in this light, I am really apprehensive of the future and fate of CPI(M) in this country.

DR. K. MATHEW KURIAN (Kerala): It cannot be safe in your hands anyway.

MR. DEPUTY CHAIRMAN: Mr. Prakash Vir Shastri. There are several names and I think we will have to run through the list.

श्री प्रकाशवीर शास्त्री (उत्तर प्रदेश) :
उपसभापति जी, सिक्किम को भारतीय संसद में प्रतिनिधित्व देने के सम्बन्ध में इस विधेयक का मैं स्वयं तथा अपने दल की ओर से हार्दिक स्वागत करता हूँ। भारत-सिक्किम की पृष्ठभूमि के सम्बन्ध में कुछ बातें बतलाते हुए मैं अपनी चर्चा आगे बढ़ाना चाहता हूँ।

1814 में नेपाल से संघर्ष के बाद ब्रिटिश गवर्नमेंट और नेपाल के बीच में एक सन्धि हुई। 1817 में उस समय सिक्किम भारत का संरक्षित भाग माना गया था। उसके बाद 1890 में तिब्बत सिक्किम सीमा के ऊपर चीन और ब्रिटेन के बीच समझौता हुआ, जिसमें सिक्किम को भारत का संरक्षित प्रदेश माना गया। 1904 में उस वक्त तिब्बत और सिक्किम के बीच जो सीमांकन का कार्य हुआ था, उसमें यह बात स्वीकार की गई थी। मैं इस चीज को दोहराना नहीं चाहता हूँ, क्योंकि इसके बारे में कई मित्रों ने पीछे चर्चा की है।

ब्रिटिश सरकार के समय जो यहां पर प्रिन्सेज चैम्बर था उसमें भी सिक्किम महाराजा को उसी तरह का प्रतिनिधित्व मिला हुआ था जिस तरह से भारत के दूसरे राजाओं को मिला हुआ था।

मैं अब 1947 के बाद जो घटनाएँ हुई हैं, उनकी विशेष रूप से चर्चा आरम्भ करूँगा। 1947 के बाद सिक्किम और भारत के सम्बन्धों को जो स्नेहपूर्ण गांठ लगी, उसका प्रारम्भ 1950 को हुआ और सिक्किम के प्रशासक और भारत सरकार के बीच एक सन्धि हुई, जिसमें रक्षा, विदेश संचार इन तीन बातों को लेकर सन्धि की पुष्टि की गई। 1954 में भारत के प्रधान मंत्री पं० जवाहरलाल नेहरू और सिक्किम के तत्कालीन नामग्याल के बीच में सिक्किम के विकास के लिए एक समझौता हुआ। इसमें सात साल के लिए एक योजना बनी। यह सात साल की योजना 1954 से प्रारम्भ होकर 1968 तक चली और

[श्री प्रकाशवार शास्त्री]

भारत सरकार ने अपने कोष से 32 करोड़ रुपया सिक्किम के विकास के लिए दिया। इसके पश्चात् सिक्किम के विकास के लिए योजनाएं चलती रहीं। कभी 8 करोड़ रुपये की और कभी 9 करोड़ रुपये की और जब कभी दैवी विपत्ति आई तो उसके लिए भी करोड़ों रुपया भारत की ओर से जाता रहा।

6 मई, 1973 को एक त्रिपक्षीय समझौता हुआ, जो भारत और सिक्किम की सरकार के बीच में हुआ। लेकिन जो ऐतिहासिक प्रस्ताव सिक्किम की जनता के प्रतिनिधियों ने किया, जिस की पृष्ठ भूमि पर हम इस विधेयक को चर्चा का विषय बना रहे हैं, वह निर्णय 20 जून, 1974 को हुआ था। जब सिक्किम के जन-प्रतिनिधियों ने सर्व-सम्पत्ति से भारतीय संसद में प्रतिनिधित्व के लिए अपना निर्णय किया।

उपसभापति जी, मैं भारतीय स्वाधीनता संग्राम के उन दिनों की याद इस समय दिलाना चाहूंगा, जिस समय हमारे देश में स्वाधीनता का आन्दोलन चल रहा था और देशी रियासतों में प्रजा-परिषद का आन्दोलन छिड़ा हुआ था। उस समय सिक्किम में भी इसी प्रकार के आन्दोलन की कुछ सुर-सुराहट थी, लेकिन सिक्किम के अन्दर आन्दोलन ने उतना उग्र रूप धारण नहीं कर पाया, जितना भारतीय देशी रजवाड़ों के अन्दर था। लेकिन—भारतीय स्वतंत्रता के पश्चात् वह जो सुरसुराहट थी सिक्किम में उसने गर्मी का रूप धारण किया और वह गर्मी एक जन-विप्लव के रूप में, एक ज्वालामुखी के रूप में फूटी। आज से दो वर्ष पहले वह घटना हुई जिसमें जनता का विद्रोह सिक्किम के चोग्याल के विरुद्ध उभरा और उस विद्रोह की परणति इस रूप में हुई कि सिक्किम की राजधानी गंगटोक को सिक्किम की जनता ने घेर लिया। उदाहरण के लिए मैं इतना ही कहना चाहता हूँ जिस गंगटोक की आबादी 14 हजार थी जिस समय यह

ज्वालामुखी फूटा, वहां की जनता का विद्रोह हुआ, तो दो दिन के अन्दर वहां की 14 हजार की आबादी बढ़ कर 40 हजार हो गई। यानी चारों ओर से इतने लोग एकत्रित होकर गंगटोक के अंदर आए और उन्होंने चोग्याल विरुद्ध प्रदर्शन किया। उस समय उन्होंने भारत की सरकार से संरक्षण मांगा, शरण मांगी और सहायता की याचना की। उस समय भारत सरकार ने सिक्किम का प्रशासन अपने हाथ में लिया और फिर सिक्किम में अपने कुशल प्रशासक श्री बी० एस० दास को प्रशासक बना कर भेजा। हमारे ये कुशल प्रशासक दास जिस समय गंगटोक के हवाई अड्डे पर सैनिक हेलीकोप्टर से उतरे उनके स्वागत में वे सभी व्यक्ति जो गंगटोक में एकत्रित थे पहुंचे, और उन्होंने जिस उत्साह से, जिस तरह डोल ढमके बजा कर उनका स्वागत किया, वह दृश्य जिन्होंने देखा होगा वे यह अच्छी तरह से समझ सकते होंगे कि सिक्किम की जनता का भारत की जनता के साथ कितना हार्दिक सम्बन्ध है। श्री दास के प्रशासन को सम्भालने के बाद जो लोग राजधानी गंगटोक में 26 हजार की संख्या में प्रदर्शन करने के लिए आए थे, वे धीरे-धीरे अपने घरों को लौटने लगे। भारत सरकार ने फिर यह निश्चय किया कि जनता की राय जानने के लिए निष्पक्ष चुनाव कराए जायं और उन निष्पक्ष चुनावों में जो जनता की लोकप्रिय संस्था थी, उसके हाथ में सिक्किम का शासन आया। जब सिक्किम का शासन उसके हाथ में आया और सिक्किम के प्रशासक, जो जनता के चुने हुए प्रतिनिधि थे, अपना विधान बनाने लगे, तो फिर एक बार चोग्याल की कमर थपथपाई उन लोगों ने जिन्होंने काठमांडू के अन्दर आज कुछ विद्यार्थियों की कमर थपथपा रखी है। उन्होंने ही भारतीय राज दूतावास के ऊपर प्रदर्शन किया है। मेरा स्पष्ट संकेत चीनी प्रशासकों की ओर है। जब इन्होंने चोग्याल की कमर पर हाथ रखा और चोग्याल बिदकने लगे तो भारत सरकार ने तो नहीं चाहा, लेकिन वे यहां आए

और भारत सरकार से उन्होंने राय ली और किसी प्रकार से वह प्रसंग टल गया ।

जो बात मैं विशेष रूप से कहना चाहता हूँ वह यह है—बाहर के देशों का इस प्रश्न पर क्या दृष्टिकोण है, उस की चर्चा तो मैं इस समय नहीं करना चाहता । मुझे सब से बड़ा कष्ट इस बात का है कि हमारे घर में भी कुछ इस प्रकार के तत्व विद्यमान हैं जो आज चीन की ताल पर थिरक रहे हैं, इन का अपना कोई निर्णय नहीं है जिस प्रकार का चीन के सोचने का ढंग है, जिस तरह का चीन का निर्णय लेने का ढंग है, उस के आधार पर ही वे कदम उठाना चाहते हैं । कभी वे कहते हैं कि भारत सिक्किम को हड़पना चाहता है, कभी वे कहते हैं कि भारत सिक्किम की बेबसी का लाभ उठाना चाहता है । मैं अपने उन मित्रों को याद दिलाना चाहता हूँ कि अगर भारत सिक्किम की बेबसी का लाभ उठाना चाहता तो—यह ऐतिहासिक सच्चाई है, मैं अपनी ओर से नहीं कह रहा—ताशी, नामग्याल ने, जो चोग्याल से पहले सिक्किम के प्रशासक थे, स्वयं अपनी ओर से जवाहरलाल नेहरू को आफर भेजा था, प्रस्ताव किया था कि सिक्किम को भारतीय प्रशासन का अभिन्न अंग बना लिया जाय । लेकिन उस समय पंडित जवाहरलाल नेहरू ने यह कहा कि किसी राजा के कहने पर किसी स्टेट को अभिन्न अंग नहीं बनाया जा सकता, जब तक उस क्षेत्र की प्रजा इस के सम्बन्ध में निर्णय न ले । अगर उस क्षेत्र की प्रजा इस का समर्थन करेगी तो भारत सरकार इस बात पर विचार कर सकती है । यह बात केवल सिक्किम के ऊपर ही लागू नहीं हुई, यह नेपाल के ऊपर भी लागू हुई । मैं इतिहास के उस पृष्ठ का आप को स्मरण कराना चाहूंगा । सदन की माननीय सदस्या, श्रीमती प्रतिभा सिंह, जिन्होंने अभी भाषण दिया है, उन के पिता जी जब काठमांडू में भारत के राजदूत थे, उस समय नेपाली जनता में नेपाली शासन के विरुद्ध विद्रोह की चिंगारी भड़की थी और श्री सी०पी०एन० सिंह ने बड़ी

कुशलता और बुद्धिमत्ता के साथ उस सारी स्थिति को सम्भाला था । उस के बाद ही वह घटना घटी थी । उस समय के नेपाली राजा महाराज त्रिभुवन ने जवाहरलाल नेहरू के सामने इसी तरह का प्रस्ताव रखा था कि भारत और नेपाल के बीच दीवार हटनी चाहिए और दोनों की अभिन्नता स्थापित होनी चाहिए । लेकिन पंडित जवाहरलाल नेहरू ने उस समय भी यह बात कही कि जब तक उस क्षेत्र की प्रजा की ओर से इस प्रकार का आमंत्रण नहीं आता और उस क्षेत्र की प्रजा इस तरह का प्रस्ताव नहीं करती, तब तक भारत सरकार इस प्रकार का निर्णय नहीं ले सकती । अब सिक्किम जैसे क्षेत्र के लिये जो हमारे साथी यह कहते हैं कि भारत सिक्किम को हड़पना चाहता है या उस की बेबसी का लाभ उठाना चाहता है, मैं अपने उन मित्रों को याद दिलाना चाहता हूँ कि सिक्किम की आबादी तो कुल दो लाख की है और 2,818 वर्ग मील का उस का क्षेत्रफल है, अगर हमारी हड़पने और बेबसी का लाभ उठाने की आदत होती तो साढ़े सात करोड़ का बंगला देश जिस को जीतने के बाद जब ढाका में जशन मनाया जा रहा था और हमारे जो जनरल थे जगजीत सिंह उन के सामने जब पाकिस्तानी फौज सरेंडर कर रही थी तो उस समय अगर हम बेबसी का लाभ ही उठाना चाहते तो क्या हम बंगला देश की बेबसी का लाभ नहीं उठा सकते थे । लेकिन हमारी सरकार की यह नीति कभी भी नहीं रही । भारत सरकार की नीति थी कि जब तक उस क्षेत्र की प्रजा ही यह निर्णय न ले कि ले कि हमारा यह फैसला है उस तरह का कोई कदम भी न उठाया जाय । मुझे आश्चर्य इस बात का है कि सिक्किम का जो क्षेत्र है उसकी आबादी में जो वहाँ की मुख्य जातियाँ हैं भोटिया और लोपचा, उनकी आबादी तो कुल 25 प्रतिशत है और बाकी उसमें 75 प्रतिशत नेपाली लोग हैं और कुछ छोटी मोटी जातियाँ रह जाती हैं । लेकिन मुझे यह खुशी है कि भारतीय संसद में प्रतिनिधि लाने संबंधी

[श्री प्रकाशवीर शर्मा]

यह निर्णय सिक्किम की संसद ने या सिक्किम की असेम्बली ने सर्वसम्मति से किया है और उस के अन्दर वह 75 प्रतिशत नेपाली भी आकर शामिल हो जाते हैं। इस निर्णय पर किसी को किसी प्रकार का विरोध नहीं था। उन लोगों की इच्छा है कि भारत के साथ हमारे सामाजिक, आर्थिक और राजनीतिक संबंध और अच्छे हों और यह और भी अधिक गहरे होते चले जायें। लेकिन मुझे आश्चर्य है कि आज इस प्रकार का एक देश जो साम्यवाद की दुहाई देता है, समाजवाद की नयी-नयी व्याख्याएँ करता है, आज उनमें वहाँ के चोग्याल के साथ एक नया मोह किस प्रकार से उत्पन्न हुआ है। मेरा स्पष्ट संकेत चीन की ओर है कि उन्होंने किस तरह सामन्तशाही की पीठ थपथपाते का फैला किया है। मैं इस बात को स्वीकार कर सकता था कि जब उन्होंने कंबोडिया में राजकुमार सिहानुक की पीठ थपथपायी तो उस के पीछे कुछ अर्थ हो सकता था, लेकिन वह चोग्याल की पीठ थपथपाये और साथ ही साम्यवाद का नारा लगायें यह बात तो समझ में नहीं आती। मुझे खुशी है इस बात की कि 1962 में भारतीय कम्युनिस्ट पार्टी एक थी और उस समय सी पी आई और सी पी आई एम अलग-अलग नहीं थे। लेकिन पिछले भारत-चीन संघर्ष के बाद देश में साम्यवादी पार्टी का जो रूप था, उस की देश में बड़ी भर्त्सना हुई थी, लोगों में उन की कितनी आलोचना हुई थी, उस को सारा देश जानता है और संसद भी जानती है, लेकिन मुझे खुशी है कि इस बात की कि भारतीय साम्यवादी पार्टी का एक ग्रुप जो अपने को सी पी आई कहता है, उन्होंने अपनी स्थिति को समझाल लिया है। उन्होंने सही ढंग से राजनीतिक स्तर पर भी निर्णय लेने का प्रयास किया है। लेकिन अभी हमारे सी पी आई (एम) के भाई उस स्तर पर खड़े हैं, जो सोचने का ढंग उनका 1962 में था वही आज भी है। भारतीय जनता उन की कैसे आलोचना करेगी या कैसे उन का स्वागत करेगी यह तो

जब जनता में वह जायेंगे तो उन को उस का पता लगेगा, लेकिन मैं अपनी सरकार से अवश्य कहना चाहता हूँ और मेरा अपनी सरकार से कहना यह है कि जब सिक्किम को आप भारतीय संसद में प्रतिनिधित्व दे रहे हैं तो सिक्किम के साथ भारत का तदात्म्य और घनिष्ट हो, सिक्किम के साथ अभिन्नता और बढे, इस के लिये आपको यह चाहिए कि भारत के लोग सिक्किम जायें और सिक्किम के लोग भारत आयें। इस दृष्टि से आप कोई व्यवस्था करें और सिक्किम के अन्दर जो पर्यटन केन्द्र हों, उन को आप थोड़ी सी महुलियत दीजिये, कुछ सस्ता बनाइये ताकि अधिकांश भारतीय वहाँ जा कर उन लोगों के साथ घुलें मिलें और सिक्किम के लोग भारत में आकर वहाँ के लोगों के साथ घुलें मिलें। जो सुझाव थोड़े दिन पहले मैंने अंडमान और निकोबार के संबंध में दिया था वही सुझाव मैं सिक्किम के बारे में देना चाहता हूँ। लेकिन मैं इस विधेयक का स्वागत करते हुए अपनी एक आशंका भी सरकार के सामने प्रकट कर देना चाहता हूँ और मेरी आशंका है कि जब सिक्किम को आप भारतीय संसद में प्रतिनिधित्व देने जा रहे हैं तो आपको यह खले हृदय से देना चाहिए। उस में फिर किसी प्रकार की रोक लगाने की क्या आवश्यकता है कि इतने अंश में वह हमारा साथ दे सकते हैं और इतने अंश में वह हमारा साथ नहीं दे सकते। हम तो चाहते हैं कि भारतीय-संविधान की जो प्रथम अनुसूची है उस में जहाँ और भारत के राज्यों का वर्णन है उस में ही सिक्किम का वर्णन हो सकता है। कुछ रिजर्वेशन के साथ उन को आप यहाँ स्थान दें, यह बात मेरी समझ में नहीं आती। इस का परिणाम क्या होगा। इस का दुष्परिणाम जो निकलने वाला है उस का प्रभाव कुछ और स्थानों पर भी आपको देखने को मिल सकता है। आपको तो यह चाहिए था कि जब आप ने उस को मिलाने का निर्णय किया है तो सिक्किम का कंबोजंग्पा, नेपल, कर्ग सरगमाया और भारत का नन्दा देवी।

तीनों को मिला कर आप एक त्रिवेणी गूथें और उस त्रिवेणी को गूथ कर जिस मस्तक पर लगाये, उस मस्तक को कन्याकुमारी के चरणों में झुकाये इस प्रकार का आप एक वाताम्य स्थापित करें इस प्रकार की स्थिति वहा होनी चाहिए । लेकिन यह जो आप सह-राज्य का दर्जा देने जा रहे हैं, इस से देश में आशंका भी व्याप्त है । हो सकता है कि आप के मन में आशंका न हो, निर्णय लेते समय आप के मन में इस प्रकार का सन्देश न हो । लेकिन उपसभापति जी, मेरा कहना यह है कि अभी कुछ दिन पहले जम्मू-काश्मीर के पहले शासक शेख अब्दुल्ला ने जिस तरह से भारत सरकार के साथ में नये सिरे से अपनी बाध-चित्त शुरु की है और जिस तरह से रोज वह बयान देते रहते हैं कि 1953 से पहले की स्थिति में लौट कर भारत सरकार आये तब मैं यहाँ का वजीरे आजम बनने के लिये तैयार हूँ, तब मेरा भारत सरकार से कोई समझौता हो सका है । मैं सरदार स्वर्ण सिंह से, आपके माध्यम से एक ही बात पूछना चाहता हूँ कि सरदार साहब को क्या याद है कि भारत के पहले गृह मंत्री श्री गोविन्द वल्लभ पन्त ने श्रीनगर की एक सार्वजनिक सभा में यह कहा था कि जम्मू-काश्मीर का विलय भारत में अन्तिम है और इस चैप्टर को आगे नहीं खोला जा सकता है ? पंडित जवाहर-लाल नेहरू ने ये शब्द कहे थे कि जो जम्मू-काश्मीर में जनमत संग्रह की बात कहते हैं इस के दो ही रास्ते हो सकते हैं । एक तो इसी प्रश्न पर मत संग्रह हो सकता है, दूसरा अगर चुनाव के द्वारा जनमत कराया जाए । अगर ऐसे प्रश्न पर जनमत कराये जाते हैं तो जम्मू-काश्मीर में चार बार चुनाव हो चुके हैं और इसी प्रश्न पर जो जम्मू-काश्मीर के भारत विलय के अभिन्न समर्थक हैं उन को जनता ने चुन कर भेजा है । और जनमत संग्रह क्या होता है ? श्री गुलजारी लाल नन्दा उसके बाद गृह मंत्री बने । उन्होंने यह कह दिया कि 370 धारा बहुत कुछ घिस चुकी है और जो

रह गई है वह भी धीरे-धीरे घिस रही है । लेकिन सह-राज्य का दर्जा देने से सिक्किम के लोगों के मन में एक आशंका है कि आप के इस निर्णय का जम्मू-काश्मीर के शेख अब्दुल्ला जैसे नेता भी अनुचित लाभ उठा सकते हैं, इसलिये मैं चाहता हूँ कि सरदार स्वर्ण सिंह जो इस चर्चा का उत्तर दे तो स्पष्ट रूप से इस बात की घोषणा करे कि भारतीय संघ के किसी राज्य के ऊपर भी या जो भारत की चार-दीवारी है, जिस पर भारत की अखंड प्रभुत्ता है, इस किस्म के जितने भी भाग हैं, इनमें कहीं भी किसी क्षेत्र को सह-राज्य का दर्जा देने का स्थिति कभी आयेगी नहीं । इस प्रश्न पर कभी विचार नहीं किया जाएगा । अगर आप इतना कहते हैं तो मैं समझता हूँ कि मेरे जैसे लोगों को और हमारे जैसे दलों को जो इस प्रश्न पर आप का खुले हृदय से समर्थन कर रहे हैं, उन को सन्तोष होगा कि यह केवल सिक्किम के लिए कंसेशन दिया जा रहा है, भारत के अन्दर कभी कोई इस प्रकार का आवाज नहीं उठ सकेगी । अगर आप इस प्रकार की बात नहीं कहते हैं तो लगेगा यही कि आपके कहीं न कहीं सोचने में के दंग में कमजोरी है, लचकरपन है । वह लचकरपन न रह जाए, इसलिए मैं चाहता हूँ कि सरदार स्वर्ण सिंह उत्तर देते समय इस बात की घोषणा करे कि भारत का जो मान-चित्र है इस के किसी राज्य में सह-राज्य का या एसोसिएट स्टेट की अवस्था को नहीं उठाया जाएगा ।

इन शब्दों के साथ मैं इस विधेयक का स्वागत करता हूँ और समर्थन करता हूँ ।

SHRIMATI LEELEA DAMODARA MENON (Kerala): I support the motion. I had expected full support from all sections of the House, and I am sorry to say that there have been some discordant notes. Sir, the Bill has very clearly enunciated the responsibilities and the treaty obligations of India vis-a-vis Sikkim,

[Shrimati Leela Damodara Menon]

and has also given effect to the desire of the people of Sikkim to participate in the social, political and economic life of our country.

Sir, the Statement of Objects and Reasons had presented the background very well and pointed out the need for amendment. This morning, the hon. Minister of External Affairs explained while moving the motion the background that necessitated this Bill, and several other Members like Mr. Bhupesh Gupta very clearly pointed out the background. Suddenly, there has been much ado about nothing about this question. It would seem as if Sikkim is a new, independent country or it has become a buffer State and several other things at the same time. I wish to point out that India's responsibilities to Sikkim are not new regarding defence, cultural affairs and communications. Sikkim is not a new nation that has suddenly flashed into our orbit like a meteor. For over two decades, Sikkim has remained a protectorate of India, a legacy left to us by the British. All these years, we have fulfilled our obligations towards Sikkim in such a manner that both the ruler and the ruled have looked upon us as a friend. This type of friendship has existed between Sikkim and India all these years. It is to our credit that we have not thrown our weight about; nor have we interfered in the internal affairs of Sikkim. We have no expansionist ambition. We have seen ruthless annexation of helpless and small territories by big powers in our own time. But we have helped Sikkim to develop herself. In 1954 Sikkim had a revenue of only Rs. 20 lakhs. We have helped it to grow to Rs. 3.75 crores in its second Budget. The economic development of Sikkim has been our objective all these years and there has been no abdication of the responsibility so far as India was concerned.

Now what has necessitated this move. Those who have followed the history of Sikkim will not find it difficult to understand it as a logical consequence of events that have happened during the last 25 years. As a result of gradual democratic urges people tried to develop themselves and they have been trying to give expression to their aspirations from time to time. The plea for representation in the Indian Parliament has been made as early as 1950 by the Sikkim Congress and it pleaded that such representation be given to Sikkim in the Indian Parliament. It is only after the latest general election held after a free and fair elections based on adult franchise that the Sikkim people and their representatives decided in the Constituent Assembly that they want closer association with India.

