

*The motion was adopted.*

SHRI V.S. KRISHNA IYER : Sir, I introduce the Bill.

**PASSPORTS (AMENDMENT) BILL\***

[*English*]

(Amendment of Section 10)

SHRI SYED SHAHABUDDIN (Kishanganj) : Sir, I beg to move for leave to introduce a Bill further to amend the Passports Act, 1967.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill further to amend the Passports Act, 1967.”

*The motion was adopted.*

SHRI SYED SHAHABUDIN : Sir, I introduce the Bill.

MR. CHAIRMAN :

Shri K. Ramamurthy.. Not present.

Shri K.S. Rao .. Not present

Shri V. Sobhandreeswara Rao.

**FOREST (CONSERVATION)  
AMENDMENT BILL\***

[*English*]

(Amendment of Section 2 etc.)

SHRI V. SOBHANADREESWARA RAO (Vijayawada) : Sir, I beg to move for leave to introduce a Bill to amend the (Forest Conservation) Act, 1980.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill to amend the Forest (Conservation) Act, 1980.”

*The motion was adopted.*

SHRI V. SOBHANADREESWARA RAO : Sir, I introduce the Bill.

15.31 hrs.

**TOBACCO BOARD AMENDMENT BILL\***

[*English*]

(Amendment of Section 8, etc.)

SHRI V. SOBHANADREESWARA RAO (Vijaywada) : Sir, I beg to move for leave to introduce a Bill further to amend the Tobacco Board Act, 1975.

MR. CHAIRMAN : The question is :

“That leave be granted to introduce a Bill further to amend the Tobacco Board Act, 1975.”

*The motion was adopted*

SHRI V. SOBHANADREESWARA RAO : Sir, I introduce the Bill.

15.32 hrs.

**CONSTITUTION (AMENDMENT)  
BILL Contd.**

[*English*]

Amendment of Article 244 etc.

MR. CHAIRMAN : The next item is : Further consideration of the following motion moved by Shri Piyus Tiraky on the 28th August, 1987, namely :-

\*Published in Gazette of India Extra Ordinary, Part II, Section 2, dated 6.11.1987.

\*Published in Gazette of India Extra Ordinary Part II, Section 2, dated 6.11.1987.

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

Dr. (Smt.) Phulrenu Guha to continue her speech...not present.

Dr. G.S. Rajhans.

[Translation]

DR. G.S. RAJHANS (Jhanjharpur) : Mr. Chairman, Sir, Shri Piyus Tiraky is a very good friend of mine. I went through his Bill very attentively and also talked to him personally. He has drafted this Bill very exhaustively. He should have said in a simple way that a Jharkhand State should be formed in the country. This is his objective, but he has put in a round about way. It is also very interesting that the people who support the Jharkhand movement ask that a Jharkhand State may be formed by including some areas of West Bengal, Bihar, Orissa and Madhya Pradesh. Thereafter, they may be allowed to do all in their own way. But Mr. Piyus Tiraky did not have the courage to take any steps against his own Government in West Bengal. Therefore, he has excluded the name of West Bengal from it though as compared to West Bengal, in Bihar the number of tribals is less. What I mean to ask is : what has prompted him to demand that autonomous regions be formed in Bihar, Orissa and Madhya Pradesh ? It is all right if Bihar is compared to predominantly tribal areas like Meghalaya, Tripura and Assam. Though it is very simple to say that we want to form autonomous districts and autonomous regions for the welfare of the tribals, yet the intention behind it is dangerous. Their Government is already facing a problem created by the G.N.L.F. Now why does he want to put his own Government into more difficulty ? He has taken the names of 3 States, but we will include West Bengal also in them. What I mean to say is that the country is already passing through a number of difficult situations and we should not create more difficulties. All of us unanimously agree that efforts should be made for the welfare of the tribals in the country for which welfare schemes should be implemented. Whatever is being done by the Government is not enough and much more is

required to be done. It is also a fact that whatever is being done, its benefit is not reaching them. We should find out its reason. We are all responsible for it. It is because of the fact that tribals are very simple people, but their leaders spare no stone unturned to exploit them. These leaders have always been misleading the tribals. Some people even told them that it was in their interest to destroy forests. This is the reason that there has been unprecedented destruction of forests in our country. I do not say that only tribals are responsible for it. It is the vested interests and selfish people who have destroyed the forests by making them tools. As a result of that we have reached a stage wherein one part of the country is facing floods due to heavy rainfall and the other part has been hit by drought. The main reason behind it is that jungles are being cleared at random and a major part of the country is gradually turning into a desert which is going on increasing. Our ecological balance has been disturbed due to the present plight of the jungles.

Jungles cannot be planted and grown in a day. Africa is an example of this phenomenon before us. We should learn some lesson from it. A time was there when Africa used to be called a dark continent. But the people felled trees mercilessly and thus the old situation has now totally changed. The people of Ethiopia are dying of starvation, because the people of that country felled the trees haphazardly. Whatever happened in Ethiopia, it is going to happen here in our country also. The situation will go on worsening day by day if we do not check the felling of trees. We will have to ban this type of propaganda in order to check felling of trees. We should not arouse the sentiments of the people. No culture or tradition can march forward by removing forests or by destroying public wealth. It causes losses only. It gives rise to poverty, starvation and helplessness. Therefore, we should not encourage such things which create differences and difficulties for us. It should be our effort to ensure welfare of tribals in every State. I myself come from Santhal Paraganas from where the mover of the Bill used to come sometime ago. The Government of Bihar has done much for the Santhals during the past few years. But if to-day we find any

deficiency in that, it is due to vested interests and due to those people who claim themselves to be leaders of the tribals. It is known to everybody that the sentiments of the people in Chota Nagpur are being aroused. We find from newspapers that a demand is being made daily for formation of a state of Jharkhand. Efforts are being made to accelerate Jharkhand movement.

Who are the people behind it? If we encourage these sentiments, problems will be created in every State like that created by the G.N.L.F. In this way people in every State will make a demand like that of Gorkhaland and there will be no end to it. Therefore, I would like to say in brief that such things should not be brought at this juncture. It should be our effort to do more than what is being done at present for tribals. But it should be done within the constitutional frame-work. Nothing should be done beyond those provisions which already exist. Thanks.

\*SHRI BAJU BAN RIYAN (Tripura East): Mr Chairman, Sir, I extend my full support to this Bill. This Bill proposes to bring all those States of India under the purview of the Sixth Schedule by setting up Zila Parishads, wherein at present the Fifth Schedule is in force and regional councils have been set up under the fifth Schedule. This is because the regional councils are not working effectively for the upliftment and betterment of the tribals. I fully support this proposal.

Sir, out of those States where the Sixth Schedule is in force and Zila Parishads have been formed thereunder, Meghalaya and Mizoram only have a majority population of Schedule tribes. In two other States viz., Tripura and Assam the tribals are in a minority. In my opinion this Sixth Schedule should be enforced in those States where the tribals are in a minority. In eight States like, Orissa Bihar, Rajasthan etc. There the fifth schedule is in force and regional councils have been formed, the regional councils are not working properly. These regional councils are required to meet twice a year. Our experience is that they never meet even twice a year. We have

reports to that effect. They do not consider it necessary to meet twice a year. Therefore it is all the same whether those regional council exist or do not exist. Those councils are there only because they have been set up under the Indian Constitution. But actually these regional councils are not proving of any utility in the matter of upliftment and development of the tribals.

When we sit in the Consultative Committee meetings, many members of the ruling party also agree that the fifth schedule is not proving effective in various States. This is not working properly and it would have been better if the sixth Schedule was enforced in those States. In Tripura we waged a long struggle for the enforcement of the sixth schedule in that State. But it was only two years ago, after the left front Govt. came to power, that the sixth schedule was enforced in Tripura and zila parishads was formed thereunder after amending the Constitution. In these two years the zila parishads have been entrusted with all the work of tribal development right from the primary education of the tribals. These zila parishads are doing good work. I will invite the hon. Members of the ruling party to visit my State and see for themselves how the zila parishad under the sixth schedule has been functioning. I of course will not be able to say how the sixth schedule is functioning in Assam, Meghalaya and Mizoram. But in my State Tripura the tribals and the non tribals living outside the area where the sixth schedule is not in force, are clamouring to be covered by the sixth schedule. They are demanding this. This is only because the sixth schedule is working according to the requirement of the tribals. I will avail of this opportunity to state that the sixth schedule is functioning in Tripura depending entirely on the financial resources of the State Govt. I will therefore urge upon the Central Govt. to grant adequate financial assistance to the Tripura Govt. so that the sixth schedule may function more effectively in the interest of tribal development in that State. Sir, my experience is that the present opposition party in Tripura viz., the Congress party who were themselves in power till 1977, had all along opposed the enforcement of the sixth schedule there. Their contention was that his demand for sixth schedule was a secessionist demand, I am surprised at

\*The speech was originally delivered in Bengali.

this. The hon. Member who spoke before me and hon. Smt. Phulrenu Guha who spoke earlier also stressed that the demand for enforcement of the sixth schedule falls under the category of a secessionist and sepaatist demand. This astounding! I fail to understand it. If this demand is a separatist demand, then you delete it from the Constitution. The fifth schedule and the sixth schedule have been provided in our Constitution for the development and upliftment of the tribals. So long as they find a place in the Constitution this demand will be raised and this agitation will continue. This is a Constitutional provision. Now the issue of demand for Gorkhaland has been mentioned in this connection by some hon. Members. That is an absurdity. That has no connection with this issue. Those who are demanding Gorkhaland are not scheduled tribes as envisaged in our Constitution. This issue relates to only the schedule tribes who are the most backward in our country. The ruling party members have also admitted it. It is said that it is the responsibility of the Central Govt. to protect the language, culture, economy etc. of the tribals. But our experience is that their language is becoming extinct. Their economic condition is worse than before.

