

MR. CHAIRMAN : Not now. We are now discussing the Constitution (Amendment) Bill.

SHRI THAMPAN THOMAS : I have a paper with me, Sir. I want to furnish certain information. This is a paper which has come up with a photograph....

MR. CHAIRMAN : Not at this stage...

SHRI THAMPAN THOMAS : This paper shows a photograph about the incident. Just prior to that, a lorry was dashing against the Jawans. If the Police had the intelligence to shoot down....I mean to burst the tyres, this would not have happened. That is the first thing. So. I would like to get the clarification from the Home Minister on this subject.

One more thing I would like to submit, Sir, about compensation. What compensation has been paid to people who died ?

14.25 hrs.

CONSTITUTION (FIFTY-FIFTH
AMENDMENT) BILL, 1986
AND
STATE OF ARUNACHAL
PRADESH BILL, 1986

—Contd.

[English]

MR. CHAIRMAN : Mr. Tombi Singh.

SHRI N. TOMBI SINGH (Inner Manipur) : I consider it really a privilege on the Floor of this House to support and welcome the two Bills with regard to Arunachal Pradesh. This after passing the two Bills, will be completing a glorious process of organising the north eastern area comprising the States of Assam, Nagaland, Arunachal Pradesh, Manipur, Meghalaya, Mizoram and Tripura. They are popularly known as seven sisters. Arunachal had deserved this status much long ago when I recollect my participation in the debate when in 1971. 15 years ago in the month of December the North Eastern Area Reorganisation Bill was passed I had remarked emphatically that Arunachal Pradesh and Mizoram also should become States like the rest of the neighbours, I can quite appreciate the

wisdom of the Government of India for having waited to give time to a very important unit of the north eastern region. When Mizoram Bill was passed some time back, a few months back, I had also the privilege to make this observation that Arunachal Pradesh should not be left behind. It was already time that Arunachal Pradesh should have a status. Similarly, I had also observed that Goa, with all its economic possession and justification, should also come—sooner the better—to north eastern area after the completion of this reorganisation.

Now I would like to make an appeal to the Government of India, to the Home Minister that the wisdom, the idea which caught imagination and foresight of Pandit Jawahar Lal Nehru in the early 60s when Nagaland was made State followed by the reorganisation of the north eastern area in 1979, then Mizoram and now Arunachal, the emphasis should now be on the economic reconstruction and economic development of this area.

Mention has been made of the viability of the small units, political fulfilment, fulfilment of the desire and the aspirations of these people, small units which have been separated, which have to remain separate from each other in order to preserve their identity that is there.

Now the second emphasis which has to come from the government's initiative is that this area has to be given the necessary economic consideration. Now many of these States are far flung; they are very remote from Delhi; and these States like our Mizoram, Manipur, Nagaland, Meghalaya and Arunachal Pradesh are hilly States. So, naturally, big industries cannot be established over there. But what should be attempted is that small industries small projects should be established there where people can be profitably engaged to make themselves self-sufficient, self-existent. As far as Arunachal Pradesh is concerned, I would like to observe that this is a State with big area and very scanty population. It has got rich natural resources; naturally, this can be developed as one of the richest States of the country. Taking into consideration this aspect, one has to see the working of the North Eastern Council which has been

assigned a very important work of coordinating the development of the small States in the north eastern area. In this respect, I would like to suggest that the North Eastern Council is doing a good work. But then it should be made to work better and more effective by organising units in the State Capitals. We have seven State Capitals and Shillong occupies a very important position and also the other States. But Shillong in a way is far away from many of the State Capitals, for instance, Agartala, Aizawl, Itanagar, Imphal and Nagaland for that matter. I do not propose that the headquarters of the North Eastern Council should be shifted from Shillong, but I only propose that in order to develop these small States—particularly Mizoram, State like Arunachal Pradesh which have come up just in the process of the State, it should have units which can look after the development of these small States with more or less their own equipment, with their administration efficiently. Now, what happens is that everybody has to go Shillong which is in a way much far away than Delhi. For instance for postal delivery, from Shillong there is a class of mail known as second mail despatch, message, decision conveyed from the North Eastern Council to far flung places like Agartala, Aizawl, Itanagar, which takes as many as 15 days to 20 days. This means that the North Eastern Council has to be made much closer and that it should be provided with better communications, not only by way of roads but also by way of telephone, telegrams and postal facilities. Of course, railway facilities in between these seven States are not adequate. Therefore, I would like to suggest in this context to the Home Minister that the North Eastern Council should coordinate the development of these States; more fund should also be given; also more staff and more expertise should be provided so that they can distribute their staff and fund among each of the State Capitals by opening small units.

Now the Guwahati High Court is taking care of all the States. Now Arunachal Pradesh Bill has incorporated that the Guwahati High Court will be incharge, will be taking care of the legal and judicial requirements of the seven States. There are so many cases pending before the High Court in respect of certain States. There

are some States which are not as litigants as their neighbours. But States like Tripura, Manipur—I have no particular information about Arunachal Pradesh—Mizoram may be also more or less on the same footing. I am better informed about Tripura and Manipur. I would like to observe that the Guwahati High Court is not at all sufficient now to take care of the judicial requirements of the seven States. So, to this end, either government opens or establishes separate High Courts for States which may not be possible at the moment so quickly in which case the alternative I would suggest to the Government of India is that these States should have permanent benches, not a single bench, permanent bench with more than one member so that they can on their own—they should be permanent also—take cases and decide them so that people from Itanagar, from Tripura, Aizawl, Manipur and Nagaland do not have to come to Guwahati for these cases because the expenses are very prohibitive and at the same time people do not get easy and quick remedy of these things.

The Government of India has a special responsibility for the establishment of harmonious relations among these sisters, so called seven sisters. So far we have seen that there is lack of understanding, lack of communication, lack of much needed harmony among the States. And this stands in the way of coordinated development of the States. If you have an aerial view, they look very close to each other apparently. But each member-state has got its own aspirations, so much so that some member states dream expanding their areas such as Greater Mizoram, Greater Nagaland and like that. The result is that it puts obstacles in the development those areas and also spoils the much needed neighbourly harmonious relations among States. There is also a constant tendency on the part of police organisations and law and order agencies of the neighbouring States to work towards that end. This way, much needed money and energy is wasted. I think, the Hon. Home Minister's knowledge and information of the problems and the requirements of the north-eastern areas is perfect. I would suggest to him that by utilising all this information and experience, he should strengthen the hands of the North Eastern Regional Council on the one hand, and on

[Shri N. Tombi Singh]

the other, open more permanent benches of the High Court and also see that there is better coordination and much needed harmonious relationship among the States so that there is proper development of the area, and this development is not hampered.

I would like to congratulate the people of Arunachal Pradesh on this glorious day. I wish them all prosperity and best of relationship in future among the States.

SHRI THAMPAN THOMAS (Mavelikara) : I am on a point of order. Before lunch, the Hon. Home Minister was making a statement with regard to the law and order situation on the 5th in this city. We wanted certain clarifications. And we wanted to have a discussion on that. I have a very valid point which is to be raised, and that is, the two jawans who died, belonged to my State. I would like to know whether any compensation has been paid to them ..
(Interruptions).

MR. CHAIRMAN : No discussion on this. That is over now. There is no point of order. After the statement there is no question of clarification. Shri Sunder Rajan.

SHRI THAMPAN THOMAS : This is not fair. In Rajya Sabha, the Hon. Minister has agreed to give clarifications. We are also entitled to have it. Something is being hidden from the Members.

MR. CHAIRMAN : Nothing goes on record. I have not allowed you. I have not allowed anybody. Nothing will go on record.

(Interruptions)**

MR. CHAIRMAN : There is no discussion here on the statement made by the Home Minister.

THE MINISTER OF STATE IN THE
MINISTRY OF PARLIAMENTARY
AFFAIRS (SHRIMATI SHIELA DIKSHIT) :
There is a discussion going on on the Consti-

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tution (Amdt.) Bill for grant of statehood to Arunachal Pradesh. There is no precedent which says that you must discuss that statement right now. I would request you to kindly keep quiet right now. Let us go through the discussion on the Constitution (Amendment) Bill and thereafter we will see what he can do.

(Interruptions)

MR. CHAIRMAN : It is all right. That is sufficient. You may discuss with the Minister thereafter please...

(Interruptions)**

MR. CHAIRMAN : At the moment, there is no discussion please...

(Interruptions)**

MR. CHAIRMAN : We are discussing the Constitution Amendment Bill. Mr. Soundararajan...

(Interruptions)**

SHRI SAIFUDDIN CHOWDHARY (Katwa) : We want a word of assurance that there would be a discussion...(Interruptions)

MR. CHAIRMAN : That is for you. I do not say anything ..

(Interruptions)**

MR. CHAIRMAN : Yes, Mr. Soundararajan, you go on please...

(Interruptions)**

MR. CHAIRMAN : Nothing goes on record now...

(Interruptions)**

SHRI N. SOUNDARARAJAN (Sivakasi) : Sir, on behalf of my party AIDMK and our leader Shri M. G. Ramachandran, I wholeheartedly support this Bill which provides for Statehood to the Union Territory of Arunachal Pradesh. Really speaking, it is an historic event for the people of Arunachal Pradesh. I also congratulate the Central Government for bringing this piece of legislation which is a

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long-standing demand of the people of Arunachal Pradesh. The people of Arunachal Pradesh have a distinct cultural and religious identities as also their own customary laws. Keeping this in view, the Central Government has come forward with this piece of legislation which will help the people of Arunachal Pradesh to preserve their cultural and religious identity and also their customary laws. I also request the Central Government to provide all possible help to the people of Arunachal Pradesh for their development as it is a sensitive area. In this piece of legislation, the law and order power is vested with the Governor, which is an unknown thing to the States. So, I request the Central Government to reconsider placing the law and order power in the hands of the Governor. No time limit for vesting in the Governor the law and order power has also been mentioned in the Bill. I request the Central Government to prescribe the time limit for the Governor to handle the law and order situation. With these words, I thank you very much for giving me this opportunity to speak.

[Translation]

*SHRI P. SHANMUGAM (Pondicherry) : Mr. Chairman, Sir, I am thankful to you for giving me an opportunity to take part in this debate on the Constitution Amendment Bill providing for the establishment of the State of Arunachal Pradesh as the 24th State in the country. I welcome this Bill.

Sir, in this context, I would like to draw the attention of the Hon. Minister, Shri Buta Singh, that there are other Union Territories under the administration of the Centre. There are Union Territories like Pondicherry, Goa, Diu and Daman, etc. which have not been considered for statehood. I may point out that the people of my Constituency, that is, Pondicherry, have been demanding since long that Pondicherry should be given the statehood. Pondicherry Assembly has also been requesting the Centre to declare Pondicherry as a State. Sir, it is a genuine demand because Pondicherry has its distinct culture, customs and heritage. It has a distinct identity. In the freedom

movement, great freedom fighters like 'Mahan Arivind', the great Tamil Poet, Subramanya Bharatiar; and Subramanya Siva took asylum in Pondicherry. Many other freedom fighters also took shelter in Pondicherry during freedom movement. These freedom fighters worked for the cause of India's independence from Pondicherry.

In this connection, I may bring to the notice of the Hon. Home Minister, Shri Buta Singh, that Pandit Jawaharlal Nehru had paid special attention to the Union Territory of Pondicherry and also to the people of Pondicherry for maintaining its distinct identity, culture and heritage. Panditji helped for smooth transfer of Pondicherry which was under the French rule for 250 years and accession of the same to the Indian Union. Since Pondicherry became independent and its accession to the Indian Union, Pondicherry has been marching ahead in industrial, educational and cultural and scientific fields. Sir, it is but proper for the Centre to consider fulfilling the wishes of the people of Pondicherry by giving statehood to Pondicherry. Our beloved late Prime Minister, Shrimati Indira Gandhi had also special interest in the people of Pondicherry.

Sir, I am the only Member of this august House representing the people of the Union Territory, Pondicherry. Therefore, Sir, on behalf of the people of Pondicherry, I would request the Hon. Prime Minister, Shri Rajiv Gandhi, kindly to consider giving immediately full statehood to Pondicherry.

[English]

SHRI DINESH GOSWAMI (Guwahati) : On behalf of the people of Assam, its Government and on behalf of my party, I congratulate the people of Arunachal for attaining on this day their Statehood a new status of State and to that extent I welcome the provisions of the Bill. The State of Arunachal Pradesh Bill 1986. But as has been mentioned by a number of speakers, I feel what has been achieved, has been diluted to a great extent by some of the provisions.

I feel there are four objectionable features both to the Constitution Amendment Bill as well as the State of Arunachal

*The Speech was originally delivered in Tamil.

[Shri Dinesh Goswami]

Pradesh Bill. All these have been mentioned before and so I very briefly recapitulate the same. I believe there is no ground whatsoever as to why the State of Arunachal has been denied minimum number 60 in the Assembly which is guaranteed under Article 170 of the Constitution. I do concede that there may be situations where the number may be less than the number mentioned in Article 170. In fact in Mizoram we have a legislature with less than what has been mentioned in Article 170. But Mizo people themselves wanted that their Assembly should be constitute of less than sixty members. In fact, of many States the number was less than what is mentioned in Article 170, it was stated in the amendment that notwithstanding what is contained in the Constitution or notwithstanding what is contained in Article 170 of the Constitution, the number should be less. Even that drafting care has not been taken so far as this Draft is concerned. But what is more objectionable is that if we look to the topography of the Arunachal and geography, there may be no reason why Arunachal should not get 60. In fact it should be more.

The geographical territory of Assam is 78438 sq. kms. We have in Assam 114 Members in the Assembly. So far as Arunachal is concerned, it is even larger in term of territory than Assam having 83743 sq. km. I made a comparative study and I found that so far as Assam is concerned it will send representative to the Assembly for 602 sq. kms., Manipur will send one representative as against 373 sq. kms. Meghalaya will send one representative as against 373 sq. kms., Nagaland will send one representative as against 276 sq. kms. and Arunachal Pradesh will send one representative as against 2187 sq. kms. This is something which I do not understand. If Nagaland, Meghalaya and Manipur situated almost in similar position of Arunachal and are in some respect in a better position can send one representative as against a sq. km. of 276 or 373, then I do not understand why Arunachal should be given this onerous responsibility of sending one representative as against 2187 sq. kms. In the Bill, in Statement of Objects, I do not find any ground whatsoever mentioned as to why the number of the legislators, Arunachal Pradesh, has

not been made 60 which is the minimum number contemplated under the Constitution.

