

(vii) Need to ensure strict enforcement or provisions of the Child Labour (Prohibition and Regulation) Act

SHRI RAMASHRAY PRASAD SINGH (Jahanabad): Mr. Speaker, Sir, child labour is a punishable offence but this law could not be enforced properly. It becomes more painful when children in the age group of 5 to 14 years feed their parents by working in carpet industry, hotels, tea-shops, residential houses, motor garages etc. Such small children generally belong to very poor families where their parents are unable to upbring them. In fact the child Labour (Prohibition and Regulation) Act is not very effective to deliver justice to the child labour.

Therefore, I request the Central Government to conduct a survey to find out the number of child labourers in the country and they should be freed from their jobs and residential schools should be constructed for their free education in each division and sub division and the Government should bear the entire expenditure of their education. Even after making such arrangements, if parents of child labourers do not educate them, then law should be enacted to penalise such parents.

(viii) Need to link Brahmaputra River with Ganga at Farakka through a canal to augment the Water Flow into the Farakka Barrage

[English]

SHRI SANAT KUMAR MANDAL (Joynagar): Sir, the construction of the Farakka barrage was primarily aimed at stopping the Hooghly from being silted. Ironically at present, West Bengal is left with nothing but the silt; so much so,

leave alone irrigation, Calcutta Port which needs a minimum of 40,000 cusecs in the pre-monsoon months to barely stay alive, gets a paltry 20,500 cusecs from Farakka with the pattern of water usage in the upper reaches of Ganga, especially in Uttar Pradesh and Bihar having changed dramatically with consumption going up every year.

I request the Central Government to link the Brahmaputra with Ganga at Farakka through a canal to augment the water flow into the barrage and it would more than take care of both Bangladesh and Indian interests. Bangladesh should be convinced of this being the most feasible and effective solution to increase the availability of water.

15.58 hrs.

**STATUTORY RESOLUTION RE:
DISAPPROVAL OF MANIPUR
MUNICIPALITIES ORDINANCE 1994
AND
MANIPUR MUNICIPALITIES BILL**

[English]

MR. SPEAKER: Now we take up items 12 and 13.

Shrimati Shiela Kaul.

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI SHEILA KAUL): Mr. Speaker, Sir, this House is fully aware that as early as in 1989, the then Prime Minister, Shri Rajiv Gandhi, committed as he was to strengthen democracy at the grassroot level, wanted to accord constitutional status to the Panchayats and Nagarpalikas. As a result of wide ranging discussions, the Government of India introduced the Constitution (73rd Amendment) Bill, 1991 relating to Municipalities in the Lok Sabha

on 16th September, 1991. The Bill was passed by Lok Sabha and the Rajya Sabha in their Winter Session of 1992. After the Bill received the assent of the President, it was published as the Constitution (74th Amendment) Act, 1992.

The aforesaid Act introduced a new part, namely, Part IX-A in the Constitution. This Part deals with the issues relating to Municipalities. The provisions of the Constitution (Amendment) Act inter alia provide for constitution and composition of Municipalities, reservation of seats for Scheduled Castes/Scheduled Tribes and women, constitution of Wards Committees, fixed term of five years and re-election within six months from the date of dissolution, powers, authorities and responsibilities of Municipalities, power to impose taxes and fees, constitution of Finance Commission and State Election Commission, constitution of District Planning Committee and Metropolitan Planning Committee etc.

16.00 hrs.

Article 243 ZF of the Act provides that any provision of any law relating to municipalities in force in a State immediately before the commencement of the said Act, which is inconsistent with the provisions of the Part IX-A of the Constitution, shall continue to be in force until repealed or amended by competent legislature or until the expiration of one year period from the commencement of the said Act whichever is earlier. In view of the commencement of the Constitution (74th Amendment) Act, 1992 from 1st June, 1993 the period of one year stands expired on 31st May, 1994.

Some of the provisions of the Manipur Municipality Act, 1976 which was in force up to 23rd May, 1994, were

inconsistent with the provisions of the Constitution (74th Amendment) Act, 1992. In order to implement the above Act, the State of Manipur prepared a comprehensive new legislation namely, the Manipur Municipalities Bill, 1994 replacing the Manipur Municipality Act, 1976.

The State of Manipur was brought under the President's rule on 31st December, 1993 under Article 356 of the Constitution. The powers of the Legislature of the State of Manipur have been declared to be exercisable by or under the authority of the Parliament.