Their culture is near extinction. If this Govt. remains in power much longer then perhaps we will know about the language, culture etc. of the tribals only in the museums. Apart from the museums, nothing will be found elsewhere.

I know that a solution of the problems of the tribals is not possible till socialism comes to our country and the Communist party comes to power. Till that happens, it is necessary to enforce the Sixth schedule in various States as a temporary safeguard. So long as the Congress party was in power in my State, they did not implement the Sixth schedule there. Even now they are opposing the sixth schedule. They insist that the agitation for the enforcement of the sixth schedule is a separatist agitation. This is not at all so. If you ponder deeply you will realise that this is necessary for protecting their economic development. It is very necessary to immediately replace the sixth schedule at all those places where

regional council are functioning under the Fifth Schedule, if you are really eager for the betterment of the tribals. The tribals have forgotten everything about themselves. Nothing is left. Nothing will be left unless there is a change in the attitude and thinking of the Govt. So far as I have understood, the previous speaker was saying that our forests have been destroyed because of the tribals. Yes, our tribals do live in the forests. But the tribals do not destroy forests. They just do not have the means to cut down large trees, make planks or to carry the huge trees outside for sale with the help of elephants. They use the forests in a small way for their own use and requirements. They protect the forests also. But our country's forests are getting denuded. This is a fact. Who are doing this?

This is being done by the rich capitalists of our country for increasing their profits and wealth. They are cutting down forests with heavy implements and bringing in elephants to carry away the rich wood. The forest department is also a party to it. Through contractors they are denuding the forests. This is the main cause of the destruction of our forests. The poor tribals are not at all responsible for it. But we find that everybody is blaming the tribals, that they are destroying forests by joom-cultivation etc. But why are the tribals compelled to go in for joom cultivation? This is because they do not have any other alternative to earn their livelihood. Had they been provided with any alternative means to earn their livelihood, then there was no need for them to engage in joom-cultivation. In my State, the left front Govt. has allowed the tribals for joom-cultivation till some alternative means are provided to them. I think it is necessary to make such arrangements in other States also. So long as this Congress Govt. remains in power, they will not be able to stop this joom cultivation. They do not have the inclination, to provide facilities of livelihood to the poorest of the country. It is necessary to protect the land of the tribals and to provide reservations to the tribals in respect of Govt. jobs. Our experience is that in no other State of the country except the States ruled by the left-front Govt., the land of the tribals is being

protected. Though there is a law that if the land of the tribals is transferred illegally, the same will be restored to him. There is further a law in force whereby the permission of the Govt. shall be necessary if the tribals land is sold or transferred to somebody else. All these legislations and conditions are there. But these are not being implemented. Only in Tripura the tribals are able to survive without selling their land because the left front Govt. have provided them with alternative means of livelihood. Unless and until such alternative arrangements are provided, it will not be possible to save the land of the tribals. There are some exploiters in existence. For example, there is a community called 'Laskars' in Tripura. In language, custom, culture etc., they are like any other Bengali community. But these 'Laskars' during the Congress regime in Tripura were considered as tribals, God knows under what law or what consideration. They were recognised as tribals during the Congress rule and after obtaining certificates from the Govt., they are purchasing land from other tribals as tribals. But when they are selling it to Bengalis as non tribal Bengalis! Because according to our land reforms act, any tribal selling his land to a Bengali, shall have to obtain permission first. They are thus evading this law. During the Congress rule in Tripura large areas of tribal land have gone out of their hands in this manner. For that the then Congress Govt. is fully responsible. This process has been halted after the left front Govt. came to power there. Similarly in the case of employment also these 'Laskars' are enjoying the benefit although they are not tribals really.

I think that in many other States also some such arrangements is prevailing. Others are enjoying such benefits in matters of land and employment and depriving the tribals of their legitimate dues. Therefore, I demand that the schedule of the President listing the various scheduled castes and scheduled tribes in various States need to be revised. All those names should be deleted which are considered unnecessary and new names may be added which are considered necessary. All the scheduled must be re-cast. One more thing Sir. In Bihar, Orissa and Madhya Pradesh one class of people live whom we call 'Santhals' in brief. This community is included in the

schedule and are called by different names in different States. Their economic condition has deteriorated alarmingly. Even during the British days they were in a better condition. I do not say that they were well off during the British rule. But their condition is still worse today. They were originally residing in the Santhal Pargana. But after independence due to the reorganisation of States their area was divided in various States like Bengal, Bihar, Orissa, Madhya Pradesh. In this process their combant habitation got disturbed and disunited. As a result of that they are not enjoying the original security any more. The Govt. is not providing facilities to them to earn their livelihood in their own area. Therefore, today we find them scattered over in all the States. They are found working in the brick kilns in Tripura or in road construction works elsewhere. In Punjab you will find them working in fields and farms as farmers. In this manner the original inhabitants of the Santhal Parganas are being made to work all over the country at a very low wage. They are being exploited. If the Govt. provided them with means of livelihood in their own place then there would have been no need for them to roam over the whole country in search of work. It is surprising that these people are not recognised as tribals in other States. For example the 'Sauthals' who are working in the tea-gardens of Assam and who are called by various caste names like 'Shabar?', 'Mundas etc., are not recognised as tribals in Assam. Therefore, I demand that these should be an all India list of 'Scheduled Castes and Scheduled Tribes. At present it is different in different States and that has caused great difficulty and distress for these people. One who is a tribal in one State, is not recognised as a tribal in another State. For example, I am a tribal in Tripura. But if I take up permanent residence in Delhi or Punjab, I will not be considered and recognised as a tribal. Therefore the provisions of the Constitution in respect of the tribals is not being implemented in spirit. This handicap could be avoided if an comprehensive all-India Schedule Could be drawn up in respect of SC/ST.

In the end I will say that the regional council of the Fifth Schedule has become ineffective and obsolete. You have no

inclination to introduce zila parishads to replace them. You do not have the mentality for that, and you do not make any budgetary provision also for that. In Tripura we introduced the Sixth Schedule after amending the constitution. Similar steps may be taken in all other States. Wherever there is a density of tribal population, zila parishads may be set up for their development. In this manner the tribals may be provided with an opportunity to survive. So long as we are not able to establish socialism in this country, this step is necessary to maintain their existence, somehow. With that Sir, I once again extend my full support to this Bill and conclude my speech.

[English]

SHRI SOMNATH RATH (Aska) : Sir, I oppose this Bill. Though it seems very simple, there is a motive behind it. It is an open secret, we know, who is behind this Jharkhand movement and whether any foreign agency is assisting that. This Bill intends to sow the seed of disintegration and disturbance.

The Statement of Objects and Reasons of the Bill stated by the Mover is,

"The proposed amendment will help in preserving the culture, language and common laws of these areas."

I am sorry to say that though the hon. Member has moved this Bill relating to Orissa, he does not know which are the districts in Orissa inhabited by the tribals and what are the names of the districts in Orissa. I invite your kind attention to the Bill, page 4, part iv, where it is stated that there are two districts, one is Ganghpur and the other is Keonjhar. There is no district in Orissa called Ganghpur. By this, you can well imagine that if this Bill is made an Act, where will it come into operation?

16.00 hrs.

SHRI PIYUS TIRAKY (Alipurdwars) : I agree, there may have been a mistake, but I have spoken about the scheduled areas also in Orissa.

SHRI SOMNATH RATH : I am not casting any aspersions on the hon. Member, but what I am saying is that before he introduced this Bill, he should have studied the problems of Orissa, known the tribal districts and drafted the Bill carefully. In the Statement of Objects and Reasons, it has been stated :

"The proposed amendment will help in preserving the culture, language and the common laws of those areas."

As far as Orissa is concerned the culture of Orissa is Jagannath DHARAM or Jagannath cult; it is not only in Orissa, but it is international, Lord Jagannath was the diety of tribals. He was worshipped throughout India as also outside. What culture does not the hon. Member want to preserve in Orissa by implementation of this Bill?

Coming to language, there is only one language in Orissa, and that is Oriya, there is no second language. Does the hon. Member want to introduce another language?

As regards common laws, in Orissa peace is prevailing. Then job protection. There is not only job protection for Adivasis, there is job protection even for Harijans. The percentage is fixed. For the information of the hon. Members, employment is given to the Adivasis, tribals and Harijans as per the Act which is in force. If in a particular year, the quota of Adivasis, Harijans etc. is not fulfilled, sufficient applicants do not apply for the jobs, the vacancies are carried to next year. No appointments can be made against the posts meant for Adivasis and Harijans. There is a penal section; if anybody does that, he is punished.

Then, land reforms. In Orissa, no person other than a tribal can purchase the land of another tribal, not even a Harijan, unless permission is granted.

As regards poverty alleviation schemes, much attention is given to the Adivasis and Harijans in Orissa. The poverty alleviation programmes are being implemented in these

areas. The Central Government is kind enough to give enough funds to implement different schemes and programmes, MADA etc.

The foodgrains, rice etc. are supplied to areas on subsidised rates. What more common laws does the hon. Member think to be introduced in Orissa than the laws now prevailing, than the protection now being given?

By bringing forward this Bill, a seed of discontent is going to be spread not only in Oriss, but Bihar, Madhya Pradesh and other areas also. I request the hon. Member to withdraw the Bill and not to press for it.

Sir, the hon. Member who spoke just now mentioned that this Bill is necessary for the States where the tribals are in minority. If that is so, then has the hon. Member got any notion about the population in Keonjhar District? Why was then the Keonjhar district included? So, I would humbly submit that the hon. Member should carefully study the situation of each State and then bring this Bill.