My second objection is that though we have given Statehood to Arunachal, the present strength of the Arunachal Legislature will be 30 because the existing arrangements will continue. The 40-Member Arunachal Assembly will not come into being for another 4 years because under the provisions of this Bill, the State of Arunachal Pradesh Bill 1986, under clause 6(2) the term of office of such sitting Members shall remain unaltered if I am not wrong, there are still four years left for these sitting Members to complete therefore, though on the one hand we are saying that there will be an Assembly of Arunachal with 40 Members which, according to us, irrespective of party affiliation, appears to be an unjustified number, for the next four years Arunachal in fact will have an Assembly of only 30 Members and not 40.

SHRI C. MADHAV REDDI
(Adilabad) : Because of vacancies.

SHRI DINESH GOSWAMI : Not vacancies, but by law. If you have given the status of a State to Arunachal Pradesh, it is in the fitness of things that the people of Arunachal Pradesh should be given the right to choose their own representatives to the State Assemblies in fact, Sir, I went through the earlier North-Eastern States Reorganisation Bill of 1971 when the State of Meghalaya and other States were created and I found that the then provision was that immediately after this Act came into being, there would be new Assembly elections, delimitation and so on and so forth and the people will be given the right to choose their own Assembly and a new state will come into being. I do not think, under the present set up the people of Arunachal will feel that they have got something new. In fact the feeling may go that what they have got is a glorified Union Territory. I am strongly opposed again, Sir, to the Constitution Amendment by which the special power is given to the Governor of Arunachal Pradesh firstly, to take in his own discretion any step for law and order and secondly what is more important, whether this matter comes within the purview of the law and order or not, it is his discretion that is final and cannot be

questioned. I am aware that in Nagaland a similar provision is there because of the insurgency in the Naga hills area. But the situation is not similar to that of Nagaland in Arunachal. The people of Arunachal are fiercely independent people and let us not forget, they did not allow even the British people to dominate their territory with the result that the Britishers had to somehow maintain a token dominance in that region and allow those people to rule themselves. There is no insurgency in this region. This region has been subjected to foreign aggression and in fact, in 1962 we had virtually to give up this region because our Army had to withdraw, but the people have stood loyal to this country. Why not we trust the people of Arunachal? If we cannot trust the people of Arunachal, then they would not maintain the unity and integrity of this country. Should we trust the bureaucrats who have no knowledge whatsoever of this region? And therefore, I have a fundamental objection to this provision and I feel this should be deleted.

My third objection is that the Hon. Prime Minister has said that so far as the special provisions for protecting the tribals and their customary laws and all that are concerned, well, that was not necessary because the existing constitutional provisions take care of it. But according to the Constitution the Mizoram people or Laldenga wanted it, the Government decided to provide that in the Act itself. But let us point out, if I am not wrong, that the people of Arunachal also have demanded that this special provision should be there in the Act itself. If you have given it to the people of Mizoram because they so demanded, why are you denying the same to the people of Arunachal and have left certain scope of judicial interpretation? I further submit, Sir, that I do not agree that it is necessary, it is not because earlier also the Constitution provided that in the case of Nagaland in Article 371A the special provision is only some sort of an additional provision or a provision of abundant caution that I believe that this provision is necessary. This is particularly necessary for the fourth aspect and that is, ownership and transfer of land and its resources.

“Unless a special provision is made, no Act of Parliament in respect of

ownership, and transfer of land will apply to the State unless the State by a resolution so decides.”

My submission will be that this will be applicable. And that is why, the Meghalaya State had to frame a law and the law had to be sent to the President. Mr. Swell knows better whether the law has received the assent of the President or not. I think, it waited for the assent of the President for a long time. I do not know whether the law has received the assent or not.

MR. CHAIRMAN : Hon. Member's time is up.

SHRI DINESH GOSWAMI : Now that you have rung the bell, I would not like to take much of your time. But I believe whatever has been given to the people of Arunachal has been diluted to a great extent for 4 reasons: Firstly, for not giving them the Assembly of at least a minimum number of 60 members; for giving over-riding powers to the Governor with no justification whatsoever; for not providing in the Bill itself the protection which has been guaranteed under article 371 A to Nagaland and also to Mizoram under the Mizoram Act; and also for not providing the provisions that the Assembly elections should take place immediately so that the people of Arunachal should elect their own representatives and they can feel that, Yes, we have achieved a new status I believe, Sir, because of these provisions are not there, politically we are leaving much scope to turmoil in Arunachal. If the four provisions could have been taken note of, I think, the position in Arunachal would have been much better. I know that not providing these provisions in the Arunachal State Bill or the Constitution (Amendment) Bill, it is going to create a lot of uncertainty and difficulty in Arunachal Pradesh.

But even then, when the people of Arunachal are going to have a State in spite of all these limitations, we have decided to support the State of Arunachal Pradesh Bill, 1986.

[Translation]

SHRI MANORANJAN BHAKTA
(Andaman and Nicobar Islands) : Mr.

[Shri Manoranjan Bhakta]

Chairman, Sir, I want to congratulate the Hon. Prime Minister and the Hon. Home Minister for bringing this Constitution (Amendment) Bill. Along with it, I would congratulate the people of Arunachal Pradesh on behalf of the people of Andaman and Nicobar Islands for the fulfilment of their long overdue hopes and aspirations through this Bill under discussion in the House. *(Interruptions)*

Sir, two or three points have been specifically emphasised during the discussion on the Bill. First, the special powers vested with the Governor is an expression of mistrust about the people of Arunachal. Shri Indrajit Gupta had raised this point while speaking on this Constitution (Amendment) Bill.

The second point was raised by Hon. Shri G. G. Swell when he said that the Bill does not provide for the protection of the customs, traditions, the way of life and so on of the tribals.

Thirdly, the Vidhan Sabha of Arunachal Pradesh ought to be composed of 60 members, but in this amending bill it is proposed that the State Assembly would consist of 40 members only.

With the exception of these three issues, the whole House has supported the rest of the Bill. So far as the first point is concerned, the Hon. Prime Minister had clarified that the Governor of Nagaland had not made use of his special powers to date, and it is hoped that the Governor of Arunachal Pradesh will also not need to make use of his special powers. Hence, what can be more assuring to the people of Arunachal Pradesh?

15.00 hrs.

In regard to their customary laws and rights regarding land, the Hon. Prime Minister has stated that protection of all such matters is provided for in the Constitution, yet if the Members are still not satisfied then he is prepared to discuss the matter and take suitable action in that regard. This clinches the matter. The next point concerns

the strength of the Vidhan Sabha which is only 40 members, whereas it should have been at least 60 members. I think it is absolutely correct. The population of Arunachal Pradesh according to the 1981 census is 6,30,000 which is more than that of Mizoram. Its total area is 84 thousand sq. kms, with varying terrain. There are a number of areas which are inaccessible where greater representation should be given to the people. In view of this situation, I hope the Hon. Home Minister will concede the demand and raise its strength to 60 members.

Mr. Chairman Sir, the Hon. Members represent their respective States, but they are not aware of the kind of treatment that the people belonging to the Union Territories are getting. The employees of the Central Government who are sent to the Union Territories harass and oppress the local people about which the Hon. Members are not aware. The bureaucracy behaves in a similar manner in the Andaman and Nicobar Islands and in other Union Territories. It is due to them that the 20 Point Programme and other programmes of the Government are not implemented properly. We do not have any powers and when we approach the officials they ignore us and in this manner we are unable to do the work which ought to be done for the poor people.

SHRI P. NAMGYAL (Ladakh): Mr. Chairman, Sir, I rise to support the Constitution (Fifty-fifth Amendment) Bill, being discussed in the House. I think that the State Government was not consulted while drafting the Bill. It is a tradition in our country that whenever Bills are drafted or rules are framed, the bureaucrats have their way. They never take into account the hardships being faced in the remote parts of the hill areas. I would like to touch the points raised by the Hon. Members from both the sides. The first point is regarding the powers of the Governor, the second is regarding the size of the House and the third deals with the cultural tradition and customs. There is near unanimity about the point that the powers which have been vested with the Governor should not have been given. I want to submit that the people living in the hill areas or the tribals are generally very simple. They can be exploited

very easily. Once they start having faith in something, it is difficult to shake their belief. As has been stated by the Hon. Minister, there has been no law and order problems in Arunachal Pradesh so far. I, therefore, think there was no need to make provision for special powers. However, as the Hon. Prime Minister has stated that these powers have been vested for some special reasons, I think there must be some substance in it.

Secondly, I want to submit that the strength of the State Assembly has been fixed at 40. Though the total area of Arunachal Pradesh is 78438 sq. kms. and that of Nagaland is 16579 sq. kms., yet Nagaland Assembly is composed of 60 Members and in Arunachal Pradesh the strength is only 40. Not everyone is aware of the problems of the hill area to the extent I know. My constituency covers an area of about one lakh sq. kms. which is as much as the total area of the present Arunachal Pradesh and Manipur. Though I have been elected from my constituency twice and this is my second term, yet I have not been able to reach even half of the villages in my constituency. I am telling you the truth. There are so many difficulties in the hill areas; at certain places roads have not been constructed, at others one has to walk on foot or ride a horse; as such population should not be taken as the sole determining factor. The area should also be taken into consideration. Hence, 40 is a very small member. You must think again in this regard. The number should at least be 60, so that the legislators can do justice with their voters.

I will give my own example. I have not been able to do justice even with half of the people of my constituency. I have presented a fact before you because there are indeed great difficulties in these areas. I would suggest that the Bill may now be passed in the present form, but you should give us an assurance that during the next session suitable amendments would be made to remove whatever shortcomings may be there. I welcome the step taken by the Hon. Prime Minister and the Hon. Home Minister for granting statehood to Arunachal Pradesh and I want to thank them for it.

The Hon. Prime Minister has rightly assured us that the various customs of the people of Arunachal Pradesh and their rights

regarding land can be given protection. I would cite the example of Jammu and Kashmir. It has been granted special status under Article 370. In Sikkim, the people were given the option of either approaching the law courts for the settlement of their disputes or settle it according to their own customary laws. One of our friends has just said that some people and students are demanding that Arunachal Pradesh should be granted special status like Jammu and Kashmir. I am opposed to it. I am opposed to it because I am a victim of Article 370. The minority is always victimised in those States which are granted special status. Assam and Sikkim were also demanding special status but it should not be granted. I belong to a State which has been given special status under Article 370. But neither we nor the tribals are getting the facilities due to them because of Article 370. Therefore, I am against it. With these few words, I support the Constitution (Amendment) Bill which seeks to grant statehood to Arunachal Pradesh. The Hon. Minister should assure us that the shortcomings would be removed.

[English]

SHRI CHINGWANG KONYAK (Nagaland) : Mr. Chairman, Sir, conferring of Statehood to Arunachal Pradesh fulfils the genuine and legitimate aspirations of its people. I welcome the Bill. Many Members have already spoken. I would like to touch upon only three points.

The first is about the special power given to the Governor. The Prime Minister has already explained. Even then I would like to express my own view as to what was the position before the Governor was given that special power in respect of Nagaland. When Statehood was granted to Nagaland, at that time we had insurgency problem; there was a special law and order problem. But in Arunachal Pradesh, for the last so many years there has not been any insurgency problem. It has been one of the most peaceful areas. Why then should you unnecessarily hurt the sentiments of the people of Arunachal Pradesh by giving this special power to the Governor? Of course, the Prime Minister has said that not even on a single occasion has the Governor used this power in Nagaland. But putting it in this Bill amounts to giving the power to one individual person, namely, the Governor as

[Shri Chingwang Konyak]

against the collective wisdom of the Council of Ministers. When the Council of Ministers is there, why should the Governor be given this power? We believe in democracy, in collective wisdom. The Council of Ministers should be given this power.

Secondly, coming to protection of customary law, I think it is politically prudent, and socio-economically and culturally imperative that Constitutional safeguards are provided in this Bill to protect and preserve the tribal customary practice, religious, social and cultural traditions and regarding their lands and natural resources. And if protection is not given because of influx from outside and the tribal population will be outnumbered and then customs, traditions etc. will be eroded. So, on the same lines as given to my State of Nagaland and to Mizoram, for tribal customary practice, their traditions, religions, lands and natural resources a special provision must be provided.

Sir, many members have spoken about the number of seats. Nagaland has got 16,527sq. kms. of area and Nagaland has got 60 seats. Whereas Arunachal Pradesh which is the largest area in the whole of north eastern region is now getting only 40 seats.

I come from a hilly area, I know the practical difficulties, 40 seats is too small for an area like Arunachal Pradesh. A Member may not be able to cover his constituency. So, I would suggest that there should be a constitutional provision to say that Arunachal Pradesh Assembly will consist of a minimum of 60 legislators.

With these words, I support the Bill.

SHRI BALWANT SINGH RAMOO-WALIA (Sangrur): Mr. Chairman Sir, today this House is discussing a historic event of conferring Statehood on the people of Arunachal Pradesh. I, first of all, congratulate the great people of Arunachal Pradesh because people are the real power. I congratulate the great people of Arunachal Pradesh, the Chief Minister of Arunachal Pradesh, the Hon. Prime Minister, the Home Minister and this House on taking this historic decision today.

Sir, this moment is a historic moment because a principle has been accepted that identity for cultural aspirations is to be considered as supreme. While congratulating, I have also a feeling of disappointment because the Government has been open minded as well as conservative. Because a decision to confer Statehood has been taken; but Sardar Buta Singhji has also decided not to give everything in complete. Perhaps, the Government of India is selling an idea in the minds of the great people of Arunachal Pradesh that the Government are in the habit of giving in full only after agitation. This will give that idea.

Why the number of seats have been reduced to 40 only? It should be 60 and the people of Arunachal Pradesh will be satisfied only if the number of Assembly seats is increased to 60. All the members who have spoken, cutting across the party lines have supported this idea. So, the Government should accept it. I will also urge upon the Government to accept giving a legal sanction to the customary laws of Arunachal Pradesh people.