The proposal received from the Government of Manipur to make a comprehensive legislation on municipalities in Manipur in conformity with the Constitutional provisions was examined in my Ministry and it was decided to introduce a Bill to that effect in the Budget Session of Parliament. As the above Bill was to be examined in detail, the same could not be introduced in the Lok Sabha during the Budget Session due to paucity of time. Since the necessary legislation in respect of the Manipur Municipalities was required to be enacted by 31st May, 1994 it was felt expedient to promulgate the necessary Ordinance.

In view of the above, the Manipur Municipalities Ordinance, 1994 enabling the Government of Manipur to constitute the Manipur Municipalities in accordance with the provisions of the Constitution (Seventy Fourth Amendment) act, 1992 was promulgated on 24th May, 1994. It is now proposed to replace the Manipur Municipalities Ordinance, 1994 by an Act of Parliament. The provisions of the Manipur Municipalities Bill, 1994 shall extend to the whole of the State of Manipur except the hill areas to which the

[Shrimati Sheila Kaul]

Manipur (Hill Areas) District Council Act, 1971 extends to any area which is included in a cantonment under the Cantonment Act, 1924 by virtue of exceptions provided in Article 243 ZC of the Constitution and Clause 1(2) of the present Bill.

The main provisions of the aforesaid Bill are as follows:-

- (i) Constitution of 3 types of Municipalities viz., Nagar Panchayats for transitional area, Municipal Council for Smaller urban areas and Municipal Corporation for larger urban areas;
- (ii) Composition of Nagar Panchayats and Municipal Councils with elected persons and persons having special knowledge and experience in Municipal Administration;
- (iii) Wards Committees will be set up in respect of Municipalities having population of 3 lakhs or more;
- (iv) Reservation of seats for SC/ST in Municipalities in proportion to their population;
- (v) Reservation of not less than 1/3rd of the total number of seats (including that of reserved seats) for women;
- (vi) Reservation of Office of Chairpersons of Municipality for SC/ST and Women in the manner prescribed by the State Government.

- (vii) Fixed term of 5 years and limiting the period of dissolution of Municipalities to six months;
- (viii) Setting up of State Finance Commission to review the financial position of the Municipalities and to make recommendations to the Governor;
- (ix) Setting up of State Election Commission for superintendence, direction and conduct of elections to the Municipalities;

Setting up of District Planning Committees to consolidate the plans prepared by the Panchayats and the Municipalities in the District and to prepare a draft development plan for the District as a whole; setting up of Metropolitan Planning Committees to prepare draft development plans.

The Bill seeks to enact a comprehensive legislation on Municipalities in relation to the State of Manipur on matters mentioned above.

Sir, I beg to move:

"That the Bill to provide for constitution and organisation of municipalities in the Urban areas of Manipur and for matters connected therewith and incidental thereto, be taken into consideration."

MR. SPEAKER: Dr. Laxminarayan Pandeya to speak. Are you keen on moving the Statutory Resolution?

DR. LAXMINARAYAN PANDEYA (Mandsaur): Yes, Sir, I beg to move:

"That this House disapproves of the Manipur Municipalities Ordinance,

1994 (No. 6 of 1994) promulgated
by the President on May 24, 1994."

[Translation]

Mr. Speaker, Sir, the Bill which has been brought by the Government, could have been passed in the previous session but it shows the way and style of functioning of this Government. The Government has itself admitted in the reasons for ordinance that the proposal has been received from the Government of Manipur to make a comprehensive legislation on Municipalities of Manipur in conformity with the Constitutional provision and proposal was examined in the Ministry of Urban Development and a decision was taken to move a Bill in the Budget session to this effect. When the decision had already been taken, then why the Bill was not brought at that time and why it is being brought now?

16.06 hrs.

[SHRI NITISH KUMAR *in the Chair*]

The House was not prorogued and it was to reassemble on 13th. But for promulgating some ordinances, the House was prorogued and some ordinances were promulgated whereas the Government had enough time to bring legislation to this effect in the House.

Mr. Chairman, Sir, it is true that in the present Bill there are provisions for constituting Municipalities, Municipal Corporation and Nagar Panchayats and that may improve their condition but is it possible to enforce these provisions in the prevailing circumstances there? The situation in Manipur is not good at present and it was said at the time of extending President's rule in the State that the situation there was not normal. The recent

conflict between Naga and Kukies has increased caste-hatred. Broad day light murders are being committed there and several persons are getting injured in these incidents. Probably Shrimati Sheila Kaul and Shri Chavan Ji are also aware of the prevailing situation in the State. ULFA and other terrorists are attacking the police convoys in a broad day light and trying to kill them.