Sir, it is a fact that Advasies in Orissa destroy the forests by burning them not for any profit motive but to raise crops. The ashes are utilised as the manures. There is not any ill intention in their burning the forests. They do not cut the forests and send it for any monetary motive. They burn the forests in order to raise some crops like Red Gram. Attempts have been made to see that the shifting cultivation or Podu cultivation should be stopped and they should be educated. They should be rehabilitated not on mountain tops but on plain lands. For cultivation they should be given proper land, manure and all sorts of assistance.

Under these circumstances, I request the hon. Member to withdraw the Bill in the interest of the integration of the India as a whole.

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SHRI SHANTARAM NAIK (Panaji) :  
Mr. Chairman, Sir, whenever I have gone through the provisions with respect to the creation of the autonomous district and autonomous regions, I have come to one

conclusion and before I start, I would like to mention to this House about the conclusion which I have drawn after going through the provisions of this Bill. The conclusion is, "That there is no need to have the provision of autonomous districts and regions in the Constitution."

Mr. Chairman, Sir, the entire country is divided into States and further into districts and then administratively we divide them into blocks etc. We can give some concessions, some assistance or some monetary concessions to a particular area but to have this provision incorporated in the Constitution itself is something which should be done away with. Sir, there are obvious reasons behind my saying this.

These autonomous districts and autonomous regions which are created will have the power of legislation also; no doubt the State governments will have control over those legislations. If a legislation is enacted by a Regional Council or a District Council on the same subject on which a State Govt. enacts a legislation, then the State Government's legislation will prevail. So, once you are giving them power to legislate and then at the same time taking away the power to legislate, will naturally give scope for contradiction. So, the creation of District Council and giving them the legislative powers is something which is not fair in the interest of the country.

We have given them powers to legislate on matters such as marriage and divorce. We have also given them powers to legislate upon other social customs. In case, each such district or regional council legislates upon social customs, marriage, divorce and so on and so forth, what will happen to the country? We know what sort of evil customs prevail in our remote villages today. Are we going to give sanction to all such evil customs? No wonder, incidents like 'Sati' take place in our country even today! And I am giving 'Sati' as one example. There are so many evil customs and traditions in our entire rural and tribals areas today. It is our duty to enlighten our tribal and other backward people about the harmful effects of these evil customs. I am all for legislation at the State level to improve their condition without causing

them any harm. On the contrary, if we are to protect all these evil customs by giving them powers to legislate on such delicate matters, then we will only be giving sanction to social evils such as 'Sati'. That is the reason why I say that we should do away with district councils altogether.

We also give them powers in matters such as 'Jhum' cultivation, inheritance of property, etc. I am of the opinion that all the rights of the tribals with respect of 'Jhum' cultivation, etc. should be protected fully by the concerned State Governments. These tribal people are living in the jungles for hundreds of years and they should enjoy their traditional rights with respect to forests. And it is the responsibility of the State Government as a whole to protect such traditional rights. Instead of that, if we ask each district or regional council to decide upon such matters by giving them legislative powers, I wonder what will happen. We are all aware of what is happening in our country today. If we give these districts or regional councils this sort of legislative powers, I am afraid they may all try to be autonomous, completely independent and they may even demand for statehood. Therefore, it is the State Government which should protect the interests of the tribals by bringing special legislation if necessary, but only at the State level.

At present, the Sixth Schedule of our Constitution gives them powers with respect to inheritance of property, etc. What will happen if these autonomous districts or regional councils legislate on these aspects? All these aspects should be seen from the point of view of our national forest policy. Of course, they cannot encroach upon reserve forests. But as far as certain forest areas are concerned, they do have a right and if they bring forward legislations with respect to these areas which may run contrary to our overall forest policy, what will happen then? Therefore, such delicate matters should not be left in the hands of autonomous districts or regional councils. Only the States should have the power to legislate on such matters.

I would like to mention one more point here. Although we speak of district councils, districts which are the backbone of our

development, through which we pump money for all developmental purposes, are not so far recognised by the Constitution. Although 'State' as a unit is recognised in the Constitution, district is not recognised. Here, I will humbly submit that we should open a new chapter in our Constitution for the purpose of giving an honourable status to district. District as a unit should be specifically mentioned in our Constitution. The scope of the district, when a district should be created, with what area, what population all these aspects should be dealt with by the Constitution. Today, how are the districts created? Districts at presents are created by the Land Revenue Code of a State Government. Districts which are the backbone of our administration are not created under Constitutional provisions. These are created by a small legislation like Land Revenue Code. I am of the opinion that districts must find a place in our Constitution. Secondly, in the chapter on districts to be inserted in our Constitution, there should be a mention with regard to the elected bodies of the districts, just as the Zilla Parishads in Maharashtra.

Statutorily, by constitutional provisions, we should have Zilla Parishads or similar elected bodies with any other nomenclature in district, and in every five years or four years, the election should be held. The election should be conducted through the Election Commission. It is in this manner that we can give our districts an honourable place in the Constitution and also in the country.

Today, only some tribal areas have created a some sort of Council with legislative powers.

At the moment I am speaking about the districts. Those districts, Zilla Parishads will not have legislative powers. It is only for the purpose of administration and for the purpose of development. This should not only be set up in certain areas but in the whole country. Our States should be divided into districts, by virtue of the provisions in the Constitution. They should be provided with Zilla Parishads or similar elected bodies which should be elected from time to time, through the machinery of the Election Commission. And even the State



Governments should have a Commission, just like the Finance Commission, for distributing funds to the districts. Today, the Finance Commission allots funds to the States. Similarly, there should be a Finance Commission at the State level which should allot funds to the districts in an equal manner or in a manner which is deemed to be worthwhile. I am saying this because, there may be some States which are backward. So, more funds should be allotted to them. But that Commission should decide how to allot the funds, to each district. Today, the State Governments are not allotting funds in an equal manner or in a just manner. Therefore, that job should be entrusted to the Finance Commission.

In this manner, I urge upon the Government to bring a new Constitutional Bill for the purpose of giving due place for the districts in our Constitution so that our districts are honoured. Today, the districts which are created by a small legislation, tomorrow, we may be the creators of the Constitution.

**SHRI SYED SHAHABUDDIN** (Kishanganj): Mr. Chairman, sir, as I rise to speak on this Bill, I really do not know whether to support it or not to support it.

The Bill has certain very promising features. It is a step, in my view, in the right direction. But as Dr. Rajhans pointed out, the Bill has a purpose. My point is that this Bill does not fulfil that purpose. It is only a step, as I said in the right direction, but it does not take into account the social, political and economic realities of today.

Mr. Chairman, a fire is raging across the country. The fire of discontent from the Eastern most part of our country to the Western most part of our State, across the habitat of the tribals. I do not know whether a measure as envisaged under this Bill, that is to say, virtually to abolish the Vth Schedule and to bring all possible tribal districts under the scheme of VIth Schedule, will today serve the purpose. I think the Bill in this sense is inadequate. The Bill is perhaps too late in the day. We know the idea of the autonomous district failed. We know the idea of the autonomous areas

failed. In Bihar, we are trying the idea of the regional development authority. None of them has really worked to eliminate the discontent and to satisfy in my view the legitimate aspirations of the tribal people.

Therefore, we have to look at it in a historic perspective. Where are we going?

I would like to say that there is nothing sacrosanct or divinely ordained about the number of States of the Union nor about the present boundaries.

These are manmade institutions, primarily for the welfare of the people, to meet their legitimate aspirations, to live in peaceful co-existence to work for their common development within the framework of a civilized, orderly and constitutional existence; and that is there is to it. They are not like gospels that have come down to us from the heavens, that cannot be changed. Therefore, I feel that we must take into account this solution today, and study the problem in greater depth: Why is Tribal India up in arms? Why is it in virtual revolt today?

The Home Minister has just come back from a visit to Jharkhand. This is the first visit of a Home Minister of India to Jharkhand. This itself implies the seriousness and the gravity of the situation, which is slowly going beyond the control of the State Government, perhaps beyond the limits of their wisdom or their intelligence on how to handle it. Therefore, Shri Buta Singh had to rush out and give some advice. But he made some statement which, I think, will only serve to pour fuel over the raging fire. The fire of discontent will not subside with this sort of fleeting visits, and this sort of off-one-cuff, EX-CATHEDRA pronouncements challenging the patriotism of the people and ascribing motives to those who want a legitimate place for themselves under the Indian sun.

The Tribal India today is psychologically alienated. If it is cutting down its own forests, forests which have been its habitat for centuries, forests which in many instances it even worships, forests which give the tribal his life, his culture and his

ethos, we must understand why he is doing so. We simply cannot restrain ourselves from asking the question. The answer is that he is frustrated.

He feels that national development has passed him by. He feels that he is not getting a due share in the fruits of development. He feels he does not have his fingers on the levers of power. He feels that he has got no say in the administration of his own home. He feels that in employment he is cheated. Socially, he is degraded. Politically, he has no place. Culturally, he is suppressed and his language is discriminated against. This is the plethora of grievances which have been built up over a period of time, and the respective State Governments which are controlled by elements hostile to the tribals, which are in fact controlled by vested interests which feed on the exploitation of the tribals, have done nothing to alleviate their sense of frustration. And that is why we have come to a situation where even a well-intentioned move as has been made in this Bill presented by our learned colleague Mr. Tiraky is not going to set matters right. This is the fear I have, and that is why I said in the beginning that I did not know whether to support it or to oppose it.