My party and myself will also demand from the Government not to go in for giving special powers to the Governor in Arunachal Pradesh. The Hon. Home Minister and even the Prime Minister have many times said in this House that this the period of democratic values. A strong voice is going on in this country to withdraw the existing powers from the Governors. There are already sweeping powers with the Governors. Governors can dismiss an Assembly. They can misuse the powers. Then why these powers are being given to the Governor in Arunachal Pradesh? My party will fully support the idea of conferring Statehood on Arunachal Pradesh but we cannot support giving sweeping powers to the Governor. As Mr. Thungon, the MP from that State has said the ruling party should honour the feelings of the Members of the House and we also support conferring Statehood on Goa Andamans and Delhi

SHRIMATI D. K. BHANDARI (Sikkim): I rise to extend my fullest support to this Bill which seeks to confer Statehood to Arunachal Pradesh. On this occasion I would like to congratulate and thank the Union Government for having brought this

long overdue Bill. By bringing this Bill the Government has demonstrated that it respects the hopes and aspirations of the people of that strategically situated area.

One aspect I would like to emphasise is the fact that people of Arunachal Pradesh have come of age politically but at the same time the process of elevation from Union Territory to the Statehood has come about smoothly and peacefully that it should receive the encomiums of all the people of the country. This shows the political sagacity of the people of Arunachal Pradesh and political farsightedness of the Union Government also.

Sir, the whole process was so refreshing and particularly when one looks back to some movements for grant of Statehood which came about only after some turmoil as our esteemed colleague Prof. Swell recalled on the Floor of the House a little while ago. Therefore, I feel this is a happy and welcome break from the past trend. In this connection I would like to say that there are also demands for conferment of Statehood in other areas. Government should consider this with the same sympathetic consideration and political acumen which it has shown in respect of Arunachal Pradesh.

The conferment of Statehood to Arunachal Pradesh has fulfilled the hopes and aspirations of the people of Arunachal Pradesh and this will help the people of Arunachal Pradesh to involve themselves intimately not only in the administration but also in the whole gamut of developmental process. I think the active participation of the people in every facet of activity is a must if we have to progress in every field. I am sure that our brothers and sisters of Arunachal Pradesh are fully aware of their responsibility and they will discharge it in such a manner that in time to come it will be an object of our appreciation and example which we will try to emulate.

I come from Sikkim which is in the lap of Himalayas. So is Arunachal Pradesh. It is an added occasion of happiness for all that our Himalayan brothers and sisters are joining the comity of States in the country as equal partners.

Sir, I take the opportunity to extend our warmest felicitations and congratulations to the people of Arunachal Pradesh. But at the same time, I hope that the Hon'ble Home Minister will look into the points that have been raised by the Hon'ble Members from that side and bring about amendments to that effect.

I very much appreciate the feelings that our Hon'ble Prime Minister has expressed regarding the conservation of social, cultural and customary laws of people from that area. I would like to request the Hon'ble Home Minister to keep this in mind while enacting the laws. With these few words, I would like to reiterate my support to the Bill.

SHRI P. M. SAYEED (Lakshadweep) : I congratulate the people of Arunachal Pradesh for they are going to have a coveted place among the states. This State has got a unique personality in the sense that in free India it is perhaps the only union territory now going to be conferred the Statehood and which had had no law and order problem so far.

In this measure many things have been pointed out especially by those Members who are coming from that area. After the Prime Minister's speech about conferring some powers on the Governor, I do not think anybody has got any apprehension in his mind because of the special geographical location of this State.

As far as other provisions are concerned, it is true that this is one of the largest union territories which has spread over such a large length and breadth and which is more than any other union territory and adjoining States. Regarding the members in the Assembly, it is a legitimate demand of the people of the State that because of its size, the provision should be for 60 members in the new Assembly.

Sir, I wanted to bring before the Hon'ble Home Minister one point. As some Hon'ble Members had mentioned from this side, Andaman and Nicobars, Lakshadweep and other union territories must be conferred the statehood. I have my own explanation to be placed before the Home Minister. I was

[Shri P. M. Sayeed]

told earlier that because of its size and number, they are not going to be conferred the statehood. I tried my level best to increase the number.

Now, the officers who are posted in these far-flung areas are those who were no more wanted in the capital here. Such officers are sent to these areas. My friend, Shri Manoranjan Bhakta, has already spoken about it. We are also part and parcel of this country. Either we must also get the democratic fruit or you must say that we are born to be ruled under such Maharajas sent from Delhi. I take strong objection to it. You must declare your policy about such union territories whether it will permanently be a union territory. In my area, there is no legislative setup. In my case there is no legislative setup. Or you must say that the Union Territories will be merged with the neighbouring States: Government must have a clear policy on this score. Today, we are going to confer the statehood on a Union Territory, Arunachal Pradesh. The Union Territories of Goa, and Andamans have also been demanding that. In view of the fact that now that you are conferring the statehood on Arunachal Pradesh without any agitation, I hope, the same policy will be extended in these two cases also. In my case they have already agreed that they will be giving Pradesh Council. I would request the Home Minister to kindly mention in his reply whether all the Union Territories will be given what is due to them in this matter.

With these words, I support the Constitutional Amendment Bill.

[*Translation*]

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH) : Mr. Chairman, Sir, by extending the session by one more day, you have granted a great boon to the people of Arunachal Pradesh who had been aspiring for statehood for a long time.

Arunachal Pradesh is a beautiful part of our country. The Sun's rays first strike this part of India, i. e. Arunachal Pradesh. That is why it has been named 'Arunachal'. The sentiments, customs and traditions of

the people of this place are as hoary as the history of our country itself. Those who have been to Arunachal Pradesh, and have travelled around know that the medicinal herbs, mentioned in our medicine books or in the books written by Dhanvantri, are only to be found here. We have been wasting our priceless assets.

15.33 hrs.

[MR. SPEAKER *in the Chair*]

It is only in Arunachal Pradesh that we can find such herbs which perhaps are not found anywhere else in the world.

MR. SPEAKER : You should store it in a chest.

S. BUTA SINGH : Thank you. The old customs and traditions of Arunachal Pradesh are alive even today. The people are peaceloving and that is why the welcome step of granting them statehood has been taken, although there had been no agitation for it. In this context, I feel it is a befitting recognition of their peaceful nature. Besides, it also proves that peaceloving people can achieve their ends without agitating for it.

All the Hon. Members have commended the new turn given by the Hon. Prime Minister, Shri Rajiv Gandhi to our national life. All of us must commend the new phase ushered in by the Prime Minister, i. e. of solving the most difficult problem through mutual consultations, discussions and respecting the sentiments of the people and taking steps accordingly so that the unity and the integrity of the nation is strengthened. I have full faith that the same kind of sentiments will be expressed by the Hon. Members from both the sides. This is a very encouraging example for our country's future.

After this, many of our friends, especially Hon. Prof. Swell, Shri P. K. Thungon, Shri Indrajit Gupta, Shri Dinesh Goswami and others have expressed their reservations about certain sections of the Bill. A large part of it has been answered by the Hon. Prime Minister when he intervened. I do not think that there is anything further to be said. These provisions have been made in view of the geographical position of Arunachal Pradesh. The Hon. Prime Minister

has himself said that it is not a permanent step. He has also emphasised in the House that the hopes and the aspirations of the local people would be fully respected. He has also promised that steps are being taken for its implementation, and that the Government would keep an open mind and act on the basis of experience gained during implementation.

I believe that the Bill would unfold a new chapter for the people of Arunachal Pradesh. As it is, there has been laudable progress in Arunachal Pradesh during the last six five year plans. Whatever work the people of Arunachal Pradesh have done for its development, has been mentioned and discussed a number of times in the House and I think it will not be proper to repeat them once again. It will be wastage of time. However, a lot of good work has been done there by the North Eastern Zonal Councils, and several new Schemes are being taken up which would be implemented.

In Arunachal Pradesh, there are 10 districts, 27 subdivisions, 101 circles and 48 development blocks. There are some 3300 villages where allround development works are going on and where, in spite of the non-availability of the required financial aid, significant work has been done and the situation is hopeful. Some 4275 kms. of roads have been built, 173 tonnes of foodgrains have been produced there. 1242 megawatt of electricity is produced and 827 villages have been electrified. There are 18 hospitals, 64 dispensaries and about 57 primary health centres. The supply of drinking water in the villages there is quite satisfactory. Notable work has been done for the spread of education as well. The Government has taken steps to accelerate this work during the Seventh Five Year Plan period. Arunachal Pradesh is also given considerable importance in the North Eastern Council. The North Eastern Institute of Science and Technology is also located here. Besides, Ranganadi Hydro-electric project has also been sanctioned for Arunachal Pradesh. In this way, there is all round development in Arunachal Pradesh which would be accelerated further on its acquiring the statehood, as more development projects could be taken up. According to experts, Arunachal Pradesh has a very high potential

for the generation of hydro-electric power and if we can exploit this potential fully, we cannot only meet the requirements of our own country but can also supply it to others.

Arunachal Pradesh has been blessed with the county of nature to an extent that we can meet our power requirement by tapping the potential there. I believe that we must act with full dedication to implement provisions of the Bill which seeks to grant statehood to Arunachal Pradesh.

Some of our Hon. Members mentioned Goa, Andaman and Nicobar Islands. Sir, you may be aware that it is only when a particular type of situation develops, and there is a demand for statehood that a decision of this kind is taken by the Government. Shri Sayeed has mentioned about the council. I have been convinced for a long time that a council should be set up in a manner that the people of the area are benefited by it. With the passage of time, the hopes and aspirations of the people have to be fulfilled. However, the most important thing today is that the nation needs complete peace, discipline, and mutual trust and affection so that we can build a stronger India and ensure greater development.

With these words I would request the Hon. Members to lend their cooperation and support in respect of the New Year's gift which we propose to give to our brothers and sisters in Arunachal Pradesh.

[English]

SHRI DINESH GOSWAMI : One clarification the Prime Minister did not touch, and that is we asked that the Assembly should consist of 60 Members because of the vastness of its size. Even if you are not thinking of amending it, now you give an assurance to the people that this aspect of the matter will be kept in view because this is a ticklish issue. Let him give an assurance.

MR. SPEAKER : Before I put the motion for consideration of the Bill to vote, I would like to say that this being a Constitution (Amendment) Bill, voting has to be by division. Let the Lobbies be cleared ..

Now the Lobbies have been cleared. The question is :

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

The Lok Sabha divided.

15.50 hrs.]

[Division No. 2

AYES

Abbasi, Shri K. J.
Adaikalaraj, Shri L.
Adiyodi, Dr. K. G.
Agarwal, Shri jai Prakash
Ahmad, Shri Sarfaraz
Ahmed, Shrimati Abida
Akhtar Hasan, Shri
Alkha Ram, Shri
Anand Singh, Shri
Ansari, Shri Abdul Hannan
Ansari Shri Z. R.
Antony, Shri P. A.
Arunachalam, Shri M.
Awasthi, Shri Jagdish
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baghel, Shri Pratapsinh
Bairagi, Shri Balkavi
Bairwa, Shri Banwari Lal
Baitha, Shri D. L.
Balaraman, Shri L.
Banerjee, Kumari Mamata
Basavarajswari, Shrimati
Basavaraju, Shri G. S.
Basheer, Shri T.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bhakta, Shri Manoranjan
Bharat Singh, Shri
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhosale, Shri Prataprao B.

Bhoye, Shri R. M.
Bhoye, Shri S. S.
Bhumij, Shri Haren
Bhuria, Shri Dileep Singh
Birbal, Shri
Birendra Singh, Rao
Birinder Singh, Shri
Budania, Shri Narendra
Buta Singh, S.
Chandrakar, Shri Chandulal
Chandrashekharappa, Shri T. V.
Charles, Shri A.
Chaturvedi, Shrimati Vidyavati
Chaudhary, Shri Manphool Singh
Chaudhry, Shri Kamal
Chavda, Shri Ishwarbhai K.
Chidambaram, Shri P.
Choudhary, Shri Jagannath
Choudbury, Shri A. B. A. Ghani Khan
Dabhi, Shri Ajitsinh
Daga, Shri Mool Chand
Dalbir Singh. Ch
Dalbir Singh, Shri
Damor, Shri Somjibhai
Das, Shri Anadi Charan
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhariwal, Shri Shanti
Dhillon, Dr. G. S.
Digal, Shri Radhakanta
Dighe, Shri Sharad
Digvijay Singh, Shri
Dikshit, Shrimati Sheila
Dogra, Shri G. L.
Dube, Shri Bhishma Deo
Engti, Shri Biren Singh
Gadhvi, Shri B. K.
Gaikwad, Shri Udaysingrao
Gamit, Shri C. D.
Ganga Ram, Shri
Gavit, Shri Manikrao Hodlya
Gehlot, Shri Ashok
Gholap, Shri S. G.
Gharpade, Shri G. Y.