It is true that the aim behind bringing this Bill is your commitment to implement Panchayati Raj but is it possible to implement these provisions under the prevailing circumstances? I think, it is not possible and that is why there was no need for promulgating this ordinance because till now many other States have also not given their acceptance to it.

The situation of Manipur becomes clear from the recent incident in which 3 Jawans of Manipur Rifles were killed. The NSCN looted arms and ammunitions. 25303 rifles, 2 machine guns, 2 explosives, 11 hand grenades and 2000 rounds of ammunitions were looted. This was done by 50 guerillas who encircled the police station and injured the police officers. This is the situation in the State. I think under such circumstances, these provisions cannot be implemented there. The State Assembly has been suspended there and former Chief Minister, Deputy Chief Minister and others are giving different statements. The former Chief Minister blames the Deputy Chief Minister and sometime Governor supports the Deputy Chief Minister and sometime Deputy Chief Minister gives his clarification. The Chief Minister says that he has not supported Naga rebels. But it is being alleged that he is giving support to them and that is why forcible

[Dr. Laxminarayan Pandeya]

conversion is taking place there. They are being told that being Adivasis they do not have their God as such. In this way they are being misguided. This is something which needs to be looked into. They are agitating and demanding autonomy. North Kachhar Hills in Assam has become a sanctuary for them. A parallel Government is running there, which advocates that border should remain opened for free trade and there should be no check on it. It is a feeling of separatism whereas there should be a spirit of nationalism among the people. First of all national spirit should be inculcated among the people only then other things like laws relating to Panchayats, Municipalities or Corporations can be implemented. There was no need to promulgate ordinance. But such an ill trend has started that the Government promulgates ordinances for the purpose which can be done in an ordinary way but the Government wants to do them through ordinances.

[Translation]

Taking into account all aspects of this Bill, the Nagar-Palikas and Nagar Panchayats will have an Administrator as well as a Body. Women will also be represented in it and certain number of seats shall be reserved for Scheduled Castes. Your intention behind this arrangement may be bona-fide. A few days ago, a discussion was held to extend the term of President's Rule in Manipur. At that time, Shri Chavan had said that he was trying his best to restore normalcy in the State. That is why, the legislative Assembly has been kept in suspended animation so as to restart the political process there. They have been demanding State autonomy and more

powers. The Naga insurgents are spreading caste conflicts in the State. Necessary steps are required to be taken in this regard. Therefore, I am sure that the hon. Minister will reply to these points.

[English]

MR. CHAIRMAN: Motions moved:

"That this House disapproves of the Manipur Municipalities Ordinance, 1994 (No. 6 of 1994) promulgated by the President on May 24, 1994."

"That the Bill to provide for constitution and organisation of municipalities in the Urban areas of Manipur and for matters connected therewith and incidental thereto, be taken into consideration."

PROF. M. KAMSON (Outer Manipur): I thank our hon. Minister for introducing this Bill to convert the Ordinance into Bill as it is just necessary as she has explained.

Now as you know, Manipur is under President's rule and such acts are very necessary for development in the various parts of the country, that means, we would like that this Bill should come in this manner and Manipur should not be left lagging behind when other parts of the country have got their panchayats and nagarpalikas.

There are some points which I may highlight to the Minister. Of course, I am not asking for any sort of amendment. But I just want to remind the authorities concerned because it is not very much necessary for the Centre also to take much time in this matter. If this Act is there, and when the Assembly is restored in Manipur, when the popular Ministry is

formed in Manipur and if there are any loopholes or defects in the Bill, it can be amended by the people themselves through their Assembly. So I do not like to pursue much about this thing.

But at the same time I would like to highlight something that in some section where Governors are given the power to decide the size of Nagarpanchayats or municipalities on his own, something like that, by the Government, I think, if some maximum and minimum limits are given, not only in the case of Manipur but for all over the country, there will be certain uniformity in that. Supposing in some parts of the country this Nagarpanchayat has got a small size or a bigger size than in other parts of the country, then there will be no uniformity in this matter. Therefore, from Bill to Bill, from State to State, if the Governor has got discretionary powers to decide their number then some States may have only five members in the Nagarpanchayats or some States may have 20 members in the Nagarpanchayats or some States may have only 10 members in the Municipal Council or Manipur can have about 30 members in the Municipal Council. Therefore, some sort of uniformity must be there. So, I would like to give this suggestion in general to be made applicable all over the country because we are on the verge of implementing both Nagarpalika and Panchayat system all over the country under the Eleventh and Twelfth Schedules. This is my humble suggestion which may be taken into consideration by all concerned.