In one word, the tribes wherever they are in a compact concentration today, look at the map of India and want a State of their own; and we have rightly or wrongly given them the idea, because we have created mini-States and micro States. Perhaps we could not have helped this process. It is not just an Indian phenomenon. It is a world-wide phenomenon. Look at the United Nations today. You find that we have got members which have hundreds of millions of people, and members whose total population is only a hundred thousand. Exactly in the same way, within our own Union of India, we have got a State like the giant State of Uttar Pradesh with about 120 million people if I am not wrong—and States with population which you can count in lakhs. And every day, we are giving in to pressure. Therefore, what justification do we have in denying State-hood to an area like Jharkhand—if that be the real purpose and intention of the mover of this Bill, as

suggested by Dr Rajhans? And I believe it is.

What justification do we have in denying a Statehood to the Jharkhand people, only because Mr. Tiraky has not mentioned the right name of the District included in the Bill? That is not important. The important thing is to find out what is happening there. Despite all the things that we have done during the last 40 years, what results have we achieved? That is happening at the grass-root level, at the ground level? Why is it that even the well-intentioned schemes of development for hydro electric development or mining development or industrial development today are being opposed by the people of that area? Unless we answer this question, we cannot get to know the real answer about this unrest. They are being opposed because they feel this will really mean further exploitation of their area not in their interest but in the interest of somebody else. People from outside will come, a contractor will come, an engineer will come a government officer will come and they will rob them of their last chicken. This is what is happening. Therefore, if they want to be the master of their home within the framework of our country, within the framework of our Constitution what business do we have to impute anti-national motive to them? What right do we have to say that this is a secessionist move? Where will they take away Jharkhand, to which country? Where will Jharkhand sqil away, across the Bay of Bengal? It will remain where it is. It will only serve to give a rightful place, as I said, under the Indian sun to the people of that area who have been deprived of their due for centuries, for thousands of years, who are even today being exploited, who are even today denied their dues. Therefore, we must speak very frankly.

If the Bill is considered by Mr. Tiraky as a half way house, I wish him well and he has been very careful that he does not include the tribal area of his own State. (*Interruptions*) That is the business between him and his party. But I am happy if by suitably bringing these tribal districts under part VI we can have another tribal. Let them have real powers, let them have real

institutional changes, let them have real employment opportunities, let them have real control of development resources. Maybe we can have a sincere try, but, frankly, Mr. Chairman, I feel that the time even for that is running out. Therefore, we must say very clearly that if a group of people, tribal people, want a State and it they demand a State, then the demand should be considered with sympathy.

How can a State be defined? I think, that picture is before us. A State can be defined with a certain degree of socio-culture homogeneity; then only it will move forward; then only it shall have certain impulse of its own. We have seen small State being created whose development has been fast because all the people of that State Pool their effort to push the State forward. It is our State and we have got to make it run, we have got to make it work; we have got to push it forward. Once that spirit takes over a people nothing can stop them; and that will be not to the detriment of our country; that will not be to the glory of our country; that will be another impetus to the progress and development of our country.

But I have some fear. Chauvinism breeds chauvinism; sectarianism breeds sectarianism. I am afraid that sometimes our tribal brothers also start looking upon non-tribals who have been living among for ages as their neighbours as them or foreigners. There are some people among us who say that if tribals demand their own State, well they are either inspired by the foreigners or they are agents of the foreigners. On the other hand, there are some tribals also who look upon non-tribals living next to them and say, once we have the State, you will have to go. I think if the tribal movement for self-assertion, for identity, for home-land within the constitutional framework is to succeed, is to be sympathetically received by the rest of the country, then they also have to do something to dispel these fears and apprehensions.

Anybody, whatever may have been the circumstances, who has gone to and has been domiciled in what was a tribal area

shall be considered a part and parcel and an equal resident of the tribal State, if ever it comes into being. There shall be no discrimination against him. That assurance must be given to him. After all, it is a common country and all of us are the people of India. One compartment cannot be completely sealed off from the other. In that case we would really be going towards balkanisation and that must be prevented. We have all to work against balkanisation but we cannot afford to stand in the path of this historic process, what I call the resurgence of identity.

Who is opposing this movement? Let us look at them. Always, a dominant majority in those particular States. Why? Because they are reaping the benefits. Therefore, basically it is a struggle between the STATUS QUO and anti STATUS QUO forces and it is the anti STATUS QUO forces whose historic movement has come. Time is on their side, whether we look to that area or not, this movement will gather strength because by the very nature of the economic process in a capitalist society they shall continue to be discriminated against however pious intentions we express in the precincts of this august House, and these fires will go on raging.

Mr. Chairman, finally, I would like to suggest that if the idea was to project a Jharkhand State, even the supporters of the movement I know that the movement is getting re-organised, re-structured they should make certain pronouncements, the natural limits of the proposed Jharkhand State. It cannot be a historic limit, it cannot be based on any historic claims. It must be based on the current ethnic and demographic picture, meaning thereby, that they take the tribal majority districts as they can and add certain areas from the neighbouring districts based on certain principles, may be the principle of contiguity the principle of linguistic affinity or linguistic cum cultural affinity and the principle of village as the unit. But whole district on the fringe of tribal concentration areas cannot be forced against their will for merger into a new State, to be a part of a new State. Therefore, without going into historic claims, respecting the rights of non-tribals

to live within the tribal State, we must invite the attention of the political forces to the possibility of re-drawing the map of India on the basis of what Shri Jaya Prakash Narain once called socio cultural homogeneity on that basis we can perhaps satisfy our tribal brothers, not only in Jharkhand because the battle will not end in Jharkhand. The battle will go on, sweep across everywhere and we will have to face exactly the same problem and then give them what they want, not secession, not separation, not a State separate from India, but a right to Statehood and a claim to the resources of what they consider to be their homeland.

SHRI MULLAPALLY RAMACHANDRAN (Caunnamore) : Are you supporting or opposing the Bill?

SHRI SYED SHAHABUDDIN : When it comes to voting you will know it.

SHRI MULLAPALLY RAMACHANDRAN : Just like your party, you are confused.

MR. CHAIRMAN : Shri Sriballav Panigrahi.

SHRI VIJAY N. PATIL (Erandol) : You should call two persons from this side and one from the other side.

MR. CHAIRMAN : That is what I am doing. Before the hon. Member proceeds, I want to know whether you would like to extend time, because the time allotted will be over at 4-40.

SHRI BASUDEB ACHARIA (Bankura) : The next bill is mine.

SHRI BALASAHEB VIKHE PATIL (Kopargaon) : Only half an hour.

SOME HON. MEMBERS : One hour.

MR. CHAIRMAN : We extend the time by one hour.

Now, Shri Sriballav Panigrahi.

SHRI SRIBALLAV PANIGRAHI (Deogarh) : Mr. Chairman Sir, I thank

you for giving me an opportunity to participate in the discussion on this Constitution Amendment Bill 1985 moved by our hon. friend Shri Tiraky.

The Bill is for amendment of the Constitution, that is Article 244 and Schedule VI. I carefully listened to the speeches made by the hon. Members who spoke now. Our learned friend Sri Syed Shahabuddin spoke eloquently on the necessity of having a separate State called Jharkhand for the tribals, that is the part of Bihar and the adjoining area.

The mover of the Bill is not very clear about the purpose of his Bill and he says that there should be a separate State called Jharkhand and he has outlined the areas to be covered by the proposed State and at the same time he says that if that was not possible, then some autonomous districts as provided for in the Schedule VI should be created. So, he is not sure himself.

The first question that strikes me when we are discussing this question is this. Is it the time that country should engage itself or the Parliament, the representatives of the people, to such a discussion? Are we having a dearth of problems? We are having serious problems threatening the very integrity and unity of the country. We are discussing about Punjab. We see what is happening there. Of late there is some improvement in the situation. Tamil situation took a different turn. A group of Tamil militants are going back on their stand, on the word they had given at the time of signing the accord. The problem of Gorkhaland is very much active in the State, where from our mover himself comes. He knows the problem. As observed by some hon. Member. Mr. Tiraky has knowingly omitted his own State from the purview of this Bill. So, when there are so many problems threatening the very integrity of the country, why should we try to add one more to it?

Sir, the concept of Jharkhand is the demand for the creation of a State comprising certain tribal dominated areas. It is not a demand of recent origin. It dates back to several decades and it was subsid-

As you know, late Jaipal Singh was the first person who started this agitation.

But later on, he revised his own opinion. So it has passed through different stages. Later on other groups have come up and they have also pressed for this demand.

I would like to ask one question. If a state, as suggested, is created, will the entire gamut of problems, the sufferings of the tribals be over overnight? Definitely not. Will the emancipation of tribals be there automatically overnight? Definitely not. The tribals in this area are also not united. They have their own divisions on the lines of caste, creed and sub-caste. That way, they do not have a common language and culture. But I agree and I emphasise that what is more important than granting statehood or autonomous districts is their economic prosperity, economic development. Since independence we have taken a number of steps for the economic prosperity of the tribals. But admittedly they are not sufficient; they are not adequate. Much more has got to be done. It is time that we should concentrate on that and give our attention to that. When it was made clear to Shrimati Indira Gandhi that in spite of planning machinery and several five year plans, the rich were getting richer and the poor poorer and that the down trodden, tribals and Harijans were not getting the benefits as expected, then tribal-oriented programmes, Schedule caste-oriented programmes were formulated and put to implementation also. I agree that there are loopholes in the implementation of these programmes. If these programmes like the tribal sub-plan are properly implemented, then naturally more benefits would accrue to the tribals.

The demand of statehood or autonomous districts is an unending demand. What I would suggest is that concerted efforts should be made on successful implementation of different economic programmes meant for the tribals and other down-trodden.

