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title: Further discussion on the motion for consideration of the Sixth Schedule to the Constitution (Amendment) Bill, 2015, moved by Shri Vincent H. Pala on 5th August, 2016 (Discussion not concluded).

SHRI ADHIR RANJAN CHOWDHURY (BAHARAMPUR): Hon. Deputy-Speaker, Sir, my esteemed colleague has already introduced a legislative document under the nomenclature 'Sixth Schedule to the Constitution (Amendment) Bill, 2016'. He has made an elaborate presentation on the Bill.

Sir, the amendments were sought after with regard to the increasing number of members in the District Council from 30 to 40 as was originally envisaged in the Constitution and secondly also to bring traditional occupation of tribals into mines and minerals under the legislative competence of the District Council and protect customary practices and interests of tribals.

Sir, I may remind you that the Sixth Schedule was born in the womb of the Constituent Assembly. It emerged after a long debate that took place in the Constituent Assembly. In that historical debate, Pandit Jawaharlal Nehru moved objectives Resolution which was adopted on 22nd January 1947. The Resolution actually shaped the making of the Constitution and that Resolution proclaimed that India would be an Independent, Sovereign, Democratic Republic wherein inter-alia adequate safeguards shall be provided for the minorities, backward and tribal areas, depressed and other backward classes.

Sir, in pursuance to the noble and holy aspects of our Constitution, the Sixth Schedule was born and in the Constituent Assembly, a Sub-Committee was formed led by no other than Gopinath Bordoloi and other prominent personalities.

Their objective is to protect the culture, the customs, practices of the tribals of our country. Especially the Sub-Committee was constituted for the interest of the tribal population of the North-Eastern Region. Thereafter, we got adequate place for tribals in the North-Eastern Region in our Constitution.

Here, I would like to refer that tribal areas generally mean areas having preponderance of tribal population. However, the Constitution of India refers to tribal areas within the States of Assam, Meghalaya, Tripura and Mizoram as those areas specified in Part I, II, IIA and III of the table appended to paragraph 20 of the Sixth Schedule. In other words, areas where provisions of Sixth Schedule are applicable are known as tribal areas. In relation to these areas, Autonomous District Councils each having not more than 30 members have been set up. These Councils serve as an instrument of self-management and have powers of legislation and administration.

Justice apart from executive, developmental and financial responsibilities, State wise details of tribal areas are given. In Part I, there are the North Cachar Hill Districts and the Karbi Anglong Districts form Part II. Khasi Hill Districts, Jaintiya Hill Districts, the Garo Hill Districts form Part IIA. The Tripura Tribal Areas Districts form Part III. Part III C comprises of the Chakma Districts, the Mara Districts and the Lai Districts.

Sir, we know that the North Eastern Region is a unique area of this country where nature has bestowed upon all its endowments but still that particular area has been lagging behind in various aspects as a result of which a sense of deprivation, isolation and frustration has gripped the psyche of the people of that particular Region. In order to meet the aspirations of the population of tribal people of North Eastern Region and also to assimilate those in the mainstream of our country, the provisions of the Sixth Schedules were visualised, conceived and actualised. Sir, 10 crore tribal population of our country have been demarcated between the Fifth Schedule and the Sixth Schedule only to preserve and protect their indigenous culture, customs, etc. Here, my esteemed friend has asked for induction of more members in the district councils from 30 to 40. I have no dispute with the demand made by my esteemed colleague. But I also urge that we need to do introspection and relook into the functions and performance of the autonomous district councils because the purposes and objectives of the constitution of autonomous district councils sometime are seemed to have been belied upon. It has failed to meet the aspirations of the common people. Yes, there are multifarious reasons for it.

The district councils don't have the adequate financial resources which they need for the development of those respective councils. You know that the entitlement facilities, funds, etc. that are supposed to be provided through Panchayati Raj Institutions are not available with those district council areas. Naturally they are to depend on their own resources and the magnanimity of the respective States. There is a conflict of interest which is often observed between the State and the ADCs insofar as their areas of jurisdiction and other functions are concerned.

Sometime it is alleged that the power of nomination in the ADCs have been misused on several occasions. Nomination to the ADCs was given for the representatives to the minorities and the unrepresented tribes in the districts but the power of nomination is generally vested in the hands of the Governor of the State. Governors of States do not always comply with the aspiration or the opinion of the ADC.

Sir, the other issue is, the ADC has framed service rules to manage and regulate the service of their employees. Despite the rules framed by the ADC, the number of staff has increased excessively. The ADC makes appointment of teachers and other staff and increases the number of schools without providing adequate infrastructure to schools. Naturally, primary education is the area which is to be served by the ADC and it is incumbent upon the ADC. But due to various inefficiencies, it has failed to perform its job properly. Even misuse of Government funds are alleged to have been committed by the ADC, because the ADC does not have any expert inspecting officer. In the appointment of teachers, favouritism and political influence play a vital role. Such a situation has led to the decline in the standard of teaching and quality of education. I do not have any dispute with the demands made by my esteemed colleagues. But these are the issues which are often raised in various fora and I thought it prudent to draw the attention of the initiator of this legislation.

Sir, under the Sixth Schedule of the Constitution of India, ADCs are empowered to make laws relating to allotment or use of land. In Meghalaya and in the hills of Assam, no land can be mortgaged, leased, bartered, gifted or otherwise transferred by tribal people to non-tribal people without the permission of the ADC. Although the ADC has the power to make laws for land development and land revenue, hardly any significant steps have been taken to initiate land reforms. As you know, land reforms always play a very key role, contributory role in the development of the tribal society. Not only that, land revenue collection also helps a lot to fill the coffer of the ADC. But there also, various problems crop up often because of the traditional system of Chieftain in the village. The chieftains of the villages in Meghalaya are called SIEMS and they enjoy enormous power so as to defy the diktates of the ADC. Naturally, it affects the financial resources of the ADC.

Sir, forest is also another main source ADC's income. But now the income from forest has got a severe jolt. Most of the tribal villagers depend on forest for crop cultivation and for their livelihood. The vast forests are the source of sustenance for the poor section of the tribal people of Northeast India. But relentless zooming cultivation meaning shifting cultivation, slash and burn method of cultivation, extension of zooming frontiers, cutting of timber by external interests and agencies have resulted in depletion of forest cover, depletion of forest resources and degradation of lands.

Sir, such factors contribute to the decline in revenue collected by the ADCs. Adding salt to the injury, the Supreme Court banning on cutting timbers accompanied with illegal felling of trees and deforestation for creating agricultural land add to the woes of collecting enough revenue from the forest.

Sir, now, the ADCs should come forward with more innovative approaches. The North-Eastern Region has been touted to be turned into an area of organic farming. Instead of Jhumming, if the farmers of that area are encouraged or promoted to shift their cultivation to another area such as commercial crops or medicinal plants, they would also earn more money. This way, the need of Jhumming will get obviated, which will ultimately help generate more revenue for the ADCs.

Sir, even a study reveals that tax is an important source of the ADCs' internal income. The ADCs have framed certain regulations for the collection of taxes in their areas. The ADCs collect taxes on profession, trades, callings, employments, animals and boats, entry of goods into markets for sale and tolls on persons and goods carried in ferries. But collection of taxes was not done regularly and properly since the ADCs neither enforced the regulation strictly nor realized the amount efficiently. No attempt was also made by the ADCs to raise its revenue by exploiting its financial resources available to them. The receipt from the source of taxation was not adequate as there were loopholes and leakages in the process of collection of the taxes. It was alleged that taxes collected by the official hardly reached the coffer of ADCs. Thus, there was an allegation of siphoning of tax amount by the concerned officials.

Sir, there is a gossip already being talked about in various forums. I do not want to humiliate anybody, but it is often alleged that the North-Eastern Region is a region, which has earned notoriety for siphoning of funds. Even the ADCs are not immune to this siphoning of funds as it is often alleged.