Another thing that I would like to highlight is about this Nagarpanchayat or what you call Municipal Council under this Act as well as the Panchayats under the Acts which have been passed during the Budget Session. At that time, I could not have the opportunity to discuss this

because the Panchayat Bill relating to Manipur was passed in a hurry, in a little hasty manner because of time factor and I can understand that. So, I would like to take this opportunity, just to touch over that because these two are parallel Bills under the same Act. The Panchayati Act as well as the Nagarpalika Act under the Eleventh and Twelfth Schedules of the Constitution are going to be implemented all over the country, Now the entire surface of the India will be covered either by an urban authority under the Nagarpalika Act or by rural local bodies under this Panchayati Act.

As far as North-Eastern region is concerned, I would like to point out here that there are some regions where neither this Panchayati Act nor this Nagarpalika Act which have been incorporated in the Eleventh and Twelfth Schedules of the Constitution is applicable. The Minister has also said that according to the provisions of these Acts the Scheduled Areas will not be covered. Scheduled Area means, in general terms, the hilly districts of the North-Eastern India. Here, neither this urban body nor this rural body will be there. So, the question of consideration should be there. It is a very serious matter. After some time this will be another issue for the North-East people to raise their voice to say that they have been neglected, that they have been alienated, that they have not been given the facility or the benefit of grass-root democracy or power to the people. This would be the claim of the people unless we examine this issue today. Therefore, my point is that a study team or a commission should be constituted by the Centre to study which type of body should be there parallel to this Nagarpalika Act or Panchayati Act being implemented all over the country, especially in the hilly areas of the North-East. I will give you one very clear example. In the hill district

[Prof. M. Kamson]

of Manipur, which I represent, there is neither Nagarpanchayat nor Panchayat nor Council under the Sixth Schedule. So, the entire surface is supposed to be covered either by the Sixth Schedule or the Eleventh Schedule or the Twelfth Schedule. You cannot have any blank spot there. Why have we left a blank spot in the hill district of Manipur is the question now. So, I draw the attention of the Ministries concerned, not only of the Urban Development, but also of the Rural Development who is concerned and also, at the same time, the hon. the Home Minister who is also here because he is concerned with the Sixth Schedule. As far as the Eleventh Schedule is concerned, it is the concern of the Rural Development Ministry, as far as the Twelfth Schedule is concerned, it is the concern of the Urban Development Ministry. So, these three Ministries have to see which part of the country is left blank so that in future people will not complain against the Government's laxity or some sort of negligence. This is my point. I repeat again that in the five hill districts of Manipur, we have been demanding for the last 20 years to extend the provisions of the Sixth Schedule, but the demand for an Autonomous District Council has been denied so far.

Now it has come at a time when this area is only a blank spot where you do not have any of the three constitutional provisions for the people in the name of democracy at the grassroot or giving power to the people. Earlier the Sixth Schedule which is called the Autonomous District Council was supposed to be a special provision of the Constitution, a constitutional measure, a constitutional instrument for special development of the socio-economic condition of the backward areas of the hill, particularly of the eastern

region. This was conceived and thought of by the farmers of the Constitution who had got a farsighted vision. I thank them again today taking this opportunity for their vision for the future of the country that they had provided this Sixth Schedule for the backward areas. Unfortunately this was not given to a particular area, that is the hill areas of Manipur so far. So this is the first point where I shall point out that this is a sort of oversight, if not intentional negligence. I must draw the attention of our hon. Home Minister that he should kindly take up this matter immediately before the Panchayat Bill and the Nagar Palika Bill are implemented. Both of this should come together so that there will be no loophole where people will criticise us again.

I must also mention that the present Prime Minister Shri P.V. Narasimha Rao, when he was the Home Minister in 1984, on the floor of this House had assured us that Manipur hill areas will be given the Sixth Schedule, that means extension of the Sixth Schedule, that means Autonomous District Council. It was in 1984 that our present Prime Minister, when he was the Home Minister, had assured us. The subsequent Home Ministers have kindly assured us and had given good words to us. But unfortunately by oversight I should say they have neglected this part. Now I remind that if you leave blank this area, it will be a big thing and it will be difficult for the Government to defend it in future. This is one point which I would like to highlight to the Ministry concerned.