Sir, the proposal was also part of the election manifesto of the ruling party.

DR. K. MATHEW KURIAN: Which proposal are you referring to? I have got a copy of the election manifesto of the Sikkim Government. I can challenge. Such a thing does not exist in it.

MR. DEPUTY CHAIRMAN: Dr. Kurian, let the lady continue.

DR. K. MATHEW KURIAN: You show me any clause where it is mentioned.

SHRIMATI LEELA DAMODARA MENON: I do not know whether it is a special copy of the Marxist Party manifesto but I do know that this has been mentioned from time to time and it was made an issue.

DR. K. MATHEW KURIAN: I am prepared to place it on the Table of the House for her to examine.

SHRIMATI LEELA DAMODARA MENON: In their speeches, on platforms and public forums they had made it an issue. (Interruption by Dr. K. Mathew Kurian.)

MR. DEPUTY CHAIRMAN: Dr. Kurian, you please take your seat now. Let the lady continue to speak

SHRIMATI LEELA DAMODARA MENON: Mr. Deputy Chairman, I do not want to get into controversies. I do not know whether the paper Dr. Kurian is holding is the real manifesto of the Sikkim Congress or not.

DR. K. MATHEW KURIAN: I know you will now disown your own manifesto.

SHRIMATI LEELA DAMODARA MENON: I still maintain that this has been discussed on the platforms by the Sikkim Congress during their election propaganda that they conducted. When the Government was posed with the proposal from the Sikkim Assembly declaring in unequivocal terms the democratic desire of the Sikkim people, it is not as if the Government immediately brought this Bill. They have had ample opportunity to deliberate on it. As the hon'ble Minister of External Affairs said, this is a considered move. The legal and constitutional implications have been gone into along with all the pros and cons. Mr. Mariswamy said that this is a hasty measure. I wish to point out at this juncture that a decision need not take several years for it to be a wise decision. Some decisions that may take years together may not be wise decisions. It is the decision itself that matters. We feel that this Bill has been presented before this House after due deliberation taking into account all the pros and cons of the issue.

Sir, the people of Sikkim through their elected representatives have asked whether they will be permitted to join the political and economic life of India for their own progress, whether they would be permitted to join us in our great adventure in the economic....

DR. K. MATHEW KURIAN: Misadventure. You are advisers on economic crisis, inflation, unemployment etc.

SHRIMATI LEELA DAMODARA MENON:otherwise they would not ask to be included in our economic life. We are already committed to Sikkim in their economic development. Do we have a choice of saying no to them?

(Interruptions).

MR. DEPUTY CHAIRMAN: Order, please.

SHRIMATI LEELA DAMODARA MENON: Do we tell them to mind their own business and say we have nothing to do with them? As it is, we are still committed to look after them. Will a negative attitude strengthen the Sikkim people or make them more independent or individualistic? Or, shall we take the other alternative of welcoming them into our midst and enable them to develop in a far greater manner, according to their own aspirations and hopes? Sir, this amendment in our Constitution to accommodate two members of Parliament from Sikkim has, therefore, become very necessary. Sir, I believe that our Constitution is sacrosanct and it cannot be trifled with. But like all good Constitutions, it should be able to absorb growing political concepts which point to new needs and necessities for the welfare and well-being of our nation, without prejudice to the fundamental rights and principles enshrined therein. Constitutional amendments to adjust to special circumstances like this are not unknown. This morning, Dr. Seyid Muhammad referred to the matter of Puerto Rico in the U. S. Constitution. I wish to refer to the provisions made in the British Constitution with regard to the Isle of Man. It is not because the British Government cannot exercise suzerainty over the Isle of Man. But as a special case, out of special regard for that fragile bit of island, for its

[Shrīmatī Leela Damodara Menon]

disanct personality, the British Parliament has made special provisions for the Isle of Man. We are also committed to preserve the special identity of Sikkim. Both our Prime Minister and the Minister for External Affairs have made it very clear that with all these new changes, the identity of the Sikkim people will be maintained and there will not be any interference with regard to their internal autonomy. We are making a friendly gesture towards the people of Sikkim whose future is very much tied with us. The question is, will this House be able to reject the request made with such unanimous acclaim by the Sikkim Assembly as just a scrap of paper to be thrown in the waste-paper basket, or will we honour their genuine desire for progress and friendship? The reaction of the people of Sikkim, as was shown when the Bill was passed by the Lok Sabha, is indicative of their great desire to come with us and join us in our economic, social and political endeavours.

Sir, Mr. Mariswamy said that certain people in Delhi had been claiming to be speaking on behalf of the Sikkim people and he expressed doubts if they were genuine Sikkim people after all? I also feel that Mr. Mariswamy has a point there because if, after the elections, the entire Assembly or the Assembly with more than 99.9 per cent majority, could express this desire, we cannot say that the people of Sikkim had not desired this. But there might always be foreign agents, foreign provocators who wish to create trouble in any country and we can take that these people belong to that class.

Sir, there is a feeling that unilateral withdrawal might be made by the Sikkim Assembly later on. But the External Affairs Minister had made it very clear in the Lok Sabha that there is no question of unilateral withdrawal, that this decision that has been taken is binding on both nations and once it is taken, there is no withdrawal after that.

There is another significant aspect for the better that I see in this Bill. So far we have been speaking of Sikkim as a protectorate, but the word "protectorate" leaves a bad taste because it takes us to the days of colonialism. By this Bill, the Government of India, keeping up its highest traditions, is making Sikkim an associate country so that it can hold its head high in the comity of nations.
(Interruption).

The Indian Government and the Indian people do not have any expansionist tendency or ambition and they only help other people to grow and develop and not keep anybody under subjection. Therefore, I hope that under these circumstances this necessary amendment will not be opposed but will be passed with full acclaim by all, including Dr. Kurian and his friends, so that we extend from this House our hand of friendship to the people of Sikkim and invite them for mutual benefit and mutual friendship.

SHRI N. G. GORAY (Maharashtra):
Mr. Deputy Chairman, in my opinion by inscribing this amendment in the Constitution we shall be only completing a process which started in 1947. It was a sheer historical accident that after 1947 when almost all the States acceded to India only this tiny State of Sikkim was left out. It was not as if the people of Sikkim did not want it to merge with India, but perhaps the Government at that time thought, this was a small territory hidden in the folds of the Himalayas, let it remain there for some time, because it will not be a source of trouble to us or to anybody else. It was not as if there were no princes in India who held the view that once the British withdrew from this continent they would be enjoying their sovereignty. The Nizam, the Maharaja of Travancore, the Nawab of Junagadh, they thought that they would be once again sovereign and perhaps the Chogyal also thought like that. But you know the history has shown how this type of sovereignty was swept out by the will of their own subjects.

[The Vice-Chairman (Shrimati Purabi Mukhopadhyay in the Chair):

The people of Hyderabad, the people of Travancore-Cochin, the people of Junagadh, they rose in rebellion and all these Nawabs and these Maharajas were confined to the limbo of history. As I said, only the Chogyal remained. And if you look to the history of the last two or three years you will have to admit that the people have asserted themselves. When some people criticise this as an aggression, as an invasion, as an act of expansionism, I do not know whether they really understand the meaning of these words. What is India doing? India is trying to respond to the wishes of the people of Sikkim. It is not doing anything on its own. It is only reacting. It is responding. And what sort of opinion is it? A unanimous opinion. What sort of an Assembly is it? It is an Assembly where every Member has been returned on the basis of adult franchise. It is very easy to say that the elections were rigged. Whether they were rigged or not, you will have to admit that even the single Opposition Member in the Assembly, he also voted in favour of having greater participation in the economic and parliamentary institutions of India. So let us be very clear that so far as the will of the people of Sikkim is concerned, there is hardly any room for doubt; so far as the will of the Chogyal is concerned, there is hardly any place for doubt. Very naturally the Chogyal is very resentful. Predictably he is trying to resist to the last. This is basically a fight between the Chogyal, a feudatory prince and his own people. And, madam, it is really to the credit of this country and this Government that they have decided not to side with the Chogyal, but with the people.

I am really sorry to find that friends who are anti-feudal, anti-monopolist and anti-capitalist like Niren are not with us today. I am trying to understand what is in their mind. It is a

strange combination of Chinese on the one hand and Chogyal, the Communists and the students of Jawaharlal Nehru University on the other. These are the four corners . . .

SHRI NIREN GHOSH: Gorayji should remember that we are deadly against Chogyal.

SHRI N. G. GORAY: That is what makes your position still more mysterious.

SHRI M. P. SHUKLA: This shows that you are anti-people, and anti-country. . . . (Interruptions).

SHRI N. G. GORAY: I do not want to be harsh on you. Certainly your position is mysterious and the Chinese position is also mysterious. The Chinese never stop talking of world revolution and aiding people against these oppressors. But when actually the people of East Pakistan rose against Yahya Khan, where were their sympathies? Their sympathies were with Yahya Khan rather than with the oppressed people of East Pakistan.

Again the same thing here. When the people of Sikkim are saying that they do want to remain under Chogyal; let him only be a nominal head; and they want to be one with the people of India, is it not very strange that day after day we are having blasts from China saying that the Government of India has gone mad; Jawaharlal Nehru and his daughter—both of them are aggressors, and so on. What is all this? Today they have again said that this is naked aggression and they have blamed USSR also for having supported it. I can understand why this particular policy is being followed by China. Chinese Marxism stops at their own borders. As soon as they cross the border, it is not Marxism, but it is pure and naked national interest.

Sir, I would like to ask Chinese and my friends here—I am not bracketing them—one question. Supposing the people of Sikkim had passed this Re-

[Shri N. G. Goray]

solution that we want to come closer to India, and the Parliament had not responded, then they would have said: Look, the people of Sikkim want to come here. But you are supporting Chogyal. We are beaten on this front. If we are not supporting Chogyal but supporting the people, accommodating them, then also you criticise us. We are bringing them from protectorate to equal partnership. Is it not progress? Is it not something that we should be proud of?

SHRI NIREN GHOSH: CRP and Chief Executive Officer are equal partners.

SHRI N. G. GORAY: All that I can say is that you are not trying to understand the historical process. In one leap you cannot achieve that. The question is whether this movement of the Sikkimese people from a remote corner to the centre of India is progressive or it is anti-progressive. I say, madam, this is a progressive movement. Maybe that it is not as progressive as you like or as complete as you like. You may say that there is a flaw here and a flaw there. Does it mean that you should oppose this particular amendment? Therefore, I am still pleading with my friends here that when this particular amendment goes from here, it should go from here as a unanimously accepted amendment of this House. Let there be nobody in the world who can say that in the Parliament or outside the Parliament or anywhere in the country there were elements who opposed it. So, I do not know whether this will be accepted or not... (*Time Bell rings*). But I hope that what is really progressive will be accepted as progressive and what is really a march from the backward areas, from the backwaters of the Himalayan territory to the mainstream of our political life, will be accepted as progressive. This is what I want to say on this particular issue. The only point is that we are being accused of evolving a new concept altogether of associate State.

Personally speaking, Madam, I would say that it would have been much better if we had said that it would become one of the States of India just like the other States. But there again I am ready to mark my time because what I am feeling—I have no hesitation in expressing my feeling—that the Chogyal may oblige all of us, not by returning to Gangtok from Calcutta, but by going away. The Chogyal may bring about his own exit and he may resign also. It is quite possible. And, Madam, you will find that there is nothing between the Indian people and the Sikkimese people standing in the way. This is also possible. But, conceding that there is a new concept, what is wrong with that? In every nation of the world, you will find that new concepts are developing. The Commonwealth concept was there. The British people developed it because they wanted to make a new arrangement. You will find that the COMECON concept is there and you will find that the concept of economic co-operation, the concept of EEC, is there. These concepts have been developing and are developing and I would say that the latest announcement of the President of France is that there must be a political unity of the whole of Europe. Therefore, let us not be conservative. India is a developing country and it is only 25 years since it attained independence and India has to develop still further and we are not developing by aggression. But, round about if there are people who will say that willingly they want to come to us, we will have to find a place for them and we cannot say that they are not welcome. Therefore, Madam, I would like to say this: There are two amendments even in my name. One is that all the orders issued by the President should be placed on the Table of the House and the other is that after one year, when the amendment comes into force, there should not be the Chief Executive there working on our behalf so that they can come on part with the rest of India. These amendments of mine are there and I hope

they will be accepted. Even if they are not accepted, I will say that I will go with this and I will vote for this Bill and I would like to say that all the parties in the country are united and are talking with a unanimous voice. Thank you.

SHRI I. T. SINGH (Manipur):

Madam, I rise to support the Bill wholeheartedly, not only from the constitutional point of view, not only from the political point of view, not only from the economic point of view, but also from the emotional integration point of view for the people of Sikkim as a first step for joining the Indian Union. I support this Bill again to fulfil the political aspiration of the people of Sikkim. The eminent elders from both sides of this House, had expressed their view points, from constitutional and other angles. But I would not approach this Bill in that way. Now historically if we go back to the history of Sikkim, we would find that the Lapchas of Assam hills used to go to Sikkim and settled there as early as the thirteenth century. I do not want to go into the detailed history of Sikkim. But I would like to say that in 1861 Sikkim was recognised by the British and came under the British India's protectorate State. And in 1935, the present Darjeeling district of West Bengal which was in Sikkim was presented or handed over to Lord William Bentinck the then Governor General by the then King of Sikkim. If we trace the history of Sikkim, we will find that Sikkim was, is and will be an inseparable part of India. I agree with Mr. Rajnarain here and I also agree with Mr. Bhupesh Gupta regarding sending of political leaders to Sikkim instead of depending on civil officers to maintain healthy relationship with the Sikkimese and Indians which was done on eve of integration of princely States to the Union.

Anyway, whatever Mr. Rajnarain has stated, it was nothing but an election manifesto of his old party.

Whatever books have been read by Mr. Rajnarain, we have also read them. But it is nothing but thesis of Dr. Lohia. While discussing Sikkim Bill today, I am recollecting the political atmosphere of my State 25 years back. At that time I was a boy of 13 years of age the Manipur State was on the process of merger with the Indian Union. I am remembering feelings and political aspiration we had at that time regarding the merger move. It was on 15th of October, 1949, Manipur got merged to the Union. The same feelings and political aspiration we had had 25 years back will be there with the Sikkimese people today. At that time, Sardar Patel was the Home Minister, and the Maharaja of Manipur signed merger agreement in the best interests of his people at Shillong. So, I want to say that there is no reason why we should not allow Sikkim to merge in the Indian Union if the Sikkimese people are willing to do so because of the Chogyal and other factors. India is a Union and constitutional history of India is change and alteration and there are 21 States, big and small, and 9 Union Territories. And now there would be one associate State—Sikkim which would be nothing but another innovation of the Indian Constitution.

From Ladakh along the foot hills of northern India upto Manipur. Nagaland, Mizoram, Arunachal Pradesh and Meghalaya in the east are branches of the Himalayan family where tribals, Hindus and other inhabitants have been settling facing special problems of guarding the country against foreign aggression since time immemorial. I would like to point out that the Government of India should have a definite policy in these areas. Circumstances may change, say, for instance, in Nagaland, Mizoram and other hilly regions, where a sense of Indianization is still lacking and no scope should be given to the Sikkimese position for making propaganda to those sections who are against India inside and outside the country. There

[Shri I. T. Singh]

should be a definite policy of the Government in regard to these regions.

This Constitutional (Amendment) Bill is before us and others may come up, because States are born out of the Union—like Punjab, Haryana, Bombay, Gujarat and States in the east. The formation of a State depends on the will and political aspiration may be in the Union or outside the Union of the people. When Goa came to us, when Goa was liberated from the colonial rule of Portugal, we were very happy. When Bangladesh was liberated, we welcomed it. Similarly, when the people of Sikkim want to join the Union, there is no reason why this matter be delayed. But at the moment, if they want to remain as an associate State, it is also upto them. But we are always ready to welcome the aspiration of the people and I hope it is a first step to join unionfully.

India is the only country where there is unity in diversity—democracy, socialism and secularism—and where minorities also have the fullest right to grow according to their own genius and play an important role in the nation's affairs.

Therefore, before it is getting too late. Indian leaders and Sikkimese leaders should put their heads together and find out a permanent solution for Sikkim and India. As we know, in the case of Kashmir, Sheikh Abdullah has not given up certain political demands and talk is going on and we are put in awkward position. Such case should not be repeated time and again. In the case of Sikkim, if the people are willing for total merger and such a demand, was since 1947, then it is high time for all of us to think of total merger. Darjeeling in West Bengal is a Nepali-speaking district and Sikkim's 1 per cent. out of total 2 lakhs population are Nepalese. And the Nepali language has yet to be included in the Eighth Schedule of Constitution. We should carve out a Nepali-speak-

ing State from within the Union. Therefore Sikkim's coming to us will be good in that regard.

Under no circumstances, Nepal should have any apprehensions regarding this move of Sikkim. In my State of Manipur we have so many Nepali-speaking people and even a representative in the Assembly. There is no separation between us Nepalese and Indians. Nepal is the only Hindu kingdom in the globe and any difference between India and Nepal is the system of Government. I would like to support this Bill whole-heartedly and emotionally, I will be very happy when a person from Sikkim will be amidst us as a member of this House. The Himalayas, right from Ladakh down to Sikkim and Bhutan stand safeguarding us from foreign aggression and from other antinational movements inside and outside the country. I want to tell CPM friends clearly that there will be no hope for their party if they play politics as depicted today on such historical and national importance. We have bitterest experience about China. There was an aggression from the Chinese in NEFA in 1962. Preparation for safeguarding the Jammu and Kashmir sector against foreign invasion was fully made. But no adequate preparation was made at that time to defend the country's border in the East. Chinese attack was a blessing in disguise to us. The country is well safeguarded from the East also. The country is quite safe. Therefore in order to strengthen country's security and as encouragement to the democratic way of life for Sikkimese, to fulfil their long cherished political aspiration we should support the Bill and let our friends from Sikkim come and join the mainstream of the Indian political life. India is the only country where there is secularism, democracy and socialism. Minorities have every right and they can grow according to their own genius.

Thank you.

श्री बनारसी दास (उत्तर प्रदेश) : अधिष्ठित महोदय, मैं शुरू में यह कहना चाहता हूँ कि इस बिल के सम्बन्ध में माननीय परराष्ट्र मंत्री की नीयत पर शक नहीं किया जा सकता और नेपाल और चीन तथा अन्य तत्वों के द्वारा यह आशंका करना कि भारत की नीति विस्तारवादी है और सिक्किम को हम अपना एक उपनिवेश बनाना चाहते हैं, यह बिल्कुल निर्मूल है। भारत कभी विस्तारवादी रहा नहीं है। भारत ने हमेशा दूसरे देशों की आजादी, उनकी सावरेटी, उनकी टैरिटोरियल इंटिग्रिटी की रक्षा और उसके आदर का हमेशा ध्यान रखा है।

परन्तु इस बिल के सम्बन्ध में मैं निवेदन करना चाहूँगा कि यदि इसका लक्ष्य और उद्देश्य क्या है? बिल के लक्ष्य और उद्देश्य के बारे में कहा गया है—

"With a view to giving effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim co-operation and inter-relationship, the Bill seeks to amend the Constitution to provide for the terms and nonconditions of association of Sikkim with the Union."

तो क्या उन सम्बन्धों को सुदृढ़ बनाने के लिये और को-ऑपरेशन करने के लिये अब तक आपका जो 5 दिसम्बर, 1950 का ऐग्रीमेंट था वह पर्याप्त नहीं था और इसको स्ट्रेंथ नकरने के लिये आप परस्पर विरोधी कार्य क्यों कर रहे हैं। हमारे संविधान के आर्टिकल 2 में लिखा है :

"Parliament will admit or establish new States."

पार्लियामेंट इन राज्यों को शामिल कर सकती है या आर्टिकल 3 के मुताबिक उनको घटा बढ़ाकर अन्य राज्यों का सृजन कर सकती है। आपने इसमें आर्टिकल 2 में आर्टिकल 'ए' बढ़ा कर एसोसिएट क्लाज क्यों रखा है? आपका जो इंडो-सिक्किम रिलेशन की टोटी थी, उसमें लिखा था :

"Sikkim is a Protectorate of India but it enjoys autonomy in regard to its internal affairs. The Government of India is responsible for the defence and territorial integrity of Sikkim; external, political, economic or financial affairs are to be conducted and regulated solely by the Government of India."

जो आपने नया विधेयक रखा है आपने केवल उसमें दो-तीन बातें एड की हैं। शेड्यूल 10 के पैरा 2 में लिखा है :

"(c) shal be responsible for securing the economic and social development of Sikkim and for ensuring good administration and for the maintenance of communal harmony therein."

आपने डी में कहा है कि :

"Shall be responsible for providing facilities for students from Sikkim in institutions for learning in India and for the employment of people from Sikkim."

फिर आगे आपन कहा है कि :

"Providing facilities for participation and representation."

इंडिया की सर्विस में आप उनको भाग देने जा रहे हैं तो यह दो-तीन बातें आपने एड की हैं उसमें आप कहते हैं :

"The provisions contained in this para shall not be enforced by any court."

यह भी एक अजीब मजाक है। शेड्यूल में कांस्टीट्यूशन में आप प्रोविजन रखने हैं और फिर आप कहते हैं कि इसकी भी नौगल सैटिटी नहीं होगी तो श्रमन वहां का विकास

[श्री बनारसी दास]

वहां की सुरक्षा और मानोरिटि का संरक्षण क्या आप बिना इसके नहीं कर सकते थे। अभी अप्रैल, 1974 में वहां पर डिस्टर्बेंसिज हुए और आपसे सहायता मांगी गयी। आपकी फोर्सिज वहां गई और आपने चीफ एडमिनिस्ट्रेटर भेजा। वहां की असेम्बली ने बिल पास किया। 4 अप्रैल, 1974 को बिल पास हुआ तो मैं निवेदन करना चाहता हूं कि आपकी भावनाओं से मुझे विरोध नहीं। जब 4 जून को वहां एक्ट लागू हुआ तो आज सवाल यह है कि फेग एण्ड आफ दि सेशन पर इसको इतनी जल्दी क्यों लाया गया। बहुत लोग जो हमारे मेम्बर हैं, हमारे भी शत्रु हैं। मेरा निवेदन है कि हमारे नेबर में हमारे शत्रु भी हैं तो क्या आप कुछ समय इंतजार नहीं कर सकते थे। जब वहां से आप चीफ एडमिनिस्ट्रेटर को हटा देते, वहां से आप अपनी फोर्सिज हटा देते—सिक्किम की जनता हमारे साथ है—कुछ समय के बाद जब सिक्किम की जनता मांग करती, तब आप यह कार्यवाही करते। सीधा सीधा सिक्किम को भारत का एक राज्य स्वीकार कर ले—यह आप का बिल है... (Interruption) चूँ चूँ का मुरब्बा है। एक तरफ यहां पर आप इस बिल के द्वारा इस संविधान के आर्टिकल 2, 3 आर्टिकल 326, 324, 80, 81, 101 और 331 इन सब में संशोधन कर रहे हैं और आप इस विधेयक में यहां के इलेक्शन कमीशन को वहां पर लोक सभा के लिये चुनाव कराने के लिये इलेक्ट्रोल रोल तैयार करने का अधिकार दे रहे हैं और दूसरी तरफ सिक्किम की असेम्बली के चुनावों की व्यवस्था बिलकुल अलग है। इसी प्रकार से इसमें अगर कोई व्यक्ति 101 और 102 में डिस्कवालीफाई होता है और दोनों सदनों का सदस्य रहता है तो डिस्कवालीफिकेशन के लिये आप पार्लियामेंट के इस शेड्यूल के अन्दर व्यवस्था कर रहे हैं, चुनाव पिटीशन की व्यवस्था करते हैं। इसलिये सवाल यह है कि एक तरफ तो रिप्रेजेंटेशन आफ पिपुल्स

एक्ट होगा और दूसरी तरफ सिक्किम की असेम्बली का अलग कानून होगा और सिक्किम की असेम्बली राज्य सभा के लिए एक प्रतिनिधि भेजेगी। मैं पूछना चाहता हूं कि क्या यह कांस्टीट्यूशनल कांटाडिक्शन नहीं है? आप इस पर विचार कीजिये। मैं कहता हूं कि आपने इस बात की कोशिश की है और आप चाहते हैं कि दुनिया यह समझे कि सिक्किम एक प्रोटेक्टेट स्टेट है और आप सिक्किम की आजादी में कोई दखल नहीं देना चाहते हैं। यह बात सही है और इसीलिये आप साफ-साफ बात कहने में डरते हैं कि सिक्किम इंडिया का इंटिग्रल पार्ट है। आप जानते हैं कि सन् 1947 से पहले सिक्किम भारत का भू-भाग था, उससे पहले इस देश का अंग था। लेकिन जब सन् 1947 में वह अवसर चला गया और नेपाल का वह अवसर भी हमने अपने हाथ से निकाल दिया तो आज आप लोग जल्दबाजी करके बड़बुहादुरी की कौनसी बात कर रहे हैं? आज भी हमारी हजारों किलोमीटर जमीन चीन के कब्जे में है। उसको आप अभी तक वापस नहीं ले पाये हैं। इसलिये मैं आपसे सिर्फ इतना ही निवेदन करना चाहता हूं कि जैसा मैंने कहा कि आपकी भावनाओं का मैं विरोधी नहीं हूं। मैं आपके बिल का हार्दिक स्वागत करता, अगर आप आर्टिकल 2 में इसको इस देश का राज्य बना लें... (Time bell rings) आपने यहां पर श्री भूपेश गुप्त को 35 मिनट दिये और श्री राजनारायण 30 मिनट तक बोलते रहे, इसलिये मैं चाहता हूं कि यहां पर जा बोलने की मोनोपोली है उसको भी आप खत्म कीजिये।

उपसभाध्यक्ष (श्रीमती प्रबी मुखोपाध्याय) अब आप जल्दी अपना खत्म कीजिये।

श्री बनारसी दास: महोदया, मैं यह निवेदन कर रहा था कि केवल इस बिल का लक्ष्य राज्य सभा और लोक सभा

में सिक्किम के लोगों को प्रतिनिधित्व देना है। आर्टिकल 5 के मुताबिक वे इस देश के सिटिजन नहीं होंगे। आर्टिकल 32 6 के मुताबिक जिसमें कहा गया है कि भारत का नागरिक जिसकी उम्र 21 साल की होगी, चुनावों में भाग ले सकेगा, वह भी सिक्किम के नागरिक नहीं हो सकेंगे और आपका प्रिम्बुल भी वही रहेगा।
We the people of India having solemnly resolved....do hereby adopt, enact and give to ourselves this Constitution.