Sir, another issue is the appointment and succession of the Tribal Chiefs. It is an important item of legislation for the ADCs. Only the ADC in Mizoram abolished the chieftainship. But in other areas like the Garo Hills and Khasi Hills Regions in Meghalaya, they always recognized these institutions. As I said earlier also, the SIEMS, that is, chieftain of the village in Meghalaya, who often enjoyed, the influence as a traditional chief so that he can defy the authority of the ADCs. Funds for carrying out developmental activities as provided according to the present system are found unworkable.

Sir, the ADCs control the administration of justice but it is observed that in some ADCs, there were no legal experts or trained judicial officers to carry on the trial of cases and disputes efficiently and expeditiously. Moreover, the Village Courts or Village Councils as provided in paragraph 4 of the Sixth Schedule of the Constitution of India, had not yet been constituted by some of the ADCs. Due to lack of coordination, the ADC could not utilise the judicial administrative experience of the Deputy Commissioner's Court in the districts in the trial of cases and disputes of civil and criminal nature. As the cases before this court were of petty nature, almost all the disputes were settled at the village level. Most of the cases that came up to the subordinate autonomous council court eventually ended up in a compromise. Moreover, the tribal people in the ADC areas have preferred to settle their disputes through their customs and traditions instead of approaching the ADC courts. Many of the disputes are still sought to be solved outside the court at the clan level. However, the customary laws of those tribal areas are still not codified in almost all the ADCs of North East India. Therefore, Sir, there is no gainsaying the fact that in spite of all big talks about ADCs, in spite of our promises that tribals were given the opportunity of self-determination, still financial resources have become a severe constraint for the growth and development of the tribal population in the Sixth Schedule Areas.

Even so in Arunachal Pradesh, people are demanding for the creation of autonomous District Council. The autonomy of the District Council is limited because the Governor of the State is the head of the ADC. My submission is that more powers should be given to the ADCs. While authorising more powers to them, the ADCs should also be equipped to translate their powers or their privileges into reality and to that end of developing the areas as well as their future generations. Due to corruptions, inefficiencies, mismanagement and inadequacy of funds, the advantages or the facilities that are supposed to have been accrued by the ADCs do not always permeate to the grassroot level. The Governor of the State is the head of the ADCs. He may suspend any act or resolution of the ADCs which is contrary to the provisions of the Sixth Schedule of the Indian Constitution or likely to endanger the safety of the country or prejudicial to public order. He may dissolve the ADC on the recommendation of an Inquiry Commission to be appointed under para 14 of the Sixth Schedule of the Indian Constitution, which mismanages the affairs of the council. As experiences have shown, setting up of an Inquiry Commission is recommended by the State Council of Minister rather than by the Governor of the State. Sir, as you know, in spite of our federal structure is in place, there is a simmering discontent between various bodies of our country. That is why, the "federal structure was in danger", cry was raised even inside the Parliament.

Sir, the ADCs are also more often than not raise the issue of discrimination, if the State Government is not friendly to the ADC, they may create problems which, as a result, can hinder the growth and development of the ADC areas. Therefore, the relation between the ADCs and the State Government should be more cordial and cooperative. There should be concerted effort between the ADC and the State Government so as to develop that particular area; otherwise there will be a sense of alienation, a sense of deprivation which is often reflected in the frustration of the people of North Eastern India who feel that if they remain separated from the mainstream, they may be happy, they may be more progressive. Therefore, the identity politics, the ethnic identity often rear up their heads much to the discomfiture of the body politic. The state government has no constitutional authority to assess and review, guide and advise the ADCs. The administrative experience and guidance of the officers of the State Government are not utilized by the ADCs in their everyday operation. There have also been reports of States undue interference in the working of the ADCs. The relationship between the ADCs and the State Government should be cordial so far as the development is concerned.

It is also observed that the ADCs served the interest of mainly the neo-middle rich class or classes of rich traders, contractors, bureaucrats and educated who had emerged from within the tribal society of North East India due to enlarging money economy on developmental activities. Their emerging socio-economic structures in the tribal areas did not allow the benefits of the ADCs to flow towards the weaker section of the tribes. Besides that, the elected members of the ADCs and the office-bearers who were normally from the elite group of the tribal society had vested

interest in preserving the exploitative structure and that they were not likely to do anything that would strengthen the position of the poor in their areas. The members of this group held power of decision-making in the ADCs. Naturally, if this kind of situations prevails and continues, then the very purpose of constituting ADCs will be defeated.

Decades after decades have passed. Yet we are experiencing the progress, the flaws and the inefficiencies of running ADC. The ADC was first formed in the year 1952. It seems to have failed the hopes and desires of the tribal people of North East India. It has only strengthened identity politics. Social and economic development has been ignored. The birth of the ADCs was hailed with anticipations and aspirations as it was thought to be the harbinger of political and Constitutional advancement for granting autonomy to the ethnic minorities in compact areas of North East India. But the hopes was largely belied and frustrated, by every indicator of development such as per capita income, health status, education, housing, poverty level. The ADCs areas remain poor and backward. Thus, unless the above problems are rectified, tribal development will always be a distant dream in spite of the existence of ADCs in the North Eastern Region.

My esteemed friend has suggested having traditional occupation of tribals relating to mines and minerals under legislative competence of the District Council. We know that the entire North Eastern Region is enriched with mines and minerals. Even platinum, uranium, iron ore, coal, everything is available there. Even in the hills of Meghalaya, radioactive uranium, even platinum is also available in that particular North Eastern Region.

But I do not know whether the ADC as a body is competent enough to deal with the matter of minerals. Rather I would suggest that more royalty should be provided to the coffers of ADC from the sale and exploitation of the minerals and mines of that area so that the minerals and mines for which the entire North Eastern region is enriched should help in developing the ADC areas and in developing the health, education and other necessary aspects of life in that particular area.

Sir, without any hesitation, I must say that my esteemed friend Mr. Vincent Pala, who has been hailing from that area, is really concerned about the welfare of the tribal population of that particular region, including my friend Kiren Rijiju also. So, by concerted efforts of all the Members of North Eastern region, and cutting across political hue, they should come forward and raise the voice for the North Eastern Region.

North Eastern Region *Zindabad*.

HON. DEPUTY SPEAKER: Shri Ramesh Bidhuri has requested me that he could not introduce the Bills at the time when all the Members were introducing. As a special case, I will allow him now.

Shri Ramesh Bidhuri Ji, do not read the whole thing. Just tell the item number.

Now, item No. 31 - Shri Ramesh Bidhuri

SHRI RAM PRASAD SARMAH (TEZPUR): Thank you Sir for allowing me to speak on the Bill introduced by Shri Vincent Pala, Member of Parliament from Khasi hills in Meghalaya.

Sir, Mr. Pala has mainly sought amendment to the Sixth Schedule. Sixth Schedule was born when the Constitution of India was enacted. The main architect of the Sixth Schedule was late Gopinath Bardoloi who was a very good friend of the tribals in the North East. It has a very special feature in the Constitution of India. It is Constitution within the Constitution, law within the law and it is designed to protect the rights of the tribals particularly in the hill regions of the North East.

Sir, Shri Vincent Pala has sought three amendments. One is to raise the number of Autonomous District Council from 30 to 40. Now, the number is 30 and it should be equal for all the three District Councils in Meghalaya namely, Khasi hills, Garo hills and Jaintia hills. There should be no discrimination among the three major tribes of the State of Meghalaya.

17.00 hours

Secondly, the District Council should have power to lease, licence and make provision for making the rules and regulations for leasing out or mining the mines and minerals in Meghalaya because Meghalaya is very rich in mineral resources. It is rich in coal, uranium and other resources. So, the Tribals of Meghalaya want that they should have right over the land as well as the mines and minerals, the wealth under the earth. And, thirdly, he wants that the customary laws and practices of the Tribals in Meghalaya should be protected. Their right over the land should be protected, and they should have full right to lease, transfer or convey the rights over the land.