The second thing I would like to point out is that the proposed Special Commission to study this problem is there. In the North-East, in Arunachal Pradesh there is the Panchayat System. This is the only hilly State where Panchayat system is there. Earlier their Panchayat system

was under the State Act. It was all over the State. Now it has come under the Constitution as a constitutional body with a constitutional status in Arunachal Pradesh. I believe that it will accept Panchayat as it has been wanting to do so. But in the case of other States, in Assam we have got Sixth Schedule in hilly areas and Eleventh Schedule in the valley areas of Assam and Twelfth Schedule in the urban areas, towns and municipalities. In Tripura the hilly areas will be under the Sixth Schedule and the plain areas under Panchayat. In Meghalaya there is the Sixth Schedule all over the State. They have got three districts Khasi, Garo and Jaintia districts. Unfortunately or fortunately at that time they had implemented the Sixth Schedule in the entire State. At that time we thought that in a tribal State, a hill State, why they should apply the whole Sixth Schedule in the entire State. Because originally the Sixth Schedule was intended by the farmers of the Constitution to be only in certain parts of the State where minorities live, who cannot have access in the State fully and who cannot have sufficient benefit out of it, just as in Mizoram today. In Mizoram Pawi District, Lakher District and Chakma District have got Sixth Schedule, Autonomous District Council, whereas the rest of Mizoram, though it is a hill State, there is no Sixth Schedule, Panchayat nor anything. Now I come to that point. In the case of Mizoram and Nagaland where there is no Sixth Schedule, in Nagaland there is no Sixth Schedule and no Panchayat, nothing of the sort, a question comes. Because of the present Act under the Eleventh and Twelfth Schedule, the entire surface of the country is covered by one constitutional local body, either rural body or urban body, that is Panchayat and Nagar Palika. But in Nagaland there is neither Eleventh Schedule or Panchayat nor Twelfth Schedule or Nagar Palika so far.

In that case, would the people in Nagaland or in Mizoram be given the opportunity, the facility and the benefit of the concept of power to the people or democracy at the grassroot which was first conceived by Shri Rajiv Gandhi? Of course, originally, it was Mahatma Gandhi who said about *Gram Rajya* India has been known for centuries and thousands of years about this thing. But in modern age, Gandhiji conceived it. Rajiv Gandhi tried to concretise it. But unfortunately he could not. Then, during the present regime of Mr. P.V. Narsimha Rao, it has been brought to light, that is, this Bill has come into existence. Therefore, the question has come, it is a new question coming up because of the new situation that whether in Nagaland, which has not been having any sort of council or body, should be given this or Mizoram should be given this or not because they have got the traditional system of village. How do you adjust the panchayat or village council or traditional system to the new panchayat system? How would you adjust it to the new Nagarpalika Act? For this matter, a detailed study is necessary. Just having a speech for a short moment will not do. Therefore, I suggest once again that some sort of study commission should be there to go through all the details of the North-East. It is said that we have got grassroot democracy through the eleventh and twelfth schedules which would cover the entire country. There is nothing like that. There is some loophole somewhere. That is my intention in pointing it out.

I once again request the Home Minister and the Minister concerned that this should be studied well. I would just like to cite one example. In Manipur, Chorchandpur district is under the Hill Scheduled Areas. The headquarters is also called Chorchandpur'. About four or five years ago, they established one small

[Prof. M. Kamson]

township and a small town committee was set up. In course of time, the working of the town committee into conflict with the original style of village administration and district administration under the Council Act. Therefore, they had to abolish it again. It is a story which happened four or five years ago. You can find it out from the record. This sort of conflict is there. If you establish Nagarpalika or some sort of an establishment within the scheduled area which is covered by autonomous district council, it is very difficult to adjust. This is my point.

I have already mentioned about this Act. But at the same time, I would just like to add something more. I would like to draw the attention of the Home Minister to the situation in Manipur as well as in the North-East. Only yesterday, perhaps he has read a newspaper-item saying that the Naga movement is spreading like anything. They have established some sort of an office at Geneva, at Bangkok and at other places. It is spreading like anything. It is the main cause which has given birth to so many outfits of extremism in the North-East.

I have already spoken here. The Home Minister may kindly see that the Naga problem is dealt with properly — politically, by negotiation, by discussion. I would not say that you should neglect others. ULFA is being tackled like that. We have to tackle all the insurgencies. The Naga problem has been there for more than half a century. I just remind about its importance.