तो क्या आप इसको यों पढ़ेंगे।

We, the people of India, we, the people of Sikkim, having solemnly resolved....do hereby adopt, enact and give to ourselves this Constitution.

यहां पर सिक्किम के प्रतिनिधि संविधान के प्रति श्रुति आफ एलीजिएस लेगे जब कि वे इस देश के सिटिजन नहीं हैं। तो यह क्या चेन्ज हो रहा है, इसको आप देखिये। इसलिये हिस्मत के साथ या तो आप आर्टिकल 2 में इसको एक प्रदेश बनाइये या आप जैसा श्री राजनारायण जी ने कहा इसमें बहुत सी असंगतियां हैं... जल्दी न कीजिये। इस बिल को सेलेक्ट कमेटी में भेजिये ताकि इसमें जो अनास्टीट्यूशनल बात इसमें जो असंगतियां हैं वे दूर की जा सकें और इसमें शक ही नहीं कि बाहर इस बात का वातावरण होना चाहिये कि हमारे देश में कोई व्यक्ति किसी भी राज्य को उपनिवेश बनाने के पक्ष में नहीं है और न भारत सरकार की नीति साम्राज्यवादी है क्योंकि परराष्ट्र नीति किसी एक दल-विशेष की नीति नहीं होती। इसलिये महोदया, मैं आपके द्वारा चाहता हूँ कि, एक एसोसिएट स्टेट बनाकर आप कोई एक पैण्डोरा बाक्स नहीं खोलेंगे, वरना मिजोरम, नागालैण्ड, काश्मीर से इस तरह

की हवायें चलने लगेंगी, परसों आप शेख अब्दुल्ला से बात करेंगे अगर सिक्किम को एसोसिएट स्टेट आप करेंगे....

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY):
You have to finish now.

श्री बनारसी दास : हमारे कास्टीट्यूशन में मेशेसन अलाउड नहीं है इसलिये कि हमारा कास्टीट्यूशन फेडरल है—फेडरल बट विद यूनिटरी ब्रायम रहा है। भारत की एकता को भंग करने के लिये एसोसिएट क्लाज को आप मत रखिये।

श्री जगदीश जोशी (मध्य प्रदेश) : महोदया, मैं आपके माध्यम से सिक्किम की महान जनता को बधाई देना चाहता हूँ जिन्होंने 27-28 साल के बाद अपने अधिकार हासिल किये हैं। यह सही है कि आज हम एक विधेयक बना कर उन्हें अपना सह-राज्य बना रहे हैं, लेकिन सिक्किम जी जनता की पुरानी इच्छा रही, उनके संघर्षों का इतिहास रहा, उनके कर्मों का इतिहास रहा, जिसने आज हमें इस बात के लिये बाध्य किया है कि सिक्किम को उसका अपना अधिकार दें। सिक्किम की स्थिति इस तरह की है जैसे मां का बिछड़ा हुआ बेटा कई बार आने की कोशिश करे और कोई निरंकुश उसको आने न दे; क्योंकि एक निरंकुश राजा सिक्किम और भारत के बीच दीवार रहा है। आज वह दीवार चरमराती नजर आ रही है और 18 वर्ष के बाद हर आदमी वालिग मान लिया जाता है, बेटा भी बाप के बराबर मान लिया जाता है, मित्र के बराबर मान लिया जाता है। 27 वर्ष के बाद सिक्किम को आज सह-राज्य का दर्जा मिला, जो सिक्किम की जनता की जीत है और हम सब लोगों को इस संविधान को पास करते समय उन्हें अपनी बधाई देनी चाहिये। जो संदेह सेठ बनारसी दास जी ने यहां प्रस्तुत किये हैं, मुझे बड़ा आश्चर्य है—

श्री जगदीश जोशी

“एक साथ नहीं होई भुआलू

हंसत ठोई फुलायब गालू ।”

एक साथ आप यह नहीं कह सकते हैं कि हम आपकी भावना से सन्तुष्ट हैं और फिर आप कहे, सह-राज्य बना कर कोई भानुमती का पिटारा खोलेंगे ; ये दोनों बातें प्रतिकूल हैं। मैं उनसे कहना चाहता हूँ कि आज वह समय नहीं है जो पहले था ; महाकाल के चरणों के नीचे अनेकों राजाओं और महाराजाओं के राजमुकुट आज धूल-धूसरित हो रहे हैं, यह समय की आंधी है जिसने भारत की संसद् को आज बाध्य किया है कि संविधान में इस संशोधन को लाने के लिये और आज समय और काल के प्रभाव के कारण हम संविधान में परिवर्तन कर रहे हैं। मैं यह भी कहना चाहूंगा, एक अजीब सी प्रतिक्रिया चारों तरफ जो चीन में हो रही है उसको आसानी के साथ समझ लीजिये। चीन के साथ दुनिया के सामन्तवादी देश हैं, सामन्तवादी अधिनायक तंत्रवादी शक्तियाँ, और रूस उसके प्रतिकूल लोकतंत्रवादी शक्तियों के साथ है, हमारा मित्र देश भी है और चीन के मन में, उसके दिमाग में संदेह है, उस संदेह से वह प्रसिद्ध है, उसका कोई इलाज नहीं। जब कभी चीन बड़ा ताकतवर हुआ है—चीन का पुराना इतिहास आप देख सकते हैं—हमेशा विस्तारवादी प्रवृत्ति से चीन ने काम लिया। कोई भी देश अपनी पुरानी परम्पराओं के आधार पर चला करता है। चाहे वहाँ की व्यवस्था कुछ भी हो उसी व्यवस्था से पराभूत होकर चीन के दिमाग में हर पड़ौसी की बाबत विस्तारवाद की बू आती है। याह्या खाँ का समर्थन करना उनको मंजूर है, बंगलादेश मंजूर नहीं। इस प्रकार की एक नहीं अनेकों जर्जर चीन के साथ जुड़ी हुई हैं। इसी प्रकार जब कि दुनियाँ के गरीब और दबे हुये मुल्कों की दृष्टि में रूस एक भला और विकसित देश है, लेकिन आज वहाँ भी

आप नहीं कह सकते कि इतना लोकतंत्र है जो हमारे देश में है। लेकिन रूस की सहानुभूति लोकतंत्रवादी देशों के साथ रही है और उसने कभी किसी को प्रभावित करने की कोशिश नहीं की। इतना फर्क तो दो कम्युनिस्ट देशों के बीच देखना ही पड़ेगा। यह सही है कि हमारे ऊपर कोई संकट आयेगा, तो हम अपने मित्र देश से सहायता मांगेंगे। जब बंगलादेश का मामला हुआ था तो हमने रूस से बातचीत की थी और हमारी बात करने का मतलब होता है।

“धीरज, धर्म, मित्र और नारी,
आपतकाल परखिये चारी ।”

तो रूस ने हमारा साथ दिया। आज सिक्किम के मामले में वहाँ की जनता ने एक प्रस्ताव पास करके भारत से सहराज्य का दर्जा मांगा है। अगर कोई हिन्दुस्तान पर आख उठायेगा, तो हम रूस से कह सकते हैं; क्योंकि हमारे और उनके बीच में सन्धि है और उस सन्धि के तहत रूस हमारे साथ रहेगा। अगर रूसी सिक्किम में चीनी सेना जाती है या फिर गिलगिट का सहारा लिया जाता है तो हिन्दुस्तान का फर्ज हो जाता है कि रूस की जो भी इमदाद अपनी गरीबी में कर सकता है करे। यह पारस्परिक सम्बन्ध और इसी से चीन को चिढ़ होती है और हम उसके जवाबदार नहीं हैं। यह जनता की स्वयंभू भावना का फल है।

एक चीज मैं अपना भावग समाप्त करने से पहिले कह देना चाहता हूँ। हिन्दुस्तान के इतिहास की बहुत सी चीजों को तोड़ मरोड़ कई खण्डों और अनेक भागों में बांट दिया गया है। मंगोल, आर्य, अनार्य, इस तरह की कई चीजें बना दी गई हैं, जो बिचकुल गलत, बेवुनियाद और दकियानूसी हैं। मैं आपके माध्यम से यह निवेदन करना चाहता हूँ कि हमारे देश में जब किसी ने पुरानी कविता पढ़ी होगी तो उसने यह पाया होगा कि जब कभी सुन्दर औरत का वर्णन किया जाता है, तो सोने के कुन्द

वाली और रंग वाली औरत कही जायेगी। सोने का—रंग क्या होता है? सोने का रंग पीला होता है। तो हिन्दुस्तानी औरत मंगोलियन नहीं हो गई, जिसकी नाक चपटी होती है। नीरेनदा की भी नाक चपटी है, तो हम उनको मंगोलियन नहीं कह सकते हैं। वे पूर्णतया भारतीय हैं। आप आदिवासी क्षेत्र में चले जाइये, उनकी नाक चपटी होती है और वे ठिगने कद के होते हैं और इम तरह के बहुत से लोग मिलेंगे। तो क्या हम उनको मंगोल कहेंगे? ये सब भारतीय परिवार हैं। जिम तरह से एक मां के पांच, दस बच्चे अलग-अलग शकल के होते हैं, उसी तरह से भारत में भी अलग-अलग शकल के लोग रहते हैं। चाहे वे हिमालय की तराई में रहने वाला हो, चाहे नागालैण्ड में रहता हो, चाहे कन्या कुमारी में रहता हो, चाहे तमिल नाडु में रहता हो, चाहे राजस्थान की मरुभूमि में रहता हो, लेकिन ये सब भारत मां की सन्तानें हैं। इनकी शकल-अलग अलग है, उनके खाने पीने और व्यवहार का ढंग अलग-अलग हो सकता है, लेकिन इसका मतलब यह नहीं है कि वे अलग नस्ल के हैं और एक अलग परंपरा के हैं।

लिपि का मामला भी बहुत महत्वपूर्ण है। चीन जो सवाल कह रहा है उसको समझना चाहिये। तिब्बत लिपि और भारतीय लिपि, इन दोनों में समानता है। हिन्दुस्तान के बहुत से हिस्सों में और सिक्किम की उत्तरी सीमा पर इस तरह की लिपि का बहुत प्रचलन है। तिब्बती लिपि और चीनी लिपि में कोई मेल नहीं है। तिब्बत की जो लिपि है, वह भारतीय लिपि और देवनागरी लिपि के समकक्ष है और ये सारी बातें भारतीय परिवार की संस्कृति में आती हैं। हिन्दुकुश से लेकर हिमालय की पूर्वी सीमा तक और सारे हिमालय की जो संस्कृति है वह भारतीय संस्कृति का ही परिवार है।

मैं यहां पर नेपाल की बात नहीं कहना चाहता हूं और न नेपाल का छोड़ना ही चाहता

हूं। मैं इतना जरूर कहना चाहता हूं कि हम लोग, जो सरकार के अलावा जनता रहे हैं, बहुत निकम्मे हैं। हम सब लोगों ने अपने देश में तो लोकतन्त्र बना लिया, लेकिन पड़ोस में लोकतन्त्री आन्दोलन को कायम करने में हमने उनका साथ नहीं दिया। हमने अपने अन्दर कुछ ऐसे तथ्यों को माना और जो गैर-सरकारी लोग हैं, जो इस देश की जनता हैं, जिसने दश की आजादी के लिए और लोकतन्त्र के लिए संघर्ष किया, लेकिन उसने पड़ोस के देशों में लोकतन्त्र स्थापित करने में मदद नहीं की। आज हम उसका परिणाम देख रहे हैं। लेकिन महोदया, मैं निवेदन करना चाहता हूं कि इतिहास के चरण बहुत लम्बे हुआ करते हैं और वह लोकतन्त्र की आंधी जो सिक्किम में उठी है, वह अब हिमालय के गणराज्यों में भी उठेगी और हो सकता है उससे आगे भी जाय। इन आंधियों की टकराहटों को 15-20 नौजवानों का जलूस जो तानशाहों के माध्यम से चलाये जा रहे हैं, वह इन तरह की आंधी को दबा नहीं सकेगी। हिमालय की तराई में दबा हुआ इन्सान जो भूख, अकाल, अभाव का शिकार हुआ है, चाहे वह हिमाचल का हो, कुमाऊं का हो, नेपाल की तराई का हो, दार्जिलिंग का हो, उर्वशीयम का हो, अरुणाचल का हो—वे सारे के सारे आदमी अपने अधिकार को हासिल करेंगे, लोकतन्त्री अधिकारों को हासिल करेंगे। जिन लोगों को यह अधिकार नहीं मिले है उन्हीं का प्रश्न है; जिन्हें मिल गए है उनका प्रश्न नहीं है। (Time bell rings.) इसलिए मैं चाहता हूं कि जो हमारे ऊपर हमला कर रहे हैं वे अपने घर को पहले देव लें। हमारा उनका खून का रिश्ता है। मैं चाहता हूं कि वह रिश्ता बिगड़े नहीं बल्कि बने और बड़े। हिन्दुस्तान के राजपूताने में राणाओं की लड़ाकिया ही राज्य करती हैं काफी हद तक। बड़े मधुर सम्बन्ध रहे हैं और आज मैं उन सम्बन्धों को बिगाड़ना नहीं चाहता हूं। लेकिन मैं आगाह

[श्री जगदीश जोशी]

जल्द करना चाहता हूँ कि जो मधुर सम्बन्ध रहे है परम्परागत वे मधुर रहें, लेकिन मधुर सम्बन्ध किसी भी इलाके की लोकतन्त्र की भावनाओं के प्रतिकूल न हों, वरना इतिहास कहीं बड़ी करवट लेगा, कहीं प्रत्याक्रमण करेगा और उस इतिहास के चरण में बड़ी बड़ी शक्तियाँ फिर धूल धूसरित होगी।

SHRI SALIL KUMAR GANGULI (West Bengal): Madam, some of the hon. Members who spoke before me thought that we are opposing this amending Bill with some ulterior motives. This was their insinuation. They wanted to bracket us with certain agencies which are hostile to the interests of the people of India. It is not so. We are opposing this Bill for two very important reasons. One is that this will lead to complications so far as the interpretation of the Constitution of India is concerned. Secondly, this is not reflective of the aspirations of the people of Sikkim themselves.

After saying this I will begin with this concept of associate status that is being sought to be given to Sikkim. Sikkim under this amending Bill is sought to be covered by a new article 2A in Part I of the Constitution which deals with the Union and its territories. From this serious complications will arise. For example in Part II citizenship of India is dealt with. Every person of Indian origin will I am afraid be able to claim citizenship of Sikkim by virtue of this inclusion in Part I by the new article 2A. Similarly all citizens of Sikkim will be able to claim citizenship of India. So the idea of the hon. Minister for External Affairs who wants to keep a separate status for Sikkim will be diluted, in fact, will be negated. Then State as defined in article 12 of our Constitution has been meant to include all executive and legislative organs within the territory of India. Sikkim is coming within the

territory of India as a composite State, federated State. In the United States there is dual citizenship. A person has to be a citizen of a State and also is a citizen of the Union. No such concept is there in our Constitution. So it will be very peculiar. Another example of the new concept giving rise to complications is in respect of Part III of our Constitution which deals with Fundamental Rights which are granted to all citizens. What will be the position of Sikkimese citizens? Here in this amending Bill it has been stated that the Government of India shall be responsible for providing facilities for students from Sikkim in institutions of higher learning in India and for the employment of people from Sikkim in the public services of India including the All-India Services at par with those available to citizens of India. Will there be parity so far as citizens of India are concerned in the matter of employment in the public services of Sikkim? If not, this will be violative of Part III of our Constitution which grants to every citizen the right of equality.

AN HON. MEMBER: It is not within India.

SHRI SALIL KUMAR GANGULI: I would like to explain to my hon. friend that here it is being included in Part I of the Constitution under the heading 'The Union and its Territory'. Thus Sikkim becomes a part of the Union and comes within the territory of India. That is the objection.

Then, Madam, there was a popular upsurge in Sikkim. The people were revolting against the Chogyal. The Chogyal was in great difficulty and he called for Indian assistance. The Government of India had to get into this border State. There was the presence of the Military, CRP and Government of India officials. The Chogyal under popular pressure was compelled to agree to an agreement with the Government of India. A tripartite agreement was signed by the

Government of India representative. the Chogyal and the representatives of the people of Sikkim. In this agreement, Madam, which is dated 8th May, 1973, it is stated that the elected Assembly of Sikkim will have powers to propose laws and adopt resolutions for the welfare of the people of Sikkim on some 14 items, including home and establishment and finance. Then, the Government of Sikkim Act was passed. It was passed by the elected representatives of Sikkim who are no doubt very friendly to the Government of India and the Indian people. They somehow managed to exclude two most important items. There are now only 12 items excluding finance and home affairs. These, even today, are kept as the exclusive preserve of the Chogyal of Sikkim. If this is not a betrayal of the democratic aspirations of the people of Sikkim, I do not know what else is. Then, Madam, the Sikkim Assembly passed this Act, as I have said. The people who got into power signed one kind of treaty here and passed another kind of Act in pursuance of that treaty. It is apparent to the naked eye that they were influenced and they were influenced by the presence of the CRP, the military and the shortsighted Indian bureaucrats. So, they were stampeded into passing this Act. It is not an Act of which any patriotic citizen would be proud. Now, Madam, their friendship for us is so much that they forgot their own patriotic duty. The Government of Sikkim Act reveals that there is a triarchy, with very limited powers and less than municipal powers have been given to the elected Assembly. Large powers have been taken by the Government of India, but most of these powers were always with them, Sikkim being a protectorate. The residuary powers are with the Chogyal of Sikkim yet. So, there is triarchy where the people's representatives do not count for much. The Chief Executive Officer, who is to be nominated by the Government of India, will be Sikkim's real dictator, subject to consultation and conspiracy with the Chogyal. If

one looks into the provisions of the Government of Sikkim Act . . .

SHRI BRAHMANANDA PANDA: May I ask you . . .

SHRI SALIL KUMAR GANGULI: Please stand up and put your question.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): No, Mr. Panda.

DR. K. MATHEW KURIAN: What does Mr. Panda know about Sikkim? I have got here photographs with me.

SHRI SALIL KUMAR GANGULI: Madam, my time is being wasted.

THE VICE-CHAIRMAN: Mr. Ganguli, you have already taken ten minutes.

SHRI SALIL KUMAR GANGULI: If people take 35 minutes in supporting the Bill, we are the only people who are opposing the Bill. Let us make our position clear. Please do not cut short my time.

THE VICE-CHAIRMAN: You have to observe some time-schedule.

SHRI SALIL KUMAR GANGULI: Yes, Madam, I will, but the entire House which may be supporting this Bill have had so many hours. I want only 20 minutes or so.

DR. K. MATHEW KURIAN: You are a good Vice-Chairman; give him some time.

SHRI SALIL KUMAR GANGULI: In the Government of Sikkim the Chogyal retains his position, meaning all the residuary powers, diluted powers which are not given to the Sikkim people. In Section 10 (1), it has been provided—it is interesting—that only people who on the prescribed date are subjects of Sikkim—the word 'citizen' has not

[Shri Salil Kumar Ganguli]

been used—shall be eligible to be elected to the Sikkim Assembly. I do not know how, under our Constitution by virtue of which Sikkim will be considered as a State within the Indian Union such a thing can be permitted. Every citizen of India has a right under Part III of our Constitution to go and settle in any part of the country, and there is no question of an Indian citizen being...

SHRI N. R. CHOUDHURY: It is an associate State.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): Mr. Choudhury, I will not allow this.

DR. K. MATHEW KURIAN: You should appoint him as ambassador.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): It is your earnest endeavour to pass this Bill. Is it not?

SHRI SALIL KUMAR GANGULI: In section 13 (1), it is stated that the Chief Executive—who would be a nominee of the Government of India, not an elected man—shall be ex-officio President of the Assembly and as such shall perform the functions of the Speaker thereof. This is a little too much for anybody. And if one comes to the conclusion that this Government of Sikkim Act is an Act inspired by the short-sighted bureaucrats of the Government of India who were in Sikkim at that time, one should not be misunderstood.

Madam, section 20 provides what should be the powers. These powers, as I have already stated, cover education, public health, excise press and publicity, transport, bazars, forests, public works, agriculture, food supplies, economic and social planning including State enterprises and land revenue. No finance, no home, although these were included in the tripartite treaty which was signed between the people of Sikkim, the Chogyal and the Government of India's representatives.

In section 24, it has been stated that the Council of Ministers shall have executive authority in respect of all matters within their jurisdiction. And they have gone on to say that every advice tendered by the Council of Ministers shall be communicated to the Chogyal through the Chief Executive—again—who may, if he is of opinion that the advice affects or is likely to affect any of his special responsibilities or the responsibilities of the Government of India, require the Council of Ministers to modify the advice accordingly. He not only communicates; the Ministers have no access to the Chogyal. He is the person; what we through was, instead of being called the Chief Executive, he should have been called as Governor. If this is not annexation of Sikkim, what is it?

Section 28 is about the Chief Executive and his functions. He shall have all the powers necessary for the discharge of his functions and responsibilities, and the executive power in Sikkim shall be so exercised as to ensure compliance with any decisions taken or orders or directions issued by the Government of India in the due discharge of its responsibilities.

This is the Government of Sikkim Act adopted by the so-called representatives of the Sikkimese people who betrayed their trust initially by giving up two of the major items of their hard-earned victory, namely, control over finance and control over home affairs. The Chogyal will be in charge of the police...

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): You are now repeating. Fifteen minutes are over.

SHRI SALIL KUMAR GANGULI: Not yet twenty minutes. If it is your ruling that there shall be no Opposition...