<p>93 Const. (55th Amdt.) Bill AGRAHAYANA 17, 1908 (SAKA) Const. (55th Amdt.) Bill 94 and State of Arunachal Pradesh Bill</p> <p>Ghosh, Shri Bimal Kanti Ghosh, Shri Tarun Kanti Gomango, Shri Giridhar Guha, Dr. Phulrenu Gupta, Shri Janak Raj Gupta, Shrimati Prabhawati Hardwari Lal, Shri Hembrom, Shri Seth Jagannath Prasad, Shri Jain, Shri Dal Chander Jain, Shri Nihal Singh Jain, Shri Viridhi Chander Janarthanan, Shri Kadambur Jangde, Shri Khelan Ram Jatav, Shri Kammodilal Jayamohan, Shri A. Jeevarathinam, Shri R. Jena, Shri Chintamani Jitendra Prasada, Shri Jitendra Singh, Shri Jujbar Singh, Shri Kamal Nath, Shri Kamat, Shri Gurudas Kamble, Shri Arvind Tulshiram Kamson, Prof. Meijinlung Kaul, Shrimati Sheila Ken, Shri Lala Ram Keyur Bhushan, Shri Khan, Shri Arif Mohammad Khan, Shri Aslam Sher Khan, Shri Khurshid Alam Khan, Shri Mohd. Ayub Khan, Shri Rahim Khan, Shri Zulfiqar Ali Khatti, Shri Nirmal Khirhar, Shri R. S. Kidwai, Shrimati Mohsina Kisku, Shri Prithvi Chand Konyak, Shri Chingwang Krishna Kumar, Shri S. Krishna Singh Shri Kshirsagar, Shrimati Kesharbai Kuchan, Shri Gangadhar S. Kujur, Shri Maurice</p>	<p>and State of Arunachal Pradesh Bill</p> <p>Kumaramangalam, Shri P. R. Kuppuswamy, Shri C. K. Kurien, Prof. P. J. Lachchhi Ram, Shri Law, Shri Asutosh Lowang, Shri Wangpha Madburee Singh, Shrimati Mahabir Prasad, Shri Mahajan, Shri Y. S. Mahendra Singh, Shri Makwana, Shri Narsinh Malik, Shri Dharampal Singh Mallick, Shri Lakshman Malviya, Shri Bapulal Mane, Shri Murlidhar Mavani, Shrimati Patel Ramaben Ramjibhai Meena, Shri Ram Kumar Mehta, Shri Haroobhai Meira Kumar, Shrimati Mishra, Shri G. S. Mishra, Dr. Prabhat Kumar Mishra, Shri Ram Nagina Mishra, Shri Shripati Mishra, Shri Umakant Misra, Shri Nityananda Modi, Shri Vishnu Mobanty, Shri Brajamohan Motilal Singh, Shri Mukhopadhyay, Shri Ananda Gopal Murugaiah, Shri A. R. Mushran, Shri Ajay Muttemwar, Shri Vilas Naik, Shri G. Devaraya Naik, Shri Shantaram Naikar, Shri D. K. Namgyal, Shri P. Nawal Prabhakar, Shrimati Sunderwati Neekhara, Shri Rameshwar Negi, Shri Chandra Mohan Singh Netam, Shri Arvind Odedra, Shri Bharat Kumar Odeyar, Shri Channalah Oraon, Shrimati Sumati</p>
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Pandey, Shri Damodar
Pandey, Shri Kali Prasad
Pandey, Shri Madan
Pandey, Shri Manoj
Panigrahi, Shri Chintamani
Panigrahi, Shri Sriballav
Panika, Shri Ram Pyare
Panja, Shri A. K.
Pant, Shri K. C.
Panwar, Shri Satyanarayan
Pardhi, Shri Keshao Rao
Patel, Shri Ahmed M.
Patel, Shri C. D.
Patel, Shri G. I.
Patel, Shri Mohanbhai
Palel, Shri Ram Pujan
Patel, Shri U. H.
Pathak, Shri Chandra Kishore
Patil, Shri H. B.
Patil, Shri Uttamrao
Patil, Shri Veerendra
Patnaik, Shrimati Jayanti
Pattnaik, Shri Jagannath
Peruman, Dr. P. Vallal
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Potdukhe, Shri Shantaram
Prabhu, Shri R.
Pradhan, Shri K. N
Pradhani, Shri K.
Puran Chandra, Shri
Purohit, Shri Banwari Lal
Purushothaman, Shri Vakkom
Pushpa Devi, Kumari
Qureshi, Shri Aziz
Raghuraj Singh, Chaudhary
Rai, Shri I. Rama
Rai, Shri Ramdeo
Raj Karan Singh, Shri
Rajeshwaran, Dr. V.
Rajhans, Dr. G. S.
Ram, Shri Ram Ratan
Ram, Shri Ramswaroop

Ram Awadh Prasad, Shri
Ram Dhan, Shri
Ram Prakash, Ch.
Ram Samujhawan, Shri
Ramachandran, Shri Mullappally
Ranga, Prof. N. G.
Ranganath, Shri K. H.
Rao, Dr. G. Vijaya Rama
Rao, Shri J. Chokka
Rao, Shri K. S.
Rao, Shri P. V. Narasimha
Rao, Shri V. Krishna
Rath, Shri Somnath
Rathod, Shri Uttam
Raut, Shri Bholu
Ravani, Shri Navin
Rawat, Shri Harish
Rawat, Shri Prabhu Lal
Sait, Shri Ebrahim Sulaiman
Sakargaym, Shri Kalicharan
Sangma, Shri P. A.
Satyendra Chandra, Shri
Sathe, Shri Vasant
Sayeed, Shri P. M.
Scindia, Shri Madhavrao
Selvendran, Shri P.
Sen, Shri A. K.
Sen, Shri Bholanath
Sethi, Shri Ananta Prasad
Sethi, Shri P. C.
Shailesh, Dr. B. L.
Shaktawat, Prof Nirmala Kumari
Shankaranand, Shri B.
Shanti Devi, Shrimati
Sharma, Shri Chiranji Lal
Sharma, Shri Nand Kishore
Sharma, Shri Pratap Bhanu
Shastri, Shri Hari Krishna
Shervani, Shri Saleem I
Shingda, Shri D. B.
Shivendra Bahadur Singh, Shri
Shukla, Shri Vidya Charan
Sidnal, Shri S. B.
Singaravadivel, Shri S.

Singh, Shri Bhanu Pratap
 *Singh, Shri Chandra Pratap Singh
 Singh, Shri K. N.
 Singh, Shri Kamla Prasad
 Singh, Shri Krishna Pratap
 Singh, Shri Lal Vijay Pratap
 Singh, Shrimati Manorama
 Singh, Shri N. Tombi
 Singh, Shri S. D.
 Singh, Shri Santosh Kumar
 Singh Deo, Shri K. P.
 Sinha, Shri Atish Chandra
 Sinha, Shrimati Kishori
 Sinha, Shrimati Ram Dulari
 Sinha, Shri Satyendra Narayan
 Sodi, Shri Mankuram
 Solanki, Shri Kalyan Singh
 Soren, Shri Harihar
 Soundararajan, Shri N.
 Sreenivasa Prasad, Shri V.
 Sukh Ram, Shri
 Sukhadia, Shrimati Indubala
 Sultanpuri Shri K. D.
 Suman, Shri R. P.
 Sundararaj, Shri N.
 Sunder Lal, Shri
 Sunder Singh, Ch.
 Suryawanshi, Shi Narsing
 Swami Prasad Singh, Shri
 Swell, Shri G. G.
 Tapeswar Singh, Shri
 Tariq Anwar, Shri
 Tewary, Prof. K. K.
 Thakkar, Shrimati Usha
 Thangaraju, Shri S.
 Thomas, Prof. K. V.
 Thungon, Shri P. K.
 Tilakdhari Singh, Shri
 Tomar, Shrimati Usha Rani
 Tripathi, Dr. Chandra Shekhar
 Tyagi, Shri Dharamvir Singh
 Tytler, Shri Jagdish

*Wrongly voted from Seat No. 196 in
 place of his seat No. 195.

Vairale, Shri Madhusudan
 Van, Shri Deep Narain
 Vanakar, Shri Punam Chand
 Mithabhai
 Venkatesan, Shri P. R. S.
 Verma, Dr. C. S.
 Verma, Shrimati Usha
 Vir Sen, Shri
 Vyas, Shri Girdhari Lal
 Wadiyar, Shri Srikanta Datta
 Wasnik, Shri Mukul
 Yadav, Shri Kailash
 Yadav, Shri Mahabir Prasad
 Yadav, Shri R. N.
 Yadav, Shri Ram Singh
 Yadav, Shri Shyam Lal
 Yadava, Shri Bal Ram Singh
 Yadava, Shri D P.
 Yashpal Singh, Shri
 Yazdani, Dr. Golam
 Yogesh, Shri Yogeshwar Prasad
 Zainul Basher, Shri

NOES

Acharia, Shri Basudeb
 Barman, Shri Palas
 Bhandari, Shrimati D. K.
 Biswas, Shri Ajoy
 Chaliba, Shri Parag
 Choubey, Shri Narayan
 Chowdhary, Shri Saifuddin
 Goswami, Shri Dinesh
 Gupta, Shri Indrajit
 Hannan Mollah, Shri
 Hansda, Shri Matilal
 Jhansi Lakshmi, Shrimati N. P.
 Mandal, Shri Sanat Kumar
 Misra, Shri Satyagopal
 Mukherjee, Shrimati Geeta
 Patil, Shri D. B.
 Panchalliah, Shri P.
 Ramoowalia, Shri Balwant Singh
 Rao, Shri A. J. V. B. Meheswara

Reddi, Shri C. Madhav
Riyan, Shri Baju Ban
Roy, Dr. Sudhir
Roypradhan, Shri Amar
Saha, Shri Ajit Kumar
Thomas, Shri Thampan
Tiraky, Shri Piyus
Tulsiram, Shri V.
Zainal Abedin, Shri

MR. SPEAKER : **Subject to correction,
the result of the division is :

Ayes : 313

Noes : 28

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

The motion was adopted.

Clause 2—(Insertion of new
article 371H)

MR. SPEAKER : Before I put Clause
2 to the Vote of the House, I find that there
are amendments by Shri P. K. Thungon and
Shri C. Madhav Reddi.

**The following Members also recorded
their votes :

AYES : Sarvashri Brahma Dutt, P. R. S.
Venkatesan, Rampal Singh,
Salahuddin, R. S. Sparrow, Smt.
Chandresh Kumari, Sarvashree
A. G. Subburaman, Hafiz Mohd.
Siddiq, Saleem I. Shervani, Kamla
Prasad Rawat, Kumari Kamla
Kumari, Shrimati Chandra Tripathi
Ashkaran Sankhwar, Aziz Sait.,
Dr. C. P. Thakur, Simon Tigga,
Nandlal Choudhary, Surendra Pal
Singh, H. N. Nanje Gowda, Naresh
Chandra Chaturvedi, R. Dhanus-
kodi Athithan, Raj Kumar Rai,
Ataur Rahman, Samar Brahma
Choudhury, and Shri P. Shanmu-
gam.

NOES : Sarvashri K. Ramachandra Reddy,
Srihari Rao, Dr. T. Kalpana Devi,
Shri Manik Reddy and Shri
Gadadhar Saha.

SHRI P. K. THUNGON (Arunachal
West) : I beg to move :

Page 2,—

after line 14, insert—

“(aa) no act of Parliament in respect
of—

(i) religious and social practi-
ces of Arunachalese;

(ii) Arunachalese customary law
and procedure;

(iii) administration of civil and
criminal justice involving
decisions according to
Arunachalese customary
law; and

(iv) ownership and transfer of
land and its resources,

shall apply to the State of Arunachal
Pradesh unless the Legislative Assem-
bly of Arunachal Pradesh by resolu-
tion so decides :

Provided that nothing in this clause
shall apply to any Central Act in
force in the Union Territory of Aruna-
chal Pradesh immediately before the
commencement of the Constitution
(Fifty-fifth Amendment) Act, 1986.”

(1)

SHRI C. MADHAV REDDI (Adila-
bad) : I beg to move :

Page 1,—

for lines 10 to 15 substitute —

“(a) the Governor of Arunachal
Pradesh shall have special res-
ponsibility for peace and for an
equitable arrangement for ensuring
the social and economic advance-
ment, of the different sections of
the population of Arunachal Pradesh
and in the discharge of special
responsibility under this clause, the
Governor shall, subject to such
directions as the President may
from time to time deem fit to issue,
act in his discretion.” (2)

Page 2,—

for lines 4 to 7, substitute—

“subject to such directions as the President may have issued under clause (a), the decision of the Governor shall be final, and the validity of anything done by the Governor shall not be called in question on the ground that the Governor ought or ought not to have acted in the exercise of his powers under this clause.” (3)

Page 2, line 14,—

add that the end—

“but Governor shall cease to have such responsibility after the expiry of a period of five years from the date of coming into force of this Act” (4)

Page 2, line 16,—

add at the end—

“as determined by law passed by Parliament” (5)

SHRI P. K. THUNGON : After the intervention of the honourable Prime Minister I do not think have much to say on this because he has very rightly said that if need be later on a consideration shall be made. And also, it was stated by the Prime Minister that there are already protections given in the Constitution and other laws for the tribal and other sensitive areas. I would like to mention at this stage in Arunachal Pradesh we have an Inner Line System and this Inner Line System should also be continued till such time the people of Arunachal Pradesh, through the Legislative Assembly desire that that can be removed.

I want to mention at this stage one more aspect that this being one of the most important Bills, so far as Arunachal Pradesh is concerned, at some stage the Chief Minister or the representatives of Arunachal Pradesh should have been consulted, at the time of framing the Bill. But at no stage no representative from Arunachal Pradesh was consulted in respect of the Clauses while framing of this Bill. At a later stage in such matters these aspects or our opinions will

have to be taken into consideration. This is my request.

I would also like to reiterate that in Arunachal Pradesh there are more than 20 major tribes which speak more than 20 different languages and dialects. There are more than 110 sub-tribes in Arunachal Pradesh. They have got their deep-rooted and very strong culture and customs and they have got full faith in their way of life. Until and unless their way of life, their culture, their land is protected they will not be satisfied, this should be enshrined, this protection needs to be enshrined in the Constitution of India. The Prime Minister has already said it for consideration.

MR. SPEAKER : He has already stated. What is the problem ?

SHRI P. K. THUNGON : The Hon. Home Minister might consider it at a later stage, if not at this stage.

SHRI C. MADHAV REDDI (Adilabad) : I had already explained in my speech that the special powers being given to the Governor with regard to law and order, there must be some limit, some time-limit should be fixed. And the amendment that I move is a compromise amendment because I said that the Governor of Arunachal Pradesh shall have special responsibility only for the peace and for an equitable arrangement for ensuring the social and economic advancement, of the different sections of the population of Arunachal Pradesh...and so on.

There is a difference, when I said he will be in charge of peace, maintaining peace in the different sections, ethnic groups and then such a provision is there in respect of the Sikkim State and the same provision should be made here and that too it should have a time limit, say five years.

S. BUTA SINGH : Shri Thungon made one point about the Inner Line Regulations. So far as Arunachal Pradesh is concerned; I want to reiterate here that these Regulations, that means, the Inner Line Regulations will continue to be there in force in Arunachal Pradesh, Nagaland and Mizoram and under these articles Regulations as you know, a per-

[S Buta Singh]

mit is required even for Indian citizens to enter these areas. The Regulations also prohibit acquisition of land or any interest therein or any produce or anything in the territory beyond the Inner Line or persons other than the natives of that particular district.

Therefore, he should not entertain any doubt about it. This Inner Line Regulation will continue. Therefore, we have not proposed to withdraw this Inner Line, specially with this proviso.

Similarly, he has talked about the special provisions for protecting the customs and the customary laws of the tribals. I can assure Shri Thungon and the august House that the Government has never done and will never have any such provision, in any Act, which will cut at the roots of the local culture of our tribal people. We will continue to give them the same protection that is available under the Constitution where many provisions are there, of this type. This will be available to Arunachal Pradesh also.