[Translation]

MR. CHAIRMAN: One hour has been fixed for this Bill. We have already

discussed over half-an-hour. So, keep that in mind. One more Member from Manipur wants to speak on this Bill.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Chairman, Sir, I would not like to take much time of the House. It is good that the hon. Home Minister is present in the House during the discussion on this Bill. However, I think that he has come here with another Bill.

This Bill is related to such a State where there is no government at the moment. This State is placed under President's rule. A few days ago, I was in Manipur. There was a rumour that the Centre is thinking of re-installing the same government which it had dismissed earlier. There is a great resentment and anger in Manipur on this issue because it is neither a question of internal bickerings of any party nor the issue of leadership. It is the internal fight for leadership of that party which has forced the people to go underground and thus, unleash a reign of terror in the State. Under these circumstances, if the Union Government takes steps in the direction of implementing the proposal to reinstall the same government in Manipur, its repercussions will not be good for Manipur as well as the whole nation.

Sir, sometime before, during the discussion on Manipur, I had raised a question in this very House. It was regarding the report of the Governor of the State. He had levelled some serious allegations against the former Chief Minister of that State who has been a Member of this House in the first Lok Sabha and is one of the important leaders of the Congress Party in Manipur. If these allegations are true and the person is guilty then action must be taken against him. There should not be any consideration even if he is a powerful

political leader. He has been charged with having close links with the underground outfit of insurgents who is unleashing a reign of terror. If the allegations are baseless, as has been claimed by the guilty in writing to the hon. Home Minister as well as some other including me, it should be investigated how did the Governor send such a report to the Centre? In such a situation, it becomes necessary to take action against the Governor also. I am sorry to say that the hon. Home Minister has not taken any action on this report so far.

Mr. Chairman, Sir, in Manipur, an atmosphere of tension had been prevailing for the last many days between Nagas and Kukis. Both the communities were resorting to killings and demolishing the villages. This chain of events have not ended yet and the tension is still prevailing there. It is regretted that no initiative has been taken by the Government so far in the direction of resolving this problem by resetting those people who have fled their villages and have been living in camps and elsewhere with the people of their communities. Only the jawans of Assam Rifles, Border Security Force, Central Security Force and other para-military forces have been deployed there to have a complete sway over the people.

It is beyond my comprehension that even in such a situation, the Union Government is going ahead to get a legislation passed through this ordinance so as to hold elections to Panchayats and Nagar Palikas there.

Therefore, first of all, I would like to say that the Government must take an initiative to bring normalcy there and remove the atmosphere of tension between Kukis and Nagas as well as between hill people and the people living

in plains. Under such an initiative, it is not necessary to project the thinking of military and other people.

Mr. Chairman, Sir, my other point is that we have border disputes with many neighbouring countries. The Kashmir issue is there for a long time. We have border dispute with China and Burma, which is now known as Myanmar. I do not understand why our Government is dragging its feet in resolving these disputes. There is a village called Molcha which is situated within India's border but Burmese army is occupying this village. It is not in the sense that the army is camping there but they are using the road which was constructed by the Britishers as a short-cut route to move from one town to another. Today, a part of this road passes through Indian border. It is a village namely Molchhal through which a part of this road passes. The people of this village are constantly being oppressed by the military personnel of Burma. Whenever they wish, they stop and collect taxes without producing any government receipt book or summons. They indulge in such acts at gun point. There is an Indian police post located in that village but it is helpless. When 50 military personnel of Burma come there and collect the money by beating up the villagers, a handful of policemen cannot do anything.

Mr. Chairman, Sir, I would like to know whether there is any dispute on the issue of this road? If so, why is it not being resolved? If a road passes through our territory and even when the people of Burma are required to use it, are you going back from staking a claim over this? I do not say that the Government should forego its claim over this road but if it belongs to India, what right they have got over it? I know that when the issue of Aksai Chin was raised, our hon. Prime

[Shri George Fernandes]

Minister had said that though not a single blade of grass grew there and it remained uninhabited, yet we love our soil and are ready to offer it for use to others. Now, when the military personnel of Burma harass the people of Molchhal village, this matter should be raised with Burma because Molchhal is a village of India. If this road becomes a cause of strain in our relations with Burma, it should be made clear to Burma that they should construct another road for itself. However, it should have been made clear to them in 1947 itself. As this issue raises many other questions the Government of India should speak with open mind to Burma Government in this regard.