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): That is why I am giving you time to place your point. But please do not repeat.

DR. K. MATHEW KURIAN: If you want to have Sikkim Assembly here then do not have any Opposition.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): I do not need your running commentary, please.

DR. K. MATHEW KURIAN: I am only advising you.

SHRI SALIL KUMAR GANGULI: I say that the people of Sikkim and particularly the younger people, Madam, would not be happy with this thing and they will suddenly try hard in the near future possibly to demand more autonomy and more respectable position for Sikkim in the set up of the Constitution of India. The people of Sikkim feel, Madam, that they have been betrayed.

Then, Madam, in this Constitution Amendment Bill itself it is said in Clause 5:—

"The provisions of this Schedule shall be in addition to, and not in derogation of, any other power, jurisdiction, rights and authority, which the Government of India has or may have in or in relation to Sikkim under any agreement, grant, usage, sufferance or other lawful arrangement."

It means the condition of the owner of the State, having come to possession by lawful right, continues to hold it after the title has been transferred without the express leave of the owner, an intruder in absense. The wording is not quite opposite. I should say. It shows the high-handed attitude of the bureaucrats of India who have gone to use the word "sufferance".

Then, Madam, this has been claimed as a democratic measure. In order to allow the people of Sikkim to ventilate their views in this Parliament in deference to their wishes this provision has been sought to be included in the Constitution. Madam, in the neighbouring State of Sikkim, West Bengal, democracy was des-

troyed by total rigging up of the elections. Here in Sikkim also you will find the same thing happening. I am referring to it because the hon'ble Minister of External Affairs this morning referred to newspaper reports saying that there were great jubiliations in Sikkim. It has been stated by Shri S. P. Lepcha, Vice-President of the Sikkim Democratic Party and certain other people:—

"...which met newsmen along with Sikkimese students in Delhi, alleged that the Central Reserve Police had outnumbered the Sikkimese population. Life had almost come to a standstill. Even members of the Sikkim Assembly were practically under house arrest."

It goes on further to say:—

"...Two elected members of the Assembly were on an indefinite hunger strike, Mr. Lepcha said."

This is the measure which we are going to adopt here.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): You wanted twenty minutes. I have given you twenty minutes. Next speaker.

SHRI SALIL KUMAR GANGULI: There are a few questions that I want to ask.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): But you wanted twenty minutes. I have given you twenty minutes. Others got only ten minutes.

SHRI SALIL KUMAR GANGULI: Madam, I am the only person who is opposing it....

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): Do not take that plea, Mr. Ganguli. When other Members got ten minutes, I have given you twenty minutes.

SHRI SALIL KUMAR GANGULI: Mr. Bhupesh Gupta got twenty minutes. Mr. Rajnarain got twenty minutes.

DR. K. MATHEW KURIAN: Madam, you in your wisdom can give some more time.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): I have given twenty minutes in my wisdom.

SHRI SALIL KUMAR GANGULI: This House should have the patience to listen to me.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): You have got twenty minutes. I am sorry.

SHRI SALIL KUMAR GANGULI: I want five minutes more.

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): I give you two minutes more.

SHRI SALIL KUMAR GANGULI: Madam, I am putting a few questions. I would like to know what would be the form of oath that a Sikkimese Member of Parliament will take if he comes here. Will they be required to take an oath of allegiance to the Constitution of India? They are required to take an oath of allegiance to the Constitution of Sikkim. When they come here will they be required to take an oath of allegiance to the Constitution of India? What will be the status of citizens of Sikkim, particularly the Sikkimese members of Indian Parliament? Will they have dual citizenship? If so, will it not be discrimination against Indian citizens if one section of people is given dual citizenship and it is denied to the others? Madam, I would like to know what would happen in case of failure of the constitutional machinery in Sikkim. If such a thing takes place, can action be taken under article 356? I would like to know under article 365, in case the Government of Sikkim fails to comply with the directives of the Government of India, any President's rule will be imposed. I would also like to know whether the Sikkimese citizen will have the right to move the Supreme Court of India for protection of his fundamental rights. These are a few questions, Madam, that I would like to ask. I oppose this Bill.

DR. VIDYA PRAKASH DUTT (Nominated): Madam Vice-Chairman, after full deliberation on all aspects of the question, I welcome this Bill. The hair-raising visions that are being conjured up by some people, the Chogyal and his group, about a small innocent land being swallowed by the big, bad wolf, that is India, are entirely misplaced. We have nothing against the Chogyal. In fact, we have given all the consideration that could be given. But the fact of the matter is that this small Chogyal group has been dominating the political, economic and social structure of Sikkim, and it has tried to perpetuate a repressive rule over the overwhelming majority of the population of that State. Madam, this ruling group constituted a tiny minority. It does not represent more than six or seven per cent of the population. Even if we were to accept that the entire Lepcha community represented by the Chogyal is against this move, which is not a fact, even then it does not represent more than 12 per cent of the population. And let us not forget that Kazi Lendhup Dorji is a Lepcha himself. Therefore, this shows the isolated nature of the ruling group led by the Chogyal.

Madam, I would suggest that we should look upon the movement in Sikkim, the movement of the Sikkim Congress, in the same manner that we looked upon the movement of the State People's Congress in the Princely States. In the British days, the State People's Congress carried on a fight for independence, for freedom, for democratic rights. The movement led by the Sikkim Congress is of the same dimension. And for anyone to have raised the Maharaja of Travancore-Cochin or the Nizam of Hyderabad to the pedestal of an innocent victim of aggression and annexation would have been the limit of idiocy. This popular movement in Sikkim deserves our sympathy and support. Madam, this is not a new

development. This movement has been going on for the last two decades, or even more. I remember that in 1950-51 Sikkim Congress delegation had come to India, asking for support for the popular movement there, for the restoration of the people's rights for a government of the people, by the people for the people and for closer association with India. It was unfortunate that excessive concern with international opinion deterred us from offering our support to them and accepting their request. Madam, I would also like to submit to the Government that this concept of protectorate was a 19th century concept and I am glad that it has been given up and that Sikkim has been given the status of an associate State. I am really surprised at the concern for the juridical niceties of my good friend, Mr. Niren Ghosh, who is normally such a balanced person, for whom I have such a high esteem, that he is showing such great concern for juridical niceties. I submit to him that to hold up static juridical concepts of the 19th century of the imperialist world in a world of change and development betrays an archaic and tradition-ridden mind. Let us not beat the old horse of ancient constitutional concepts when the whole world is developing new concepts and new ideas. Madam there is nothing new and startling that has been sprung upon the people here. What has happened had already been agreed to. Article 30(c) of the Sikkim Act of 1974 had also provided that the Government of Sikkim may—I quote—"seek participation and representation for the people of Sikkim in the political institutions of India". Now I ask: the Chogyal gave his assent to this. The people adopted this. The Assembly passed it. And then what else is this participation in the political institutions of India except participation in the Parliament of this country? What other political institution could it mean? And it had already been agreed to. Therefore, I do not see anything surprising or anything new

being sprung upon either the people of Sikkim or the people of India. I may make bold and submit to my friends—the only friends who are opposing this Bill—that Karl Marx himself was opposed to the separate existence of tiny and petty States between large, powerful neighbours. Karl Marx had said it himself. Why? He saw such pockets as only providing scope as he said, for petty authoritarianism and for useless conflict between States and to serve the needs of the rulers who might want to divert attention abroad. And Marx favoured these large associations because only such States could, in his opinion, provide scope for the growth of modern economy and democracy, for the assertion of people's will and power. And we saw Marx concerned with the example of the contemporary Balkan structure or what happened to Balkan States, how the Balkan States were used by the right wing rulers to perpetuate their control and their brand of authoritarian politics. If I may make bold and say further—I hope my friend Mr. Niren Ghosh will forgive me—Lenin, of course, was in favour of and he supported the right of even small nationalities to self-determination. But at the same time Lenin said it was the duty of the progressive parties to convince the people that they should now exercise this right willingly and democratically... (Interruptions by Shri Niren Ghosh).

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): Mr. Niren Gosh, please don't interrupt.

DR. VIDYA PRAKASH DUTT: Now I would like to ask: Is the Sikkim Congress movement more progressive or is the Chogyal movement more progressive? Lenin said that the democratic forces should willingly and democratically remain a part of the broader democratic union. I agree that there is all the case against forcible annexation of small States by large neighbours. But there is even

[Dr. Vidya Prakash Dutt.]

a stronger case for a willing association by the two backed by enlightened democratic opinion of the two States. Therein lies I submit, the crucial difference between annexation and democratic association. Not to see this crucial difference is to quote Marx and Lenin without understanding what they said, without the heart and content. I can understand those who want to promote animosity between nations and those who want enclaves of imperialism around independent States being against the willing, friendly and democratic association of Sikkim to India. But I cannot understand the opposition to such association from those who claim to speak for democratic social transformation and struggle against imperialism.

What is happening in Sikkim today is struggle against oppression, feudal autocracy and for democracy and for the people's rights. It may not be entirely the struggle that the progressive forces might like to develop, but it is very much more progressive than what had gone on earlier.

Finally, a lot has been said about Chinese reaction. I do not want to go into great details because I am afraid, Madam, Vice-Chairman, of your admonition and your bell. But I should like to say that perhaps I have somewhat better credentials to speak on what China would do or might feel. And I submit that this association of Sikkim with India will not stand in the way of our developing normal relations with China. Those who argue that it will, are entirely wrong. On the other hand, I say China will respect the country which has asserted its own independence and the right to take its own decision, the people of Sikkim and India taking their own decisions and not from somewhere else or abroad—China will respect that country more than if we were merely to submit to all that is being said.

Therefore, I join all the other sections of the House and as Shri Goray said let it be said that the people of India as a whole responded to the wishes of the people of Sikkim as a whole and that the two came together willingly, knowingly and consciously.

SHRI JAIRAMDAS DAULATRAM (Nominated): I will not detain the House for long. Personally I feel that several of the detailed suggestions and detailed issues raised were issues and details which are not suitable for being properly discussed in this forum. This forum has world repercussions and therefore one has to be very, very careful in dealing with details of areas which are our border areas. Sikkim is not merely a small region, it is a border region and a delicate border region. I am not looking at Sikkim as it is today. I am looking at Sikkim as it might be ten, fifteen and twenty years hereafter, depending upon how we deal with matters of Sikkim.

There is a school of thought that a great mistake was made in 1947 when the British left and that mistake was that we did not integrate these small countries on our borders. In my humble opinion, that would have been a great political blunder at that time. Events have their course, time creates its own problems and time indicates solutions at the proper hour. And the proper hour has come today and I personally congratulate the honourable Minister of External Affairs on having the opportunity and the honour of submitting this Bill and getting it passed.

Madam, we are trying a great experiment and the Parliament and the Government are under a test as to how we are going to deal with the people of this region. Today, the people are in a certain emotional mood and we have to be careful as to how we carry on our affairs with those people. I will not go into the other details. There are two or three simple principles which I would submit for the consideration of Government, perhaps superfluously, because they must be there already in their mind.

I do not wish that any individual of our area should be allowed to exploit the economic resources of the people of Sikkim. My second principle is that we should go even out of the way, to develop the language, and culture of the people of Sikkim. Thirdly, we must be their real friends. Real integration, not for today, but integration for ever, is only possible by correct attitudes with regard to matters or which sentiments are sensitive, on which emotions can be aroused and, therefore, we have to be careful in the selection of the officers who will be dealing with these matters of the people there. These are the two or three simple principles that I would submit with great respect to the Government, but, as I said earlier, perhaps superfluously, because they must be there already in their minds.

As I said earlier, who are trying a new experiment and we, the Members of Parliament, and the Government are under test as to how in our discussions and debates we are going to deal with that very very sensitive and small area. Thank you.

SHRI KHYOMOLOTHA (Nagaland): Madam, I take the privilege of supporting this Constitution (Amendment) Bill.

Madam, I come from a border region and I know to a great extent the feelings, the views and the opinions of the people living in this border region. India today must be strong and we from the border areas, we from the State of Nagaland, Arunachal Pradesh, Meghalaya, Mizoram and also Sikkim, feel that only when India is strong that we can be secure and we want to be within the Indian Union because we feel that it is strong. But how will India become strong? All these border regions must be consolidated. But we must be careful in enlarging our borders. We have to think carefully too win the people living in this region. We have to win the confidence of these people. It is these people living in these border

regions who will be able to defend this country. It was in 1962 when the Chinese aggression took place. Who suffered first? It was the Arunachal Pradesh people. It was not the people of Delhi, not even the people of Bengal. And, Madam, the people living in Nagaland were worried at that time. But we were ready to fight, if necessary. Because of this fact, these border regions have to be consolidated and I am very happy that the people of Sikkim, out of their own will, have come forward and India, in its great wisdom, has accepted them. Now, we have to think and we have to welcome even Bhutan. I would not mind even welcoming Bangla Desh and Pakistan. . . . (Interruptions). Bring all these together to make India stronger. . . . (Interruptions).

DR. K. MATHEW KURIAN: This is chauvinism. . . (Interruptions).

SHRI KHYOMOLOTHA: So far as the wishes of the people are concerned, I would like to emphasize that let the Indian Constitution have no double standard. I am in U.D.F. My party is the ruling party. But whereas you have accepted the wish of these people, you are giving a different look to our wish. Our party wants consolidation of these regions. But our lands, our people, are given away to Burma, without consulting the Nagaland Government. We want even these people to come within the Indian Union. And we are pressing for it, and yet the wishes of the Nagas are brushed aside.

So I would request the Minister concerned, the Central Government, and even this House, not to have double standards, as far as this Constitution and the wishes of the people are concerned. Let not that Constitution belong only to a party or a sect. It is for all. That is why the wish of the people has to be respected. What we want is a strong Indian Union, where we are secure. We know our position very well, and once you respect the wishes of the

[Shri Khoyomolstha.]

people of Nagaland and other regions, it is we who will try to defend the country. . . (Interruptions). I think we shall be able to defend much better than even the security forces, so far as our region is concerned. That is why you have to look into this very carefully. As you have welcomed the wish of the Sikkimese people, you have also to welcome the wish of the Naga people, who are trying to do their best about the integrity of this country. You should only think of those areas, but also about the emotional integrity where you have to respect the wishes of all sections.

Thank you, Madam. . . (Interruptions).

THE VICE-CHAIRMAN (SHRI-MATI PURABI MUKHOPADHYAY): The Minister.

THE MINISTER OF EXTERNAL AFFAIRS (SARDAR SWARAN SINGH): Madam, Vice-Chairman, I am extremely grateful to the hon. Members who have participated in the debate. This is one of the rare occasions when such a massive support is available for any measure. I would, therefore, like to thank the leaders of the political groups who have decided to support this measure. Towards the end, I will say a few words about certain objections which have been raised by the spokesman on behalf of the CPM.

Before, I do that, I would like to clarify some of the points which were raised by those hon. Members who otherwise are supporting the Bill. I would like to say categorically the provision in this Bill which creates the status of an associate membership will not and cannot have any effect on any other constituent State of India. Other States in India are very much governed by the constitutional provisions and it is attribute to the sagacity of the leadership in these States and also the co-operative spirit

in which our federal system is working that there is no desire at all on the part of any State to have a status other than the one provided by the Constitution. I have no doubt that I will be voicing the feelings of all the Members of Parliament of this House and the other House when I say that our Parliament will never be a party, in any way, to loosen the structure that has been evolved by the natural process of creating a unified country, although this unity is a combination of diversity also. Whole respecting the language and culture of the various constituent States, we have preserved the unity and this unity has been amply demonstrated whenever we faced any difficulty, whether it was at the time of war or conflict or even when we were tackling other difficult problems of a national character. I would also like to add that no fear need be entertained that any leader in Jammu and Kashmir can ever think of asking for such a status. Jammu and Kashmir is a part of India and no power on earth can deflect us from that position. I would also like to remind the hon. Members that even Sheikh Mohammad Abdullah has clearly made statements that so far as accession to India is concerned, that is final. That is not being challenged by him at all. I fail to understand why there should be any fear entertained in any quarter that there may be any desire in Jammu and Kashmir to ask for a status of this type.

Then there is a category of comments made by even the supporters of the Bill in which certain provisions of the Sikkim Act have been criticised. I am not supporting all the provisions of the Sikkim Act. It is for the Sikkim Assembly to formulate those provisions and if, at any time, the Sikkim Assembly feels that they would like to have some other provisions, it will be for them to take action in their Assembly according to their procedures and subject to the limitations under which they may be working. Therefore so far as the pre-

sent Amendment Bill is concerned, we are not considering the provisions of the Sikkim Act, but we are considering amendments that are necessary in our own Constitution to give effect to, if I may say, only one important provision, that is, to enable the representatives of Sikkim to sit in our Parliament. That is why we have come to this Parliament. The rest of the various provisions are, to a certain extent, complementary or procedural. But the basic reason why we have to make this amendment is to enable the representatives of Sikkim to be seated in the Lok Sabha and the Rajya Sabha. If that compulsion were not there and if we were not to accept the suggestion or the request made by the Sikkim Assembly to enable the Sikkimese representatives to participate in our parliamentary system, it would not have been necessary to come to Parliament at all for amendment of the Constitution. It is true that in this Bill our responsibilities are enumerated. But I would like to remind the hon. House, as very aptly put by my friend, Shri Bhupesh Gupta, that we are not, by this Amendment Bill, undertaking responsibilities on behalf of Sikkim in any new sphere. We could exercise and we have been exercising those responsibilities and have also that authority there under other agreements, the Treaty of 1950 or several other agreements and understanding that have been arrived at.

Mr Deputy Chairman in the Chair)

Obviously this Constitution itself does not give us the requisite authority in order to function there. An amendment of the Constitution is necessary to enable the representatives of Sikkim to sit in our Parliament. It is for this reason that this amending Act is before this hon. House.

The main part of the speech of the distinguished and learned spokesman of the C.P.M., Shri Ganguli, for whose legal acumen and constitutional ability I have the highest respect was directed at various difficulties or de-

iciencies in the Sikkim Act. It is not for me to defend the Sikkim Act here. I am responding to a particular provision in the Sikkim Act where they have asked us to respond to their desire that they should be enabled to participate in our parliamentary system. The other provisions of the Sikkim Act, if I may have to remind this hon. House, are not before us because we are not revising the Sikkim Act, we are not re-writing the Constitution of Sikkim, and we are, if I may say, not competent, sitting in this Parliament, to give Sikkim a constitution different from the one that they have adopted. So, in a sense, all these points of criticism which have been voiced by the learned spokesman of the C.P.M. are really not relevant for our present discussion. And all that I can say is that these comments and such other comments that might be made either in our Parliament or outside could be or may be taken into consideration by the elected representatives in Sikkim. It is for them to take a view after considering all the aspects with which they are faced and the situation with which they have to cope in Sikkim. But there is one aspect which I would like to mention. He also made a reference to the press conference which was mentioned in one of the newspapers here. I have made some quick check about this Party whose spokesmen they claimed to be. They have been referred to as leaders of the Sikkim Prajatantra Party. Now the facts are that this Party which presently claims to have a following of 60,000 did not put up even a single candidate in the April, 1974 elections. So, this is the credential of this Party...

DR. K. MATHEW KURIAN: Because of the C.R.P. torture of the people, they had to stand as Independents.

SARDAR SWARAN SINGH: I thought that CRP is not a political party I am talking of political party.

DR. K. MATHEW KURIAN: Unfortunately, your CRP is a political force.

SARDAR SWARAN SINGH: I was on a simple point. . . (*Interruption*). And if my friend has any information to the contrary, I will stand corrected. I repeat what I said. This party that claims to have a membership of 60,000 did not put up a single candidate in the last elections. This is the simple point that I am saying. And if this is not correct and if the hon. Member who appears to be familiar with this party is having a different information, then I am prepared to accept his version. Now the other point that I would like to mention is...

DR. K. MATHEW KURIAN: Mr. Minister, you are a knowledgeable Minister. For your information I would like to say—I know a little of Sikkim, I have studied Sikkim politics—I can tell you that the present Sikkim Prajantantra Party was earlier called the United Independents.

You should least know as the Minister of Foreign Affairs They started their activities as united independents. (*Interruptions*). They later on formed the Prajantantra Party.

SARDAR SWARAN SINGH: The second thing that I want to say and I have also been informed is that no one in Sikkim has heard any of these leaders. So far as the question as to who is financing them is concerned, I would leave this to be guessed by the hon. Members. Now, Sir, they have made another claim. They claim in this press report that two Assembly Members are on hunger strike. I have already said in my opening speech that all the 32 Members of the Assembly have unanimously adopted this Constitution. There was not even a single dissentient voice raised when this Sikkim Assembly Bill was being discussed in their Assembly. So, I would like to ask who are these two Members? It is very significant that the names of 32 Mem-

bers cannot be a secret. After all, all their names are gazetted and everybody knows who those Members are. And, it is important that no name of any Member who is on hunger strike has been given. They are not such unknown or anonymous people, because, everybody, the entire world, knows who those 32 Members are. Now, who are the two Members who are supposed to be on hunger strike? If Dr. Kurian or any of his friends have that information, I would like to benefit from this. And, I would like to say categorically that after seeing this news report we have checked up with Gangtok. There is not a single person who is on hungerstrike, much less that he be a Member of the Sikkim Assembly. So, these are the types of myths that are contained in this so-called press conference. But, we have to live with this. Ours is a free country, a free press and they can display on their front-pages such half-baked news.

SHRI SUBRAMANIAN SWAMY: Do you say that with regret?

SARDAR SWARAN SINGH: Not at all. Otherwise how can Motherland be quoted by China these days? We value this freedom. As I said in the other House and I say here again, I believe that the fact that dissent was voiced here and the fact that dissent was found to be ridiculous, and that there was powerful support in favour of the Bill strengthens the Bill on account of that dissent. We value our democratic institutions in which everybody has got the right to raise their voice or their difference against any measure that might be before us. That dissent may be either in the press or in the House, it is a part of our system. But, I have a feeling that some of those who are quoted in other countries' media, whether it is press or whether it is radio those countries, who voice their dissent here must in their heart of hearts be feeling somewhat uncomfortable because even when certain organs wanted to criti-

cise us, apparently they did not reckon with the possibility of their being views quoted either by the Peking or by the Pakistan radio.

SHRI LAL K. ADVANI: I am sorry. What Motherland wrote on Sikkim could not have been quoted by Peking.

SARDAR SWARAN SINGH: Now, don't ask me to divulge everything which Motherland and Organizer are being quoted. It might interest you, Mr. Advani, because you are the Leader of the Party, that Organizer and Motherland are being quoted very copiously in Pakistan these days.

SHRI LAL K. ADVANI: Understandable.

SADAR SWARAN SINGH: We should not feel surprised. The reason is that any stick is good enough to beat us. So, any opposition party's comment criticising us, our system, our difficulties obviously would be a ready-made material for anybody to quote, who is not very friendly to us. So, it is not a great compliment to your party, if they are being quoted.

Then, Sir, there are the other voices. Some say that it is virtually a merger. Others say: It is nothing, why not have a complete merger?

So, in a sense, the extremes of both types are naturally not quite satisfied with what we are doing. But what we are doing is exactly in accordance with the wishes of the people of Sikkim, and it will not be wise for us to say "They want a particular status; no, this status does not suit us and we want a more close relation or no relation." In either case we will not be responding in a very friendly manner to the desire expressed by the people of Sikkim.

DR. K. MATHEW KURIAN: Have you consulted them about merger?

SARDAR SWARAN SINGH: We do not consult them at all. We accept

what they want to do and it is not for us to cross-examine them as to whether they want merger or not. That will not be proper for us to do.

SHRI SUBRAMANIAN SWAMY: Your techniques...

SARDAR SWARAN SINGH: These techniques appear to be succeeding even against you.

Then, Sir, a question was put by Mr. Ganguli. What oath will the Members from Sikkim take? I say, the oath as prescribed in our Constitution. I will read it out and you will find that there is nothing in this oath in which there should be any inhibition for a Sikkimese to subscribe to this oath. What is our oath? It is prescribed in our Constitution:

"I, A.B. having been elected (or nominated) a member of the Council of States (or the House of the People) do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter."