I fully support Mr. Vincent Pala because he has brought about a good proposal for the amendment to the law so that this provision is made, which will protect the interests of the Tribals of Meghalaya. Not only the Tribals of Meghalaya but also in Mizoram there are three Tribal areas which are under the Sixth Schedule. In Tripura there is one Tribal area which is under the Sixth Schedule. In Assam also, there are three Tribal areas, namely, Karbi Anglong, Dima Hasao and Bodoland Territorial Autonomous Districts (BTAD) having four districts within it. So, these Sixth Schedule areas should have similar rights and similar provisions. In BTAD also, there are 40 members. Sir, 30 members are reserved for the Tribals and 10 are reserved for the general castes.

In Dima Hasao, there are 26 elected members and in Karbi Anglong there are 26 elected members. They should also be raised to 40 each so that the area should be delimited and a new constituency should be created so that the people in the far flung areas, like Kukis, Nagas, Hmar and other Tribals, also get the right to get representation in the District Councils or Autonomous Councils or Regional Councils under the Constitution.

Even this concept can be introduced in the hills of Darjeeling. If the Gorkhas are scheduled as Scheduled Tribes of the country, they can also be provided with the Sixth Schedule giving them sufficient rights and titles over the area presently governed by the Gorkha Territorial Development Authority (GTDA).

So, I fully support the proposals made. There is also a demand by the Tiwa, Rabha and Mising Tribals in Assam. They want to be protected from the onslaught of Bangladeshis from Bangladesh. These Tribals are of small groups. Tiwa is a small group. Rabha is a small group. They also want some sort of protection as regards their areas to be brought under the Sixth Schedule so that they can protect themselves against the onslaught of Bangladeshis.

The history of Sixth Schedule dates back to 1946-47 when the Constitution was passed by the Constituent Assembly. Hopingstone Lyngdoh, Gopinath Bordoloi, Sir Maham Singh and Nichols Roy were the proponents of this new proposal for putting the rights of the people of Tribal origin of the North-East. Your Honour is aware that Northeast is primarily a hilly area with far flung and secluded districts. They have distinct cultures, distinct habitations and distinct food habits, which need to be protected. Their rights over land, mines and minerals should be vested with them.

With these words, I support this Bill; I support the proposal put forward by Shri Vincent Pala. I hope that the aspirations of the tribal people of Northeast will be met by this amendment. I thank you, hon. Deputy Speaker, Sir, for giving me this opportunity.

PROF. SAUGATA ROY (DUM DUM): Sir, I rise to support the Bill called the Sixth Schedule to the Constitution (Amendment) Bill, 2015 brought by Shri Vincent Pala.

Sir, as you know, when the Constitution was formulated, Article 244A was introduced for the formulation of autonomous State comprising certain tribal areas in Assam and creation of local Legislature of Council of Ministers for both therefor. At that time, Assam was one State; Tripura was a Union Territory and Mizoram and Meghalaya were all parts of Assam. At that time, this part of the Constitution was brought forward.

Subsequently, the States of Meghalaya and Mizoram were carved out of Assam and district councils were formed in them. At present, there are 10 autonomous district councils in these four States. The four States as mentioned in the Sixth Schedule are Assam, Meghalaya, Tripura and Mizoram. There are three district councils in Meghalaya; four district councils in Assam; one district council in Tripura and three in Mizoram.

As you know, a different type of district council is also there in Assam, which is called the Bodoland Territorial Council. Normally, all the district councils had a maximum number of 30 members. But in the Constitution Bodoland Territorial Council has been allowed a membership of 46 members and has been given more powers.

Hon. Deputy Speaker, Sir, the hon. Minister, Mr. Rijju is from the State of Arunachal Pradesh which has no district council. But, he being from the Northeast, in general would be aware that these are very sensitive areas. You are also aware that we have longstanding insurgency in Nagaland. We had total insurgency in Mizoram which was later resolved during Rajiv Gandhi's tenure. There was insurgency in Tripura, which was also resolved during Rajiv Gandhi's tenure. Meghalaya has been relatively quiet but some Garo militants are there who sometimes kill a few people. There is militancy in Khasi hills also, which is dying down. So, the idea of the Government of India has been and should be to assure the tribals living in this part that their identity and their culture would be protected.

The main problem is that in these States, except Tripura, the majority of the people are Christians and they have a distinct identity and culture in all these places. In Meghalaya, for instance, from where Mr. Vincent Pala hails, there are three distinct hills – the Khasi Hills, the Garo Hills and the Jaintia Hills. They are sometimes called Khasi and Jaintia Hills, but these are Khasi people, Garo people and Jaintia people are distinct people. There is, sometimes, in the Government of Meghalaya a thought that they will increase the number of members in the Khasi Autonomous Council to 40. In that case, Jaintia and Garo Hill Councils should also have 40 members. That is why, this amendment brought by Mr. Pala is very significant. He has proposed that there shall be a District Council for each autonomous district consisting of not more than 40 members who shall be elected on the

basis of adult franchise. It is 30 so far. So, if it is increased in the case of Khasi Hills Council, it should also take place in case of Jaintia Hill Council.

In Assam, there is a Bodoland. Earlier, there were hills called North Cachar and Mikir Hills. Now, of course, their names are different. Now, North Cachar and Mikir Hills are called North Cachar and Karbi Anglong and Dima Hasao. There are black widows, spider group over there. That is a very dangerous militant group.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU): The name also is dangerous.

PROF. SAUGATA ROY : Yes, the name is dangerous.

That is Dima Hasao. As you go to Diphu, which is part of North Cachar Hills, the same train goes on to Dibrugarh. Now, Diphu is Karbi Anglong. Haflong is just on the plains. If you travel by the Barak Valley Express, you can drop at Haflong, just before Silcher. It is a beautiful hill station type of place. Then, on the hills, there is Diphu. I am familiar with this because I come from those parts. I was born in Shillong and spent my childhood in Shillong. So, I know the sensitivities of the people over there. Those people are very sensitive.

Now, there is a major problem in these areas. The Government has now formulated MMDR Act which says that all minerals have to be sold by auction. Now in Jaintia hills, there is surface coal. Hon. Member, Mr. Pala, had a lot of coalmines. Now, what is the tradition? The tradition is that if you have a tribal land, and if there is coal inside that land, then the coal will belong to you, that is, an individual and not to the Government. Now, if the Government says that all that coal belongs to it because it is a natural resource, then it would be a violation of tribal practices. In tribal areas, a very important thing is 'customs and usage'.

Sir, once I went to Shillong to campaign. I was in the Congress at that time. Suddenly, in the evening, a lot of young people came and surrounded the meeting. They asked me whether I had taken the permission of the local Council. I said 'I am a citizen of India and member of Congress Party. I can come anywhere.' They said that it was not so and I needed a permission from the headman. So, these are traditional customs and we cannot ignore all these things totally. That is why, Mr. Vincent Pala has very wisely brought in 'the traditional occupations of the tribals, including occupations relating to mines and minerals'.

As has been mentioned, Meghalaya has got coal and Meghalaya has also got Uranium. Now, if Uranium -- which is a radioactive mineral and very precious -- is found in somebody's land, then to whom that mineral will belong. Mr. Pala, coming from that region and having been a coal miner himself knows the problem very acutely. Now, the surface coal is not selling well. So, we have to find out a solution to this problem. The main thing that is still needed in the North East is development.

The North East has a potential of becoming Switzerland not only for natural beauty, but also for a lot of hydro power that is available. Hydro power is best in Arunachal, but all the other North Eastern States also have the potential for hydro power. The people there are less in number, but Christianity and education have made them very advanced. So, their ambitions are not fulfilled. If somebody preaches militancy to them, then it becomes attractive.