Mr. Chairman, Sir, during the last three weeks, Burmese army has advanced very near to the border of this town. The Sub-Postmaster of Changpol village, Shri Jangpang has been abducted by the military personnel. There is another village named Khokhang, adjacent to Changpol. The Chief of this village has also been abducted. Two people of another village called Seach Tannolpal have also been abducted. Thus, in all, four people have been abducted. They have detained them in their tents. Now, everyday, military jawans of Burma come to the village and demand Rs. 2000 to Rs. 4000. On the one hand, they have abducted our people and on the other hand, they are demanding money.

Mr. Chairman, Sir, the abducted people are given food by their relatives daily. In this regard, complaints were made to the Governor but nothing was done by him also. Further, the concerned authorities were also apprised of the situation but nothing was done from their side also. I am not able to understand why the Government have no concern for

the land and the people living there? Though, this land is being used as a conduit for carrying on our trade relations with Burma yet smuggling is also taking place through this route. The trucks come from the other side and whatever they wish, they take away with them. Today, we are talking of holding elections to Gram Panchayats and Nagarpalikas there. I do not understand what kind of an election is going to be held there when we are not even able to protect our citizens from the atrocities committed from the other side of borders.

In the end, I would like to speak about an incident which occurred at Ukroor on 9th May. There is a military camp in Ukroor. There, on this day, one Major and perhaps, one Captain were strollings. Somebody opened fire on them and the major fell down. This happened in a town located on the road in front of the military camp. In a few minutes, the jawans of army came out of their camps. They went to the village and started damaging the houses. Whosoever came in front of them, had to face their fire. Again, the jawans opened fire. In this incident, the sister of a worker of Janata Dal, an old-age person and a jawan were killed. Three people died of the bullets of the military jawans. The people had to trudge a distance of three kilometres before they were taken inside the camp. There is a great resentment among the people. A meeting was called in which the people from nearby villages also participated. No body know who killed the officer. If some stranger opened the fire then he must have been a terrorist. Otherwise, why an ordinary person will open fire on a military officer. But, if the military personnel resort to pulling down the houses of two thousand people, then they themselves are laying of the foundation of terrorism there. I regret that sometimes, military also exceeds the

farthest limit. But, does the Government not receive such information? Is it not supposed to take steps even after receiving the information?

Today, Manipur is facing such a situation that sometimes, we realise in this House that as if the originator of Panchayati Raj was born in India just 5-7 years ago. We are being told again and again as who has brought the Panchayati Raj? We know since when it is in force and how did the previous Government implement it in the whole country. They tried to make ineffective the law enacted in Karnataka. Therefore, I would not go into the details of this dispute that who is and to what extent he is attached to Panchayati Raj with his heart, soul and mind. Let the Government pass this Bill but I am not sure if the Government would be able to do anything new in Manipur and handover the power to the people.

With these words, I request especially to the hon. Home Minister that he should take concrete action on the points raised by me and do his best to bring the situation under control.

[English]

SHRI UDDHAB BARMAN (Barpeta): We are discussing the Manipur Municipalities Bill here in Parliament, away from Manipur by thousands of Kilometres because the State of Manipur is under the President's rule. The entire House is well aware why the President's rule was promulgated in Manipur.

It is known that because of the fighting in the Congress (I) many extremist organisations are being encouraged. There were clashes between the Kukis and the Nagas. There were some communal clashes. There was also

a spurt of activities of Meitei extremists. Because of the dissensions and disunity inside the Congress (I) and its allies and also extremist activities in the State of Manipur an elected Government could not continue. But still the Assembly is kept in animated suspension allowing scope for horsetrading which is very repugnant. But the people of Manipur are suffering like anything. There are no roads, no railways, and no development. They are far away from the mainland of the country and the people of Manipur always feel that they are being deprived, in every sense of the term and the sense of deprivation is being utilised by the extremists.

One thing is, the NSCN the National Socialist Council of Nagaland is creating havoc not only in Manipur but also in some parts of Assam. They are penetrating not only into some parts of Assam but also into Tripura. They are working as the fother organisation of extremists, combining all the extremist organisations in the North-East and all the extremists are utilising the sentiments of the people of different States of the North-East that they are being deprived and exploited by the centre. There are a lot of killings, kidnapping and other criminal activities carried out by the extremists not only in Manipur but also in the other States of the North-East. But this sense of alienation should go. It should be removed from the minds of the people. And for this there should be not only developmental works, but also efforts should be made so that their confidence can be restored. For this the entire population of not only of Manipur but also of the North-East should be associated with the different forms of democratic functioning, not only administration but also in the economic development.