Of course, if they have to sit here, if they have to pass an Act of India, if they have to participate in an amendment of the Constitution, if they have to approve the Budget, if they have to vote either for or against a no-confidence motion, they have to subscribe to this oath, and there is absolutely nothing objectionable in this. If they have to sit in this House they will have to subscribe to this oath and according to the provisions of the Bill which is before you.

Now there is a certain relationship between India and Sikkim which will be part of the Constitution. So, they will be swearing not only by this oath which means that they will uphold the integrity, ect. of India and in accordance with what I have read out,

[Sardar Swaran Singh.]

but they will also bear true allegiance to those provisions of the Constitution which describe the relationship between Sikkim and India.

I think this argument was raised—about the form of oath—like many lawyers do. I have also been a lawyer. Sometimes we take up an argument, perhaps, without studying the provisions and we think that we have discovered a very powerful argument.

SHRI NIREN GHOSH: You are a bit floundering in this argument.

SHRI SALIL KUMAR GANGULI: I just want to have a clarification. Without Sikkim being an integral part of India he is swearing allegiance to the integrity of India—may be so far as other States are concerned. But they will be coming here and shouting every day, give us complete autonomy and give freedom.

SARDAR SWARAN SINGH: What he will be swearing in is so far as the States in the Indian Union are concerned, he stands by the integrity and the relationship that exists between all the States in the country. So far as relationship between Sikkim and India is concerned, he swears by the associate character which again is defined in the Constitution. So there is absolutely no difficulty in understanding the implications of an oath of this type.

SHRI UMASHANKAR JOSHI (Nominated): It is meet and proper that you have come to us with this Bill with this complication and not Mr. Gokhale.

SARDAR SWARAN SINGH: Well, I could not follow the dig, if there is any, in this.

SHRI UMASHANKAR JOSHI: It is a compliment

SARDAR SWARAN SINGH: Thank you very much. I am now interested in getting this Bill through. And having met all the points that have been

raised I think the stage has come to exercise the privilege that all of you have to give your support to this Bill. I would appeal—with such a massive consensus having been built I am not sure whether I am too late in appealing even now—that even the CPM Members should vote for this because you have to make a choice, if I may say so, between the palace and the people and your voice should be with the people and not with the palace.

(Interruptions).

DR. K. MATHEW KURIAN: We are with the people.

SARDAR SWARAN SINGH: Even if you have some difficulty, some other consideration, you may, even if you are not prepared to vote with us, still consider at any rate abstaining so that all the buttons that are pressed show the green light.

MR. DEPUTY CHAIRMAN: I will now put Mr. Rajnarain's amendment to vote.

The question is:—

“That the Bill further to amend the Constitution of India to give effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim co-operation and inter-relationship, as passed by the Lok Sabha, be referred to a Select Committee of the Rajya Sabha consisting of nine Members, namely:—

- 1 Shri Lal K. Advani.
- 2 Shri Shyam Lal Yadav.
- 3 Shri Lokanath Misra.
- 4 Shri Rabi Ray.
- 5 Shri Prakash Vir Shastri.
- 6 Shri M. P. Varma
- 7 Shri Jagbir Singh.
- 8 Shri Banarsi Das.
- 9 Shri Sitaram Singh.

with instructions to report by the first day of the next session.”

The motion was negatived.

MR. DEPUTY CHAIRMAN: Now I will put the motion to vote.

The question is:—

“That the Bill further to amend the Constitution of India to give effect to the wishes of the people of Sikkim for strengthening Indo-Sikkim co-operation and inter-relationship, as passed by the Lok Sabha, be taken into consideration.”

The House divided.

MR. DEPUTY CHAIRMAN:
Ayes — 175; Noes — 8.

AYES—175

Abid, Shri Qasim Ali
Abu Abraham, Shri
Adivarekar, Shrimati Sushila Shankar
Advani, Shri Lal K
Ahmad, Dr. Z. A.
Alva, Shrimati Margaret
Amla, Shri Tirath Ram
Anandam, Shri M.
Arif, Shri Mohammed Usman
Avergoankar, Shri R. D. J
Barman, Shri B. D.
Berwa, Shri Jamna Lal
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kishore
Bisi, Shri P. N.
Bobdey, Shri S. B.
Borooah, Shri D. K.
Buragohain, Shri Nabin Chandra
Chandra Shekhar, Shri
Chandrasekhar, Shrimati Maragatham
Chattopadhyaya, Prof. D. P.
Chaturvedi, Shrimati Vidyawati
Chaudhari, Shri N. P.
Chaurasia, Shri S. D. S.
1081 RS—6.

Chettri, Shri K. B.
Choudhary, Shri N. R.
Chowdhary, Shri C. L.
Chowdhri, Shri A. S.
Chundawat, Shrimati Lakshmi Kumar,
Das, Shri Balram
Das, Shri Bipinal
Dhabe, Shri S. W.
Dhar, Shri D. P.
Dhulap, Shri K. N.
Dikshit, Shri Umashankar
Dutt, Dr. Vidya Prakash
Dwivedi, Shri D. N.
Gadgil, Shri Vithal
Goswami, Shri S. P.
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hashmi, Shri S. A.
Himmat Singh, Shri
Amam, Shrimati Aziza
Jain, Shri Dharamchand
Jairamdas Daulatram, Shri
Jha, Shri Kamalnath
Joshi, Shri Jagdish
Joshi, Shrimati Kumudben
Manishankar
Joshi, Shri Umashankar
Kadershah, Shri M.
Kalaniya, Shri Ibrahim
Kalp Nath, Shri
Kalayan Chand, Shri
Kamble, Prof. N. M.
Kapur, Shri Yashpal
Kesri, Shri Sitaram
Khan, Shri Khurshed Alam
Khan, Shri Maqsood Ali
Khan, Prof. Rasheeduddin
Kollur, Shri M. L.
Kripalani, Shri Krishna
Krishan Kant, Shri
Krishna, Shri M. R.
Kulkarni, Shri A. G.
Kulkarni, Shrimati Sumitra G.

Kumaran, Shri S.
Kumbhare, Shri N. H.
Kureel Urf. Talib, Shri P. L.
Lakshmanan, Shri G.
Lokesh Chandra, Dr.
Lotha, Shri Khyomo
Mahanti, Shri B. C.
Mahanti, Shri B. K.
Mahapatro, Shri L.
Majhi, Shri C. P.
Makwana, Shri Yogendra
Malaviya, Shri Harsh Deo
Mali, Shri Ganesh Lal
Mariswamy, Shri S. S.
Mathur, Shri Jagdish Prasad
Mehta, Shri Om
Menon, Shrimati Leela Damodara
Mirdha, Shri Ram Niwas
Mishra, Shri R. K.
Mukherjee, Shri Kali
Mukherjee, Shri Pranab
Mukhopadhyay, Shrimati Purabi
Mulla, Shri A. N.
Munda, Shri B. R.
Murthy, Shri B. P. Nagaraja
Musafir, Shri Gurmukh Singh
Narasiah, Shri H. S.
Nawal Kishore, Shri
Nizam-ud-Din, Shri Syed
Nurul Hsan. Prof. S.
Oberoi, Shri M. S.
Pai, Shri T. A.
Panda, Shri Brahmananda
Parashar, Shri V. R.
Patil, Shri Deorao
Patil, Shri Gulabrao
Pradhan, Shrimati Saraswati
Prasad, Shri Bhola
Prasad, Shri K. L. N.
Punnaiyah, Shri Kota
Rachaiyah, Shri B.
Raha, Shri Sana Kumar
Raju, Shri V. B.

Ranganathan, Shri S.
Rao, Shrimati Rathnabai Sreenivasa
Rao, Shri V. C. Kesava
Ray, Shri Rabi
Reddi, Shri K. Brahmananda
Reddi, Shri Papi
Reddy, Shri Gaddam Narayana
Reddy, Shri Janardhana
Reddy, Shri K. V. Raghunatha
Reddy, Shri Mulka Govinda
Reddy, Shri R. N.
Roshan Lal, Shri
Saleem, Shri Mohammad Yunus
Sangma, Shri E. M.
Sardar Amjad Ali, Shri
Sardesai, Shri S. G.
Savita Behen, Shrimati
Seyid Muhammad, Dr. V. A.
Shah, Shri Manubhai
Shahi, Shri Nageshwar Prasad
Sharma, Shri K. L.
Sharma, Shri Yogendra
Shastri, Shri Bhola Paswan
Shastri, Shri Prakash Vir
Shekhawat, Shri B. S.
Shishir Kumar, Shri
Shukla, Shri Chakrapani
Shukla, Shri M. P.
Shyamkumari Devi, Shrimati
Singh, Shri D. P.
Singh, Shri I. D.
Singh, Shri I. T.
Singh, Shri Jagbir
Singh, Shrimati Jahanara Jaipal
Singh, Shri Kameshwar
Singh, Shri Mahendra Bahadur
Singh, Shri Mohan
Singh, Shri Nathi
Singh, Shri Niranjana
Singh, Shri Parbhu
Singh, Shrimati Pratibha
Singh, Shri Ranbir
Singh, Shri Sultan

Singh, Shri Triloki
Singh, Dr. V. B.
Sinha, Shri Awadheshwar Prasad
Sisodia, Shri Sawaisingh
Sukhdev Prasad, Shri
Sultan, Shrimati Maimoona
Swamy, Shri Subramanian
Swu, Shri Scato
Thakur, Shri Gunanand
Tilak, Shri J. S.
Tiwari, Shri Shankarlal
Tiwary, Pt. Bhawaniprasad
Totu, Shri G. C.
Tripathi, Shri Kamlapati
Trivedi, Shri H. M.
Tyagi, Shri O. P.
Varma, Shri M. P.
Varma, Shrimati Narayani Devi
Manaklal
Venigalia Satyanarayana, Shri
Vyas, Dr. M. R.
Wajd, Shri Sikander Ali
Yadav, Shri Shyam Lal

NOES—8

Ganguli, Shri Salil Kumar
Ghosh, Shri Niren
Kunjachen, Shri P. K.
Mathew Kurian, Dr. K.
Menon, Shri Viswanatha
Mullick Choudhury, Shri Suhrid
Roy, Shri Monoranjan
Sanyal, Shri Sasankasekhar

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.

Clause 2—Insertion of new article 2A.

SHRI B. S. SHEKHAWAT (Madhya Pradesh): Sir, I beg to move:

“That at page 1, lines 10 and 11, for the words “shall be associated with the Union on the terms and conditions set out in that Scheme.” the words ‘shall form part of the Union.’ be substituted.”

The question was proposed

श्री भूरी सिंह शेखावत : उपसभापति महोदय, सदन में जिस प्रकार की चर्चा हुई और इस विधेयक का जिस प्रकार से स्वागत किया गया उससे एक अनुमान लगाया जा सकता है कि सिक्किम और भारत के बीच किस प्रकार के अटूट सम्बन्ध हैं। ये अटूट सम्बन्ध कोई नई बात नहीं है। अगर सिक्किम के पिछले 150 वर्ष के इतिहास को उठा कर देखा जाय तो यह बात स्वतः स्पष्ट होगी कि सिक्किम और भारत के बीच हमेशा इसी प्रकार के सौहार्द के सम्बन्ध बने रहे हैं। 1950 के पहले और खास तौर से 1947 के पहले, जब हमारा देश आजाद हुआ, सिक्किम के राजा चेम्बर आफ प्रिन्सेज के सदस्य थे और उस सदस्यता के नाते हिन्दुस्तान के राजा जिस प्रकार अपना केस रिप्रेजेंट करते थे उसी प्रकार का अधिकार उनको भी मिला हुआ था। 1947 में देश के आजाद होने के पश्चात् हमारे देश की अन्य रियासतों का नियंत्रण सरदार पटेल के हाथ में रहा और सिक्किम का सम्बन्ध फारैन एफेयर्स की मिनिस्ट्री से रहा। उस समय से व्यवस्था के अन्दर अन्तर आया। यह सदन अच्छी तरह से जानता है कि 1947 से लेकर 1949 तक सिक्किम में इस बात का संघर्ष किया जाता रहा कि सिक्किम का भारत के साथ पूर्णतया एकात्म बन जाय। जब इस बात को वहाँ के चोग्याल ने स्वीकार नहीं किया तो, जैसा पूर्ववक्ताओं ने बताया, सिक्किम में उपद्रव हुआ और राजमहल का घिराव हुआ और भारत की सरकार ने चोग्याल को वहाँ से

[श्री भैरोंसिंह शेखावत]

आजाद करके अपने मकान में लाकर रखा। उस समय से लेकर अब तक जितने भी चुनाव हुए, सबसे पहला चुनाव 1957 में हुआ, उसके बाद फिर 1960 में हुआ और उसके बाद 67 में हुआ, उसके बाद 70 में हुआ और आखरी चुनाव फरवरी, मार्च 1973 में हुआ। इन सारे चुनावों में सभापति महोदय, किसी न किसी पार्टी ने अपने घोषणापत्र में यह कहे बिना नहीं रखा कि भारत के साथ पूर्ण विलय हो जाना चाहिए। आखिर में जिस पार्टी ने चुनाव लड़ा है उसके घोषणापत्र में भी साफ कर दिया गया था कि हमारे सम्बन्ध ज्यादा से ज्यादा घनिष्ठ और निकट के भारत के साथ होने चाहिए और इसके साथ ही एक बात विशेष रूप से और कही गयी कि सिक्किम के विकास के संबंध में हिन्दुस्तान के प्लानिंग के कार्य में सिक्किम को कितनी प्रकार से शामिल किया जाये इसका भी प्रस्ताव द्वारा और अन्य प्रकार से भी मांग की गयी। मैं ज्यादा न कह कर यह निवेदन करना चाहूंगा और सदन इस बात को अच्छी तरह से जानता है कि आज सिक्किम की आर्थिक स्थिति किम प्रकार की है। हम ने जिस प्रकार को जिम्मेदारियां ली हैं वह जिम्मेदारियां मामूली नहीं हैं। सिक्किम हमारे देश का एक शासित एरिया है। यह कहा जाता है, लेकिन इसके साथ-साथ जिम्मेदारियां कितनी आयी हैं हमें उनको महसूस करना पड़ेगा। सिक्किम का आर्थिक विकास पिछले बीस वर्षों में कितना होना चाहिए था वह नहीं हुआ। सिक्किम की पर कैपिटल इन्कम हमारे अन्य राज्यों के मुकाबले में कितनी गिरी हुई है इसके लिए मैं आंकड़े दे कर सदन का समय नहीं लेना चाहता। सिक्किम की शिक्षा का स्तर किस तरह का है, सिक्किम का इंडस्ट्रियलाइजेशन किस प्रकार का हुआ है, सिक्किम में एग्री-कल्चर में किस प्रकार की प्रगति हुई है, सिक्किम में इंफ्लायमेंट कितना है

(Interruption).

श्री काली मुखर्जी : किम लिए परेशान कर रहे हैं आप हाउस को। यहां सब लोग यह सब बातें जानते हैं। What is the need for such a long speech? Repeat, repeat, repeat, all the time repeating the same.

SHRI SALIL KUMAR GANGULI:
On a point of order, Sir. Who is conducting the House—Kali Babu or yourself?

श्री भैरों सिंह शेखावत : माननीय सदस्य की आदत पड़ी हुई है कि कोई भी कोई प्रश्न उठाना चाहता हो तो वह उसे टोकने के लिये बीच में अवश्य खड़े हो जाते हैं। मैं यह निवेदन करना चाहता हूं कि जब हम ने सिक्किम के संबंध में इस प्रकार की सारी व्यवस्थाएँ की हैं हमारे संविधान में अन्य राज्यों को जिस प्रकार का अधिकार है उसी प्रकार का अधिकार सिक्किम को मिला हुआ है, उसके डिफेंस का काम हमने अपने हाथ में लिया हुआ है, उसके फारेन अफेयर्स का काम हम ने अपने हाथ में लिया हुआ है। जैसा माननीय मंत्री जो स्वयं कह रहे थे कि सिक्किम के जो प्रतिनिधि आयेगे वह हमारे संविधान की शपथ लेंगे, तो मैं इन स्थिति में यह निवेदन करना चाहता हूं कि अभी जैसा आप ने कहा कि कौन सा देश उन तत्वों को प्रोत्साहन दे रहा है कि जो तत्व सिक्किम और हिन्दुस्तान की इस संधि के विरोध में प्रचार कर रहे हैं और इस लिये मैं निवेदन करना चाहता हूं कि हिन्दुस्तान की सरकार को वहां काफी इन्वेस्टमेंट करना पड़ेगा। हिन्दुस्तान की सरकार को सिक्किम का काफी आर्थिक विकास करना पड़ेगा और यह आर्थिक विकास और सब चीजें यदि समान पर नहीं हुई तो इस प्रकार के तत्व निश्चित रूप से दूसरे देशों द्वारा प्रोत्साहित किये जायेंगे और हिन्दुस्तान और सिक्किम के बीच में जिस प्रकार की स्थिति है उसके अन्दर अंतर आयेगा और

इस आधार पर मैं यह निवेदन करना चाहता हूँ कि यह विदेशी तत्व सिक्किम और हिन्दुस्तान की मित्रता में किसी प्रकार का विघ्न पैदा न करें इसलिए यह विघ्न पैदा करने वाले सारे अवसर हमें समाप्त कर देने चाहिए और इस दृष्टि से मैंने निवेदन किया है कि जैसे अन्य राज्यों का दर्जा हिन्दुस्तान में है उसी प्रकार का दर्जा सिक्किम को भी दिया जायें ताकि कम से कम उन तत्वों को जो हिन्दुस्तान और सिक्किम के विरुद्ध किसी प्रकार का षडयंत्र कर सकते हैं वह न कर ले और इस आधार पर मैंने यह संशोधन मूव किया है। सभापति महोदय, अन्त में मैं निवेदन करना चाहूंगा कि एलेक्शन का काम और वाकी के काम, जैसे डिफेंस का और फोरन अफेयर्स आदि के काम हमने अपने हाथ में लिए हैं। चूंकि बंगला पर हमारी और चीन की सेनाएं आमने सामने खड़ी हैं। सुरक्षा की दृष्टि से सिक्किम का हमारे साथ आना आवश्यक है और इस लिए मैं निवेदन करना चाहूंगा कि यह जो संशोधन का प्रस्ताव मैंने रखा है उस को स्वीकार किया जाए।

SARDAR SWARAN SINGH: I want to say that we should go to the extent to which the Sikkim Assembly is prepared to go, and therefore, I cannot accept his amendment.

MR. DEPUTY CHAIRMAN: The question is:

"That at page 1, lines 10 and 11, for the words 'shall be associated with the Union on the terms and conditions set out in that Schedule,' the words 'shall form part of the Union.' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 2 stand part of the Bill."

(The House divided)

Ayes .. 169

Noes .. Nil

AYES—169

Abid, Shri Qasim Ali
 Abu Abraham, Shri
 Adivarekar, Shrimati Sushila Shankar
 Advani, Shri Lal K.
 Ahmad, Dr. Z. A.
 Alva, Shrimati Margaret
 Amla, Shri Tirath Ram
 Anandam, Shri M.
 Arif, Shri Mohammed Usman
 Avergankar, Shri R. D. J.
 Barman, Shri B. D.
 Berwa, Shri Jamna Lal
 Bhagwati, Shri B. C.
 Bhardwaj, Shri Jagan Nath
 Bhatt, Shri Nand Kishore
 Bisi, Shri P. N.
 Bobdey, Shri S. B.
 Borooah, Shri D. K.
 Buragohain, Shri Nabin Chandra
 Chandra Shekar, Shri
 Chandrasekhar, Shrimati Maragatham
 Chattopadhyaya, Prof. D. P.
 Chaturvedi, Shrimati Vidyawati
 Chaudhari, Shri N. P.
 Chaurasia, Shri S. D. S.
 Chettri, Shri K. B.
 Choudhury, Shri N. R.
 Chowdhary, Shri C. L.
 Chowdhri, Shri A. S.
 Chundawat, Shrimati Lakshmi Kumari
 Das, Shri Balram
 Das, Shri Bipinpal
 Dhabe, Shri S. W.
 Dhar, Shri D. P.
 Dhulap, Shri K. N.
 Dikshit, Shri Umashankar
 Dutt, Dr. Vidya Prakash
 Dwivedi, Shri D. N.

Gadgil, Shri Vithal
 Goswami, Shri S. P.
 Gujral, Shri I. K.
 Gupta, Shri Bhupesh
 Hashmi, Shri S. A.
 Himmat Singh, Shri
 Imam, Shrimati Aziza
 Jain, Shri Dharamchand
 Jairamdas Daulatram, Shri
 Jha, Shri Kamalnath
 Joshi, Shri Jagdish
 Joshi, Shrimati Kumudben
 Manishankar
 Joshi, Shri Umashankar
 Kadershah, Shri M.
 Kalaniya, Shri Ibrahim
 Kalp Nath, Shri
 Kalyan Chand, Shri
 Kamble, Prof. N. M.
 Kapur, Shri Yashpal
 Kesri, Shri Sitatram
 Khan, Shri Khurshed Alam
 Khan, Shri Maqsood Ali
 Khan, Prof. Rasheeduddin
 Kollur, Shri M. L.
 Kripalani, Shri Krishna
 Krishan Kant, Shri
 Krishna, Shri M. R.
 Kulkarni, Shri A. G.
 Kulkarni, Shrimati Sumitra G.
 Kumaran, Shri S.
 Kureel Urf. Talib, Shri P. L.
 Lakshmanan, Shri G.
 Lokesh Chandra, Dr.
 Mahanti, Shri B. C.
 Mahanti, Shri B. K.
 Mahapatro, Shri L.
 Majhi, Shri C. P.
 Makwana, Shri Yogendra
 Malaviya, Shri Harsh Deo
 Mali, Shri Ganesh Lal
 Mariswamy, Shri S. S.
 Mathur, Shri Jagdish Prasad
 Mehta, Shri Om

Menon, Shrimati Leela Damodara
 Mirdha, Shri Ram Niwas
 Mishra, Shri R. K.
 Mukherjee, Shri Kali
 Mukherjee, Shri Pranab
 Mukhopadhyay, Shrimati Purabi
 Mulla, Shri A. N.
 Munda, Shri B. R.
 Murthy, Shri B. P. Nagaraja
 Musafir, Shri Gurmukh Singh
 Narasiah, Shri H. S.
 Nawal Kishore, Shri
 Nizam-ud-Din, Shri Syed
 Nurul Hasan, Prof. S.
 Oberoi, Shri M. S.
 Pai, Shri T. A.
 Panda, Shri Brahmananda
 Parashar, Shri V. R.
 Patil, Shri Deorao
 Patil, Shri Gulabrao
 Pradhan, Shrimati Saraswati
 Prasad, Shri Bhola
 Prasad, Shri K. L. N.
 Punnaiah, Shri Kota
 Rachaiah, Shri B.
 Raha, Shri Sanat Kumar
 Raju, Shri V. B.
 Ranganathan, Shri S.
 Rao, Shrimati Rathnabhai Sreenivasa
 Rao, Shri V. C. Kesava
 Ray, Shri Rabi
 Reddi, Shri K. Brahmananda
 Reddy, Shri Gaddam Narayana
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri Mulka Govinda
 Reddy, Shri R. N.
 Roshan Lal, Shri
 Saleem, Shri Mohammad Yunus
 Sangma, Shri E. M.
 Sardar Amjad Ali, Shri
 Savita Behen, Shrimati
 Seyid Muhammad, Dr. V. A.
 Shah, Shri Manubhai

Shahi, Shri Nageshwar Prasad
Sharma, Shri K. L.

Sharma, Shri Yogendra

Shastri, Shri Bholā Paswan

Shastri, Shri Prakash Vir

Shekhawat, Shri B. S.

Shishir Kumar, Shri

Shukla, Shri Chakrapani

Shukla, Shri M. P.

Shyamkumari Devi, Shrimati

Singh, Shri D. P

Singh, Shri I. D.

Singh, Shri I. T.

Singh, Shrimati Jahanara Jaipal

Singh, Shri Kameshwar

Singh, Shri Mahendra Bahadur

Singh, Shri Mohan

Singh, Shri Nathi

Singh, Shri Niranjana

Singh, Shri Parbhu

Singh, Shrimati Pratibha

Singh, Shri Ranbir

Singh, Shri Sultan

Singh, Shri Triloki

Singh, Dr. V. B.