Now, there is a separate Ministry of DoNER, but I would like the Home Minister to visit all the North Eastern States. I do not know if he has still done it because Pandit Jawaharlal Nehru used to visit all the remote places. Shri Rajiv Gandhi spent four days in Mizoram at a stretch. If the top leaders go from Delhi, it creates an identity. Has he visited the seven sister States including Meghalaya and its different parts including Shillong, Tura, etc.? It is very good. Has he visited Jowai? No, he has not gone to Jowai. The Jaintia Hills is very important. Has he visited Karbi Anglong, Diphu and Haflong? No, he has just gone to the main capital, but there are sub-places there and the Home Minister has to identify himself. He is a very good native of Uttar Pradesh, but he has to make them feel that they are not distant from the Hindi heartland. So, I think that in the context of all these, North East is a region of enormous possibility.

In this context, I want to mention a small thing. We are discussing Schedule VI. Now, we all know that all the scheduled areas are mentioned in Schedule VI, but something more important is there. This is regarding the various parts that are there. Now, the other thing that is clear is that according to the VIth Schedule if the autonomous councils make any law, which is repugnant to the law of the State, then the matter will be referred to the Assembly and the decision of the Assembly will be final just as in the case of State and Centre. There should be no conflict and finally the Centre's view should prevail. Now, that is very important.

If you notice, in our country tribal areas are more sensitive. The Home Minister is here. For instance, we are having a lot of Maoist militancy in the Chhattisgarh – Odisha tribal areas. Now, Vth Schedule says that no tribal land can be sold or acquired without the permission of the village council. Now, the big multinationals like Vedanta and others want to get huge chunks of land because it has got bauxite and other minerals and that is what is basically leading to Maoist militancy. Unless we deal with the issue of tribals with sensitivity and care, then with guns only we cannot sort out the problem. That is why it is very good that the Home Minister himself has come after finishing a strenuous U.P. campaign to listen to this debate. I am happy that he is here. I would request him to deal with the tribal areas with kid gloves i.e., very carefully and very sensitively. The Government should not ride roughshod कि हमारे पास इतने एमपी हैं, मिजोरम और नागालैंड से एक-एक तथा मेघालय से दो एमपी हैं, यह नंबर में कोई बड़ी बात नहीं है, It is a territory and it is a sensitive people's area. I thank Mr. Vincent Pala, my friend, for having brought this law and for bringing the North-East into the mainstream. Here in the Parliament of India, North-East is being discussed and debated. That is the most important thing.

With these words, I would commend this Bill and I would request the whole House to accept this Bill. He has not asked for a major amendment but only mines and minerals which he has specified that that should be the ownership of the tribals.

The other thing he has mentioned is that there should be parity, especially in Meghalaya, between the three regions i.e., Khasi Hills, Jaintia Hills and Garo Hills. If this is done, I think, this will go some way in alleviating the problems of the people.

Sir, I think you should also make a visit to all these distant places. I went to Shillong during Christmas. It was looking better than London. It was so brightly lit and wonderful.

We have a lot of potential and a lot of future in the North-East. We hope that we take full advantage of that. With these words, I support Mr.

श्री गौरव गोगोई (कलियाबोर): उपाध्यक्ष महोदय, धन्यवाद। आज मैं इस बिल के समर्थन में खड़ा हुआ हूँ। यह बिल कंस्टीट्यूशन के छठे शिड्यूल में संशोधन लाता है, इसमें ऑटोनॉमस डिस्ट्रिक्ट काउंसिल के सदस्य की जो संख्या है, वह तीस से चालीस तक बढ़ाने की आकांक्षा रखती है। ट्राइबल लोगों की माइंस और मिनरल्स में जो ट्रेडिशनल आवयुपेशन है, उसको डिस्ट्रिक्ट काउंसिल के तहत लाने की कोशिश की जा रही है।

सबसे पहले, मैं वहां से शुरू करना चाहूंगा जहां से प्रो. सौगत राय जी से खतम किया है। आज पार्लियामेंट के इस वेम्बर में हमें उत्तर-पूर्व के बारे में जो कुछ भी सीखने को मिल रहा है, हमें अपनी आवाज और आकांक्षा को यहां पर प्रकट करने का अवसर मिल रहा है। लोगों ने जो हमें सम्मान दिया है, उसको मैं अपनी उपस्थिति के द्वारा प्रकट कर रहा हूँ। यहां पर बैठे हुए हमारे सदस्य जिस महारसई से सुन रहे हैं, मुझे लगता है कि आज इस चर्चा के द्वारा पूरे उत्तर-पूर्व एरिया में एक बहुत बड़ा मैसेज गया है। पार्लियामेंट में सारे सदस्य चाहते हैं कि किसी भी राजनीतिक दल या क्षेत्र से वयों न हो, हमारी उत्तर-पूर्व के प्रति संवेदनशीलता है और उसे और आगे देखना चाहते हैं। That is the most important thing which we must understand that people of North-East are extremely sentimental, emotional and what we are talking about today is not just a mere increase in the number of Members from 30 to 40, but we are asking that there needs to be more respect for our sentiments and for our wishes. Once we understand what they want, everything – mainstreaming North-East, bridging North-East, looking North-East – would be done which we talked about in this entire conversation.

यह सब कुछ हो जाएगा। जब हम बात समझ जाते हैं कि सबसे पहले उत्तर-पूर्वांचल के लोग जो चाहते हैं, वे चाहते हैं सम्मान, वे चाहते हैं कि जो दूसरा व्यक्ति उनको देख रहा है, वे उनकी बातों को महारसई से समझ रहा है। जितनी भी कॉन्फ्लिकटेड चीजें नार्थ-ईस्ट में हैं, In the North East, there are insurgency issues, developmental issues and connectivity issues. All of these problems can be solved, but first there has to be a bridge of dialogue and communication. I am specifying on dialogue and communication because the Union Home Minister is here; the Minister of State for Home is here. When they are talking about law and order, it is not just about the show of guns, police, arrest or of boots on the ground, but also it is about diplomacy and dialogue.

We talk about the District Councils. Why are these District Councils constituted? It is because the tribal communities want some form of autonomy in order to strategise and plan the development on their communities.

जब हम विकास की बात करते हैं, बहुत साधारण चीज है कि विकास को हम देखें, रास्तों से मापदण्ड करें, इलेक्ट्रिसिटी से उनका मापदण्ड निकालें, रास्ता और विद्युत जरूरी है, लेकिन सबसे पहले अगर हमें किसी चीज पर ध्यान देना है तो वह है जो विभिन्न ट्राइबल कम्युनिटीज हैं, उनके कल्चर की तरफ, उनकी संस्कृति की तरफ और अगर हम संस्कृति पर पकड़ रखें, क्योंकि यह कोई आसान चीज नहीं है, बहुत सी ट्राइबल कम्युनिटीज हैं, विविध राय हैं, सबकी अपनी अलग-अलग भाषा है। अगर भाषा को हम पकड़ नहीं सके, if we continue to lose the various languages of the North East one by one because we are not archiving them, we are not promoting them, or we are not preserving them, then we are losing the diversity and we are losing the strength. We cannot homogenize the North East. We need to respect its heterogeneity. कभी-कभी लोग बोलते हैं कि आप असम से हैं, असम तो बड़ा भाई है, आप और वयों नहीं बोलते, तो हम बोलते हैं कि बड़े भाई का मतलब यह नहीं है कि हम आगे रहेंगे, बड़ा भाई का मतलब है कि हम पीछे रहेंगे और छोटे भाई जब आगे जाएंगे, तो हमें खुशी होगी। That is what the sentiment is that we must respect the heterogeneity.

Education is one very important way of preserving the language. There are two ways of looking at it. Yes, it is important to teach in Hindi and English because those are our official languages and our constitutional languages. When we go out of the North East, then we are communicating and we are working in English and Hindi. But if we also introduce the medium of instruction in our schools in our indigenous languages (a) the languages get preserved; and (b) the children who are studying in these schools, they understand better. If I am a tribal and I speak in Bodo language and the school teacher is teaching me in Assamese language or in Hindi, or if he is trying in Assamese to explain to me the concepts of mathematics, then my brain has to do two things: (a) I have to translate it from Assamese to Bodo, or English to Bodo or Hindi to Bodo and then understand, "Okay, now that I have understood it in Bodo language, let me try to understand what the teacher is trying to say about Algebra or Trigonometry. The strain on a child's mental faculty and brain is more. If the medium of instruction is in Bodo, is in Karbi, then the child will be able to understand better. So, we must look at education and look at the concept of instruction in local languages, not only from the fact of preserving the local language, but also from the fact of increasing the child's educational ability.