This demand has to be viewed in another context also. Now there is a demand from SWARNAS i.e. caste Hindus that there should be a division on the lines of economic conditions. There are several

very very poor people among caste Hindus who are rotting in poverty and do not have even two square meals a day. But since they belong to a higher caste, they do not get any benefit. I am not equating the two. But the problems will multiply. 90 per cent of the tribals are very poor. Of course, there are tribal zamindars. Tribal rajas are there.

So, naturally we cannot just have a general demand like this.

Keeping the problems of the tribals in mind, a different Ministry of Welfare is now functioning at the Centre. In different States also, particularly where there is a sizeable tribal population, we have Departments of SC and ST for tribal development. There are also Assembly committees comprising of SC and ST members to oversee the implementation of different programmes meant for the tribals.

Regarding alienation of land, there are very strict laws in different States, including Orissa, and the alienation of land belonging to tribals is forbidden thereby. So, that is also being strictly observed.

As regards forests, tribals are a part of forest. They live within the forest. Forest is their life we know. Recently, as a member of the Regional Forest Advisory Group, I had an occasion to visit the Chhota Nagpur area—the Saranda Forest Division—where this Jharkhand movement is very much there. Rather that could be called the headquarters of the Jharkhand movement. Only tears will roll down to see how there is large-scale organised illegal felling of trees. Naturally, the tribals residing in that forest are not responsible for this. They are being incited, they are being persuaded and even threat are given to them to fell those trees. Even collection is made from them by some leaders. The collection is made from them under coercion.

They say: "You have to keep this land under plough and you have to pay off money to us". They have let loose the reign of terror. This is what we have seen as members of the Parliamentary committee. The tribal people are very simple. When

people from outside go there with their jeeps, etc., they are deserting their homes. They don't even get an opportunity to speak to those people. There are some people, some middlemen who are really exploiting them. Whether there is a State for them or not, whether an autonomous district for them is there or not, the exploitation of tribals at different levels, by whomsoever it may be, must be put an end to. That is the first work we have to do. Exploitation has to be put an end to. Not only we have to put an end to the exploitation of tribals, but we have also to ensure economic development economic prosperity of the tribal people. We have to ensure successful implementation, speedy implementation of different economic programmes meant for the tribals.

Regarding education, there is a lot of scope for tribal people. In Orissa, as everywhere also, free education is given to them from K. G. to P. G. from primary standard up to university level. They are also given accommodation in the hostel on priority basis because it is a must for them, and the expenditure is also borne by the State. We should see that they are educated, jobs are given to them and economic benefits also accrue to them properly in the right perspective.

The areas that are outlined in the proposed State or the autonomous district, etc. include some portions of Orissa also. Mr. Rath has earlier referred to that. These areas were never under one administrative unit. Before Independence, they were under different Princely States. We call them gajats. There is no similarity between them and other tribals. They are in a different State, their language is different and so many other things are also different. Surprisingly, Sir, till today, in spite of all the provocations, the original tribal residents of those areas in Orissa, as far as I know, have never demanded the formation of Jharkhand State. It is always some people who have infiltrated into these areas from the neighbouring States, who are making hue and cry.

So, there is no demand absolutely from the local residents, adivasi residents and also there are no law and order and other

problems. I do not appreciate this Bill because this Bill has been brought at such a juncture when our attention, of our nation as a whole, should be concentrated on the economic prosperity, development of overall tribal community wherever they are, not only elsewhere but wherever they are.

With these words, I thank you for giving me opportunity to speak.

SHRI VIJAY N. PATIL (Erandol) : As referred to by my friend Shri Syed Shaha-buddin, this Bill has come very late. It should have been brought in early 50s and 60s. Then it would have served some purpose. But now the tribals within the States mentioned by my friend Shri Bajju Ban Riyan have progressed themselves and many are IAS and many are in business also. They are now in the mainstream of the country.

My friend, Dr. Rajhans has expressed surprise why Shri Tiraky has overflowed from Tripura to Bihar and did not include Bengal in the proposed amendment? It is his political expediency and that is why he is not interested in that State.

My friend, Shri Riyan was referring that Left Front Government has done a lot of things for the tribals and the land grabbed by other caste people has been returned in that State where the Left Front Government is ruling. He has conveniently forgotten that in 1975-76 it was Madam Prime Minister Shrimati Indira Gandhi who enacted a law in Parliament under which all over the country land purchased by other caste people had to be returned. Lakhs and lakhs of acres of land was returned to the tribals. In Maharashtra, I had legally purchased 38 acres of land but because of that enactment I had to return that land to tribal, Madam Prime Minister and Congress Government right from the beginning has been doing good service to the tribals, to the weaker section in this country. But indirectly raising the question of Jharkhand, such an amendment is not proper on the part of any true Indian national. It is because this will divide the country on casteism factor. Now, in the Santhal Pargana, there is tribal predominance. In Satpura, out of 45 MPs from

Maharashtra in Parliament, we have got 6 MPs. Around Satpura, in Madhya Pradesh, Gujarat and Maharashtra included, we see the development done by those States. My friend, Shri Chittubhai Gamit, has a sugar factory in Gujarat. The tribals are so much educated and intelligent that in my district in Dhulia there is a Civil Surgeon, a very intelligent persons. Shri Vasave, a Collector was from the North Eastern area.

The Deputy Registrar was also a tribal. The main district officers were tribals. This is so because of progressive policy of the Congress Government, because of the reservation given and opportunities made available to our tribal people. So, it is not necessary now to bring forward this amendment for these 3 districts alone and include these three districts in Sixth Schedule. What does this Sixth Schedule mean? It is for creation of new districts as per different castes in the tribal areas. We have got 'Konkanis' and 'Bhil' communities in our State. If we have to divide according to the caste the districts in our area, then one district will be created and that will be a small district. A very small district will not be viable. Of course, regional council is there. But there the Regional Council concept is an autonomous district Council and that district Council idea is well served by the Zila Parishads which are in existence. In the State like Maharashtra, wherever this predominant tribal population exist, we have also tribal President in our Zila Parishad. I will suggest that on the other hand if we involve more number of our tribal friends and Scheduled Castes in national stream, we will be doing a great service for them. We have enacted an Act in Maharashtra and if such a kind of enactment is there in other States, it will go a long way for the development of these areas as also these people. In Maharashtra, in the Cooperatives at the district level, we have made it compulsory that there should be at least two persons from the Schedule Tribe and Scheduled caste community. In the Co-operative Societies and in the Panchayat Samitis, there is already reservation. In other autonomous bodies or local bodies we have got this reservation system and because of this reservation system, our friends from weaker section can

get opportunity to be the members of decision making bodies, administrative bodies. Not only that. In the sugar cooperative societies of Maharashtra which are very progressive, the Maharashtra Government has given facilities to the Scheduled Tribe people becoming members of these cooperatives. Maharashtra Government purchases shares for them by paying them Rs. 900 as their share and Rs. 100 only are to be paid by these people while others have to pay Rs. 1000 for their shares. These are the facilities given in order to bring them in the main administrative stream of the local government, local bodies. Therefore, it is not necessary to have an amendment like this in the Sixth Schedule of our Constitution.

I would request Mr. Tiraky to withdraw his amendment because he is bringing forward this very late. The country has progressed well and the Constitution has taken the country towards the path of progress for the last 40 years and now after a short-spell of Janata Government when our Party came back to power, we have extended the facilities of reservation in the service matters for another 10 years. That also shows our good intention and our friendship and sympathy towards all the tribal people all over the country. In the North-Eastern areas, the Central Government is constructing roads and establishing more industries there. Whatever the demands will be there in the tribal areas, specially in Santhal Parganas, these demands will be looked into by the Government. In these areas, in the factories which are based on minerals and metals, more employment opportunities will be given to them and that should be your demand.

17.00 hrs.

They should be given more opportunities for service instead of bringing people from outside. Even in private industries and public sector industries which are producing different products out of the minerals and metal available in Santhal Parganas, local people should be given more opportunities, more promotional opportunities. That should be the demand made by the State Government and the Central Government and with that, there

will be more progress, instead of bringing in this Amendment to the Constitution.

With these words, Sir, I oppose the Bill.

[Translation]

SHRI RAMASHRAY PRASAD SINGH (Jahanabad) : Mr. Chairman, though I do not want to say anything in favour or against the Bill that has been brought forward by the hon. Member, Shri Tiraky, yet I would like to refer to certain points in respect of this Bill.

First of all, the moot point is as to why a demand of Jharkhand State has been made by the Jharkhand Party. When we people discuss matters here in this Home, we are biased by party feelings and as advocates plead in a court, we plead that we are not guilty and it is they who are guilty. We are good and they are bad. This type of people are not devoted to the country and do not want to safeguard the unity of the country. True facts should be stated in this House. The most important thing is why a demand for a Jharkhand State has been raised. Who is responsible for this? Why did it become necessary for S. Buta Singh to go there? Has there been no Home Minister during all these years? Only one party has been ruling both at the Centre as well in the States for the last 40 years during which the people have been treated as animals. This type of treatment was not even meted out to them during the British times. As a result thereof a sort of discontentment has spread among them. Now the young people have become mentally alert and their demand for a separate Jharkhand State is quite justified. The people of Mizoram struggled against the treatment meted out to them by you for 20 years and their leader was branded as a traitor and a separatist but that every traitor has now become the Chief Minister of that State.

15th August is our great national festival. The Jharkhand Mukti Morcha called upon their youth on 15th August, 1987 not to participate in the Independence Day and their youth boycotted the celebrations. They say that it is not their country. What

are the reasons for this and who is responsible for this? They were not given human treatment. As far as possible, they were treated even worse than animals. Their wealth and labour force was exploited. A number of officers, big politicians and businessmen have become millionaires there. This resulted in spreading discontentment among their young people. They think that they are not being given proper treatment and say that this country is not theirs. They question the utility of this country for them. They feel that they have neither developed economically nor mentally. This Bill has come in a situation when discontentment has spread every-where for which you people are responsible. The Congress Party people claim that they have ensured development of Adivasis. If it is so, then why have that party lost power in 13 States.