Sinha, Shri Awadheshwar Prasad

Sisodia, Shri Sawaisingh

Sukhdev Prasad, Shri

Sultan, Shrimati Maimoona

Swu, Shri Scato

Thakur, Shri Gunanand

Tilak, Shri J. S.

Tiwari, Shri Shankarlal

Tiwary, Pt. Bhawaniprasad

Totu, Shri G. C.

Tripathi, Shri Kamalapati

Trivedi, Shri H. M.

Tyagi, Shri O. P.

Varma, Shri M. P.

Varma, Shrimati Narayani Devi
Manaklal

Venigalla Satyanarayana, Shri

Vyas, Dr. M. R.

Wajd, Shri Sikander Ali

Yadav, Shri Shyam Lal

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 2 was added to the Bill.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 3 stand part of the Bill."

The House divided.

MR. DEPUTY CHAIRMAN:

Ayes : 169

Noes : Nil

AYES—169

Abid, Shri Qasim Ali

Abu Abraham, Shri

Adivarekar, Shrimati Sushila Shankar

Advani, Shri Lal K.

Ahmad, Dr. Z. A.

Alva, Shrimati Margaret

Amla, Shri Tirth Ram

Anandam, Shri M.

Arif, Shri Mohammed Usman

Avergoankar, Shri R. D. J.

Barman, Shri B. D.

Berwa, Shri Jamna Lal

Bhagwati, Shri B. C.

Bhardwaj, Shri Jagan Nath

Bhatt, Shri Nand Kishore

Bisi, Shri P. N.

Bobdey, Shri S. B.

Boroah, Shri D. K.

Buragohain, Shri Nabin Chandra

Chandra Shekhar, Shri

Chandrasekhar, Shrimati Maragatham
Chattopadhyaya, Prof. D. P.
Chaturvedi, Shrimati Vidyawati
Chaudhari, Shri N. P.
Chaurasia, Shri S. D. S.
Chettri, Shri K. B.
Choudhury, Shri N. R.
Chowdhary, Shri C. L.
Chowdhri, Shri A. S.
Chundawat, Shrimati Lakshmi Kumari
Das, Shri Balram
Das, Shri Bipinal
Dhabe, Shri S. W.
Dhar, Shri D. P.
Dhulap, Shri K. N.
Dikshit, Shri Umashankar
Dutt, Dr. Vidya Prakash
Dwivedi, Shri D. N.
Gadgil, Shri Vithal
Ganguli, Shri Salil Kumar
Ghosh, Shri Niren
Goray, Shri N. G.
Goswami, Shri S. P.
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hashmi, Shri S. A.
Himmat Singh, Shri
Imam, Shrimati Aziza
Jain, Shri Dharamchand
Jairamdas Daulatram, Shri
Jha, Shri Kamalnath
Joshi, Shri Jagdish
Joshi, Shrimati Kumudben
Manishankar
Joshi, Shri Umashankar
Kadershah, Shri M.
Kalaniya, Shri Ibrahim
Kalp Nath, Shri
Kalyan Chand, Shri
Kamble, Prof. N. M.
Kapur, Shri Yashpal
Kesri, Shri Sitaram
Khan, Shri Khurshed Alam
Khan, Shri Maqsood Ali

Khan, Prof. Rasheeduddin
Kollur, Shri M. L.
Kripalani, Shri Krishna
Krishan Kant, Shri
Krishna, Shri M. R.
Kulkarni, Shri A. G.
Kulkarni, Shrimati Sumitra G.
Kumaran, Shri S.
Kureel Urf. Talib, Shri P. L.
Lakshmanan, Shri G.
Lokesh Chandra, Dr.
Mahanti, Shri B. C.
Mahanti, Shri B. K.
Mahapatro, Shri L.
Majhi, Shri C. P.
Kakwana, Shri Yogendra
Malaviya, Shri Harsh Deo
Mali, Shri Ganesh Lal
Mariswamy, Shri S. S.
Mathur, Shri Jagdish Prasad
Mehta, Shri Om
Menon, Shrimati Leela Damodara
Mirdha, Shri Ram Niwas
Mishra, Shri R. K.
Mukherjee, Shri Kali
Mukherjee, Shri Pranab
Mukhopadhyay, Shrimati Purabi
Mulla, Shri A. N.
Munda, Shri B. R.
Murthy, Shri B. P. Nagaraja
Musafir, Shri Gurmukh Singh
Narasiah, Shri H. S.
Nawal Kishore, Shri
Nizam-ud-Din, Shri Syed
Nurul Hasan, Prof. S.
Oberoi, Shri M. S.
Pai, Shri T. A.
Panda, Shri Brahmananda
Parashar, Shri V. R.
Patil, Shri Deorao
Patil, Shri Gulabrao
Pradhan, Shrimati Saraswati
Prasad, Shri Bhola

Prasad, Shri K. L. N.
 Punnaiah, Shri Kota
 Rachaiah, Shri B.
 Raha, Shri Sanat Kumar
 Rāju, Shri V. B.
 Ranganathan, Shri S.
 Rao, Shrimati Rathnabai Sreenivasa
 Rao, Shri V. C. Kesava
 Ray, Shri Rabi
 Reddi, Shri K. Brahmananda
 Reddy, Shri Gaddam Narayana
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri Mulka Govinda
 Reddy, Shri R. N.
 Roshan Lal, Shri
 Saleem, Shri Mohammad Yunus
 Sangma, Shri E. M.
 Sardar Amjad Ali, Shri
 Savita Behen, Shrimati
 Seyid Muhammad, Dr. V. A.
 Shah, Shri Manubhai
 Shahi, Shri Nageshwar Prasad
 Sharma, Shri K. L.
 Sharma, Shri Yogendra
 Shastri, Shri Bhola Paswan
 Shastri, Shri Prakash Vir
 Shekhawat, Shri B. S.
 Shishir Kumar, Shri
 Shukla, Shri Chakrapani
 Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati
 Singh, Shri D. P.
 Singh, Shri I. D.
 Singh, Shri I. T.
 Singh, Shrimati Jahanara Jaipal
 Singh, Shri Kameshwar
 Singh, Shri Mahendra Bahadur
 Singh, Shri Mohan
 Singh, Shri Nathi
 Singh, Shri Niranjan
 Singh, Shri Parbhu
 Singh, Shrimati Pratibha
 Singh, Shri Ranbir

Singh, Shri Sultan
 Singh, Shri Triloki
 Singh, Dr V. B.
 Sinha, Shri Awadheshwar Prasad
 Sisodia, Shri Sawaisingh
 Sukhdev Prasad, Shri
 Sultan, Shrimati Maimoona
 Swu, Shri Scato
 Thakur, Shri Gunanand
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Totu, Shri G. C.
 Tripathi, Shri Kamlapati
 Trivedi, Shri H. M.
 Tyagi, Shri O. P.
 Varma, Shri M. P.
 Varma, Shrimati Narayani Devi
 Manaklal
 Venigalla Satyanarayana, Shri
 Vyas, Dr. M. R.
 Wajd, Shri Sikander Ali
 Yadav, Shri Shyam Lal

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 3 was added to the Bill.

MR. DEPUTY CHAIPMAN: The question is:

"That clause 4 stand part of the Bill."

The House divided.

MR. DEPUTY CHAIRMAN:

Ayes : 169

Noes : Nil

AYES—169

Abid, Shri Qasim Ali

Abu Abraham, Shri
Adivarekar, Shrimati Sushila Shankar
Advani, Shri Lal K
Ahmad, Dr. Z. A.
Alva, Shrimati Margaret
Amla, Shri Tirath Ram
Auandam, Shri M.
Arif, Shri Mohammed Usman
Avergoankar, Shri R. D. J.
Barman, Shri B. D.
Berwa, Shri Jamna Lal
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kishore
Bisi, Shri P. N.
Bobdey, Shri S. B.
Borooah, Shri D. K.
Buragohain, Shri Nabin Chandra
Chandra Shekhar, Shri
Chandrasekhar, Shrimati Maragatham
Chattopadhyaya, Prof. D. P.
Chaturvedi, Shrimati Vidyawati
Chaudhari, Shri N. P.
Chaurasia, Shri S. D. S.
Chettri, Shri K. B.
Choudhury, Shri N. R.
Chowdhary, Shri C. L.
Chowdhri, Shri A. S.
Chundawat, Shrimati Lakshmi Kumari
Das, Shri Balram
Das, Shri Bipinpal
Dhabe, Shri S. W.
Dhar, Shri D. P.
Dhulap, Shri K. N.
Dikshit, Shri Umashankar
Dutt, Dr. Vidya Prakash
Dwivedi, Shri D. N.
Gadgil, Shri Vithal
Goswami, Shri S. P.
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hashmi, Shri S. A.
Himmat Singh, Shri
Imam, Shrimati Aziza

Jain, Shri Dharamchand
Jairamdas Daulatram, Shri
Jha, Shri Kamalnath
Joshi, Shri Jagdish
Joshi, Shrimati Kumudben
Manishankar
Joshi, Shri Umashankar
Kadershah, Shri M.
Kalaniya, Shri Ibrahim
Kalp Nath, Shri
Kalyan Chand, Shri
Kamble, Prof. N. M.
Kapur, Shri Yashpal
Kesri, Shri Sitaram
Khan, Shri Khurshed Alam
Khan, Shri Maqsood Ali
Khan, Prof. Rasheeduddin
Kollur, Shri M. L.
Kripalani, Shri Krishna
Krishan Kant, Shri
Krishna, Shri M. R.
Kulkarni, Shri A. G.
Kulkarni, Shrimati Sumitra G.
Kumaran, Shri S.
Kureel Urf. Talib, Shri P. L.
Lakshmanan, Shri G.
Lokesh Chandra. Dr.
Mahanti, Shri B. C.
Mahanti, Shri B. K.
Mahapatro, Shri L.
Majhi, Shri C. P.
Makwana, Shri Yogendra
Malaviya, Shri Harsh Deo
Mali, Shri Ganesh Lal
Mariswamy, Shri S. S.
Mathur, Shri Jagdish Prasad
Mehta, Shri Om
Menon, Shrimati Leela Damodara
Mirdha, Shri Ram Niwas
Mishra, Shri R. K.
Mukherjee, Shri Kali
Mukherjee, Shri Pranab
Mukhopadhyay, Shrimati Purabi
Mulla, Shri A. N.

Munda, Shri B. R.
Murthy, Shri B. P. Nagaraja
Musafir, Shri Gurmukh Singh
Narasiah, Shri H. S.
Nawal Kishore, Shri
Nizam-ud-Din, Shri Syed
Nurul Hasan, Prof. S.
Oberoi, Shri M. S.
Pai, Shri T. A.
Panda, Shri Brahmananda
Parashar, Shri V. R.
Patil, Shri Deorao
Patil, Shri Gulabrao
Pradhan, Shrimati Saraswati
Prasad, Shri Bhola
Prasad, Shri K. L. N.
Punnaiyah, Shri Kota
Rachaiyah, Shri B.
Raha, Shri Sanat Kumar
Raju, Shri V. B.
Ranganathan, Shri S.
Rao, Shrimati Rathnabai Sreenivasa
Rao, Shri V. C. Kesava
Ray, Shri Rabi
Reddi, Shri K. Brahmananda
Reddy, Shri Gaddam Narayana
Reddy, Shri Janardhana
Reddy, Shri K. V. Raghunatha
Reddy, Shri Mulka Govinda
Reddy, Shri R. N.
Roshan Lal, Shri
Saleem, Shri Mohammad Yunus
Sangma, Shri E. M.
Sardar Amjad Ali, Shri
Savita Behen, Shrimati
Seyid Muhammad, Dr. V. A.
Shah, Shri Manubhai
Shahi, Shri Nageshwar Prasad
Sharma, Shri K. L.
Sharma, Shri Yogendra
Shastri, Shri Bhola Paswan
Shastri, Shri Prakash Vir
Shekhawat, Shri B. S.
Shishir Kumar, Shri

Shukla, Shri Chakrapani
Shukla, Shri M. P.
Shyamkumari Devi, Shrimati
Singh, Shri D. P.
Singh, Shri I. D.
Singh, Shri I. T.
Singh, Shrimati Jahanara Jaipal
Singh, Shri Kameshwar
Singh, Shri Mahendra Bahadur
Singh, Shri Mohan
Singh, Shri Nathi
Singh, Shri Niranjana
Singh, Shri Parbhu
Singh, Shrimati Pratibha
Singh, Shri Ranbir
Singh, Shri Sultan
Singh, Shri Triloki
Singh, Dr. V. B.
Sinha, Shri Awadheshwar Prasad
Sisodia, Shri Sawaisingh
Sukhdev Prasad, Shri
Sultan, Shrimati Maimoona
Swu, Shri Scato
Thakur, Shri Gunanand
Tilak, Shri J. S.
Tiwari, Shri Shankarlal
Tiwary, Pt. Bhawaniprasad
Totu, Shri G. C.
Tripathi, Shri Kamalapati
Trivedi, Shri H. M.
Tyagi, Shri O. P.
Varma, Shri M. P.
Varma, Shrimati Narayani Devi
Manaklal
Venigalla Satyanarayana, Shri
Vyas, Dr. M. R.
Wajd, Shri Sikander Ali
Yadav, Shri Shyam Lal

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 4 was added to the Bill.

Clause 5 (Addition of Tenth Schedule)

DR. K. MATHEW KURIAN: Sir, I move:

3. "That at page 3, lines 1 to 3 be deleted."

6. "That at page 3, line 9, after the word 'Assembly' the words 'and shall be liable to be recalled by a resolution of the Sikkim Assembly;' be inserted."

10. "That at page 4, for lines 34 to 38, the following paragraph be substituted, namely:—

'5. Nothing contained in this Schedule, or in any other agreement, grant, usage, sufferance or other arrangement, shall abrogate or restrict the power of Sikkim people through their elected legislature by adult franchise, to frame any Constitution, change any agreements including the abolition of post and powers of Executive Officer and the post of Chogyal and Government of Sikkim Act of 1947, that it considers necessary to exercise full internal autonomy.'

SHRI LAL K. ADVANI: Sir, I move:

4. "That at page 3, after line 3, the following new paragraph be inserted, namely:—

'3A. All orders issued by the President under paragraph 3 and which relate to the discharge of such responsibilities of the Government of India as are enumerated in clauses (b), (c), (d), and (e) of paragraph 2(1) shall be laid as soon as may be, before each House of Parliament and before the Sikkim Assembly.'

7. "That at page 3, after line 29, the following be inserted, namely:—

'(ii) is, in the case of a seat in the Council of States, not less than thirty years of age and in the case of a seat in the House of the People not less than twenty-five years of age; and

(iii) possesses such other qualifications as may be prescribed in that behalf by or under any law made by Parliament:

Provided that if and when the Citizenship Act, 1955 is extended to Sikkim. Clause (c) of paragraph 4 of the Tenth Schedule shall cease to operate and Article 84 of the Constitution shall apply'."

8. "That at page 3, lines 39-40, the words 'except as respect the election of the President or the Vice-President' be deleted."

SHRI BHUPESH GUPTA: Sir, I move:

11. "That at page 2, after line 35, the following proviso be inserted, namely:—

'Provided that in discharging the responsibilities under clauses (b), (c), (d) and (e) of this paragraph, the Government of India shall take into due account the views of the Government of Sikkim'."

12. "That at page 3, after line 3, the following be inserted, namely:—

'Provided that in ensuring good administration care must be taken to avoid any bureaucratic, anti-people and anti-democratic interference with the process of evolution of the democratic system in Sikkim;

Provided further that steps must be taken at an early date in

concurrence with the Government of Sikkim so that the Chief Executive nominated by the Government of India and appointed by the Chogyal does not act as the President of the Sikkim."

13. "That at page 3, after line 3, the following be inserted, namely:—

"(c) the copies of all general and special orders made under clauses (a) and (b) of this paragraph shall be laid before Parliament in order to enable either House to review them'."

The questions were proposed.

DR. K. MATHEW KURIAN: Sir, while the Minister was replying to the debate, he said that what they were doing was according to the wishes of the people of Sikkim. I would like to explode this myth by bringing to your notice some very interesting facts. I have here with me a copy of the Election Manifesto of the Sikkim Congress in the recent election. If you go through the Election Manifesto of the Sikkim Congress, you will see that there is no mention of this type of policy, of Sikkim being absorbed into the Indian Union, and this question was not raised before the people and the people had no occasion . . .

SHRI KALI MUKHERJEE: On a point of order, Sir, Dr. Kurian has opposed this Bill as a whole. Having opposed the Bill, why is it that he is taking the opportunity of moving a number of amendments to the Bill?

DR. K. MATHEW KURIAN: I will be wasting my time trying to make Mr. Kali Mukherjee educated. I do not want to do that job.

My main point is the people of Sikkim were not given an opportunity to decide by a referendum or even during the election, a point on which election was held, whether they should join the Indian Union or not.

That was not debated during the election campaign. It was not in the election manifesto of the Sikkim Congress. There has been no referendum to decide whether the people of Sikkim should join the Indian Union even with an associate status. Even according to the Thirtysixth Amendment Bill also I will show that the wishes of the people of Sikkim have not been adequately reflected during elections because elections were held while four battalions of the CRP were terrorising the people of Sikkim in villages. I have got here photographs—this is the first photograph, this is the second photograph, this is the third. . . (*Interruptions by several honourable Members*). . . Mr. Deputy Chairman, will you please control them? Will you please control all the * * * on the other side, all the CRP men on the other side?

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Mr. Deputy Chairman he has used an unparliamentary expression. It should be expunged,

MR. DEPUTY CHAIRMAN: Yes, that word will be expunged.

DR. K. MATHEW KURIAN: All right, Mr. Deputy Chairman, the word * * * can be substituted by "honourable men shouting on the other side".

DR. Z. A. AHMAD: Mr. Deputy Chairman, he has used the word * * *. It is highly objectionable. He should withdraw it.

MR. DEPUTY CHAIRMAN: It has been expunged,

DR. K. MATHEW KURIAN: I have withdrawn it and substituted it by "honourable men on the other side". (*Interruptions by several honourable Members*) I will not be shouted down

* * * Expunged as ordered by the Chair.

like this. Mr. Deputy Chairman, you as Deputy Chairman should control them. The Leader of the House is there. He should control them. I have got here photographs to show that those who opposed the Sikkim Congress were beaten up. Some Sikkim women who opposed the Sikkim Congress were beaten up.... (*Interruptions*).

SHRI M. P. SHUKLA: On a point of order . . .

MR. DEPUTY CHAIRMAN: Please sit down.

DR. K. MATHEW KURIAN: Mr. Deputy Chairman, somebody else is taking my time. I am not making wild allegations. Here I have got the names of women who were beaten up. One Miss Sani Yoguda was stoned by the First Secretary of the Political Officer, Mr. Bedi on 20th June, 1974 when demonstrations took place against the Bill. Similarly Mrs. Durga Lama, a strong supporter of Sikkim Congress before, opposed the Bill of 1974 and she was hit by the CRP by lathi and her left leg has been fractured. Here is another evidence, of one Mr. Hilton who is a staff member of the STNM Hospital. Then a girl student who participated in demonstrations was beaten up.... (*Repeated interruptions by several honourable Members*).

SHRI S. S. MARISWAMY: Mr. Deputy Chairman on a point of order. Whether we agree with the honourable Member or not is a different matter. The Leader of the House is sitting here. Has not Dr. Kurian the right to speak whatever he feels in the matter? What is the Leader of the House doing? He must control his people. I do not subscribe to Dr. Kurian's views, but Dr. Kurian has got the right to say what he feels. He has got a right to say whatever he wants to say and he should not be prevented from saying

what he wants to say. After all, you can vote it down if you like.

DR. K. MATHEW KURIAN: Sir, I do not want to use any unparliamentary words. But, I think, at some stage or other, I have to call a spade a spade and I will do that whenever it is required to be done. Now, I would like to say that during the elections, any party or group which opposed the Sikkim Congress, was beaten up mercilessly.... (*Interruptions*) . . .

SHRI M. P. SHUKLA: Are these photographs, which he is having, from Peking?

DR. K. MATHEW KURIAN: There was a group of United Independents. They stood as Independents and, later on they formed the Sikkim Prajatantra Party. Here, Sir, I am having a photo showing a big meeting, a big rally, where hundreds of thousands of people are attending the meeting. This Party of the Independents requested the Election Commissioner to allow them to be vigilant near Jeep No. 4. Jeep No. 4 was carrying the ballot boxes. But they were prevented from doing so because the CRP men said that it was their job and these people had nothing to do with it. They were prevented from being near the main places and there was no freedom for them and even the normal electoral procedures were also superseded.

Sir, I would conclude by saying that the whole election is rigged and the people's real will, as it happened in the case of West Bengal, has not been reflected properly in Sikkim. The CRP was let loose. Now, I would say what our party wants.

Our party wants to say that this is nothing but a total denial of the democratic rights of the people of Sikkim to manage their own affairs. Our party demands the abolition of the position of the Chogyal. Let it be on record that our party wants the abolition of the Chogyal's posi-

tion. Our party wants the immediate abolition of the Indian Chief Executive Officer with his powers of veto over the elected Assembly and the Ministry. Our party demands that no effort should be made even to restrict the right of the Sikkim people to frame their own political and economic institutions to manage their internal affairs. Sir, our party describes this Bill as a Bill to absorb Sikkim through a rigged election which does not reflect the will of the people. Therefore, I have moved these amendments at least to democratise the whole thing though I know that this majority, this aggressive majority... (*Interruptions*). . . will not allow them to be passed.

SHRI LAL K. ADVANI: Sir, I have moved three amendments to this Clause. The first relates to clause 3 of the Schedule which pertains to the exercise of certain powers by the President. According to this clause, the President may, "by general or special order, provide for the inclusion of the planned development of Sikkim within the ambit of the planning authority of India while that authority is preparing plans for the economic and social development of India, and for appropriately associating officials from Sikkim in such work". It also provides for "the exercise of all or any of the powers vested or sought to be vested in the Government of India in or in relation to Sikkim under the Government of Sikkim Act, 1974".

My object in moving these amendments is that this is going to be a constitutional order and this constitutional order ought to be laid on the Table of this House and of the other House as well as that of the Sikkim Assembly. This is the purpose of my amendment No 4 and I see no reason why the Government should not be able to accept this amendment. I appreciate that there may be some matters pertaining to the defence or the territorial integrity of Sikkim or the regulation of its external affairs in which case the

orders issued may not be laid on the Table of the House. I appreciate that. That is why I have moved that in connection with such responsibilities of the Government of India as are enumerated in clauses (b), (c), (d) and (e)—I have excluded clause (a) which relates to Defence and External Affairs—all orders, whether general or special, should be laid on the Table of each House of Parliament and of the Sikkim Assembly. Sir, about my second amendment No. 7, I am appreciating the fact that in the other House an amendment has been included, because of which clauses (ii) and (iii) of the amendment that I have moved may not be necessary. But the proviso to the amendment that I have suggested contemplates that if not today, tomorrow, our Citizenship Act would be extended to Sikkim, and contemplating that, anticipating that, or projecting that, I have suggested that if and when the Citizenship Act of India is extended to Sikkim, then Article 84 in its entirety should apply to the representatives of Sikkim also, who are elected to the Rajya Sabha or to the Lok Sabha.

My last amendment is based on the principle that all members in the Rajya Sabha and all members in the Lok Sabha should be of the same single genius, same single variety; there should be no distinction between them. I somehow am not able to accept that there will be two members in Parliament who will not be entitled to take part in the election of President and Vice-President... (*Interruption*)... The Constitution has already made a distinction and that distinction also relates only to the Presidential election. Mind, you, my friend was reminding me that they would not be able to participate in the Presidential election but they would be able to participate in the election of Vice-President. But the difference is on the basis of nominated and elected members. According to the amendment accepted in the other House, on the basis of recom-

[Shri Lal K. Advani]

mentation made by all the opposition parties together, namely, that the representatives of Sikkim to the Lok Sabha should be directly elected, I see no reason why representatives in the Rajya Sabha and Lok Sabha should be debarred from participation in the Presidential and Vice-Presidential elections. My amendment is moved with the aim to enable the representatives of Sikkim in our Parliament to participate in all the elections.