Sir, primarily, the languages of North East are based on oral tradition. भाषा लिखित नहीं है। भाषा वर्बल है और भाषा को अगली पीढ़ी को वर्बली समझाया जाता है। यह लिखित नहीं है, इसलिए कहीं-कहीं आप अगर किसी भाषा का स्क्रिप्ट देखेंगे तो देखेंगे कि इस भाषा का स्क्रिप्ट है ही नहीं, वे अंग्रेजी में लिखते हैं। अगर स्कूल में अपनी लोकल लैंग्वेज में हम इंस्ट्रक्शन देने की कोशिश करेंगे तो ऐटलीस्ट बोडो लैंग्वेज, राभा लैंग्वेज में किताबें लिख दी जाएंगी।

मैथेमेटिक्स सॉल्व हो जाएंगे तो एक आर्काइवल भी होगा। इसलिए मैं चाहता हूँ कि इन चीजों पर ध्यान दिया जाए। होता यह है कि हम अलग से एक माडल में आ जाते हैं, जहां लगता है कि इन भाषाओं को नहीं, हमें संस्कृत को कम्पलसरी करना चाहिए। संस्कृत एक बहुत महत्वपूर्ण भाषा है, मैंने भी पढ़ी है। अगर हम शिक्षा को देखना चाहते हैं तो शिक्षा का असली रूप, असली महत्व एक छात्र के माता-पिता समझते हैं। जब माता-पिता सिव्थ शैड्यूल की कम्युनिटी में होते हैं तो वे खुद चाहते हैं कि मेरा बेटा हमारे टाइप की कम्युनिटी की भाषा में पढ़े, उस भाषा को समझे। बीच में उत्तर पूर्वांचल के एक राज्य में एक शुरुआत हुई थी कि संस्कृत को कम्पलसरी बनाया जाए, लेकिन वहां लोगों ने समझा, सरकार ने इस बात को समझा और सोचा कि ऑप्शनल करके हम कोशिश करें, छात्र और उसके माता-पिता पर छोड़ दें कि वे कौन सी भाषा में आगे जाना चाहते हैं।

दूसरी बात संस्कृति से जुड़ा हुआ साहित्य है। जरूरी है कि हम साहित्य द्वारा समाज को आगे लेकर जाएं। जब हम प्रगति की बात करते हैं, हमेशा इकोनॉमिक प्रगति की बात करते हैं, सोशल बैकवर्डनेस की बात करते हैं। साहित्य एक बहुत ही जरूरी रास्ता है जिससे हम विभिन्न ट्राइबल कम्युनिटीज को सम्मान दे सकते हैं। आज साहित्य के बहुत एक्सपर्ट्स हैं, बहुत महान् साहित्यकार हैं, लेकिन अगली पीढ़ी कहां है, विभिन्न कम्युनिटीज के जितने भी श्रेष्ठ लिटरेचर और ऑथर्स हैं, they are extremely senior. We are unable to nurture the next generation of authors. हां, अगर जे.के. रॉलिंग हों तो हम चाहते हैं कि मेघालय से भी एक जे.के. रॉलिंग निकलें, अगर कोई चेतन भगत है तो हम चाहते हैं कि त्रिपुरा से भी कोई चेतन भगत निकले। We want the next generation of authors, writers and poets to come up and write in their own language, compose poetry in their own language and have big literature festivals. As Indians, we love to learn new languages.

अगर आप यूरोप जाएंगे तो यूरोप में पूछेंगे कि आपको कितने भाषाएं आती हैं तो बोलेंगे कि एक या दो आती हैं। अंग्रेजी भी लंग से नहीं आती होगी और उनकी अपनी मातृ भाषा आती होगी। अगर आप भारत में आएँ और हर भारतीय से पूछें कि आपको कितनी भाषाएं आती हैं। वह लगभग 3 से 4 भाषाएं बोल पाएगा। बोलेंगे कि हिन्दी आती है, अंग्रेजी आती है, गुजराती आती है, पंजाबी आती है और थोड़ी-थोड़ी बंगाली भी बोल लेता हूँ, थोड़ी-थोड़ी तमिल भी समझ जाता हूँ। यह भारतीय संस्कृति की कला है कि हम भाषाओं को समझ सकते हैं, बहुत जल्दी पकड़ सकते हैं और सीख सकते हैं। इसलिए अगर हम साहित्य के और फैस्टिवल्स करेंगे तो न सिर्फ उत्तर पूर्वांचल बल्कि भारत के दूसरे राज्य भी सीखेंगे कि उत्तर पूर्वांचल में कितनी खास विविधता है।

हमें लिटरेचर पर ध्यान देना चाहिए, स्क्रिप्ट पर ध्यान देना चाहिए। अगर हम देखें कि where do these communities stay? They stay in very vulnerable areas. Some of these communities are living by the river especially in the State of Assam where the mighty Brahmaputra flows through. Every year, these communities know that come May, June, July, August or September, पांच से छः महीने की बाढ़। पांच से छः महीने की बाढ़ में क्या होता है। उन्होंने जितनी भी खेती की हुई है,

जितना पैसा बचाया हुआ है, घर आदि बनाने में जितना पैसा खर्च किया है, हर वर्ष आल वह पैसा नष्ट हो जाता है। उन्होंने जितनी भी उन्नति की होगी, सोचा होगा कि आज हमें खेती से 2 या 4 लाख रुपये का मुनाफा होगा, लेकिन वे वापस कर्ज में आ जाते हैं। बाढ़ की वजह से ऐसा हर साल होता है। It keeps people in perennial poverty. आज किसी ने खेती की बात की। कोई जैविक खेती भी करे, कोई कमांडिंग कल्टीवेशन भी करे, the minute flood comes, they are pushed back. They are unable to repay their loans. They get stuck with money-lenders. So, we must look at floods from two aspects. First is the prevention. कौन चाहता है कि बार-बार बाढ़ आकर खेती को विनाश करे, हमें फ्लड प्रिवेंशन पर ध्यान देना पड़ेगा। मिनिस्ट्री ऑफ वॉटर रिसोर्सेज में एक बहुत बड़ा फ्लड मैनेजमेंट प्रोग्राम है। मगर अफसोस की बात है कि यह पहले सेन्ट्रली स्पॉन्सर्ड स्कीम होता था, अब नीति आयोग के द्वारा यह सेन्ट्रली स्पॉन्सर्ड स्कीम नहीं रहा। उसका परिणाम क्या है, सेन्ट्रली स्पॉन्सर्ड स्कीम के तहत एफएमपी के अंतर्गत पहले उतर पूर्वी राज्यों की टैक्स इनकम ज्यादा नहीं है। FMP projects were divided as per the 90:10 principle that is, if an FMP project is worth Rs. 100 crore, then Rs. 90 crore will be spent by the Central Government and Rs. 10 crore will be spent by the State Government. But as per the revised NITI Aayog guidelines, FMP is no longer a Centrally sponsored scheme. It has gone from 90:10 to 80:20. It means that the burden on the State Governments to finance FMP projects would increase. जहां स्टेट ने सोचा था कि मेरे पास सौ करोड़ रुपये हैं और इससे मैं 20 प्रोजेक्ट करूंगा, लेकिन अब 90/10 से 80/20 हो जाने के कारण अब वही सौ करोड़ रुपये से 20 प्रोजेक्ट नहीं कर पाएगा बल्कि 10 प्रोजेक्ट ही कर पाएगा इसका मतलब हुआ कि जिन क्षेत्रों में फ्लड मैनेजमेंट प्रोग्राम होना था वह नहीं होगा। वहां जो लोग हैं वह कन्सेल एरिया और पोपुलेशन रहेंगे। मिनिस्ट्री ऑफ होम यहां बैठे हुए हैं। जब भी फ्लड से डिजास्टर होता है तो प्रैजर इनके ऊपर ही आता है कि एनडीआरएफ से और फंड दीजिए, एसडीआरएफ का फंड शीतल कीजिए। Why are we going for relief? Let us talk about flood prevention; let us talk about doing more FMP projects; let us talk about the Ministry of Water Resources; let us renew those embankments where these 6th Schedule communities are living. So, I hope that this message would also go to them.