17.05 hrs.

[SHRI SOMNATH RATH *in the Chair*]

Had you worked on right lines, the regional parties would not have come into being? They established their Government in the State. Why did it happen so? Your party which claims itself to be a national party has now become a regional party. Your party has become a party of a person who never took part in politics in his life so far. How did you reach this position? You should think about it honestly.

You have encouraged party politics and casteism. This is the reason that a demand for a Jharkhand State has come up before us. It is your party that has encouraged regionalism. Had you strengthened nationalism, everybody, whether he is an Adivasi or a Brahman, would have called himself a citizen of the country. You should have the guts to judge all those issues honestly. If you had tried to develop all the people equally, such type of question would have never arisen. Instead of doing so you are indulging in party politics more and more. You should note that you have already been removed from 13 States. If you do not bring about improvements in your functioning and try to win these Adivasis, you will be removed from everywhere. I am of the view that it will be difficult for you to continue here. You should poulder over it.



Our Adivasis were converted and they embraced Christianity which helped them to receive education and made them occupy high positions. But you have failed to bring them to such a position so far. Therefore, a number of Adivasis have to change their religion. I visited Orissa as a member of a Lok Sabha Committee and I stayed there in the area of Sambalpur where my relatives work. On seeing the plight of the people in that hilly area, my eyes became red in anger. I saw there that old men and women including small children were digging out the roots of grass. On making an enquiry they pointed out that they eat these roots after boiling them. Had any member of your family or any family member of S. Buta Singh eaten this grass, there would have been much hue and cry in this House. No one can survive after consuming that root. This is the plight of those tribals, who work hard day and night for our welfare and keep their heart and soul together by consuming herbs. Who is responsible for this?

You should ensure that undeveloped areas are equally developed. Unless there is balanced development in the country, the unity of this country can not be safeguarded. In order to achieve this end we will have to make concerted efforts. If you want to avoid introduction of such Bills, you will have to ensure that nothing is done which give rise to such a feeling in the nation.

With these words I conclude.

SHRI MANKURAM SODI (Bastar):  
Mr. Chairman, Sir, if it is considered seriously, then the Bill which has been brought forward by Shri Tiraky is essential for the development of the Adivasi areas. But I shall oppose it if the hon. Member wants to take any political advantage out of this Bill, Because, today the country is following a policy which is for the upliftment of adivasis. Various schemes have been launched to develop Adivasi areas by declaring them Scheduled areas. Necessary provisions have also been made for their development. There is an Adivasi Development Council in every State which is called Advisory Council. This Adivasi Council was constituted with the stipulation that it will function effectively. Had works been done

in Madhya Pradesh, Bihar and Orissa in accordance with it, there would have been no need of such a Bill. To-day a necessity of this Bill has been felt only because this Council has not been functioning effectively. It has been envisaged that the Council will look into the laws framed for these areas and if the laws are found against the traditions, circumstances and living conditions of that area, the Council will accordingly recommend to the Governor of the State who will forward the same to the President alongwith his views. If approved by the President, the recommendation will be implemented in that area. No other law of the State or the Centre will otherwise be implemented there. If this provision had been implemented properly, there would have not been any need to discuss the question of the development of backward areas.

There is still time to make improvements in it. The Council had forwarded a Bill about exploiters in Madhya Pradesh. The Governor was asked therein that if the district administration detects any exploiter, he should be removed from that place. It was sent to the President also. But thereafter there was no trace of it. Already 8 to 10 years have passed since then. This is indicative of the fact as to what the Government is doing for these people. In this way we will not be able to deliver the goods. The benefits of the development so far made in tribal areas have been grabbed by those well-to-do people living in pucca houses built along the roads who have settled there from outside. These are the people who first get benefits of the schemes which are made for tribal areas. These people have means with them. They can invite officers to their houses and offer tea to them. As per their wishes Adivasis are told about the scheme and are asked to avail of its benefits. I would like to cite an example in this regard. There is a scheme to provide 50 to 75 per cent subsidy for digging wells for the development of agriculture so that they may progress. Before digging of the well takes place, an agreement is signed for electricity line. He does not get water and thus is not able to repay the loan. When loan is not repaid his land is auctioned and sold. People have started saying to the extent that if anybody gets tempted to have the land of any

Adivasi he may trap the in this scheme and thus grab his land.

Therefore, what we are going to do against a law which goes against the tradition of that area.

A law was framed to check large scale felling of trees which was going on in the forests. A rule was made for the demarcation of boundary. The forest people marked the boundary. The ancestral land on lease belonging to the Adivasis also came within the boundary. This caused a lot of harassment to them.

Therefore, this Council was formed with a view to check the laws which go against their tradition and to seek Presidential orders accordingly.

To-day one can see green forests in the Adivasi areas. Due to infiltration of outside people into these areas, the green forests are being destroyed. Because these people get the trees felled by Adivasis by making cash payment and then say that Adivasis are felling the trees. In this way the Adivasis earn a bad name. You talk of environment but forests are being felled in these areas. The forest department appears to be conniving in these deeds. The the then Prime Minister had allowed Adivasis to prepare liquor for their own use on the occasions of festivals. This provided relief to them. Because earlier the contractors used to grab the land of the Adivasis by implicating them in one or the other case and entering their houses without warrant and disgracing their women. It was very essential to check this sort of exploitation. If the rules, which already exist, are properly enforced, they will improve the lot of Adivasis. Similarly in what shape the Forest Act, 1980 about small trees and big trees came before us? We cannot connect one village with the other by constricting roads. Similarly, the land required for boring for drinking water came within the forest area. The forest department did not allow drawing of water from there. This case relates to the block headquarters. Dantewada, where the State Government had to intervene and provide water. There are no buildings for schools and colleges in Bastar. Funds sanctioned for constructing buildings are

surrendered because no site is available for buildidgs. It is because maps show forests having big trees there. Therefore, the laws for the tribal areas be made in accordance with their situation and tradition. The objective of this Bill is all right. Exploiters should be checked from entering these areas. The Adivasis should get full benefits of the development assistance provided to the State or the area by the Government. Keeping all these facts in view, autonomy should be granted to these areas. If it is rightly considered, there should be no need of this Bill. Therefore, it is difficult to say whether we should support this Bill or not. If the schemes chalked out by the Government are against the tradition, culture and progress of tribals, a simple way should be found to rectify them and the pace of development should be accelerated. Then only we will be able to bring these people in the mainstream and march forward.

With these words I conclude.

\*SHRI HARIHAR SORĒN (Keonjher) : Mr. Chairman, Sir, at the outset, I would like to extend my sincere thanks to our friend Shri Piyus Tirkey for moving this Constitution Amendment Bill. While moving his Bill Shri Tirkey has highlighted the problems of tribals. At the same time by introducing this Bill he has also given us an opportunity to express our views. Shri Tirkey has moved the Bill with a noble intention. Through his Bill he wants to create an awareness among the public about the genuine needs and the rights of the tribals. But he has expressed his view through a private Member Bill. Therefore it is not possible for the Government to accept it. However, Shri Tirkey has apprised this House the plight of the tribal and urged upon the Government to take immediate steps for the upliftment of these people. So it is the duty of the Government to inform the House as to what specific programmes are proposed to be taken for the socio-economic development of these backward people. Because the Govt. have taken a series of measures to raise the tribal people from below the poverty line. Many Centrally sponsored schemes have been

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\*The speech was originally delivered in Oriya.

introduced for their economic upliftment. Attention has been paid to their educational development. But it is regrettable that they have not been developed to the desired level. We must find out the reasons as to why they are lagging behind other communities while discussion started on this. Bill 1 sat quietly because I wanted to understand the views of every member. I have heard everybody attentively. I am sorry to say that many hon. Members do not have the knowledge about the living conditions of the tribals. They have never lived with the tribals. They only know the tribals through books and principals. That means they have only theoretical knowledge about the scheduled tribes. Hence is the trouble. But now we cannot sit silently any longer. We have to think as to why these innocent people have not made progress to the desired level despite the fact that the Government of India have spent so much money under different tribal development programmes. Perhaps Shri Tirkey wants to draw the attention of the Government to this very fact.

Sir, many hon. Members blamed the tribals without knowing anything about their habits and nature. For example now our ecology is imbalanced. There has been growing degradation of forest. News are coming about the large scale felling of trees. But who is responsible? Unfortunately the tribals are being blamed for this.

Now, I would like to say a word about Jharkhand stir which is gaining momentum in Chootanagpur plateau. The Jharkhand stir leaders are branded as separatists. In the present Bill there is no mention of Jharkhand State. But I do not know why Jharkhand movement has been brought into the purview of the discussion by some members. In our Constitution there is provision for making all round development of the tribals. Shri Tirkey has emphasised the need to take steps for the educational, cultural and socio-economic development of the tribals. The tribals are being exploited and neglected by the outsiders as well as the local administrators. The State Governments are not taking adequate steps to save them from exploitation. Then what is the harm in demanding the amendment of the Constitution for creating

autonomous districts for the scheduled areas? Is it not the duty of a tribals to raise the demand for the upliftment of their own people who have been neglected for the last 40 years? Then why some hon. Members are so much bitter in their criticism? As I have observed, the speeches are being delivered in the House to achieve political ends. Such Members do not think about the upliftment of tribals. If they are seriously thinking about the welfare of the tribals, they should have given suggestions to the Government about the steps that can be taken to raise the economic status of these people and to bring them at par with the other people in the society. Instead of doing that I am sorry to say that they are giving political colour to this issue. Please do not brand the tribals as separatists. If some tribals raised their voice or they demanded a separate Jharkhand State then what is the harm in it? How can they be branded as divisive forces? Are they not Indians? Is India not their mother land? For your information they are the original inhabitants of this country. Have those innocent and neglected people no rights to highlight their problems? If you give wrong interpretation of any stand taken for the welfare of tribals, that may spread between the tribals and non-tribals. If your attitude towards the tribals continues to remain like this, it may lead to the division of the States and you will only be responsible for this.