Sir, in connection, I think that my reading of this Bill, which we are about to pass, is that these representative can become members of the Council of Ministers. They can become Ministers, because there is no bar in that respect. When they can become Ministers, I see no reason why they should not be.... (Time bell rings).

SHRI BHUPESH GUPTA (West Bengal): Sir, my amendment within the scope of this Bill is meant only to improve it I would like to have the reaction of the hon. Minister.

My first amendment is about clause 2 of the Bill where we enumerate the responsibilities of the Government of India. Now, Sir, five responsibilities are enumerated: (a), (b), (c), (d) and (e). Leaving out (a), which relates to Defence and territorial integrity, others are internal matters, economic matters, and so on. What I suggest is that there should be added a proviso: "Provided that in discharging the responsibilities under clauses (b), (c), (d) and (e) of this paragraph, the Government of India shall take into due account the views of the Government of Sikkim."

Now, I am not making anything mandatory for the Government. It is in the nature of a Directive Principle for future that we should take into account, whatever we do by discharging the responsibilities, the views of the Government of Sikkim, namely, the elected Government—not the Chogyal business, but Government which is responsible to the Assemb-

ly. Why I say this thing is because this Bill, apart from being a constitutional document, has its own significance in the sense that we are creating something new and, therefore, people should know what is what. It is the intention of the Government, of Parliament, that nothing will be done against the wishes of people. What is implicit in our approach I want to make explicit.

With regard to other amendment, only a typing error is there. We are taking the responsibility of providing good administration. Here the amendment is:

"Provided that in ensuring good administration care must be taken to avoid any bureaucratic, anti-people and anti-democratic interference with the process of evolution of the democratic system....".

Here it should be "system" instead of "...process in Sikkim". This is number one.

SHRI BHUPESH GUPTA: I think there cannot be any disagreement in principle that this is the purpose of the law that you are passing. Now, you make it explicit in the Schedule. Otherwise, there may be some people who may like to function in a wrong way. Bureaucrats may go wrong. Therefore, it is a question of check on them. Nothing should be done against the people or which is undemocratic.

Now, Sir, the other proviso is:

"Provided further that steps must be taken at an early date in concurrence with the Government of Sikkim so that the Chief Executive nominated by the Government of India and appointed by the Chogyal does not act as the President of the Sikkim Assembly."

This is a matter of principle. I know that you are not doing something on your own. I know that the provision in the agreement and in their Act

requires that this should be like that. But since we are speaking in Parliament, we cannot fancy the idea of a nominated man, appointed by the Chogyal, to preside over the Legislature. This is something which is anomalous to what you are doing. Therefore, you should discuss this matter, consider it and come to an arrangement whereby the Speaker becomes a Speaker elected by the Assembly.

My final amendment is about the copies of the orders. Mr. Swaran Singh has not given an assurance that the copies will be laid on the Table of the House. I think this should be given here. Under Clause 3, the President can issue a special or a general order. All that I want is that copies of all such orders should be laid before the Parliament so that the Members including the Members who come from Sikkim can review them and, if necessary, ask for discussions on them. Nothing is wrong there.

I disagree with my friend, Mr. Advani, when he said that the two representatives should be allowed to participate in the Presidential and Vice-Presidential elections. Here we constitute an electoral college in the context of Presidential and Vice-Presidential elections. The electoral college includes the M.L.As. of the Assemblies also. This is relatable to our citizenship and the population of the electorate in our country. Therefore, it would be wrong in principle to introduce an arrangement whereby two representatives who will not be citizens of the country will form a part of the electoral college. (*Time bell rings*).

My friend, Mr. Kurian showed certain things. I would like to say that he did not read the other things. I do not know what those things are. Here, in the Government of Sikkim Act, there is a provision that there shall be an Assembly and Sikkim shall seek participation and representation for the people of Sikkim in the

political institution of India. We are not concerned, at the moment, with the election manifesto. We are concerned with the Government of Sikkim Act wherein...

SHRI NIREN GHOSH: Why should we not put it?

SHRI BHUPESH GUPTA: At the moment, we are passing a law. You do not get angry. (*Interruptions*). The point is whether we are going against the wishes of the people (*Interruptions*).

MR. DEPUTY CHAIRMAN: Mr. Bhupesh Gupta, please conclude now.

SHRI BHUPESH GUPTA: We are not doing something wrong. The Government of Sikkim Act has been passed unanimously. If it is challenged, then it is a different matter. You have not challenged that it has been unanimously passed. Anyhow, this document stands. We are legislating on the basis of an authentic opinion expressed by the Assembly elected there.

SARDAR SWARAN SINGH: Sir, I will be very brief in my comments. Dr. Kurian's amendments cover two points. One is that there should be a right of recall of a Member. Even Dr. Kurian himself is not subject to that limitation. He cannot be recalled by the Assembly which elected him even though his Party has not now got a majority there. Therefore, it is not necessary. It is not in the scheme of our representation in Rajya Sabha. If and when you accept this principle that there should be a right to recall, then only you can think of extending it to the representative of Sikkim. About referendum being the basis of framing the Constitution, it is the will of the people which is important and not the actual mode which is adopted. As a matter of fact, our own Constitution was not the result of referendum. In our neighbourhood, the Constitutions of Bangladesh and Sri Lanka were drafted by

[Sardar Swaran Singh.]

elected representatives in accordance with the well-known principles. And, therefore, to impose this on Sikkim is neither fair nor consistent with the general practice that has been prevailing in our region.

The last observation is that this Parliament does not sit in judgment over the elections that were conducted in Sikkim. It will be very wrong for us to do that. And I would like to say that to describe the elected representatives who are forming the Government there as persons elected as a result of rigged elections is certainly not fair to any elected body. If anybody has got any complaint, according to the laws that prevail there, they should take appropriate action....

DR. K. MATHEW KURIAN: Are you aware that one Dejay Bhutia, who died six or seven years ago, was elected and in his place, his brother is going as MLA.

SARDAR SWARAN SINGH: If I may say, it is very easy for any party which does not succeed in election to say that the elections are rigged...

DR. K. MATHEW KURIAN: You can check up this. One Miss Hemlata Chattri is only 21 years of age, studying in Kalimpong in the 1st year B.A. According to the election rules she should be 25 years of age but she is only 21 years old.

MR DEPUTY CHAIRMAN: You had your say. Let him continue. Please take your seat now.

SARDAR SWARAN SINGH: I do not hold any brief either to contradict the allegations about any candidate, nor am I here to defend those who are elected. I am following the principle, the only principle that we should follow, that we should not go into the electoral process of any other... (Interruptions.) And if I may say, I would have accepted Dr. Kurian's observations if he himself

had taken the trouble of going to Sikkim and had seen the elections himself....

DR. K. MATHEW KURIAN: I have produced photographs of the CRP's terror, the beating up of people... (Interruptions).

SARDAR SWARAN SINGH: I would like to say categorically that any allegations that the elections in Sikkim were rigged are unfair and unfounded, and, therefore, they should be discouraged. I wish they had not been mentioned because they are totally irrelevant so far as the present amendment Bill is concerned.

SHRI NIREN GHOSH: It has been done under your vigilance. It is proved.

SARDAR SWARAN SINGH: This desire to uphold the fairness of elections in Sikkim appears to be a very recent urge on the part of the CPM. When the elections were going on, they did not take any interest. Or their friends, who are now briefing them at the moment, did not take part in elections or they received a drubbing and so they are cooking up these excuses... (Interruptions). Sir, there is a point which has been raised by Shri Advani and also Shri Bhupesh Gupta about laying the copies of certain orders on the Table of the House. I have already said and I would like to repeat the assurance that we will lay on the Table of this House the copies of orders that are issued under clauses (b), (c), (d) and (e) as is contained in the amendment. I accept this in principle and we will carry out this assurance. We discussed this matter with the Law Officers and they said that a constitutional provision of this nature is not necessary. There are other constitutional orders which are passed under the Constitution and there is no provision in our Constitution where there is a constitutional obligation incorporated in the Constitution to lay such copies on the Table of the House. So, I would appeal to them that their point

having been accepted, they should not press this amendment.

Then, Sir, the other point is in connection with dealing with a future contingency. Therefore, it is not relevant so far as the present stage of our relationship is concerned.

Then, Sir, the other point is with regard to elections, namely, about their right to participate in the elections of the President and the Vice-President. This is a matter which was considered in great detail. Now, the intention is not to give them any different status. But, there was the complication about the number of points to be allotted to them. As you know, various Members coming from different States have got different number of points allotted to them. In view of the present stage of our relationship, we did not come to a clear conclusion about their participating in Presidential and Vice-Presidential elections.

SHRI LAL K. ADVANI: Sir, this argument would apply so far as the President's election is concerned but this argument would not apply so far as the Vice-President's election is concerned when particularly he, as a Member, is present in this House and the Chairman of this House has not been elected by him. Sir, I think it is an anomalous position. I would urge you to kindly re-examine this point.

SARDAR SWARAN SINGH: The other point that Shri Bhupesh Gupta has suggested relates to their own Constitution. The views that he has expressed are important and, therefore, that is a matter which could be transmitted to the Assembly in Sikkim through the normal channels and they could take necessary steps. We do not want to do anything without remaining in close touch with the Government of Sikkim. Our relationship is a relationship of trust and we do not want to impose anything. We will certainly benefit by the process of consultations which will continuously be undertaken.

With these words, Sir, I would appeal to the hon. Members that they should not press their amendments. There is a practical reason also for the Bill has already been adopted by the other House and we will only be delaying the matter, if we have a desire to improve its language or have some marginal points here or there and, therefore, for all these reasons, I would suggest for the consideration of the hon. Members that they may not press their amendments. Thank you.

MR. DEPUTY CHAIRMAN: The question is:

3. "That at page 3, lines 1 to 3 be deleted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

6. "That at page 3, line 9, after the word "Assembly" the words 'and shall be liable to be recalled by a resolution of the Sikkim Assembly,' be inserted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

10. "That at page 4, for lines 34 to 33, the following paragraph be substituted, namely:

'5. Nothing contained in this Schedule, or in any other agreement, grant, usage, sufferance or other arrangement, shall abrogate or restrict the power of Sikkim people through their elected legislature by adult franchise, to frame any Constitution, change any agreements including the abolition of post and powers of Executive Officer and the post of Chogyal and Government of Sikkim Act of 1974, that it considers necessary to exercise full internal autonomy.'

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

4. "That at page 3, after line 3, the following new paragraph be inserted, namely:—

'3A. All orders issued by the President under paragraph 3 and which relate to the discharge of such responsibilities of the Government of India as are enumerated in clauses (b), (c), (d) and (e) of paragraph 2(1) shall be laid, as soon as may be, before each House of Parliament and before the Sikkim Assembly.'

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

7. "That at page 3, after line 29, the following be inserted, namely:—

'(ii) is, in the case of a seat in the Council of States, not less than thirty years of age and in the case of a seat in the House of the People not less than twenty-five years of age; and

(iii) possesses such other qualifications as may be prescribed in that behalf by or under any law made by Parliament:

Provided that if and when the Citizenship Act, 1955 is extended to Sikkim, clause (e) of paragraph 4 of the Tenth Schedule shall cease to operate and Article 84 of the Constitution shall apply.' "

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

8. "That at page 3, lines 39-40, the words 'except as respects the election of the President or the Vice President' be deleted."

The motion was negatived.

SHRI BHUPESH GUPTA: I have no objection to withdraw amendment No. 13 in view of the assurance given by the hon. Minister

In regard to amendment Nos. 11 and 12, I would like to press them for the purpose of historical records because I may not be alive tomorrow.

The amendment (No. 13) was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: The question is:

11. "That at page 2, after line 33, the following proviso be inserted, namely:—

'Provided that in discharging the responsibilities under clauses (b), (c), (d) and (e) of this paragraph, the Government of India shall take into due account the views of the Government of Sikkim.'

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

12. "That at page 3, after line 3, the following be inserted, namely:—

'Provided that in ensuring good administration care must be taken to avoid any bureaucratic, anti-people and anti-democratic interference with the process of evolution of the democratic system in Sikkim:

Provided further that steps must be taken at an early date in concurrence with the Government of Sikkim so that the Chief Executive nominated by the Government of India and appointed by the Chogyal does not act as the President of the Sikkim Assembly.'

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 5 stands part of the Bill."

The House divided.

MR. DEPUTY CHAIRMAN: Ayes—168; Noes—Nil.

AYES—168

Abid, Shri Qasim Ali
 Abu Abraham, Shri
 Adivarekar, Shrimati Sushila Shankar
 Advani, Shri Lal K
 Alva, Shrimati Margaret
 Amla, Shri Tirath Ram
 Anandam, Shri M.
 Arif, Shri Mohammed Usman
 Avernoankar, Shri R. D. J.
 Barman, Shri B. D.
 Berwa, Shri Jamna Lal
 Bhagwati, B. C.
 Bhardwaj, Shri Jagan Nath
 Bhatt, Shri Nand Kishore
 Bisi, Shri P. N.
 Bobdey, Shri S. B.
 Borooah, Shri D. K.
 Buragohain, Shri Nabin Chandra
 Chandra Shekhar, Shri
 Chandrasekhar, Shrimati Maragatham
 Chattopadhyaya, Prof. D. P.
 Chaturvedi, Shrimati Vidyawati
 Chaudhari, Shri N. P.
 Chaurasia, Shri S. D. S.
 Chettri, Shri K. B.
 Choudhury, Shri N. R.
 Chowdhary, Shri C. L.
 Chowdhry, Shri A. S.
 Chundawat, Shrimati Lakshmi Kumari.
 Das, Shri Balram
 Das, Shri Bipinpal
 Dhabe, Shri S. W
 Dhar, Shri D. P

Dhulap, Shri K. N.
 Dikshit, Shri Umashankar,
 Dutt, Dr. Vidya Prakash
 Dwivedi, Shri D. N.
 Gadgil, Shri Vithal
 Goswami, Shri S. P.
 Gujral, Shri I. K.
 Gupta, Shri Bhupesh
 Hashmi, Shri S. A.
 Himmat Singh, Shri
 Imam, Shrimati Aziza
 Jain, Shri Dharamchand
 Jairamdas Daulatram, Shri
 Jha, Shri Kamalnath
 Joshi, Shri Jagdish
 Joshi, Shrimati Kumudben Manishankar
 Joshi, Shri Umashankar
 Kadershah, Shri M.
 Kalaniya, Shri Ibrahim
 Kalp Nath, Shri
 Kalyan Chand, Shri
 Kamble, Prof. N. M.
 Kapur, Shri Yashpal
 Kesri, Shri Sitaram
 Khan, Shri Khurshed Alam
 Khan, Shri Maqsood Ali
 Khan, Prof. Rasheeduiddin
 Kollur, Shri M. L.
 Kripalani, Shri Krishna
 Krishan Kant, Shri
 Krishna, Shri M. R.
 Kulkarni, Shri A. G.
 Kulkarni, Shrimati Sumitra G.
 Kumaran, Shri S.
 Kumbhare, Shri N. H.
 Kureel Urf Talib, Shri P. L.
 Lakshmanan, Shri G.
 Lokesh Chandra, Dr.
 Mahanti, Shri B. C.
 Mahanti, Shri B. K.
 Mahapatro, Shri L.
 Majhi, Shri C. P.
 Makwana, Shri Yogendra

Malaviya, Shri Harsh Deo
 Mali, Shri Ganesh Lal
 Mariswamy, Shri S. S.
 Mathur, Shri Jagdish Prasad
 Mehta, Shri Om
 Menon, Shrimati Leela Damodara
 Mirdha, Shri Ram Niwas
 Mishra, Shri R. K.
 Mukherjee, Shri Kali
 Mukherjee, Shri Pranab
 Mukhopadhyay, Shrimati Purabi
 Mulla, Shri A. N.
 Munda, Shri B. R.
 Murthy, Shri B. P. Nagaraja
 Musafir, Shri Gurmukh Singh
 Narasiah, Shri H. S.
 Nawal Kishore, Shri
 Nizam-ud-Din, Shri Syed
 Nurul Hasan, Prof. S.
 Oberoi, Shri M. S.
 Pai, Shri T. A.
 Panda, Shri Brahmananda
 Parashar, Shri V. R.
 Patil, Shri Deorao
 Patil, Shri Gulabrao
 Pradhan, Shrimati Saraswati
 Prasad, Shri Bhola
 Prasad, Shri K. L. N.
 Punnaiah, Shri Kota
 Rachaiah, Shri B.
 Raha, Shri Sanat Kumar
 Raju, Shri V. B.
 Ranganathan, Shri S.
 Rao, Shrimati Rathnabai Sreenivasa
 Rao, Shri V. C. Kesava
 Ray, Shri Rabi.
 Reddi, Shri K. Brahmananda
 Reddy, Shri Gaddam Narayana
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri Mulka Govinda
 Reddy, Shri R. N.
 Roshan Lal, Shri
 Saleem, Shri Mohammad Yunus

Sangma, Shri E. M.
 Sardar Amjad Ali, Shri
 Savita Behen, Shrimati
 Seyid Muhammad, Dr. V. A.
 Shah, Shri Manubhai
 Shahi, Shri Nageshwar Prasad
 Sharma, Shri K. L.
 Sharma, Shri Yogendra
 Shastri, Shri Bhola Paswan
 Shastri, Shri Prakash Vir
 Shekhawat, Shri B. S.
 Shishir Kumar, Shri
 Shukla, Shri Chakrapani
 Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati
 Singh, Shri D. P.
 Singh, Shri I. D.
 Singh, Shri I. T.
 Singh, Shrimati Jahanara Jaipal
 Singh, Shri Kameshwar
 Singh, Shri Mahendra Bahadur
 Singh, Shri Mohan
 Singh, Shri Nathi
 Singh, Shri Niranjan
 Singh, Shri Parbhu
 Singh, Shrimati Pratibha
 Singh, Shri Ranbir
 Singh, Shri Sultan
 Singh, Shri Triloki
 Singh, Dr. V. B.
 Sinha, Shri Awadheshwar Prasad
 Sisodia, Shri Sawaisingh
 Sukhdev Prasad, Shri
 Sultan, Shrimati Maimoona
 Swu, Shri Scato
 Thakur, Shri Gunanand
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Totu, Shri G. C.
 Tripathi, Shri Kamlapati
 Trivedi, Shri H. M.
 Tyagi, Shri O. P.
 Varma, Shri M. P.

Varma, Shrimati Narayan Devi
Manaklal

Venengalia Satyanarayana, Shri

Vyas, Dr. M. R.

Wajd, Shri Sikander Ali

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 5 was added to the Bill.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 1, the Enacting Formula and the Title be added to the Bill."

The House divided.

MR. DEPUTY CHAIRMAN: Ayes—168; Noes—Nil.

AYES—168

Abid, Shri Qasim Ali

Abu Abraham, Shri.

Adivarekar, Shrimati Sushila Shankar

Advani, Shri Lal K.

Alva, Shrimati Margaret

Amla, Shri Tirath Ram

Anandam, Shri M.

Arif, Shri Mohammed Usman

Avergoankar, Shri R. D. J.

Barman, Shri B. D.

Berwa, Shri Jamna Lal

Bhagwati, Shri B. C.

Bhardwaj, Shri Jagan Nath

Bhatt, Shri Nand Kishore

Bisi, Shri P. N.

Bobdey, Shri S. B.

Borooah, Shri D. K.

Buragohain, Shri Nabin Chandra

Chandra Shekhar, Shri

Chandrasekhar, Shrimati Maragatham

Chattopadhyaya, Prof. D. P.

Chaturvedi, Shrimati Vidyawati

Chaudhari, Shri N. P.

Chaurasia, Shri S. D. S.

Chettri, Shri K. B.

Choudhury, Shri N. R.

Chowdhary, Shri C. L.

Chowdhri, Shri A. S.

Chundawat, Shrimati Lakshmi Kumari

Das, Shri Balram

Das, Shri Bipinpal

Dhabe, Shri S. W.

Dhar, Shri D. P.

Dhulap, Shri K. N.

Dikshit, Shri Umashankar

Dutt, Dr. Vidya Prakash

Dwivedi, Shri D. N.

Gadgil, Shri Vithal

Goswami, Shri S. P.

Gujral, Shri I. K.

Gupta, Shri Bhupesh

Hashmi, Shri S. A.

Himmat Singh, Shri

Imam, Shrimati Aziza

Jain, Shri Dharamchand

Jairamdas Daulatram, Shri

Jha, Shri Kamalnath

Joshi, Shri Jagdish

Joshi, Shrimati Kumudben Manishankar

Joshi, Shri Umashankar

Kadershah, Shri M.

Kalaniya, Shri Ibrahim

Kalp Nath, Shri

Kalyan Chand, Shri

Kamble, Prof N. M.

Kapur, Shri Yashpal

Kesri, Shri Sitaram

Khan, Shri Khurshed Alam

Khan, Shri Maqsood Ali
 Khan, Prof. Rasheeduddin
 Kollur, Shri M. L.
 Kripalani, Shri Krishna
 Krishan Kant, Shri
 Krishna, Shri M. R.
 Kulkarni, Shri A. G.
 Kulkarni, Shrimati Sumitra G.
 Kumaran, Shri S.
 Kumbhare, Shri N. H.
 Kureel Urf, Talib, Shri P. L.
 Lakshmanan, Shri G.
 Lokesh Chandra, Dr.
 Mahanti, Shri B. C.
 Mahanti, Shri B. K.
 Mahapatro, Shri L.
 Majhi, Shri C. P.
 Makwana, Shri Yogendra
 Malaviya, Shri Harsh Deo
 Mali, Shri Ganesh Lal
 Mariswamy, Shri S. S.
 Mathur, Shri Jagdish Prasad
 Mehta, Shri Om
 Menon, Shrimati Leela Damodara
 Mirdha, Shri Ram Niwas
 Mishra, Shri R. K.
 Mukherjee, Shri Kali
 Mukherjee, Shri Pranab
 Mukhopadhyay, Shrimati Purabi
 Mulla, Shri A. N.
 Munda, Shri B. R.
 Murthy, Shri B. P. Nagaraja
 Musafir, Shri Gurmukh Singh
 Narasiah, Shri H. S.
 Nawal Kishore, Shri
 Nizam-ud-Din, Shri Syed
 Narul Hasan, Prof. S.
 Oberoi, Shri M. S.
 Pai, Shri T. A.
 Panda, Shri Brahmananda
 Parashar, Shri V. R.
 Patil, Shri Deorao

Patil, Shri Gulabrao
 Pradhan, Shrimati Saraswati
 Prasad, Shri Bhola
 Prasad, Shri K. L. N.
 Punnaiah, Shri Kota
 Rachaiah, Shri B.
 Raha, Shri Sanat Kumar
 Raju, Shri V. B.
 Ranganathan, Shri S.
 Rao, Shrimati Rathnabai Sreenivasa
 Rao, Shri V. C. Kesava
 Ray, Shri Rabi
 Reddi, Shri K. Brahmananda
 Reddy, Shri Gaddam Narayana
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri Mulka Govinda
 Reddy, Shri R. N.
 Roshan Lal, Shri
 Saleem, Shri Mohammad Yunus
 Sangma, Shri E. M.
 Sardar Amjad Ali, Shri
 Savita Behen, Shrimati
 Seyid Muhammad, Dr. V. A.
 Shah, Shri Manubhai
 Shahi, Shri Nageshwar Prasad
 Sharma, Shri K. L.
 Sharma, Shri Yogendra
 Shastri, Shri Bhola Paswan
 Shastri, Shri Prakash Vir
 Shekhawat, Shri B. S.
 Shishir Kumar, Shri
 Shukla, Shri Chakrapani
 Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati
 Singh, Shri D. P.
 Singh, Shri I. D.
 Singh, Shri I. T.
 Singh, Shrimati Jahanara Jaipal
 Singh, Shri Kameshwar
 Singh, Shri Mahendra Bahadur
 Singh, Shri Mohan

Singh, Shri Nathi
 Singh, Shri Niranjan
 Singh, Shri Parbhu
 Singh, Shrimati Pratibha
 Singh, Shri Ranbir
 Singh, Shri Sultan
 Singh, Shri Triloki
 Singh, Dr. V. B.
 Sinha, Shri Awadheshwar Prasad
 Sisodia, Shri Sawaisingh
 Sukhdev Prasad, Shri
 Sultan, Shrimati Maimoona
 Swu, Shri Scato
 Thakur, Shri Gunanand
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Totu, Shri G. C.
 Tripathi, Shri Kamalapati
 Trivedi, Shri H. M.
 Tyagi, Shri O. P.
 Varma, Shri M. P.
 Varma, Shrimati Narayani Devi Manaklall
 Venigalla Satyanarayana, Shri
 Vyas, Dr. M. R.
 Wajid, Shri Sikander Ali

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.