Talking about sentiment and respect, समाज को तब अच्छा लगता है जब छठी अनुसूची एरिया में जो लोग रहते हैं कि जितना विकास उतर पूर्वी राज्यों के शहर में या बड़े नगर में है, वैसे ही विकास हमारे एरिया में है। उदाररक्षण के लिए, अगर असम या मेघालय या त्रिपुरा के नगर में, मैं कैपिटल की बात नहीं कर रहा हूँ, नगर और नगर के आसपास के गांव में अच्छे रास्ते, अच्छे शहर हैं। अगर आप उस नगर से दूर जाकर छठी अनुसूची के एरिया में जाते हैं और वहां देखते हैं कि वहां रास्ते अच्छे नहीं हैं, इलेक्ट्रिसिटी अच्छी नहीं है। that creates a disconnect; that creates a sentiment of frustration people have forgotten about us; Government of India has forgotten about us; since we are 6th Schedule communities, nobody cares about us. It is this sentiment of frustration which builds up year after year. Insurgent groups tap into this frustration and recruit and mobilize them and say, "You see there is no road in front of your house; there is no electricity; there are drinking water problems. That means the Government of India does not care. Rise up and rebel." Therefore, if you want to look at it from law and order perspective, if you want peace and stability, especially in the 6th Schedule areas, you must look at development.

Development is a tool towards law and order. For that, you must look at roads as the first way of reaching not only the front of the house, but from that road you can enter into their hearts and minds. देखो, सारा विकास नगर में हो रहा है। छठी अनुसूची के एरिया में कुछ नहीं हो रहा है। The highways which fall in the 6th Schedule areas must be given priority. आप रोड पर ध्यान दीजिए, हाईवे पर ध्यान दीजिए कार्बाई आंगलॉग छठी अनुसूची एरिया है, अनुमलीगढ़ से दीमापुर का हाईवे है और वह कार्बाई आंगलांग जाता है, उस हाईवे की अवस्था देखिए, वह बहुत बुरी स्थिति में है। प्रोजेक्ट निकल गया, फाइल निकल गई, बजट निकल गया, कंट्रैक्टर निकल गया और काम वहीं खत्म हो जाता है। हम छठी अनुसूची एरिया की बात कर रहे हैं। सौगात दा ने नार्थ कच्छर की बात की। It is a beautiful place. Let us promote tourism over here; let us construct rest houses; let us create subsidies for entrepreneurs to set up. If we do not create a spirit of entrepreneurship, we will not be able to solve the employment question. How do we create a culture of entrepreneurship? यह एन्टरप्रेन्योरशिप की संस्कृति कहां से बनी है। हमें एन्टरप्रेन्योरशिप की संस्कृति स्कूल और कालेज से बनानी पड़ेगी। हालांकि स्कूल और कालेज में यह सिखाया जाता है कि देखिये, आप इस कम्युनिटी के हैं, इसलिए अगर आप सरकारी नौकरी ढूंढेंगे तो वहां अपना कार्ट सर्टिफिकेट या कम्युनिटी सर्टिफिकेट दिखाकर एक स्पेशल रिजर्वेशन ले सकते हैं।

This means, we are already telling them that they should focus on employment and use their tribal status as a leg up. That is fine. It creates social justice but what is more important is that we must tell these communities today that not only should they look for employment but they should also look to start their own enterprises.

In Hindi, we say *jugaad*. *Jugaad* is a measure of your creativity. One who is a *jugaadi* is more creative; from minimal resources, he can get maximum output and that is entrepreneurship.

एक एन्टरप्रेन्योर, जो स्टार्टअप होता है, उसके पास ज्यादा कुछ नहीं होता है। शायद ज्यादा पैसे भी न हों और ज्यादा जमीन भी न हो, लेकिन वह क्विप्टिविटी के द्वारा अपने सारे रिसोर्सेज को मल्टीपलाई करके एक एन्टरप्राइज बनाता है। यह जो एक सभ्यता है, संस्कृति है, यह हमारे डीएनए में है। क्विप्टिवि और एन्टरप्रेन्योर होना हमारे डीएनए में है। हमारी संस्कृति के बीच में आ गया है कि नहीं, हमें खुद नहीं खोलना चाहिए, क्योंकि अगर हम खुद एन्टरप्राइज खोलेंगे तो ज्यादा रिस्क होगा। इसलिए रिस्क कवर होंगे। But we should talk to our communities and promote a sense of appreciating risk and taking risk. रिस्क लेना कोई बड़ी बात नहीं है और रिस्क लेकर हम उन्हें एन्टरप्रेन्योर की तरफ भेज दें। नार्थ ईस्ट और सिक्किम जैडसूल एरिया में बहुत सी ऐसी चीजें हैं, जिसमें छोटा सा एक आदमी बहुत बड़ा एन्टरप्राइज खड़ा कर सकता है।

The North-East is one of the foremost bio-diverse regions of the world. This means the kind of medicinal plants which are found there, the various varieties of agricultural crops, rice, turmeric, cardamom, ginger and the kind of bio-diversity found there is not found in other parts of India. It is one of the foremost bio-diverse regions in the world as established by the International Union of Conservation of Nature. अगर हम युवाओं को सिखा पायें कि देखिये, अगर आप नौकरी ढूंढ रहे हैं, तो जरूरी नहीं है कि उसके लिए आप दिल्ली, कोलकाता, गुवाहाटी या शिलांग जायें और वहां जाकर सरकारी नौकरी ढूंढें, ड्राइवर की नौकरी ढूंढें, गार्ड की नौकरी ढूंढें। अगर आपके गांव में एक ऐसा मेडिसिनल प्लांट ग्नो होता है, जिसकी डिमांड है, अगर एलोपैथ ग्नो होता है या एलर्जी ग्नो होता है, तो उसकी ट्रेनिंग लेकर आप एक अच्छा एन्टरप्राइज बनाइये। आप बैंक से लोन लें, ट्रेनिंग लें और एक्सपोजर के लिए देश की दूसरी जगहों पर जायें, जहां एन्टरप्राइज एक सिस्टम बन चुका है। महाराष्ट्र, तमिलनाडु और कर्नाटक में जायें। People from the North-East can go, get exposed, listen, see and come back to start enterprises. So, we must look at entrepreneurship also when we look at these Sixth Schedule Areas. I never say that entrepreneurship alone would solve the employment problem.

The Bill talks about mines and minerals also. We must look at the concept of mines and minerals not only from the point of view that there is a natural resource which I am entitled to. It should also be that with this natural resource what kind of value addition I can do, how can I do extraction in a safe manner, how can I do it if I am employing people to extract natural resources as an entrepreneur in a way that I am respecting the labour customs and whether the people who are working for an entrepreneur are getting fair wages. क्योंकि कहीं मीडिया में यह भी खबर आई थी कि जिस तरह का माइन्स एंड मिनेरल्स का वहां पर एक ईको सिस्टम बन गया था, वहां पर लेबर लोगों को फेअर वेजेज नहीं मिल रहे थे, बहुत ही अनजोब वर्किंग कंडीशंस में वे काम कर रहे थे। Sir, we must look at not only as owners of natural resource but also how to extract, add value, market distribution. They must be given that training otherwise we will go back to how it was, which was in a very unsafe and hazardous manner.