I am sorry, Mr. Madhav Reddi's point has been very clearly replied to by the honourable Prime Minister. I will also made a mention that this is, keeping in view with the special sensitive nature of the border State of Arunachal Pradesh that we have for the time being provided the special powers to the Governor. And the Hon. Prime Minister had made a very categorical statement about this. I am sorry, under these circumstances it is not possible for me to accept this amendment. I cannot accept this amendment.

I request Shri Thungon and Shri Madhav Reddi to withdraw their amendments.

MR. SPEAKER : Will you withdraw the amendment, Shri Thungon ?

SHRI P. K. THUNGON : I withdraw it. I am satisfied with the statement of the Home Minister.

MR. SPEAKER : Is it the pleasure of the House that the amendment moved by Shri P. K. Thungon be withdrawn ?

SEVERAL HON. MEMBERS : Yes.

Amendment No. 1 was, by leave, withdrawn.

MR. SPEAKER : I shall not put to vote the amendments Nos. 2, 3, 4 and 5 to Clause 2 moved by Shri C. Madhav Reddi.

Amendments Nos. 2 to 5 were put and negatived.

MR. SPEAKER : Before I put Clause 2 to the vote of the House, I would like to say that this being a Constitution (Amendment) Bill, voting has to be by division. Let the Lobbies be cleared.

Now the lobbies have been cleared.

The question is :

"That clause 2 stand part of the Bill."

The Lok Sabha divided.

16.04 hrs.]

[Division No. 3

AYES

Abbasi, Shri K. J.
Abdul Ghafoor, Shri
Adiyodi, Dr. K. G.
Agarwal, Shri Jai Prakash
Ahmad, Shri Sarfaraz
Ahmed, Shrimati Abida
Akhtar Hasan, Shri
Alkha Ram, Shri
Anand Singh, Shri
Ansari, Shri Abdul Hannan
Ansari, Shri Z. R.
Antony, Shri P. A.
Arunachalam, Shri M.
Athithan, Shri R. Dhanuskodi
Awasthi, Shri Jagdish
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baghel, Shri Pratapsinh
Bagun Sumbrui, Shri

Bairagi, Shri Balkavi	Damor, Shri Somjibhai
Bairwa, Shri Banwari Lal	Das, Shri Anandi Charan
Baitha, Shri D. L.	Dennis, Shri N.
Bala Goud, Shri T.	Dev, Shri Sontosh Mohar
Balaraman, Shri L.	Dhariwal, Shri Shanti
Banerjee, Kumari Mamata	Dhillon, Dr. G S.
Basavarajeswari, Shrimati	Digal, Shri Radhakanta
Basavaraju, Shri G. S.	Dighe, Shri Sharad
Basheer, Shri T.	Digvijay Singh, Shri
Bhagat, Shri B. R.	Dikshit, Shrimati Sheila
Bhagat, Shri H. K. L.	Dogra, Shri G. L.
Bhakta, Shri Manoranjan	Dube, Shri Bhishma Deo
Bharat Singh, Shri	Engti, Shri Biren Singh
Bhardwaj, Shri Parasram	Gadhvi, Shri B. K.
Bhatia, Shri R. L.	Gaekwad, Shri Ranjit Singh
Bhoi, Dr. Krupasindhu	Gaikwad, Shri Udaysingrao
Bhosale, Shri Prataprao B.	Gamit, Shri C. D.
Bhoye, Shri R. M.	Ganga Ram, Shri
Bhoye, Shri S. S.	Gavit, Shri Manikrao Hodlya
Bhumij, Shri Haren	Gehlot, Shri Ashok
Bhuria, Shri Dileep Singh	Gholap, Shri S. G.
Birbal, Shri	Ghorpade, Shri G. Y.
Birendra Singh, Rao	Ghosh, Shri Bimal Kanti
Birinder Singh, Shri	Ghosh, Shri Tarun Kanti
Brahma Dutt, Shri	Gomango, Shri Giridhar
Budania, Shri Narendra	Guha, Dr. Phulrenu
Buta Singh, S.	Gupta, Shri Janak Raj
Chandrakar, Shri Chandulal	Gupta, Shrimati Prabhawati
Chandrashekarappa, Shri T. V.	Hardwari Lal, Shri
Chandresh Kumari, Shrimati	Hembrom, Shri Seth
Charles, Shri A.	Jadeja, Shri D. P.
Chaturvedi, Shri Naresh Chandra	Jagannath Prasad, Shri
Chaturvedi, Shrimati Vidyavati	Jain, Shri Dal Chander
Chaudhary, Shri Manphool Singh	Jain, Shri Nihal Singh
Chaudhry, Shri Kamal	Jain, Shri Virdhi Chander
Chavda, Shri Ishwarbhai K.	Janarthanan, Shri Kadambur
Chidambaram, Shri P.	Jangde, Shri Khelan Ram
Choudhary, Shri Jagannath	Jatav, Shri Kammodilal
Choudhary, Shri Nandlal	Jayamohan, Shri A.
Choudhury, Shri A. B. A. Ghani Khan	Jeevarathinam, Shri R.
Dabhi, Shri Ajitsinh	Jena, Shri Chintamani
Daga, Shri Mool Chand	Jitendra Prasada, Shri
Dalbir Singh, Ch.	Jitendra Singh, Shri
Dalbir Singh, Shri	Jujhar Singh, Shri

Kamal Nath, Shri
Kamat, Shri Gurudas
Kamble, Shri Arvind Tulshiram
Kamla Kumari, Kumari
Kamson, Prof. Meijinlung
Kaul, Shrimati Sheila
Ken, Shri Lala Ram
Keyur Bhushan, Shri
Khan, Shri Arif Mohammad
Khan, Shri Aslam Sher
Khan, Shri Khurshid Alam
Khan, Shri Mohd. Ayub
Khan, Shri Rahim
Khan, Shri Zulfiquar Ali
Khatttri, Shri Nirmal
Khirbar, Shri R. S.
Kidwai, Shrimati Mohsina
Kisku, Shri Prithvi Chand
Konyak Shri Chingwang
Krishna Kumar, Shri S.
Krishna Singh, Shri
Kshirsagar, Shrimati Kesharbai
Kuchan, Shri Gangadhar S.
Kujur, Shri Maurice
Kumaramangalam, Shri P. R.
Kunwar Ram, Shri
Kuppuswamy, Shri C. K.
Kurien, Prof. P. J.
Lachchhi Ram, Shri
Law, Shri Asutosh
Lowang, Shri Wangpha
Madhuree Singh, Shrimati
Mahabir Prasad, Shri
Mahajan, Shri Y. S.
Mahendra Singh, Shri
Makwana, Shri Narsinh
Malik, Shri Dharampal Singh
Mallick, Shri Lakshman
Malviya, Shri Bapulal
Mare, Shri Murlidhar
Mavani, Shrimati Patel Ramaben
Ramjibhai
Meena, Shri Ram Kumar
Mehta, Shri Haroobhai
Meira Kumar, Shrimati

Mirdha, Shri Ram Niwas
Mishra, Shri G. S.
Mishra, Dr. Prabhat Kumar
Mishra, Shri Ram Nagina
Mishra, Shri Shripati
Mishra, Shri Umakant
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Motilal Singh, Shri
Mukhopadhyay, Shri Ananda Gopal
Murugaiah, Shri A. R.
Mushran, Shri Ajay
Muttemwar, Shri Vilas
Naik, Shri G. Devaraya
Naik, Shri Shantaram
Naikar, Shri D. K.
Namgyal, Shri P.
Nawal Prabhakar, Shrimati Sunderwati
Neekhara, Shri Rameshwar
Negi, Shri Chandra Mohan Singh
Netam, Shri Arvind
Odedra, Shri Bharat Kumar
Odeyar, Shri Channaiah
Oraon, Shrimati Sumati
Pakeer Mohamed, Shri E. S. M.
Pandey, Shri Damodar
Pandey, Shri Kali Prasad
Pandey, Shri Madan
Pandey, Shri Manoj
Panigrahi, Shri Chintamani
Panigrahi, Shri Sriballav
Panika, Shri Ram Pyare
Panja, Shri A. K.
Pant, Shri K. C.
Panwar, Shri Satyanarayan
Pardhi, Shri Keshao Rao
Patel, Shri Ahmed M.
Patel, Shri C. D.
Patel, Shri G. I.
Patel, Shri Mohanbhai
Patel, Shri Ram Pujan
Patel, Shri U. H.
Pathak, Shri Chandra Kishore
Patil, Shri H. B.

Patil, Shri Uttamrao
Patil, Shri Veerendra
Patnaik, Shrimati Jayanti
Pattnaik, Shri Jagannath
Peruman, Dr. P. Vallal
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Patdukhe, Shri Shantaram
Prabhu, Shri R.
Pradhan, Shri K. N.
Pradhani, Shri K.
Puran Chandra, Shri
Purohit, Shri Banwari Lal
Purushothaman, Shri Vakkom
Pushpa Devi, Kumari
Qureshi, Shri Aziz
Raghuraj Singh, Chaudhary
Rai, Shri I. Rama
Rai, Shri Raj Kumar
Rai, Shri Ramdeo
Raj Karan Singh, Shri
Rajeshwaran, Dr. V.
Rajhans, Dr. G. S.
Ram, Shri Ram Ratan
Ram, Shri Ramswaroop
Ram Awadh Prasad, Shri
Ram Dhan, Shri
Ram Prakash, Ch.
Ram Samujhawan, Shri
Ramachandran, Shri Mullappally
Rampal Singh, Shri
Ranga, Prof. N. G.
Ranganath. Shri K. H.
Rao, Shri J. Chokka
Rao, Shri J. Vengala
Rao, Shri K. S.
Rao, Shri P. V. Narasimha
Rao, Shri V. Krishna
Rath, Shri Somnath
Rathawa, Shri Amarsinh
Rathod, Shri Uttam
Raut, Shri Bhola
Ravani, Shri Navin
Rawat, Shri Harish

Rawat, Shri Kamla Prasad
Rawat, Shri Prabhu Lal
Sait, Shri Azeez
Sait, Shri Ebrahim Sulaiman
Sakargaym, Shri Kalicharan
Sangma, Shri P. A.
Sankhwar, Shri Ashkaran
Satyendra Chandra, Shri
Sathe, Shri Vasant
Sayeed, Shri P. M.
Scindia, Shri Madhavrao
Selvendran, Shri P.
Sen, Shri A. K.
Sen, Shri Bholanath
Sethi, Shri Ananta Prasad
Sethi, Shri P. C.
Shailesh, Dr B. L.
Shaktawat, Prof. Nirmala Kumari
Shankaranand, Shri B.
Shanmugam, Shri P.
Shanti Devi Shrimati
Sharma, Shri Chiranji Lal
Sharma, Shri Nand Kishore
Sharma, Shri Pratap Bhanu
Shastri, Shri Hari Krishna
Shervani, Shri Saleem I.
Shingda, Shri D. B.
Shivendra Bahadur Singh, Shri
Shukla, Shri Vidya Charan
Signal, Shri S. B.
Singaravadivel, Shri S.
Singh, Shri Bhanu Pratap
Singh, Shri Chandra Pratap Narain
Singh, Shri K. N.
Singh, Shri Kamla Prasad
Singh, Shri Krishna Pratap
Singh, Shri Lal Vijay Pratap
Singh, Shrimati Manorama
Singh, Shri N. Tombi
Singh, Shri S. D.
Singh, Shri Santosh Kumar
Singh Deo, Shri K. P.
Sinha, Shri Atish Chandra
Sinha, Shrimati Kishori

Sinha, Shrimati Ram Dulari
Sinha, Shri Satyendra Narayan
Solanki, Shri Kalyan Singh
Soren, Shri Harihar
Soundararajan, Shri N.
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Subburaman, Shri A. G.
Sukh Ram, Shri
Sukhadia, Shrimati Indubala
Suman, Shri R. P.
Sundararaj, Shri N.
Sunder Lal, Shri
Sunder Singh, Ch.
Surendra Pal Singh, Shri
Suryawanshi, Shri Narsing
Swell, Shri G. G.
Tapeshwar Singh, Shri
Tariq Anwar, Shri
Tewary. Prof. K. K.
Thakkar, Shrimati Usha
Thakur, Shri C. P.
Thangaraju, Shri S.
Thomas. Prof. K. V.
Thungon, Shri P. K.
Tigga, Shri Simon
Tomar, Shrimati Usha Rani
Tripathi, Shrimati Chandra
Tripathi, Dr. Chandra Sekhar
Tyagi, Shri Dharamvir Singh
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Van, Shri Deep Narain
Vanakar, Shri Punam Chand Mithabhai
Venkatesan, Shri P. R. S.
Verma, Shrimati Usha
Vir Sen, Shri
Vyas, Shri Girdhari Lal
Wadiyar, Shri Srikanta Datta
Wasnik, Shri Mukul
Yadav, Shri Kailash
Yadav, Shri Mahabir Prasad
Yadav, Shri Ram Singh

Yadav, Shri Shyam Lal
Yadav, Shri Subhash
Yadava, Shri Bal Ram Singh
Yadava, Shri D. P.
Yashpal Singh, Shri
Yazdani, Dr. Golam
Yogesh, Shri Yogeshwar Prasad
Zainul Basher, Shri

NOES

Acharia, Shri Basudeb
Barman, Shri Palas
Biswas, Shri Ajoy
Chaliha, Shri Parag
Choubey, Shri Narayan
Chowdhary, Shri Saifuddin
Goswami, Shri Dinesh
Gupta, Shri Indrajit
Hannan Mollah, Shri
Hansda, Shri Matilal
Jhansi Lakshmi, Shrimati N. P.
Kalpana Devi, Dr. T.
Mandal, Shri Sanat Kumar
Misra, Shri Satyagopal
Mukherjee, Shrimati Geeta
Patil, Shri D. B.
Penchalliah, Shri P.
Ramoowalia, Shri Balwant Singh
Rao, Shri A. J. V. B. Maheswara
Rao, Dr. G. Vijaya Rama
Rao, Shri Srihari
Reddi, Shri C. Madhav
Reddy, Shri K. Ramachandra
Reddy, Shri P. Manik
Riyan, Shri Baju Ban
Roy, Dr. Sudhir
Roypradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Thomas, Shri Thampan
Tiraky, Shri Piyus
Tulsiram, Shri V.
Zainal Abedin, Shri

113 Const. (55th Amdt.) Bill AGRAHAYANA 17, 1908 (SAKA) Const. (55th Amdt.) Bill 114
and State of Arunachal Pradesh Bill

MR. SPEAKER : Subject to correction the result of the Division is Ayes 334 Noes 33.