SARDAR SWARAN SINGH: Sir, I move:

"That the Bill be passed."

The question was proposed.

SHRI NIREN GHOSH: Sir, ...

MR. DEPUTY CHAIRMAN: Do you want to speak at this stage also?

SHRI NIREN GHOSH: Yes. (Interruptions). Please control them.

MR. DEPUTY CHAIRMAN: All right, be as brief as possible.

SHRI NIREN GHOSH (West Bengal): Sir, the first thing that I would like to say is that if a party of the proletariat cannot stand like a rock against the tide of chauvanism, it ceases to be a party of the proletariat. Fortunately, we are not alone. Along with us, there are Forward Block Marxists, R.S.P. and some other parties which are not represented in this Parliament. What mischief can chauvanism work in the minds of some people can be seen from the strange picture of C.P.I., Jana Sangh, Swatantra, S.P. and S.S.P speaking in the same voice. What strange bed-fellows!

My third point is that the first reaction of C.P.I. was one of negotiations, pure and simple. Afterwards, they made a 180 degree aboutturn. I want to record this fact. I am told that unless this is done, the U.S.A. can make a military base there. This is absolutely wrong because the U.S.A. can never go there without the help of India. China also never tolerates U.S. presence on its borders. The examples of Korea, Vietnam and Taiwan are there. That is history. China does not fear India either. I am also told that India wants to set up a missile base in Sikkam. With, whose help, I do not know. If India does so, U.S. will look on it with benevolent eyes.

SHRI KALI MUKHERJEE: We can listen to him, but we cannot see him. Will you kindly ask him to stand on the bench so that we may look at him properly?

SHRI R. K. MISHRA: I wish to raise a point of order. Rule 238 says that a Member, while speaking, shall not utter treasonable, seditious or defamatory words. I will request the

[Shri R. K. Mishra]

Chair to read the record and find out whether these words are treasonable, seditious or defamatory.

MR. DEPUTY CHAIRMAN: I will read the record.

SHRI NIREN GHOSH: India is just now going to embark on a dangerous course which may recoil on India itself. History will pronounce its verdict in due course of time. Sir, already we have antagonised Nepal. There will be none too pleasant feelings either in Bhutan or in Bangladesh. A Japanese newspaper have given the banner headlines "Sikkim Absorbed". I have a telegram from Prajatantra saying:

"Shocked by alarming moves for Sikkim merger under garb of representation and participation in Indian political institution. Sikkim Assembly not elected with such mandate nor, majority Assembly Members aware of this cleverly and manoeuvred direction forced on Sikkimese people by unintelligent so-called national leaders. Strongly demand fact finding all party Indian Parliament mission ascertaining true wishes of Sikkimese people who are under grip of fear and intimidation. High-handed and unscrupulous Indian bureaucrats responsible for trumping up election, Assembly Resolution and now this shameful situation endangering lasting relation between India and Sikkim. All Sikkimese appeal to democratic Parliament Members to stop murder of democratic aspirations of Sikkimese people and prevent our incorporation without consent."

Can Mr. Bhupesh Gupta object to send a parliamentary mission?

Now, Sir, the 1950 Treaty was the most unequal Treaty and that Treaty was imposed on the people of Sikkim and you imposed Chogyal at the same time on the people of Sikkim. That is the history. Now the Sikkimese Congress has passed a Resolution for

the abolition of the post of Chief Executive Officer, for taking over all his powers and for untrammelled functioning. You have not listened to that thing because you want to keep Sikkim in your grip with the help of the CRP and the Military. This has been made abundantly clear by our colleagues here. Sir, the chance came to revise that 1950 Treaty but instead of revising that unequal Treaty in favour of the Sikkim people the Government of India imposed a dictatorial anti-democratic Constitution by the Government of Sikkim Act of 1974. I want this to go on record. Sir, our party warns the Indian people and all the democrats of the dangerous course you are taking today. Our party demands that the CRP be immediately withdrawn and the Chief Executive Officer be immediately withdrawn. Let the Sikkimese people have all the powers except Defence and Foreign Affairs because that has been there since 1915. Let them have all powers without exception. And let the institution of Chogyal be abolished. You are protecting the Chogyal; you are the protectors of the anti-democratic forces. You are the anti-democratic party. And it is unfortunate that some of my colleagues like CPI have joined with you together, under whose inspired inspiration I do not know. This is really tragic.

MR. DEPUTY CHAIRMAN: Mr. Niren Ghosh, you have to take your seat now.

SHRI NIREN GHOSH: Sir, I sit down uttering this warning that this is national chauvinism pure and simple and will make democratic opinion all over the world hostile to us.

श्री योगेन्द्र शर्मा : श्रीमान्, मैं इस पर बोलना नहीं चाहता था लेकिन जो अभी अभी श्री नीरेन घोष ने कहा कि इस विधेयक के जो समर्थक हैं वे नेशनल गवर्निस्ट हैं, अनराष्ट्रवादी है, उससे हमको ज्यादा ताज्जुब हुआ क्योंकि हम जानते हैं श्रीमान्, कि 19७2 में जब हमारे देश पर चीन ने हमला किया था

उस वक्त नीरेन घोष और हम लोग एक पार्टी थे और उस वक्त हमने कहा था कि हमारे देश पर जो भी हमला करे उसके खिलाफ हम उठेंगे और अपने देश की एकता की रक्षा करेंगे...

SHRI NIREN GHOSH: If you prepared, let us discuss this fully, the whole thing.

DR. K. MATHEW KURIAN: Because you have joined with them now...

श्री योगेन्द्र शर्मा: उस वक्त तुम बच्चे थे।

श्री मैथ्यू कुरियन: अभी तो आप बूढ़े हो गए हैं।

श्री योगेन्द्र शर्मा: श्रीमन्, उस वक्त श्री नीरेन घोष की पार्टी ने हम लोगों पर यही इल्जाम लगाया था कि तुम नेशनल शाविनिस्ट हो, लेकिन इतिहास ने बतला दिया, इतिहास ने दिखला दिया, कौन सही मानी में इंटर नेशनलिस्ट हैं और...

SHRI NIREN GHOSH: You are not internationalist.

श्री योगेन्द्र शर्मा: ...कौन सही मानी में इंटरनेशनलिज्म के नाम से इम्पीरियलिज्म का काम करते हैं। अभी अभी उन्होंने कहा यह एनेक्सेशन है। श्रीमन्, हम याद दिलाना चाहते हैं, जब हम गोवा को आजाद करा रहे थे उस वक्त अमरीकी साम्राज्यवादियों ने यही शब्द इस्तेमाल किया था जो नीरेन घोष आज इस्तेमाल कर रहे हैं। अफसोस की बात है, ये अंतर्राष्ट्रीयता की बात करते हैं और असल में ये अमरीकी साम्राज्यवाद जैसा काम करते हैं। वैसी बात करते हैं।

SHRI KRISHAN KANT (Haryana): Sir, I was rather shocked to hear Mr. Niren Ghosh speaking, as if he was tuning in to Radio Peking. He was

giving the same arguments which China is using. Today we find, whatever he may talk against feudalism and against the Chogyal, he was standing on the same road as the Chogyal was standing...

SHRI NIREN GHOSH: Absolutely not. You are standing on the same road.

DR. K. MATHEW KURIAN: Abolish the post of Chogyal.

SHRI KRISHAN KANT: That shows how, in spite of critical differences between both the right and the left, the people of India and all the political parties, except the CPM, are standing by the people of Sikkim today.

SHRI NIREN GHOSH: That also is wrong.

SHRI KRISHAN KANT: That shows the glory of Indian democracy. That shows the glory of Indian Parliament. That shows that CPI, Jan Sangh, Swatantra, Socialist Party, SSP, all parties are one with the people of India in passing this Bill. That shows the glory of Indian democracy. (Interruptions).

SHRI MONORANJAN ROY: History will tell you

SHRI KRISHAN KANT: Just one minute. Let me speak. The other day when this House was discussing the calling attention motion on the news that there was a nuclear base being established in Tibet, what was the attitude of CPM? They have no fear from China. That day I had asked...

DR. K. MATHEW KURIAN: You ask your Minister.

SHRI KRISHAN KANT: I asked Mr. Niren Ghosh this. If China is establishing a nuclear base there and suppose India makes a nuclear bomb to counteract it, he was keeping quiet...

DR. K. MATHEW KURIAN: You are speaking against your own Government's policy.

SHRI KRISHAN KANT: Let me say. If he had real nationalist feelings, he should have reacted against China establishing a nuclear base in Tibet in the same manner as he is talking today. I am sorry he is using the same words. He is thinking today that we will allow America to have a missile base in Sikkim. . .

SHRI NIREN GHOSH: You are distorting me. You must listen to me. You are distorting me. India intends to set up a missile base there.

SHRI KRISHAN KANT: The whole world knows how the Government of India is trying to mobilise opinion among the littoral countries of the Indian Ocean so that America will not have a base in Diego Garcia. . .

SHRI NIREN GHOSH: No, no. It is not correct.

SHRI KRISHAN KANT: The Indian Ocean should be free of super-powers.

SHRI NIREN GHOSH: They are blackmailed by America because they take wheat from America.

(Interruptions).

SHRI KRISHAN KANT: It is a day of pride for all the political systems in India. And day in and day out, the CPM has been isolated from the national mainstream. (Interruptions).

SHRI NIREN GHOSH: Being in the company of black sheep

SHRI S. S. MARISWAMY: So far as the CPI and the CPM are concerned, it is the same thing as between tweedledum and tweedledee.

MR. DEPUTY CHAIRMAN: Mr. Advani. Two minutes. I am sorry, he will be the last speaker now, and no more.

श्री लाल आडवानी (दिल्ली) : उप-सभ्यता जी, आज जय संतद इन विवेक

को स्वीकार करके संविधान में संशोधन कर रही है तो हम एक प्रकार से भारत की जनता की ओर से अपने सिक्किम के निवासियों का स्वागत कर रहे हैं। वे हमारे साथ सम्बद्ध हो गए हैं और इस स्वागत का हम सब लोग, सब विचारधारियों के लोग स्वागत करते हैं। कांग्रेस के मेरे बन्धु, डी एम के के बन्धु, सी पी आई के बन्धु, जनसंघ के, स्वतंत्र के सब लोग मिलकर स्वागत करते हैं तो मैं समझता हूँ कि यह खुशी की बात है, अफ़सोस की बात नहीं है जैसा कि नीरेन घोष ने कहा। यह प्रसन्नता की बात है, खेद की बात नहीं है। हिन्दुस्तान का पिछले 25 वर्षों का इतिहास इस बात का है साक्ष्य कि जब भी इस देश ने ऐसे कदम उठाये हैं जो राष्ट्रवाद को मजबूत करते हैं, जो लोकतंत्र को मजबूत करते हैं, तो सम्पूर्ण जनता एक हो गई है। इसलिए यह हमारे लिए अभिमान की बात है कि राष्ट्रवाद को मजबूत करने का जो यह कदम उठाया गया है उसका सब लोगों ने स्वागत किया है। राष्ट्रवाद को नीरेन घोष नेशनल चोविनिज्म कहते हैं। मैं इसको नहीं मानता हूँ। मैं नीरेन घोष से कहूँगा कि वे जरा दृष्टिपात करें। जो साम्यवादी देश है चीन और रूस, उनकी जो शक्ति है, उनकी जो प्रोस्पेरिटी है, उनका जो वैभव है उसका मूल आइडियोलोजी नहीं है, उसका मूल राष्ट्रवाद है। और इसलिए राष्ट्रवाद और लोकतंत्रवाद के इन दो खम्बों के आधार पर हम देश को खड़ा करेंगे तो देश के अन्दर एकता आएगी, शक्ति भी आएगी।

एक बात मैं और कहूँगा। चाहे सिक्किम का मामला हो, चाहे गोआ का मामला हो, चाहे न्यूक्लियर एक्सप्लोजन का मामला हो, चाहे बंगलादेश का मामला हो, जितने मैंने उदाहरण दिए हैं वे सब उदाहरण इस बात के प्रमाण हैं कि जब भी देश ने सही दिशा में कदम उठाए हैं, जितने सारे हमारे शत्रु हैं, जितनी बड़ी शक्तियाँ हैं पश्चिम की वे सब उसका विरोध

करती है, चाहे गोआ का मामला हो तो भी विरोध करेंगी एटमिक एक्सप्लोजन का मामला हो तो भी विरोध करेंगी, सिक्किम का मामला हो तो भी विरोध करेंगी। कभी कभी तो मुझे लगता है कि हमारी विदेश नीति में अगर कोई दोष रहा है पिछले 25 वर्षों में तो वह यह है कि विदेशी मत क्या है इसकी चिन्ता करना, न्यूयार्क टाइम्स क्या लिखता है, लन्दन टाइम्स लिखता है उनकी चिन्ता करना। मैं समझता हूँ कि अगर हम देश की भावनाओं का आदर अधिक करेंगे, देश के अन्दर क्या प्रतिक्रिया होती है देश के अन्दर एकता किन बातों से उत्पन्न होती है इसकी चिन्ता ज्यादा करेंगे तो हम विदेश नीति में हर मामले में सही कदम उठाएँगे जैसे कि हमने सिक्किम के मामले में कदम उठाया है। इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ और समझता हूँ कि इसमें कोई कमी रह गई है तो वह भी पूरी हो जाएगी।

SARDAR SWARAN SINGH: Mr. Deputy Chairman, Sir, I would have liked that the entire House would join on this historic occasion to convey our best wishes and greetings to the people of Sikkim for this great step that is now being taken by our Parliament to welcome their representatives in our midst. I would also like to convey our best wishes for their speedy development, for the success of their economic development plans and for strengthening the forces of democracy in Sikkim. This is a great occasion when far-reaching changes have taken place in Sikkim where democratic forces have been strengthened, and it should be our endeavour to create conditions in which the democratic forces may be even further strengthened there. And also, the relationship of Sikkim being that of an associate State, this should be a source of strengthening the mutual understanding and of mutual friendship, which has traditionally been there between the Sikkimese and the Indians.

I wish that on this occasion even if there was any dissent then we could perhaps keep that dissent within limits. After all, at the final stage what are we doing? We are finally passing the Bill and when the clauses were being voted, Mr. Niren Ghosh and his colleagues did not even vote against the clauses. So in the final analysis...

SHRI NIREN GHOSH: That is because we totally oppose it.

SARDAR SWARAN SINGH: I am grateful to them that they did not oppose the clauses. I am not complaining why they did not oppose it. Therefore, they can continue their opposition even till the final stage by keeping quiet just as they kept at the time when the clauses were being voted.

DR. K. MATHEW KURIAN: You are conscious of your aggressive, brute majority.

SARDAR SWARAN SINGH: Sir, I would like to say that fears about the types of dangers which Mr. Niren Ghosh smelt are without any foundation. It is true that there were some demonstrations. But if you have carefully studied the statement made by the Foreign Minister of Nepal, it was quite an objective statement in which he said that this is a matter of relationship between Sikkim and India and that they should accept that as a matter between India and Sikkim with regard to which they should not express any opinion one way or the other.

Then there is a complete understanding in Bhutan. There is full understanding in Bangla Desh. I am surprised that a leader of an important party here, who should know these reactions better than our neighbours, should raise this objection. Therefore, his objection is not based either on facts—I repeat, is not based on facts—and, therefore, is misplaced.

(Interruption by Dr. K. Mathew Kurian). I thought he belongs to a

[Sardar Swaran Singh]

Party which does not fear. Then why should they have this fear complex of this type of reactions, which, I am fully confident, are not likely to take place notwithstanding the discord which has been so vociferously voiced by Shri Niren Ghosh.

As to what should happen with regard to the Chief Executive Officer or the institution of Chogyal, certainly, is not a matter which can be sorted at the final reading of the Bill. That is a matter, as I said, for Sikkim and their Assembly to decide. At this final stage, I would like to say that Parliament is taking great responsibility in Sikkim and I hope that we will continue to receive full support from all sections of the House to enable us to discharge these responsibilities effectively in the best interest of Sikkim and in the best interest of India. With these words, I would, therefore, commend my motion.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed."

(The House divided)

MR. DEPUTY CHAIRMAN: Ayes—168; Noes—8.

AYES—168

Abid, Shri Qasim Ali
 Abu Abraham, Shri
 Adivarekar, Shrimati Sushila Shankar
 Advani, Shri Lal K.
 Alva, Shrimati Margaret
 Amla, Shri Tirath Ram
 Anandam, Shri M.
 Arif, Shri Mohammed Usman
 Avernoankar, Shri R. D. J.
 Barman, Shri B. D.
 Berwa, Shri Jamna Lal
 Bhagwati, Shri B. C.
 Bhardwaj, Shri Jagan Nath
 Bhatt, Shri Nand Kishore
 Bisi, Shri P. N.

Bobdey, Shri S. B.

Borooah, Shri D. K.

Buragohain, Shri Nabin Chandra

Chandra Shekhar, Shri

Chandrasekhar, Shrimati Maragatham

Chattopadhyaya, Prof. D. P.

Chaturvedi, Shrimati Vidyawati

Chaudhari, Shri N. P.

Chaurasia, Shri S. D. S.

Chettri, Shri K. B.

Choudhury, Shri N. R.

Chowdhary, Shri C. L.

Chowdhri, Shri A. S.

Chundawat, Shrimati Lakshmi Kumari

Das, Shri Balram

Das, Shri Bipinpal

Dhabe, Shri S. W.

Dhar, Shri D. P.

Dhulap, Shri K. N.

Dikshit, Shri Umashankar

Dutt, Dr. Vidya Prakash

Dwivedi, Shri D. N.

Gadgil, Shri Vithal

Goswami, Shri S. P.

Gujral, Shri I. K.

Gupta, Shri Bhupesh

Hashmi, Shri S. A.

Himmat Singh, Shri

Imam, Shrimati Aziza

Jain, Shri Dharamchand

Jairamdas Daulatram, Shri

Jha, Shri Kamalnath

Joshi, Shri Jagdish

Joshi, Shrimati Kumudben Mani-Shankar

Joshi, Shri Umashankar

Kadershah, Shri M.

Kalaniya, Shri Ibrahim

Kalp Nath, Shri

Kalyan Chend, Shri

Kamble, Prof. N. M.

Kapur, Shri Yashpal

Kesri, Shri Sitaram

Khan, Shri Khurshed Alam
 Khan, Shri Maqsood Ali
 Khan, Prof. Rasheeduddin
 Kollur, Shri M. L.
 Kripalani, Shri Krishna
 Krishan Kant, Shri
 Krishna, Shri M. R.
 Kulkarni, Shri A. G.
 Kulkarni, Shrimati Sumitra G.
 Kumaran, Shri S.
 Kumbhare, Shri N. H.
 Kureel Urf. Talib, Shri P. L.
 Lakshmanan, Shri G.
 Lokesh Chandra, Dr.
 Mahanti, Shri B. C.
 Mahanti, Shri B. K.
 Mahapatro, Shri L.
 Majhi, Shri C. P.
 Makwana, Shri Yogendra
 Malaviya, Shri Harsh Deo
 Mali, Shri Ganesh Lal
 Mariswamy, Shri S. S.
 Mathur, Shri Jagdish Prasad
 Mehta, Shri Om
 Menon, Shrimati Leela Damodara
 Mirdha, Shri Ram Niwas
 Mishra, Shri R. K.
 Mukherjee, Shri Kali
 Mukherjee, Shri Pranab
 Mukhopadhyay, Shrimati Purabi
 Mulla, Shri A. N.
 Munda, Shri B. R.
 Murthy, Shri B. P. Nagaraja
 Musafir, Shri Gurmukh Singh
 Narasiah, Shri H. S.
 Nawal Kishore, Shri
 Nizam-ud-Din, Shri Syed
 Nurul Hasan, Prof. S.
 Oberoi, Shri M. S.
 Pai, Shri T. A.
 Panda, Shri Brahmananda
 Parashar, Shri V. R.
 Patil, Shri Deorao

Patil, Shri Gulabrao
 Pradhan, Shrimati Saraswati
 Prasad, Shri Bhola
 Prasad, Shri K. L. N.
 Punnaiah, Shri Kota
 Rachaiah, Shri B.
 Raha, Shri Sanat Kumar
 Raju, Shri V. B.
 Ranganathan, Shri S.
 Rao, Shrimati Rathnabai Sreenivasa
 Rao, Shri V. C. Kesava
 Ray, Shri Rabi
 Reddi, Shri K. Brahmananda
 Reddy, Shri Gaddam Narayana
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri Mulka Govinda
 Reddy, Shri R. N.
 Roshan Lal, Shri
 Saleem, Shri Mohammad Yunus
 Sangma, Shri E. M.
 Sardar Amjad Ali, Shri
 Savita Behen, Shrimati
 Seyid Mohammad, Dr. V. A.
 Shah, Shri Manubhai
 Shahi, Shri Nageshwar Prasad
 Sharma, Shri K. L.
 Sharma, Shri Yogendra
 Shastri, Shri Bhola Paswan
 Shastri, Shri Prakash Vir
 Shekhawat, Shri B. S.
 Shishir Kumar, Shri
 Shukla, Shri Chakrapani
 Shukla, Shri M. P.
 Shyamkumari Devi, Shrimati
 Singh, Shri D. P.
 Singh, Shri I. D.
 Singh, Shri I. T.
 Singh, Shrimati Jahanara Jaipal
 Singh, Shri Kameshwar
 Singh, Shri Mahendra Bahadur
 Singh, Shri Mohan
 Singh, Shri Nathi

Singh, Shri Niranjan
 Singh, Shri Parbhu
 Singh, Shrimati Pratibha
 Singh, Shri Ranbir
 Singh, Shri Sultan
 Singh, Shri Triloki
 Singh, Dr. V. B.
 Sinha, Shri Awadheshwar Prasad
 Sisodia, Shri Sawaisingh
 Sukhdev Prasad, Shri
 Sultan, Shrimati Maimoona
 Swu, Shri Scato
 Thakur, Shri Gunanand
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Totu, Shri G. C.
 Tripathi, Shri Kamlapati
 Trivedi, Shri H. M.
 Tyagi, Shri O. P.
 Varma, Shri M. P.
 Varma, Shrimati Narayani Devi
 Manaklal
 Venigalla, Satyanarayana, Shri
 Vyas, Dr. M. R.
 Wajid, Shri Sikander Ali

NOES—8

Ganguli, Shri Salil Kumar
 Ghosh, Shri Niren
 Kunjachen, Shri P. K.
 Mathew Kurian, Dr. K.
 Menon, Shri Viswanatha
 Mullick Choudhury, Shri Suhrid
 Roy, Shri Monoranjan
 Sanyal, Shri Sasankasekhar

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.

MESSAGES FROM THE LOK SABHA**(I) The Interest-tax Bill, 1974.****(II) The Delhi Sikh Gurdwaras (Amendment) Bill, 1974.****(III) The Esso (Acquisition of Undertakings in India) Amendment Bill, 1974.**

SECRETARY-GENERAL: Sir, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:—

(I)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Interest-tax Bill, 1974, as passed by Lok Sabha at its sitting held on the 7th September, 1974.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay the Bill on the Table.

(II)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Delhi Sikh Gurdwaras (Amendment) Bill, 1974, as passed by Lok Sabha at its sitting held on the 7th September, 1974."

Sir, I lay the Bill on the Table.

(III)

"In accordance with the provisions of Rule 120 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to inform you that Lok Sabha, at its sitting