Sir, seats have been reserved for ST in Lok Sabha as well as in State Assemblies. The Govt. have been implementing programmes in every tribal area with a view to raise their standard. The programmes undertaken in ITDP areas are on full swing. But please tell me very frankly, whether these schemes are really implemented effectively? Is the benefit really reaching the tribals? Sir, I am extremely sorry to say that the money is being spent in the same of the tribals, but they are not the real beneficiaries. The middle men and the local officials who are incharge of implementing programmes pocket the money. The ITDP programmes, the micro projects and the special projects under way for the tribals are not at all implemented seriously by the district level administration. The fund is being misused. It is not reaching the field

level. In order to put an end to corruption and misuse of funds it is very necessary to entrust such people with the implementation of the tribal development projects who really know the pulse of the tribals.

Sir, I would like to say something about the tribal culture. Please give me some more time because I belong to a tribal family. You do not know the tribals and their culture to the extent I know. In your speech you have said that the tribal culture is Jagannath culture. I oppose this. In order to justify your stand you are giving a different interpretation and somehow describing tribal culture as Jagannath culture. But it is not at all correct. Every tribal community has different customs and different culture. When a child is born in a tribal family, when a tribal goes for marriage or when he dies, different customs and rites are observed. Sir, you have said about the preservation of tribal culture. I agree with you that tribal culture should be preserved.

Now, let us discuss the present administrative set up. Take the case of a State, say, Orissa. The present administrative set up in that State is applicable for the entire State. But the present administration has failed to solve the problem of the tribals living in the State. Similar is the case in other States. So wherever there is sizeable tribal population those areas should be identified. The problems of the tribals should be identified and steps should be taken to solve those problems. But the State Govts. have failed to solve the problems of tribals. They are getting poorer and poorer. In such cases it is very necessary to create autonomous districts in the scheduled areas of those States. There is no harm in granting autonomous districts to those scheduled areas. The Jharkhand movement has nothing to do with the creation of autonomous districts. It is only a wrong impression of some hon. Members. Take the case of Assam, Meghalaya and Tripura. The scheduled tribes living in those State have made some progress only because they have autonomous districts. Some hon. Members have criticised Shri Tirkey for not bringing his State in the purview of this Bill. I do not know what his intention is. But we should not say that this Bill has been brought forward with

political motive. The present administration in Bihar, Orissa, Madhya Pradesh and west Bengal has not been able to attend to the immediate needs of the tribal people. Their development aspect has not been properly looked into. So I would like to suggest that those areas should be granted autonomous districts, in States where there is sizeable tribal population. Because the autonomous districts, can only help in the upliftment of the tribals. But there are certain lacunae in the Bill moved by Shri Tirkey. In this context, I would like to suggest to the Govt. to make a list of the various tribal welfare programmes that have been introduced in the country so far. The achievement made under those programme should be properly reviewed. The reasons of the failure of different scheme should also be found out. It should also be decided as to what specific measures should be adopted to implement the tribal development programmes. If autonomous districts can help the tribals on their development then in what ways such autonomous districts should be constituted. All these points should be taken into consideration and then a comprehensive Bill should be brought forward by the Govts. so that the tribals living in the country can be provided some benefit and they are made equal with other community in the country. Secondly, hon. Member (CPM) has said about the land problems of tribals. In his speech he said that the left front Govts in Tripura and West Bengal are protecting the interests of tribal farmers. He alleged that land reform measures are not being implemented in the Congress ruled States. They are not protecting the interest of tribal farmers. It is not true. Because the irregularities are in existence not only in Congress ruled States but in CPM ruled States also. The tribal farmers are being harassed everywhere. The district level revenue officials are harassing the tribal farmers on one plea or the other. It seems the hon. CPM Member is politically motivated and so he appreciated the CPM Governments and criticised the Congress ruled State Govts. I do not know why he does not like to State the correct facts. Have their C. P. M. Govts. implemented land ceiling laws successfully? Have they been able to distribute the surplus land to the landless tribals? Have their Govt. been able to give back the land

to the tribals which was forcefully occupied and enjoyed by the landlords. I have visited those States. People known to me are living in those States. He should not give political colour while dealing with the problems of tribals.

Another thing I would like to bring to the notice of the Govts. Some tribes are scheduled tribes in Orissa. But their relations who migrated to West Bengal and Assam, are not treated as tribals. If the people of one community are scheduled tribes in Bihar and Orissa they should also be treated as Scheduled Tribes in other State whether it is Assam, West Bengal or Tripura. Many people do not know anything about tribals. Though they have full sympathy for the tribals but they have not studied their problems. So they are not able to implement the tribal welfare programmes if they are put in charge of implementing those programmes. Therefore Mr. Tinkey has rightly stated that autonomous districts should be created for the scheduled areas and the persons acquainted with the tribals problems should be made incharge of the administration in those districts.

Sir, I have heard the speech delivered by my friend Mr. Shantaram Naik. In his speech Shri Naik has said that if a particular State Govt. has failed to give justice to the tribals there is no harm in creating autonomous districts for the scheduled areas in that State. After all the overall administration of those districts will be under the control of the State Government. Therefore if we think of the welfare of the tribals first we have to change our attitude toward a them. Sir, it is a tragedy that the people put incharge of implementing the tribal upliftment programme are exploiting them. The upper caste people and particularly the moneylenders are responsible for the backwardness of the tribal people. If exploiters are made the protectors of these people how can we expect their progress? If Govt. officials instead of protecting the interest of tribals will safeguard their own interest and misappropriate the Central allocation how can we achieve our target of providing benefit to the tribals. The cat is very fond of fish. If the cat will be asked to take care of the fish you can imagine the fate of the

fish. Similarly if the corrupt officials are put in charge of tribal development projects the money will come to their pockets and the tribals will continue to remain backward.

Then take the case of the employment of tribals. The Govt. of India have reserved posts for tribal candidates. But sometimes the employers do not fill up the vacancies in the plea of the non-availability of suitable candidates. The non-tribal candidates are finally appointed against the reserved posts. It is really very unjust. This matter is discussed in this House many times in the past. I would like to know why action is not being taken against the employer who violates the reservation rule. So it is necessary to have some autonomous bodies to look into such grievances. The officials who deliberately deprive the tribal candidates of their employment will not dare to do so as they will have to face the autonomous body which can take action against them. This has no link with Jharkhand State. There is no question of separatist attitude. Shri Shahabuddin said that there is no harm if a separate Jharkhand State is created. I do not say that there should be a separate Jharkhand State exclusively for tribals.

But many States have been constituted like Assam, Bihar and Orissa etc. in the past. Recently also we have given statehood to the people of some areas. If ever it will be felt that there is a need to set up a separate Jharkhand State for tribals then there is no problem in creating a new State. The people other than Adivasis belonging to those areas can also continue to live in the new State. So the people should not be misled regarding the creation of Jharkhand State.

In the beginning of my speech I had referred to the destruction of forest wealth. There is unabated felling of trees taking place on a large scale. The forest officials in connivance with the contractors are cutting the trees and making a good profit. But the tribals are being implicated in false cases and the smugglers, contractors and the corrupt forest officials are allowed to go scot free. My friend from Madhya Pradesh

Shri Sodhi has rightly stated that the tribals are made responsible for cutting the trees, but real culprits operate from behind the scene. The tribals live in the forest.

Forest is their home. They get their food, fuel and fibre from the forest. They get water and other things of day to day requirement. In the forest they sing song. They love mountain, water fall and rivers of the forest. Everything wanted by them are available there. So they will not destroy the forest. We should not blame the tribals for the destruction of forest. But the outsiders who do come to the forest area as forest officials or who live in the nearby villages for business purposes destroy the forest and smuggled out valuable forest wealth. These non-tribals some time engage the tribals in the destruction of forest. Those who think that the tribals are responsible for the destruction of forest they are absolutely wrong. If there is any forest existing anywhere it is only in the tribal area. You make a comprehensive study of the total forest area in tribal area and also in non-tribal area. You will come to know about it. Therefore, the forest officials, contractors, officials of the forest development corporation in Shinilipal area of Orissa, The officials of the Shimilipal Forest Development Corporation are responsible for the destruction of forest. The tribals are innocent and they do not protest even if you implicate them in false cases. That does not mean you will blame them.

Lastly, I once again request to the Govt. to think over the problems of tribals and decide how more benefit can be extended to them. You have to examine as to how far the autonomous districts can safeguard the interest of the tribals. Keeping all these things in view the Govt. should come before the House with a comprehensive Bill as soon as possible.

With these words I thank you very much for giving me the opportunity to take part in the discussion and conclude my speech.

[English]

MR. CHAIRMAN : The time allotted for discussion of this Bill is going to be over after five minutes. Is it the pleasure of the House to extend the time of discussion ?

SOME HON. MEMBERS : Yes.

MR. CHAIRMAN : With the consent of the House, we extend the time for discussion of this Bill by one hour. Mr. Samar Brahma Choudhury may please speak now.