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

The motion was adopted.

Clause 2 was added to the Bill.

MR. SPEAKER** : The lobbies are already cleared. The question is :

“That clause 1 stand part of the Bill”.

The Lok Sabha divided.

16.07 hrs.]

[Division No. 4

AYES

Abbasi, Shri K. J.
Abdul Ghafoor, Shri
Adaikalaraj, Shri L.
Adiyodi, Dr. K. G.
Agarwal, Shri Jai Prakash
Ahmad, Shri Sarfaraz
Ahmed, Shrimati Abida
Alkha Ram, Shri
Anand Singh, Shri
Ansari, Shri Abdul Hannan
Ansari, Shri Z R.
Antony, Shri P. A.

**The following Members also recorded their votes :

AYES : Shri K. D. Sultanpuri, Shri Salahuddin, Laliteshwar Shahi, Hafiz Mohd. Siddiq, Sqami Prasad Singh, Prakash Chandra, Dr. C. S. Verma, Shri Tilakdhari Singh, H. N. Nanje Gowda, Manukram Soei, L. Adaikalaraj and Samar Bhahma Chowdhary.

NOES : Shrimati D. K. Bhandari, Shri Syed Shahabuddin and Mohd. Mahfooz Ali Khan.

Arunachalam, Shri M.
Athithan, Shri R. Dhanuskodi
Awasthi, Shri Jagdish
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baghel, Shri Pratapsinh
Bagun Sumbrui, Shri
Bairagi, Shri Balkavi
Bairwa, Shri Banwari Lal
Baitha, Shri D. L.
Bala Goud, Shri T.
Balaraman, Shri L.
Banerjee, Kumari Mamata
Basavarajeswari, Shrimati
Basavaraju, Shri G. S.
Basheer, Shri T.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bhakta, Shri Manoranjan
Bharat Singh, Shri
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhosale, Shri Prataprao B.
Bhoje, Shri R. M.
Bhoje, Shri S. S.
Bhumji, Shri Haren
Bhuria, Shri Dileep Singh
Birbal, Shri
Birendra Singh, Rao
Birinder Singh, Shri
Brahma Dutt, Shri
Budania, Shri Narendra
Buta Singh, S.
Chandrakar, Shri Chandulal
Chandrashekharappa, Shri T. V.
Chandresh Kumari, Shrimati
Charles, Shri A.
Chaturvedi, Shri Naresh Chandra
Chaturvedi, Shrimati Vidyavati
Chaudhary, Shri Manphool Singh
Chaudhry, Shri Kamal
Chavda, Shri Ishwarbhai K.
Chidambaram, Shri P.

Choudhary, Shri Jagannath
Choudhary, Shri Nandlal
Choudhary, Shri A. B. A. Ghani Khan
Chaudhary, Shri Samar Brahma
Dabhi, Shri Ajitsinh
Daga, Shri Mool Chand
Dalbir Singh, Ch.
Dalbir Singh, Shri
Damor, Shri Somjibhai
Das, Shri Anandi Charan
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhariwal, Shri Shanti
Dhillon, Dr. G. S.
Digal, Shri Radhakanta
Dighe, Shri Sharad
Digvijay Singh, Shri
Dikshit, Shrimati Sheila
Dogra, Shri G. L.
Dube, Shri Bhishma Deo
Engti, Shri Biren Singh
Gadhvi, Shri B. K.
Gaekwad, Shri Ranjit Singh
Gaikwad, Shri Udaysingrao
Gamit, Shri C. D.
Ganga Ram, Shri
Gavit, Shri Manikrao Hodlya
Gehlot, Shri Ashok
Gholap, Shri S. G.
Gharpade, Shri G. Y.
Ghosh, Shri Bimal Kanti
Ghosh, Shri Tarun Kanti
Gomango, Shri Giridhar
Gowda, Shri H. N. Nanje
Guba, Dr. Phulrenu
Gupta, Shri Janak Raj
Gupta, Shrimati Prabhawati
Hardwari Lal, Shri
Jadeja, Shri D. P.
Jagannath Prasad, Shri
Jain, Shri Dal Chander
Jain, Shri Nihal Singh
Jain, Shri Virdhi Chander
Janarthanan, Shri Kaçambur

Jangde, Shri Khelan Ram
Jatav, Shri Kammodilal
Jayamohan, Shri A.
Jeevarathinam, Shri R.
Jena, Shri Chintamani
Jitendra Prasada, Shri
Jitendra Sing, Shri
Jujhar Singh, Shri
Kamal Nath, Shri
Kamat, Shri Gurudas
Kamble, Shri Arvind Tulshiram
Kamla Kumari, Kumari
Kamson, Prof. Meijinlung
Kaul, Shrimati Sheila
Ken, Shri Lala Ram
Keyur Bhushan, Shri
Khan, Shri Arif Mohammad
Khan, Shri Aslam Sher
Khan, Shri Khursid Alam
Khan, Shri Mohd. Ayub
Khan, Shri Rahim
Khan, Shri Zulfiquar Ali
Khattari, Shri Nirmal
Khirhar, Shri R. S.
Kidwai, Shrimati Mohisina
Kisku, Shri Prithvi Chand
Konyak, Shri Chingwang
Krishna Kumari, Shri S.
Krishna Singh, Shri
Kshirsagar, Shrimati Kesharbai
Kuchan, Shri Gangadhar S.
Kujur, Shri Maurice
Kumaramangalam, Shri P. R.
Kunwar Ram, Shri
Kuppuswamy, Shri C. K.,
Kurien, Prof. P. J.
Lachchhi Ram, Shri
Law, Shri Asutosh
Lowang, Shri Wangpha
Madhuree Singh, Shrimati
Mahabir Prasad, Shri
Mahajan, Shri Y. S.
Mahendra Singh, Shri
Makwana, Shri Narsinh
Malik, Shri Dharampal Singh

Mallick, Shri Lakshman
Mane, Shri Murlidhar
Mavani, Shrimati Patel Ramaben
Ramjibhai
Meena, Shri Ram Kumar
Mehta, Shri Haroobhai
Meira Kumar, Shrimati
Mirdha, Shri Ram Niwas
Mishra, Shri G. S.
Mishra Dr. Prabhat Kumar
Mishra, Shri Ram Nagina
Mishra, Shri Shripati
Mishra, Shri Umakant
Misra, Shri Nityananda
Mohanty, Shri Brajamohan
Motilal Singh, Shri
Mukhopadhyay, Shri Ananda Gopal
Murugaiah, Shri A. R.
Mushran, Shri Ajay
Muttemwar, Shri Vilas
Naik, Shri G. Devaraya
Naik, Shri Shantaram
Naikar, Shri D. K.
Namgyal, Shri P.
Nawal Prabhakar, Shrimati Sunderwati
Neekhra, Shri Rameshwar
Negi, Shri Chandra Mohan Singh
Netam, Shri Arvind
Odedra, Shri Bharat Kumar
Odeyar, Shri Channaiah
Oraon, Shrimati Sumati
Pakeer Mohamed, Shri E. S. M.
Pandey, Shri Damodar
Pandey, Shri Kali Prasad
Pandey, Shri Madan
Pandey, Shri Manoj
Panigrahi, Shri Chintamani
Panigrahi, Shri Sriballav
Panika, Shri Ram Pyare
Panja, Shri A. K.
Pant, Shri K. C.
Panwar, Shri Satyanarayan
Pardhi, Shri Kesharao
Patel, Shri Ahmed M.

Patel, Shri C. D.
Patel, Shri G. I.
Patel, Shri Mohanbhai
Patel, Shri Ram Pujan
Patel, Shri U. H.
Pathak, Shri Chandra Kishore
Patil, Shri H. B.
Patil, Shri Uttamrao
Patil, Shri Veerendra
Patnaik, Shrimati Jayanti
Pattnaik, Shri Jagannath
Peruman, Dr. P. Vallal
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Potdukhe, Shri Shantaram
Prabhu, Shri R.
Pradhan, Shri K. N.
Pradhani, Shri K.
Puran Chandra, Shri
Purohit, Shri Banwari Lal
Purushothaman, Shri Vakkom
Pushpa Devi, Kumari
Qureshi, Shri Aziz
Raghuraj Singh, Chaudhary
Rai, Shri I. Rama
Rai, Shri Raj Kumar
Rai, Shri Ramdeo
Raj Karan Singh, Shri
Rajeshwaran, Dr. V.
Rajhans, Dr. G. S.
Ram, Shri Ram Ratan
Ram, Shri Ramswaroop
Ram Awadh Prasad, Shri
Ram Dhan, Shri
Ram Prakash, Ch.
Ram Samujhawan, Shri
Ramachandran, Shri Mullappally
Rampal Singh, Shri
Ranga, Prof. N. G.
Ranganath, Shri K. H.
Rao, Shri J. Chokka
Rao, Shri K. S.
Rao, Shri P. V. Narsimha
Rao, Shri V. Krishna

Rathawa, Shri Amarsinh
Rathod, Shri Uttam
Raut, Shri Bhola
Ravani, Shri Navin
Rawat, Shri Harish
Rawat, Shri Kamla Prasad
Rawat, Shri Prabhu Lal
Sait, Shri Azeez
Sait, Shri Ebrahim Sulaiman
Sakargaym, Shri Kalicharan
Sangma, Shri P. A.
Sankhwar, Shri Ashkaran
Satyendra Chandra, Shri
Sathe, Shri Vasant
Sayeed, Shri P. M.
Scindia, Shri Madhavrao
Selvendran, Shri P.
Sen, Shri A. K.
Sen, Shri Bholanath
Sethi, Shri Ananta Prasad
Sethi, Shri P. C.
Shahi, Shri Laliteshwar
Shailesh, Dr. B. L.
Shaktawat, Prof. Nirmala Kumari
Shankaranand, Shri B.
Shanmugam, Shri P.
Shanti Devi, Shrimati
Sharma, Shri Chiranji Lal
Sharma, Shri Nand Kishore
Sharma, Shri Pratap Bhanu
Shastri, Shri Hari Krishna
Shervani, Shri Saleem I
Shingda, Shri D. B.
Shivendra, Bahadur Singh Shri
Shukla, Shri Vidya Charan
Sidnal, Shri S. B.
Singaravadivel, Shri S.
Singh, Shri Bhanu Pratap
Singh, Shri Chandra Pratap Narain
Singh, Shri K. N.
Singh, Shri Kamla Prasad
Singh, Shri Krishna Pratap
Singh, Shri Lal Vijay Pratap

Singh, Shrimati Manorama
Singh, Shri N. Tombi
Singh, Shri S. D.
Singh, Shri Santosh Kumar
Singh Deo, Shri K. P.
Sinha, Shri Atish Chandra
Sinha, Shrimati Kishori
Sinha, Shrimati Ram Dulari
Sinha, Shri Satyendra Narayan
Sodi, Shri Mankuram
Soren, Shri Harihar
Soundararajan, Shri N.
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Subburaman, Shri A. G.
Sukh Ram, Shri
Sukhadia, Shrimati Indubala
Sultanpuri, Shri K. D.
Suman, Shri R. P.
Sundararaj, Shri N.
Sunder Lal, Shri
Sunder Singh, Ch.
Surendra Pal Singh, Shri
Suryawanshi, Shri Narsing
Swami Prasad Singh, Shri
Swell, Shri G. G.
Tapeshwar Singh, Shri
Tariq Anwar, Shri
Tewary, Prof. K. K.
Thakkar, Shrimati Usha
Thakur, Shri C. P.
Thangaraju, Shri S.
Thomas, Prof. K. V.
Thungon, Shri P. K.
Tigga, Shri Simon
Tilakdhari Singh, Shri
Tomar, Shrimati Usha Rani
Tripathi, Dr. Chandra Sekhar
Tyagi, Shri Dharamvir Singh
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Van, Shri Deep Narain
Vanakar, Shri Puran Chand Mithabhai
Venkatesan, Shri P. R. S.
Verma, Dr. C. S.

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and State of Arunachal Pradesh Bill

Verma, Shrimati Usha
 Vir Sen, Shri
 Vyas, Shri Girdhari Lal
 Wadiyar Shri Shrikanta Datta
 Wasnik, Shri Mukul
 Yadav, Shri Kailash
 Yadav, Shri Mahabir Prasad
 Yadav, Shri Ram Singh
 Yadav, Shri Shyam Lal
 Yadav, Shri Subhash
 Yadava, Shri Bal Ram Singh
 Yadava, Shri D. P.
 Yashpal Singh, Shri
 Yazdani, Dr. Golam
 Yogesh, Shri Yogeshwar Prasad
 Zainul Basher, Shri

NOES

Acharia, Shri Basudeb
 Ataur Rahman, Shri
 Barman, Shri Palas
 Bhandari, Shrimati D. K.
 Biswas, Shri Ajoy
 Choubey, Shri Narayan
 Chowdhary, Shri Saifuddin
 Goswami, Shri Dinesh
 Gupta, Shri Indrajit
 Hannan Mollah, Shri
 Hansda, Shri Matilal
 Jhansi Lakshmi, Shrimati N. P.
 Kalpana Devi, Dr. T.
 Mandal, Shri Sanat Kumar
 Misra, Shri Satyagopal
 Mukherjee, Shrimati Geeta
 Patil, Shri D. B.
 Penchalliah, Shri P.
 Ramoowalia, Shri Balwant Singh
 Rao, Shri A. J. V. B. Maheswara
 Rao, Dr. G. Vijaya Rama
 Rao, Shri Srihari
 Reddi, Shri C. Madhav
 Reddy, Shri K. Ramachandra

Reddy, Shri P. Manik
 Riyan, Shri Baju Ban
 Roy, Dr. Sudhir
 Roypradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saham Shri Gadadhar
 Shahabuddin, Shri Syed
 Tiraky, Shri Piyus
 Tulsiram, Shri V.
 Zainal Abedin, Shri

MR. SPEAKER** : Subject to correction,
 the result of the Division is :

Ayes	—	336
Noes	—	34

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

The motion was adopted.

Clause 1 was added to the Bill.