Sir, I appreciate the time that you have given to me. There were other things that I wanted to talk about, like the Highways, law and order, that we need more police, modernization and the Budget. I wanted to speak how in 1617 the Budget for six autonomous district councils was Rs.1000 crore but this was not even released. And, in 1718 from Rs.1000 crore it has come down to Rs.500 crore. We should be increasing the Budget and not

decreasing the Budget. When you are talking about Look East, you should increase the Budget.

श्री निशिकान्त दुबे (गोड्डा) : यह नॉन तैप्सेबल है।

श्री गौरव गोर्गोई : सर, आप नॉर्थ-ईस्ट में आइए, पेपर में नॉन-तैप्सेबल है लेकिन असली में इंडिजिबल है।... (व्यवधान) कूढ़ने पर आपको नहीं मिलेगा।... (व्यवधान)

There should be more Government of India projects like Amrut. A developed State like Maharashtra or Gujarat has 25 to 30 Amrut projects and the entire region of Northeast with seven States get 14 Amrut projects. That means on an average one State in Northeast is getting one or two projects. We are continuing with the disparity. So, I would suggest that we should have more Government of India projects for the Northeast.

Thank you very much for patient hearing and all the time that you have given to me. I support this Bill.

श्री रामेश्वर तेती (डिब्रूगढ़) : माननीय उपाध्यक्ष महोदय, हमारे साथी विनसेंट पाला जी जो प्राइवेट मेंबर बिल लेकर आए हैं, उसी पर मैं अपनी बात कहना चाहता हूँ कि नॉर्थ-ईस्ट जिसे अष्टतम कक्षा जाता है, हमारे भारत के प्रधान मंत्री कहते हैं कि अगर आप थक जाते हैं तो आप नॉर्थ-ईस्ट जाइए। आपको सुकून मिलेगा। वह नॉर्थ-ईस्ट जो सम्पदा से भरा हुआ है और आज नॉर्थ-ईस्ट का जिस तरह से विकास होना चाहिए, उस तरह से वहाँ विकास नहीं हुआ है। इसका कारण यह है कि वहाँ पर ज्यादातर कांग्रेस के लोगों ने शासन किया है और नॉर्थ-ईस्ट का जिस तरह से विकास होना चाहिए, वह नहीं हो पाया। हमारे देश के प्रधान मंत्री नरेन्द्र मोदी जी ने नॉर्थ-ईस्ट पर ज्यादा ध्यान दिया है और हरेक मंत्री को कहा गया है कि आप लोग नॉर्थ-ईस्ट में जाइए और वहाँ की जो समस्या है, उसका समाधान ढूँढ़िए और समस्या का समाधान कीजिए। हरेक मंत्री जी वहाँ जा रहे हैं और भारत सरकार नॉर्थ-ईस्ट के विकास के लिए हरेक तरफ से सहायता कर रही है।

अभी जो चार स्टेट्स हैं, जहाँ पर छोटे श्रेड्यूल के तहत शासन चल रहा है, लोकप्रिय गोपीनाथ बोर्डले जी, जब भारत स्वाधीन हुआ था, उस समय लोकप्रिय गोपीनाथ बोर्डले जी को असम का मुख्यमंत्री नहीं, बल्कि असम का प्रधान मंत्री कहा जाता था और उसी समय लोकप्रिय गोपीनाथ बोर्डले ने वहाँ की जो जनजाति है, उनका जो कल्चर है, जो संस्कृति है और उनकी जो समस्याएँ हैं, उनका कैसे समाधान किया जाए, इस ओर ध्यान दिया और उसी समय छोटे श्रेड्यूल की बात कही गई। चार राज्यों को सिवसथ श्रेड्यूल की धारा में लाया गया है और सिवसथ श्रेड्यूल हमारे असम में कार्बी ऑबलॉग, बिमाहसाओ और बोडोलेंड में चल रही है, जहाँ गैर-ट्राइबल जमीन नहीं खरीद सकते हैं, वहाँ चुनाव नहीं लड़ सकते हैं, ऐसी व्यवस्था है। मैं चाहता हूँ कि नॉर्थ-ईस्ट में ट्राइबल की कहीं-कहीं ऐसी हालत है कि मैं भारत सरकार से अनुरोध करता हूँ कि ज्यादातर फंड दिया जाये और जनजातियों को ऊपर लाने की ओर ध्यान दिया जाना चाहिए।

असम में करीब छः जनजातियाँ आंदोलन कर रही हैं, जिनमें से हम लोग चाय जनजाति हैं। चाय जनजाति असम, ओडिशा, बिहार, मध्य प्रदेश, छत्तीसगढ़ और बंगाल में जा कर बसे हुए हैं। उसी तरह से और पांच जन-गुण्टियाँ हैं - टायोहोम, कुश राजवंशी, सुटिया, मटकमोशन, ऐसे छः जन-गुण्टियाँ अपनी डिमांड कर रहे हैं कि हमें जनजाति का दर्जा मिलना चाहिए। भारत सरकार के साथ भी दो-चार बार इस विषय में बैठक भी हुए हैं।

मैं भारत सरकार से निवेदन करता हूँ कि ये छः जन-गुण्टियाँ जो जनजाति के दर्जा के लिए डिमांड कर रही हैं, उनको जनजाति का दर्जा दिया जाये। चाय जनजाति करीब डेढ़-दो सौ साल पहले छत्तीसगढ़, मध्य प्रदेश, झारखंड, ओडिशा और पश्चिम बंगाल से असम गये हैं, लेकिन हमारे जो लोग, छत्तीसगढ़, ओडिशा या झारखंड में हैं, उनको आज भी जनजाति का दर्जा मिल रहा है लेकिन असम में उनको जनजाति का दर्जा नहीं मिल रहा है।

मैं सरकार से अनुरोध करता हूँ कि असम में छः जन-गुण्टियाँ बहुत दिनों से आंदोलन कर रही हैं और अगर इनको जनजाति का दर्जा मिल जाता है तो जो बांग्लादेश से असम में आ गये हैं, उनके आने से हमारी स्थिति में जो समस्या उत्पन्न हुयी है, उससे हम परितांत पा सकते हैं।

मैं भारत सरकार से अनुरोध करता हूँ कि इन छः जन-गुण्टियों का जनजातिकरण करना चाहिए। धन्यवाद।

श्री निशिकान्त दुबे (गोड्डा) : उपाध्यक्ष महोदय, मैं अपने सहयोगी और मित्र श्री विनसेंट पाला जी द्वारा लाये गये प्राइवेट मेंबर बिल के समर्थन में बोलने के लिए खाड़ा हुआ हूँ। छोटे-छोटे तीन अमेंडमेंट दिखाई पड़ते हैं। पहला यह है कि जिला परिषद में सदस्य की संख्या 30 से बढ़ा कर 40 कर दी जाये। दूसरा, खान और खनिजों से संबंधित आदिवासियों की परंपरागत उपजीविकाओं को जिला परिषद की विधायी सक्षमता के अंतर्गत लाया जाये। तीसरा, आदिवासियों की रूढ़ि जन-पद्धतियों और कितों का संरक्षण करने की दृष्टि से संशोधन का प्रस्ताव है। यह देखने में छोटा लगता है, जैसे-

"सतसइया के दोहय, ज्यो नाविक के तीर

देखन में छोटन लगे, घाव करे गंभीर।"

पूरी ऑटोनोमस का जो उद्देश्य है, उसमें जो लूप होल्स पहले दिन से, जब वर्ष 1952 में यह बना और वर्ष 1954 में लोग जिस तरह का अमेंडमेंट उसमें करना चाहते थे, आज तक वे नहीं कर पाये, उसके लिए वह एक बड़ा बिल लेकर आये हैं। यह देखने में छोटा लगता है, लेकिन यदि आप मानेंगे तो यह एक बड़ा संशोधन है। सबसे बड़ा सवाल यह है कि सिवसथ श्रेड्यूल क्यों बना? बोरोदोर्द कमेटी के रेकमेंडेशंस क्या थे? क्या ऐसा सितुएशन हो गया है कि हमारे मित्र मिस्टर पाला को एक प्राइवेट मेंबर बिल लेकर आना पड़ा और कहीं न कहीं राज्य सरकार में, ऑटोनोमस कांसिल में, जो पंचायत राज इंस्टीट्यूशन है, उन तीनों में जो लड़ाई उनके यहाँ चल रही है या नॉर्थ-ईस्ट के सारे के सारे में लड़ाई चल रही है, उसके बारे में इनको अपने तीनों को अलार्म करने के लिए, सरकार को ऐक्टिव करने के लिए और पूरे देश को सेंसिटीव करने के लिए, उनको इस तरह का बिल लाना पड़ा।