SHRI SAMAR BRAHMA CHOU-DHURY (Kokrajhar) : Mr. Chairman, Sir, I have been listening with rapt attention to the speeches made by the Hon'ble Members. In the course of discussions, many Hon'ble Members have expressed the view that by moving this Bill, the mover is attempting to take away the tribals from the mainstream of the country. It has also been accused of encouraging secessionist tendencies. Some Member has gone to the extent of describing it as a blow to the unity and integrity of the country.

Sir, I wonder what is the concept of unity and integrity of the country. If Bengalis get a State on language basis, if Gujaratis get a State on language basis, if India reorganises its States on the basis of language, if a big chunk of area is taken away from Bihar to Bengal to accommodate Bengali-speaking people on the plea that it is predominantly a Bengali-speaking area, that doesn't give a blow to the unity of the country. That doesn't threaten the integrity of the country.

When the tribals demand the benefits of the constitutional provisions which are already enshrined in the Constitution of India, they are dubbed as secessionists. They are dubbed as people threatening the unity and integrity of the country. I wonder about the meaning of integrity of the country.

Sir, the mover of the Bill, Mr. Tiraky has sought to extend the provisions of the Sixth Schedule to the areas other than the State of Assam. In fact, what is there in the Sixth Schedule ? It has been proved that even the Sixth Schedule is inadequate to protect the interests of the tribals. On a number of occasions, this viewpoint has been accepted by the Government itself and by the ruling party.

Because of that Meghalaya was created, because of that Mizoram was created, because of that Nagaland was created. So,

to protect the interests of Nagas and Mizos, the provisions of the VI Schedule has been formed to be inadequate. So is the case of Garos and Khasis. Now, when the Government of India have accepted the provisions of VI Schedule to be inadequate to protect the tribal interests what is the reason to continue with the provision of V Schedule? What does it provide? It provides Advisory Councils and by providing Advisory Councils, it has been pretended that the tribals are consulted, the right of consultation has been given to the tribals. But in reality the right of consultation has not been given under the Fifth Schedule because the advice of the Advisory Councils is not bound to be accepted by the concerned Government. It means that there is no statutory obligation on the part of the concerned Government to accept the advice of the Advisory Councils. So, even the right of consultation has been denied under fifth Schedule. This is rather denial of democracy to the tribals living within the V Schedule areas. That being so what is the use of continuing with that provision? We have admittedly accepted that even the provisions of VI Schedule are inadequate then what is the point in continuing with the provisions of the V Schedule? Sir, what is the crux of tribal problem? The point is the tribal also want to maintain their ethnic identity. They also want to preserve their geographical areas the areas in which they had been inhabiting since time immemorial, the area which had been handed over to them by their forefathers from generations to generation. They have got every right to protect their areas and I feel that the right of the tribals to their areas, to their land are inalienable. It cannot be alienated. They have got every right to preserve their land and areas, Though hon. Members have been expressing that this Bill will encourage the secessionist-tendency and will give blow to the unity and integrity of the country, none of the Members has denied the special responsibility to develop the tribals to protect the tribal areas and their interests in their land. Now, the tremendous goodwill to do something good for the tribals to develop and protect their areas should be cultivated. How do we manifest this in reality? What are we doing? We say that tribals should be protected and Government should take special care to develop the tribals to protect

the interests of tribals. But when some one bring the question of giving them the right to protect their own land and areas, at once we see a foreign hand in it and we discuss a secessionist tendency, we discover a tendency to give blow to the unity of the nation. The idea of tribal development has always been to feed the tribals with spoon; there has been a concept of spoon feeding; they should be fed by some guardian, because they cannot protect themselves. Why? In a democratic country like India why should not the tribals be given democratic rights to protect their areas, to develop their areas. It is a very unfortunate situation that always the dominant society of a concerned State develops vested interests in the tribal areas. These vested interests get very much alarmed when somebody proposes to extend democratic rights to tribals and they try to discover the secessionist tendency. When the people of dominant group discover the tendency of secessionism a blow to the unity of the country, tribals on the other hand, discover the working of vested interest of dominant society, the cultural and linguistic imperialism of the dominant group. Mr. Chairman, Sir distrust be gets distrust. If non-tribals distrust the tribal and in town if tribals become apprehensive about non-tribals, where will this lead us?

Some hon. Member was speaking about the JHUM cultivation. Of course, JHUM cultivation is not good. It does harm not only to the forests, but to tribal people also. It is a shifting cultivation, is not doing good to the tribal economy. But should we believe that if tribals are given some kind of autonomy within the framework of the Indian Constitution, they will perpetuate this JHUM cultivation? Laldanga took over as Chief Minister of Mizoram. After assuming the power, his first serious attempt was to eradicate the JHUM cultivation. So far as we know, he has taken elaborate steps to stop JHUM cultivation and to provide permanent type of cultivation or some other means of livelihood. If tribals are given some sort of autonomy, if they are allowed to manage their own affairs, will it be proper to assume that they will perpetuate everything bad. We must not take for granted that the tribals lack progressive ideas or wisdom. Patriotism is not the monopoly of certain people only. Some hon. Member was saying that there are

tribal IAS officers and they are very intelligent, Tribal societies are capable of producing progressive and intelligent people. Definitely, they can understand what is good or what is bad and we must not forget that. In spite of all sorts of adverse circumstances the tribal societies have survived thousands and thousands of years and even today, they are surviving.

Tribals are no less patriotic than any other people. If some sort of autonomy is given to tribals within the framework of the Indian Constitution, I do not think we should assume that they are secessionists and they will give a blow to the unity of the country. That kind of mentality and opinion will hurt the sentiments of the tribals because they will feel mistrusted. I think, Mr. Chairman, Sir the very concept of mainstream is detrimental to the unity and integrity of the country. Every citizen should have equal status. Some citizen come from the mainstream and the others from other stream; this concept does not go along with the concept of democracy. We must treat every citizen equally. Every linguistic and ethnic group need be treated equally. Every group of people is equally patriotic.

We are suffering from a contradiction in India. We have reorganised States on the basis of language, and regional culture. But in the United Nations we are advancing the theory of boiling pot to describe the Indian scenari. The international communities and the United Nations are thinking of providing some standards to protect the interests of the indogenous and tribal people. The Government of India has declared in United Nations that "India is a melting pot and its population and cultures are melting and mingling into one". But in reality we have reorganised States on the basis of language. We have recognised one language as the regional language or official language for each State such as Bengali, Assamese, Marathi, Punjabi, Oriya and so on. We have not recognised any one language as the only language for the purpose of literary award. The Gyanpeeth award is recognised as a national award. We give this award to each and every major Indian language. We do not have any particular language which is recognised as the sole language for the award of sabitya Academy. We give the award the writers of all major Indian

Languages. This shows that the melting pot concept is quite contradictory to what we practice in reality. As we know, the ILO-International Labour Organisation - had accepted the standards under 107 conventions in the year 1957 to protect the interest of the indogenous and tribal people. Currently the world-wide move is to revise these standards, which United Nation has accepted. So far as I know, the United Nation has sent a questionnaire to the Government of India.

But the Government of India never bothered to consult the tribal people or even the Parliament as to what should be the standard. A voluminous questionnaire has been sent by the United Nations to the Government of India and this has never been submitted to Parliament and even a Parliamentary Committee has not been constituted to consider this matter. On the one hand, Government of India accepts the multi-lingual and multi-cultural identity of its people on the other hand, they are presenting this theory of a boiling pot in the United Nations. So, I say that we are suffering from contradiction.

Mr. Chairman, when all the other major Indian languages can survive and thrive, the smaller ethnic and tribal languages should also be assured of their survival. It is also the responsibility of the Government of India and it is the responsibility of the nation as a whole to give protection to the tribal languages. It is the responsibility of the nation to provide such arrangements-political and administrative-whereby small ethnic and tribal groups can feel safe. We must never deny reality. If we are really sincere in our efforts to solve tribal problems, we must try to solve it on the basis of the existing reality. Today, we see that the dominant group are developing vested interests in the tribals. So, it is our responsibility to see how this dominant group should be checked and smaller ethnic groups should be protected. I feel that some sort of autonomy which is already provided in the Constitution of India should be extended to all the tribal areas so that they can not only have the right of consultation but they will also have a right of participation. Indian Constitution has got enough provisions to safeguard the rights of the tribals. There is the



provision of Sixth Schedule. There is the provision of autonomous districts under Article 244(a). When Garo and Khasi hill tribals were struggling hard, to get a separate hill state, it is this very Parliament which had added Article 244(a) to the Indian Constitution and created the status of a sub-state within the State so as to provide a sense of security among these people. When this Parliament by creating a new instrument provided autonomy to being a sense of security, a sense of participation in the minds of hilly tribals of North East. Why cannot we again evolve some such instrument whereby we can really provide a sense of security and a sense of belonging to the other tribals?

One hon. member has mentioned that this Bill would sow the seed of discontentment. I would say that this Bill is rather, the product of discontentment. Discontentment is already there among the tribals and as one of the hon. members has stated, Tribal India is already in flames. Recently, I had an opportunity to go to Jharkhand.

18.00 hrs.

What I have seen in Jharkhand is that not only the tribals are actively involved in

the Jharkhand movement but also other people non-tribal are involved. So, instead of being apprehensive, I will appeal through you Mr. Chairman, that it is high time, that we should seriously reconsider the problems of the Schedule Tribes and do something to provide some kind of autonomy so that they can feel safe and secure.

With these few words, I conclude my speech.

MR. CHAIRMAN: Thank you. This Bill will again come up next time. Now the House stands adjourned to meet at 11.00 A.M. on Monday, November the 9th, 1987.

18.01 hrs.

*The Lok Sabha then adjourned till Eleven  
of the Clock on Monday, November  
9, 1987 Kartika 18, 1909 (Saka)*