MR. SPEAKER : The question is :

“That the Enacting Formula stand
 part of the Bill.”

The motion was adopted.

The Enacting Formula was added
 to the Bill.

MR. SPEAKER : The question is :

“That Long Title stand part of the
 Bill.”

The motion was adopted.

**The following Members also recorded
 their votes :

AYES : Sarvashree J. Vengala Rao,
 Salahuddin, Seth Hembron, Hafiz
 Mohd. Siddiq, Vishnu Modi,
 Akhtar Hasan, K. H. Ranganath
 and Bapula Malviya.

NOES : Shri Mohd. Mahfooz Ali Khan,
 Shri Thampan Thomas and Shri
 Parag Chaliha.

The Long Title was added to the Bill.

MR. SPEAKER : The Minister may now move that the Bill be passed.

S. BUTA SINGH : Sir, I beg to move :

“That the Bill be passed.”

MR. SPEAKER : Before I put the motion that the Bill be passed, to the vote of the House, the Lobbies are already cleared. The question is :

“That the Bill be passed.”

The Lok Sabha divided.

16.10 hrs.]

[Division No. 5

AYES

Abbasi, Shri K. J.
Abdul Ghafoor, Shri
Adaikalaraj, Shri L.
Agarwal, Shri Jai Prakash
Ahmad, Shri Sarfaraz
Ahmed, Shrimati Abida
Akhtar Hasan, Shri
Alkha Ram, Shri
Anand Singh, Shri
Ansari, Shri Abdul Hannan
Ansari, Shri Z. R.
Antony, Shri P. A.
Arunachalam, Shri M.
Athithan, Shri R. Dhanuskodi
Awasthi, Shri Jagdish
Azad, Shri Bhagwat Jha
Azad, Shri Ghulam Nabi
Baghel, Shri Pratapsinh
Bagun Sumbui, Shri
Bairagi, Shri Balkavi
Bairwa, Shri Banwari Lal
Baitha, Shri D. L.
Bala Goud, Shri T.
Balaraman, Shri L.
Banerjee, Kumari Mamata
Basavarajeswari, Shrimati

Basavaraju, Shri G. S.
Basheer, Shri T.
Bhagat, Shri B. R.
Bhagat, Shri H. K. L.
Bhakta, Shri Manoranjan
Bharat Singh, Shri
Bhardwaj, Shri Parasram
Bhatia, Shri R. L.
Bhoi, Dr. Krupasindhu
Bhosale, Shri Prataprao B.
Bhoye, Shri R. M.
Bhoye, Shri S. S.
Bhumij, Shri Haren
Bhuria, Shri Dileep Singh
Birbal, Shri
Birendra Singh, Rao
Birinder Singh, Shri
Brahma Dutt, Shri
Budania, Shri Narendra
Buta Singh, S.
Chandrakar, Shri Chandulal
Chandrashekarappa, Shri T. V.
Charles, Shri A.
Chaturvedi, Shri Naresh Chandra
Chaturvedi, Shrimati Vidyavati
Chaudhary, Shri Manphool Singh
Chaudhary, Shri Kamal
Chavda, Shri Ishwarbhai K.
Chidambaram, Shri P.
Choudhary, Shri Jagannath
Choudhary, Shri Nandlal
Choudhury, Shri A. B. A. Ghani Khan
Choudhury, Shri Samar Brahma
Dabhi, Shri Ajitsinh
Daga, Shri Mool Chand
Dalbir Singh, Ch.
Dalbir Singh, Shri
Damor, Shri Somjibhai
Das, Shri Anadi Charan
Dennis, Shri N.
Dev, Shri Sontosh Mohan
Dhariwal, Shri Shanti
Dhillon, Dr. G. S.
Digal, Shri Radhakanta

Dighe, Shri Sharad
Digvijay Singh, Shri
Dikshit, Shrimati Sheila
Dube, Shri Bishma Deo
Engti, Shri Biren Singh
Gadhvi, Shri B. K.
Gaekwad, Shri Ranjit Singh
Gaikwad, Shri Udaysingrao
Gamit, Shri C. D.
Ganga Ram, Shri
Gavit, Shri Manikrao Hodlya
Gehlot, Shri Ashok
Gholap, Shri S. G.
Gharpade, Shri G. Y.
Ghosh, Shri Bimal Kanti
Ghosh, Shri Tarun Kanti
Gomango, Shri Giridhar
Gowda, Shri H. N. Nanje
Guha, Dr. Phulrenu
Gupta, Shri Janak Raj
Gupta, Shrimati Prabhawati
Hardwari Lal, Shri
Jadeja, Shri D. P.
Jagannath Prasad, Shri
Jain, Shri Dal Chander
Jain, Shri Nihal Singh
Jain, Shri Viridhi Chander
Janarthanan, Shri Kadambur
Jangde, Shri Khelan Ram
Jatav, Shri Kammodilal
Jayamchan, Shri A.
Jeevarathinam, Shri R.
Jena, Shri Chintamani
Jitendra Prasada, Shri
Jitendra Singh, Shri
Jujbar Singh, Shri
Kamal Nath, Shri
Kamat, Shri Gurudas
Kamble, Shri Arvind Tulshiram
Kamla Kumari, Kumari
Kamson, Prof, Meijinlung
Kaul, Shrimati Sheila
Ken, Shri Lala Ram
Keyur Bhushan, Shri

Khan, Shri Arif Mohammad
Khan, Shri Aslam Sher
Khan, Shri Khurshid Alam
Khan, Shri Mohd. Ayub
Khan, Shri Zulfiquar Ali
Khatttri, Shri Nirmal
Khirhar, Shri R. S.
Kidwai, Shrimati Mohsina
Kisku, Shri Prithvi Chand
Konyak, Shri Chingwang
Krishna Kumar, Shri S.
Krishna Singh, Shri
Kshirsagar, Shrimati Kesharbai
Kuchan, Shri Gangadhar S.
Kujur, Shri Maurice
Kumaramangalam, Shri P. R.
Kunwar Ram, Shri
Kuppuswamy, Shri C. K.
Kurien, Prof. P. J.
Lachchhi Ram, Shri
Law, Shri Asutosh
Lowang, Shri Wangpha
Madhuree Singh, Shrimati
Mahabir Prasad, Shri
Mahajan, Shri Y. S.
Mahendra Singh, Shri
Makwana, Shri Narsinh
Malik, Shri Dharampal Singh
Mallick, Shri Lakshman
Malviya, Shri Bapulal
Mane, Shri Murlidhar
Mavani, Shrimati Patel Ramaben
Ramjibhai
Meena, Shri Ram Kumar
Meira Kumar, Shrimati
Mirdha, Shri Ram Niwas
Mishra, Shri G. S.
Mishra, Dr. Prabhat Kumar
Mishra, Shri Ram Nagina
Mishra, Shri Shripati
Mishra, Shri Umakant
Misra, Shri Nityananda
Modi, Shri Vishnu
Mohanty, Shri Brajamohan

Motilal Singh, Shri
Mukhopadhyay, Shri Ananda Gopal
Murugaiah, Shri A. R.
Mushran, Shri Ajay
Muttemwar, Shri Vilas
Naik, Shri G. Devaraya
Naik, Shri Shantaram
Naikar, Shri D. K.
Namgyal, Shri P.
Nawal Prabhakar, Shrimati Sunderwati
Neekhra, Shri Rameshwar
Negi, Shri Chandra Mohan Singh
Netam, Shri Arvind
Odedra, Shri Bharat Kumar
Odeyar, Shri Channaiah
Oraon, Shrimati Sumati
Pakeer Mohamed, Shri E. S. M.
Pandey, Shri Damodar
Pandey, Shri Kali Prasad
Pandey, Shri Madan
Pandey, Shri Manoj
Panigrahi, Shri Chintamani
Panigrahi, Shri Sriballav
Panika, Shri Ram Pyare
Panja, Shri A. K.
Pant, Shri K. C.
Panwar, Shri Satyanarayan
Pardhi, Shri Keshaorao
Patel, Shri Ahmed M.
Patel, Shri C. D.
Patel, Shri G. I.
Patel, Shri Mohanbhai
Patel, Shri Ram Pujan
Patel, Shri U. H.
Pathak, Shri Chandra Kishore
Patil, Shri H. B.
Patil, Shri Uttamrao
Patil, Shri Veerendra
Patnaik, Shrimati Jayanti
Pattnaik, Shri Jagannath
Peruman, Dr. P. Vallal
Pilot, Shri Rajesh
Poojary, Shri Janardhana
Potdukhe, Shri Shantaram

Prabhu, Shri R.
Pradhan, Shri K. N.
Pradhani, Shri K.
Puran Chandra, Shri
Purohit, Shri Banwari Lal
Purushothaman, Shri Vakkom
Pushpa Devi, Kumari
Qureshi, Shri Aziz
Raghuraj Singh, Chaudhary
Rai, Shri I. Rama
Rai, Shri Raj Kumar
Rai, Shri Ramdeo
Raj Karan Singh, Shri
Rajeshwaran, Dr. V.
Rajhans, Dr. G. S.
Ram, Shri Ram Ratan
Ram, Shri Ramswaroop
Ram Awadh Prasad, Shri
Ram Dhan, Shri
Ram Prakash, Ch.
Ram Samujhawan, Shri
Ramachandran, Shri Mullappally
Rampal Singh, Shri
Ranga, Prof. N. G.
Ranganath, Shri K. H.
Rao, Shri J. Chokka
Rao, Shri J. Vengala
Rao, Shri K. S.
Rao, Shri P. V. Narasimha
Rao, Shri V. Krishna
Rath, Shri Somnath
Rathawa, Shri Amarsinh
Rathod, Shri Uttam
Raut, Shri Bhola
Ravani, Shri Navin
Rawat, Shri Harish
Rawat, Shri Kamla Prasad
Rawat, Shri Prabhu Lal
Sait, Shri Azeez
Sait, Shri Ebrahim Sulaiman
Sakargaym, Shri Kalicharan
Sangma, Shri P. A.
Sankhwar, Shri Ashkaran

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and State of Arunachal Pradesh Bill and State of Arunachal Pradesh Bill**

Satyendra Chandra, Shri
Sathe, Shri Vasant
Sayeed, Shri P. M.
Scindia, Shri Madhavrao
Selvendran, Shri P.
Sen, Shri A. K.
Sen, Shri Bholanath
Sethi, Shri Ananta Prasad
Sethi, Shri P. C.
Shahi, Shri Laliteshwar
Shailesh, Dr. B. L.
Shaktawat, Prof. Nirmala Kumari
Shankaranand, Shri B.
Shanmugam, Shri P.
Shanti Devi Shrimati
Sharma, Shri Chiranji Lal
Sharma, Shri Nand Kishore
Sharma, Shri Pratap Bhanu
Shastri, Shri Hari Krishna
Shervani, Shri Saleem I
Shingda, Shri D. B.,
Shivendra Bahadur Singh, Shri
Shukla, Shri Vidya Charan
Sidnal, Shri S. B.
Singaravadivel, Shri S.
Singh, Shri Bhanu Pratap
Singh, Shri Chandra Pratap Narain
Singh, Shri K. N.
Singh, Shri Kamla Prasad
Singh, Shri Krishna Pratap
Singh, Shri Lal Vijay Pratap
Singh, Shrimati Manorama
Singh, Shri N. Tombi
Singh, Shri S. D.
Singh, Shri Santosh Kumar
Singh Deo, Shri K. P.
Sinha, Shri Atish Chandra
Sinha, Shrimati Kishori
Sinha, Shrimati Ram Dulari
Sinha, Shri Satyendra Narayan
Sodi, Shri Mankuram
Solanki, Shri Kalyan Singh
Soren, Shri Harihar

Soundararajan, Shri N.
Sparrow, Shri R. S.
Sreenivasa Prasad, Shri V.
Subburaman, Shri A. G.
Sukh Ram, Shri
Sukhadia, Shrimati Indubala
Sultanpuri, Shri K. D.
Suman, Shri R. P.
Sundararaj, Shri N.
Sunder Lal, Shri
Sunder Singh, Ch.
Surendra Pal Singh, Shri
Suryawanshi, Shri Narsing
Swami Prasad Singh, Shri
Swell, Shri G. G.
Tapeshwar Singh, Shri
Tariq Anwar, Shri
Tewary, Prof. K. K.
Thakkar, Shrimati Usha
Thakur, Shri C. P.
Thangaraju, Shri S.
Thomas, Prof. K. V.
Thungon, Shri P. K.
Tigga, Shri Simon
Tilakdhari Singh, Shri
Tomar, Shrimati Usha Rani
Tripathi, Shrimati Chandra
Tripathi, Dr. Chandra Shekhar
Tyagi, Shri Dharamvir Singh
Tytler, Shri Jagdish
Vairale, Shri Madhusudan
Van, Shri Deep Narain
Vanakar, Shri Punam Chand Mithabhai
Venkatesan, Shri P. R. S.
Verma, Dr. C. S.
Verma, Shrimati Usha
Vir Sen, Shri
Vyas, Shri Girdhari Lal
Wadiyar, Shri Srikanta Datta
Wasnik, Shri Mukul
Yadav, Shri Kailash
Yadav, Shri Mahabir Prasad
Yadav, Shri Ram Singh
Yadav, Shri Shyam Lal

Yadav, Shri Subhash
Yadava, Shri Bal Ram Singh
Yadava, Shri D. P.
Yashpal Singh, Shri
Yazdani, Dr. Golam
Yogesh, Shri Yogeshwar Prasad
Zainul Basher, Shri

Tulsiram, Shri V.
Zainal Abedin, Shri

MR. SPEAKER**: Subject to Correction,
the result of the division is :

Ayes	...	338
Noes	...	34

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

The Bill is passed by the requisite majority in accordance with the provisions of Article 368 of the Constitution.

The motion was adopted.

MR. SPEAKER : Now we take up motion for consideration of the State of Arunachal Pradesh Bill, 1986.

The question is :

"That the Bill to provide for the establishment of the State of Arunachal Pradesh and for matters connected thereto, be taken into consideration."

The motion was adopted.

MR. SPEAKER : The House will now take up clause by clause consideration of the Bill.

MR. SPEAKER : The question is :

"That Clause 2 stand part of the Bill."

The motion was adopted.

**The following Members also recorded their votes :

AYES : Sarvashri G. L. Dogra, Salahuddin, Rahim Khan, Haroobhai Mehta and Dr. K. G. Adiyodi.