महोदय, वहाँ जो समस्याएँ चल रही हैं, वे बहुत बड़ी हैं। कांसेंट्रेशन आफ पावर्स जो डिस्ट्रिक्ट काउंसिल को दी गई है, जिसके लिए वे कहते हैं कि तीस से चालीस हो, गुझे लगता है कि उसमें बड़े संशोधन की आवश्यकता है। श्री पाला मुझे सहमत होने क्योंकि पूरे नॉर्थ-ईस्ट में जो एक रिजेंटमेंट चल रहा है कि यह जो डिस्ट्रिक्ट काउंसिल है, यह एक इलीट वलब बन गया है, उसका मासिस के साथ कहीं न कहीं जुड़ाव खत्म हो गया है। इस बात को मैं नहीं कह रहा हूँ, यदि आप देखेंगे, तो असम के गवर्नर श्री जे.बी. पटनायक ने दिसम्बर, 2009 को एक बड़ा अट्रन स्टेटमेंट दिया।

"They also did not take interest in planning activities and monitoring of developmental schemes at the micro level. They neither try to look for expert input, nor involve the local people. Their activities have undermined the basic purpose of the Sixth Schedule and consequently the poor tribes are left out both as beneficiaries or as decision-makers in issues that ultimately affect them. This is, in fact, denial of democratic rights to the grassroot people."

इससे आगे वे कहते हैं कि :

"In the Sixth Schedule areas there is no decentralization of powers and administration. There is no Panchayat and Parishad. All you have is a District Council which elects few people and they enjoy unbridled power. But democracy demands that power should not be concentrated in a few hands."

असम के गवर्नर श्री जे.बी. पटनायक थे, जो कि स्वयं मुख्यमंत्री भी रहे हैं, जो डेमोक्रेटिक सिस्टम में विश्वास रखते थे। वे ओडिशा जैसे राज्य के लगातार मुख्यमंत्री रहे। श्री पाला जिस तरह का बिल लेकर आए हैं, आप समझिए कि आपकी पार्टी के वे वरिष्ठ नेता रहे हैं। उनका डिस्ट्रिक्ट काउंसिल के बारे में यह ख्याल है। यदि आप पुअर व्वालिटी आफ गवर्नमेंट की बात करेंगे, इस बारे में मैं बाद में बात करूंगा कि किस तरह से वर्ष 1971 में स्टेट बनने के बाद सी.सी.71जी आने के बाद किस तरह के कस्टमरी डिजिजन में या चीजों में सिक्स्थ श्रेड्यूल्ड किस तरह से एक-दूसरे से ओवरलैप कर रहा है, किस तरह से पंचायतीराज इंस्टीट्यूशन-73 अमेंडमेंट के खिलाफ जिस तरह से माहौल चल रहा है और यदि आप नागालैंड के इतने बड़े प्रोब्लम की बात करेंगे, तो कहीं न कहीं यह जो समस्या आ रही है, इन समस्याओं से हमें निजात पाने की आवश्यकता है।

कर्रप्शन के बारे में मैं आपको 17 अगस्त, 2011 का टाइम्स आफ इंडिया का आर्टिकल आपके सामने पढ़ना चाहता हूँ -

"The North Kachar Autonomous Council in the Dimahasao district under the scrutiny of NIA and CBI for the alleged misappropriation of Rs. 1000 crore."

व्योंकि हमारे मित्र गौरव गण्डई जी पांच सौ करोड़ रुपए, हजार करोड़ रुपयों की बात कर रहे थे, वैसे मैं आपको बता दूँ कि यह नॉन लैप्सेबल फंड है और आटोनोमस काउंसिल को जो पैसा मिलता है, वह पैसा रहता है और आप यह मत समझिए कि वह पांच सौ करोड़ रुपया हमने घटा दिया है। अभी भी उनके पास 1600 करोड़ रुपया है और वह उस पैसे को खर्च नहीं कर पा रहे हैं, लेकिन मैं आपको बता रहा हूँ कि

"The scrutiny of NIA and CBI for the alleged misappropriation of Rs. 1000 crore of Government funds, the amount was reportedly siphoned off to the coffer of a DSDGA for procurement of arms. NIA sleuths have arrested top DSDGA leaders, a former Chief Administrator of the Council and Government officials in connection with the incident."

...(व्यवधान) किसके साथ है, किसके साथ नहीं है, सवाल यह है कि हम देश बनाने की बात करते हैं। जो देश तोड़ने की बात करता है, जो कर्रप्शन करता है, जिसे एन.आई.ए. इनवेस्टिगेट कर रही है, निश्चित तौर पर हम उसके खिलाफ हैं। भारतीय जनता पार्टी को किसी की क्रेडेंशियल और क्रेडिबिलिटी की आवश्यकता नहीं है। देश के लिए एक निशान, दो विधान, दो प्रधान के खिलाफ हमारे जनसंघ के प्रथम राष्ट्रीय अध्यक्ष श्री श्यामा प्रसाद मुखर्जी जी ने बलिदान दिया, इसलिए हमारे क्रेडेंशियल बहुत बड़े हैं। हमने देश के लिए कुर्बानी दी है।

18.00 hours

हमने इस देश के लिए कुर्बानी दी है, इसीलिए मैं यह कह रहा हूँ।

"The NIA sleuths have arrested top DHD(J) leaders, a former Chief Administrator of the Council and some Government officials in connection with the incident."

मैं कह रहा हूँ कि हम पैसे देने की बात करते हैं, हम 30 से 40 होने की बात करते हैं, आप उसके साथ खलिज़ जोड़ दीजिए, मैक्सिमम लोगों ने बलिदान दिया है, उनको सिक्स्थ श्रेड्यूल्ड में अधिकार मिलना चाहिए। सिक्स्थ श्रेड्यूल्ड में जिस तरह के अधिकार गवर्नर को दिये गये हैं, गवर्नर को उसको इस्टैब्लिश करने का प्रयास करना चाहिए। गरीब लोगों, ट्राइबल लोगों, जिनकी आजीविका का साधन उस तरह का है, उनको यह मिलना चाहिए। हम आपके संशोधन के साथ हैं, लेकिन मैं कह रहा हूँ कि इसमें जो राइडर्स हैं, उनके बारे में, नागालैंड में जो कुछ हो रहा है, वहाँ इतने वर्षों तक कांग्रेस सरकार में थी, पूरे नॉर्थ-ईस्ट में वह सरकार में थी, उसने वहाँ वयों नहीं पंचायती राज इंस्टीट्यूशंस को लाया। आप कहते हैं कि राजीव गांधी जी ने पंचायती राज इंस्टीट्यूशंस दे दीं, आप उसको वयों नहीं इम्प्लीमेंट कर पाए। इसलिए मेरा कहना है कि वूमन राइट्स को.....

HON. DEPUTY SPEAKER: Shri Nishikant Dubey, you may continue your speech next time.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND FARMERS WELFARE AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI S.S. AHLUWALIA): Sir, there are certain issues of urgent public importance which hon. Members want to raise as 'Zero Hour' issues. Sir, you may kindly extend the time of the House till they exhaust their points.

HON. DEPUTY SPEAKER: Is it the pleasure of the House to extend its time as there are six Members who have given their names to speak?

SEVERAL HON. MEMBERS: Yes.

HON. DEPUTY SPEAKER: All right. We may take up 'Zero Hour' now. Shri Rajendra Agrawal.