NOES : Mohd. Mahfooz Ali Khan.

NOES

Acharia, Shri Basudeb
Ataur Rahman, Shri
Barman, Shri Palas
Biswas, Shri Ajoy
Chaliha, Shri Parag
Choubey, Shri Narayan
Chowdhary, Shri Saifuddin
Goswami, Shri Dinesh
Gupta, Shri Indrajit
Hannan Mollah, Shri
Hansda, Shri Matilal
Jhansi, Lakshmi, Shrimati N. P.
Kalpana Devi, Dr. T.
Mandal, Shri Sanat Kumar
Misra, Shri Satyagopal
Mukherjee, Shrimati Geeta
Patil, Shri D. B.
Penchalliah, Shri P.
Ramoowalia, Shri Balwant Singh
Rao, Shri A. J. V. B. Maheswara
Rao, Dr. G. Vijaya Rama
Rao, Shri Srihari
Reddy, Shri K. Ramachandra
Reddy, Shri P. Manik
Riyan, Shri Baju Ban
Roy, Dr. Sudhir
Roypradhan, Shri Amar
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sahabuddin, Shri Syed
Thomas, Shri Thampan
Tiraky, Shri Piyus

Clause 2 was added to the Bill.

Clause 3—(Establishment of the State of Arunachal Pradesh)

SHRI P. K. THUNGON : I beg to move :

Page 2, line 15—

add at the end—

“and also the areas covered by notification No. TAD/R/35/50/109, dated the 23rd February, 1951 issued by the Governor of Assam,”
(1)

In Arunachal Pradesh the people are not always peaceful as the Hon. Home Minister has stated. At times it has been seen that there are certain irritants in between their neighbour. Those irritants are particularly because of transfer of certain area, and, therefore I, would like to draw the attention of the Hon. Home Minister that wherever necessary, at least some parts of the transferred land, as per the recommendation of the high powered Tripartite Committee made for going into all the problems of Assam and Arunachal Pradesh boundary, according to their recommendation some consideration should be made and finalised.

I will appeal to the friends of Assam also as they are aware of the problems they should be considerate in this case. Home Minister should be generous enough to see that these injustices which were perpetrated on the people of Arunachal Pradesh are corrected quickly.

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH) : I have noted the contention of the Hon. Member.

Clause 3 of the Bill envisages that the new State of Arunachal Pradesh shall comprise the territories which immediately before the appointed day were comprised in the existing Union territory of Arunachal Pradesh. According to section 7 of the North Eastern Areas (Reorganisation) Act, 1971 the Union territory of Arunachal Pradesh comprises the “territories which

immediately before that day (the appointed day) were comprised in the tribal areas (specified in part B of the table appended to paragraph 20 of the Sixth Schedule to the Constitution (but excluding the areas covered by Notification No. TAD/R/35/50/109 dated 23.2.1951 issued by the Governor of Assam under the proviso to sub-paragraph (3) of the said paragraph (20) and known as the NEFA”. The effect of this notification was to take the areas covered by the said notification out of Part B tribal areas aforesaid. Accordingly these areas were not part of the erstwhile NEFA which became the Union territory of Arunachal Pradesh. The purpose of the present Bill is to constitute the existing Union territory of Arunachal Pradesh into a State.

The amendment may not be accepted in the light of these facts which I have mentioned just now.

SHRI P. K. THUNGON : As I stated earlier, I have got full faith in the Minister of Home Affairs. But at the same time may I say one more line that within that area of...

(Interruptions)

MR. SPEAKER : Do you withdraw it or not ?

SHRI P. K. THUNGON : 51 Notification, tribal people resided traditionally with full rights and mostly administered by NEFA Administration.

MR. SPEAKER : Now you have to say whether you are withdrawing or not.

SHRI P. K. THUNGON : I am a disciplined soldier of the Congress but let me complete my submission.

S. BUTA SINGH : I can say that we will continue persuading the Hon. Chief Ministers of Assam and Arunachal Pradesh to find an amicable solution.

SHRI P. K. THUNGON : I seek the leave of the House to withdraw my amendment.

MR. SPEAKER : Is it the pleasure of the House that the amendment moved by Shri Thungon be withdrawn ?

SEVERAL HON. MEMBERS : Yes.

Amendment No. 1 was, by leave, withdrawn.

MR. SPEAKER : I shall now put clauses 3 to 5 to the vote of the House because there are no amendments.

The question is :

"That clauses 3 to 5 stand part of the Bill."

The motion was adopted.

Clauses 3 to 5 were added to the Bill.

Clause 6—(Allocation of sitting member)

SHRI C. MADHAV REDDI : Sir, I move :

Page 2, line 36,—

for "be deemed to have been duly elected" substitute "cease to be a member and a member shall be elected".(3)

Page 2,—

omit line 39 (4)

Sir, I wish to say a few words. Regarding the sitting Member of the Rajya Sabha it is said that he should be deemed to have been elected under clause (4) of Article 89 of the Constitution. That is, you are taking the powers to amend the Constitution by this clause. You cannot do so unless you amend Article 80 of the Constitution because that Member has been elected under clause (5). Unless he is elected under clause (4) he will not be considered as a Member.

Sir, clause (4) of Article 80 reads like this :

"The representatives of each State in the Council of States shall be elected by the elected Members of the Legislative Assembly of the State in accordance with the system of propor-

tional representation by means of the single transferable vote."

Unless any Member is elected under this, he will not be deemed to be representing the State.

S. BUTA SINGH : As was said by me and also as the Hon: Prime Minister made a mention, a lot of consideration was given to various factors including the constitutional aspect that the Hon. Member, Shri Madhav Reddiji has just now mentioned and it was decided that we will have 40 Members of the new Assembly when it comes into being and the present Assembly being a provisional Assembly will continue till its term is over. So, I am afraid...

SHRI C. MADHAV REDDI : Sir, this clause does not relate to the Members of the Assembly, it relates to a Member of Rajya Sabha. We are on clause 6 here.

S. BUTA SINGH : Yes, Sir. The present status is supposed to be continued.

SHRI C. MADHAV REDDI : I seek leave of the House to withdraw my amendments.

MR. SPEAKER : Is it the pleasure of the House that the amendments moved by Shri Madhav Reddi be withdrawn ?

SEVERAL HON. MEMBERS : Yes.

Amendment Nos. 3 and 4 were, by leave, withdrawn.

MR. SPEAKER : The question is :

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

MR. SPEAKER : There are no amendments to clauses 7 to 9. I shall, therefore, put clauses 7 to 9 to the vote of the House.

The question is :

"That clauses 7 to 9 stand part of the Bill."

The motion was adopted.

137 Const.(55th Amdt.) Bill AGRAHAYANA 17, 1908 (SAKA) Const.(55th Amdt.) Bill 138
and State of Arunachal Pradesh Bill and State of Arunachal Pradesh Bill

Clauses 7 to 9 were added to the Bill.

Clause 10—(Provision as to Legislative Assembly)

SHRI P. K. THUNGON : Sir, I move :

Page 3, line 20,—

for "forty" substitute "sixty;" (2)

SHRI C. MADHAV REDDI : I move :

Page 3, line 20,—

for "forty" substitute—

"between sixty and seventy" as determined by the Election Commission" (5)

(Interruptions)

SHRI P. K. THUNGON : Sir, I have spoken this morning, I do not want to take much time. I would simply like to reiterate that in no case Arunachal Pradesh lack the qualification of having 60 Members in the Assembly and the Hon. Members have amply made it clear that *prima facie* it looks injustice perpetrated on the new State, Arunachal Pradesh. Therefore, I would like to have an assurance from the Home Minister at least that later on when certain considerations are made after having experiences, after having more detailed discussions, he will kindly consider, if not 80; let it be 60 or may be this side or that side, but it should not be 40 at all.

SHRI C. MADHAV REDDI : I have already explained it. This is against article 170 of the Constitution. Unless you amend article 170, I feel, you cannot enact this clause. You cannot reduce the strength from 60. Every Assembly's strength must not be below 60, this is what article 170 says.

S. BUTA SINGH : This is what we have done in the Constitution (Amendment) Bill. We have just now passed this Constitution (Amendment) Bill and we have given special provision.

As far as Shri Thungonji's, contention is concerned, let him continue his drive. I am

afraid, now in the present Bill, nothing can be accepted. But Shri Thungon knows, the Prime Minister has already said, we have not really closed it. Let the State Assembly and let the State Government come. But, Sir, at the moment, the amendment cannot be accepted.

MR. SPEAKER : Do you withdraw your amendment ?

SHRI P. K. THUNGON : Yes, Sir.

MR. SPEAKER : Has Shri Thungon leave of the House to withdraw his amendment ?

SEVERAL HON. MEMBER : Yes.

Amendment No. 2, was, by leave, withdrawn.

MR. SPEAKER : The question is :

"That amendment No. 5 moved by Shri Madhav Reddi be adopted."

The motion was negatived.

MR. SPEAKER : The question is :

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11—(Provisional Legislative Assembly).

MR. SPEAKER : Now, clause 11. Shri Madhav Reddi.

SHRI C. MADHAV REDDI : I beg to move :

Page 3,—

for lines 29 to 34 substitute—

"(2) The provisional Legislative Assembly constituted under this section shall be in existence for a period of six months from the date of its coming into existence or until

the new Assembly is elected
whichever is earlier." (6)

The provisional Assembly which is existing now should continue only for an interim period. That is the reason why we are calling it a provisional assembly. It should not be allowed to continue for 4 long years. My amendment says that this will continue for six months and the election should be held before that.

S. BUTA SINGH : As I mentioned, in the scheme of the Bill that has been introduced already, it has been made clear that the State Assembly will be its term. That is, when it completes its term the next Assembly which is going to be elected will be elected on the provisions made in the Bill.

Earlier, Shri Madhav Reddi said, we have not taken the amendment of the Constitution for providing the number "40". I just now mentioned that in the Constitution (Amendment) Bill that we have passed, there is clause (b), the last clause in that Bill. That is the amendment of the Constitution for that specific purpose. Kindly see the Constitution (Amendment) Bill. It is there, to make it "40". We have amended the relevant portion of the Constitution.

So, the present Assembly will continue till its term is complete. Only the next Assembly which will be elected after the term of the present Assembly will be according to the number sanctioned in this Bill.

MR. SPEAKER : Are you withdrawing your amendment ?

SHRI C. MADHAV REDDI : Yes.

MR. SPEAKER : Has Mr. Madhav Reddi leave of the House to withdraw the amendment ?

SEVERAL HON. MEMBERS : Yes.

Amendment No. 6 was, by leave,
withdrawn.

MR. SPEAKER : Now, we will take up clauses 12 to 32 also.

The question is :

"That clauses 11 to 32 stand part of the Bill."

The motion was adopted.

Clauses 11 to 32 were added to the Bill.

Clause 33—(Distribution of revenues)

MR. SPEAKER : Now, we will take up clause 33. Shri Madhav Reddi.

SHRI C. MADHAV REDDI : I beg to move :

Page 9, line 1,—

after 2 "President" insert—

"on the advice of the Finance Commission appointed for this purpose" (7)

The Bill gives powers to the Government of India to divide the revenue from the Central pool and give it to the State. This is an arbitrary power being taken by the Centre. I suggested that this should be given to the Finance Commission. One-Member Finance Commission can be appointed and he should be asked to look into it and give the award, as far as the revenues to the State are concerned.

S. BUTA SINGH : It has been provided as per the Constitutional provision the present scheme has been worked out under the law. Therefore, there is no need of having any Special Commission or any special financial arrangement. I am afraid, under the circumstances, the amendment cannot be accepted.

MR. SPEAKER : Has the Hon. Member leave of the House to withdraw the amendment ?

SEVERAL HON. MEMBERS : Yes.

Amendment No. 7 was, by leave,
withdrawn.

MR. SPEAKER : The question is :

"That Clauses 33 to 51 stand part of the Bill."

The motion was adopted.

Clauses 33 to 51 were added to the Bill.

1st Schedule, 2nd Schedule, 3rd Schedule and 4th Schedule were added to the Bill.

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

S. BUTA SINGH : I beg to move :

"That the Bill be passed."

MR. SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

16.28 hrs.

SHIPPING DEVELOPMENT FUND
COMMITTEE (ABOLITION)
BILL, 1986

[English]

MR. SPEAKER : Now we take up Item No. 27.

THE MINISTER OF STATE IN THE DEPARTMENT OF EXPENDITURE IN THE MINISTRY OF FINANCE (SHRI B. K. GADHVI) : Sir, I beg to move* :

"That the Bill to abolish the Shipping Development Fund Committee constituted under the Merchant Shipping Act, 1958 and to provide for certain matters incidental thereto, be taken into consideration."

The Government of India has taken several positive steps in the past with the primary object of building up a self-reliant merchant fleet, capable of meeting the needs of the country during peace and war. One of these was setting up of the Shipping Development Fund Committee (SDFC) in 1959, initially to finance acquisition of

* Moved with the recommendation of the president.

ships and subsequently fishing trawlers, from indigenous shipyards and from abroad. Over the years, apart from promoting a significant increase in national tonnage both in the general shipping sector and in the fishing trawler industry, the SDFC has contributed significantly to the emergence of India as an important maritime nation in the developing world.

SHRI THAMPAN THOMAS (Maveli kara) : Sir, I wanted certain clarifications from the Home Minister on the statement which he read in the morning.

MR. SPEAKER : That cannot be done now.

SHRI THAMPAN THOMAS : I asked for a discussion but no discussion was permitted.

MR. SPEAKER : There is a certain procedure and every procedure has to be followed. There is a procedure and everything is done according to that.

SHRI NARAYAN CHOUBEY (Midnapore) : You agreed to consider it.

SHRI THAMPAN THOMAS : As per the procedure, I gave a notice for adjournment motion.

MR. SPEAKER : Why don't you realise that we cannot go out of the rules? You will have to give a notice. Then I will consider that.

SHRI THAMPAN THOMAS : May I ask a clarification?

MR. SPEAKER : No question of clarification. How many times I will tell you?

(Interruptions)

MR. SPEAKER : It cannot be. So simple. It cannot be. No. I cannot. You have to give it in writing. If there is time, I will consider it and I shall see. Otherwise not. So simple it is.

SHRI THAMPAN THOMAS : I have given it in writing.

MR. SPEAKER : It is all right. I will consider it.