Here we are going to pass the Bill. But only enactment alone will not do.

[Shri Uddhab Barman]

There we have got lot of experiences how one-sided work is being done in different States of the country. In Assam also we have different experiences. The Panchayats there think that they are elected by the people. But they are not given the powers and rights. Many central programmes have been given to the contractors. The officials organise them. Money is sent by the Centre but there is a lot of corruption. Corrupt practices are rampant there not only in Manipur but also in some parts of Assam also. There is an LOC scam there and lot of money is being looted. All these things are there.

So, what I say is, that not only the enactment but also a proper implementation of the Act should be there so that the entire energy of the people of the rural areas and also of the town areas can be harnessed and they also have a sense of participation in every aspect of the national life. This sense of participation should be created and all efforts should be done for it.

At the same time there is a problem of the tribal communities there. They also should get something so that they feel that they are also a part and parcel of India.

And for this, the Centre and all other political parties should think whether the Sixth Schedule can be given or not. A study should also be made so that the entire programme of that area can be looked into and proper steps can be taken. By this way, the tribal population in Manipur also can be brought to the mainstream.

Insurgency problem is there. And this insurgency problem is being utilised by some vested interests there. So, what

is needed is to gain the confidence of the people so that the extremists can be isolated. And for this, not only enactment of law but also ensuring the democratic participation of the people is necessary. I think, the Government should take necessary steps keeping in view all these aspects.

With these words, I conclude my speech.

SHRI YAIMA SINGH YUMNAM
(Inner Manipur): Mr. Chairman, Sir, I rise to support the Manipur Municipalities Bill. I consider that it will be to the great interests of the people of Manipur if this Bill is passed and implemented.

Sir, as you know, there has been seven Municipalities and 21 Small Town Committees; they are under notified areas of Manipur. I think, this Bill when enacted will cover all these seven Municipalities and 21 Small Town Committees.

I understand that this Bill is brought just to satisfy the provision of the Constitution, as explained by the Parliamentary Minister in charge of the Bill. I need not go into it.

Under this Bill, there are new provisions, which, I consider, are very important. There is a proposal for setting up State Finance Commission to review the financial position of the Municipalities and to make recommendations to the Governor on matters relating to finance.

When the question of extension of President's Rule in Manipur was discussed, the hon. Home Minister also mentioned that because of financial indiscipline, there has been difficulties in granting more financial assistance. I still took it to my heart. Now, for the

Municipalities, if you could have State Finance Commission, then it will help very much in giving financial assistance to the State of Manipur for the development of Municipalities and Small Town Committees and also it will give much help to the administration in general.

Secondly, there is a proposal for setting up District Planning Committees. It is very important.

Under the Panchayati Raj Act, the municipalities and town committees have not been functioning properly. There has not been proper planning and because of that developmental works under these municipalities and town committees are suffering. Now, when the District Planning Committee is constituted, it will help very much in taking up developmental programmes under the jurisdiction of these municipalities. There are also Metropolitan Planning Committees for which the Minister incharge has explained. Again, there is a proposal for an Election Committee. It is also a very good proposal. So, considering all the news provisions, I would like to present that the Bill will serve the purpose to the advancement of the people of the State of Manipur. But the important question is whether the benefits will be made available to the people quickly or not. When the Ordinance was promulgated, I thought what was the necessity of issuing such an Ordinance at a short notice. The present law and order situation in the Manipur State, I think, does not permit holding panchayat elections. I met Advisors to the Governor and other important officials of the State and discussed as to whether elections can be held and whether the atmosphere is conducive for elections or not. All the officials were of the same view that the present situation is not conducive for elections. But in a larger sense the

Ordinance was promulgated just to satisfy the provisions of the Constitution Amendment. So, I appreciate it. Now, when the situation is not conducive for elections, the people will not get benefit of this Act immediately. I understand that it will take a long time. Until the popular Government is restored and normalcy there is fully restored, there cannot be any panchayat or municipal elections. It was agreed upon by the Government also. It is the present position there. However, I would like to place before this House that if the popular Ministry can be restored quickly and if the normalcy is returned there, then only the panchayat elections can be held and the people will be benefited there.

17.00 hrs.

The earlier speaker, Shri George Fernandes has also described the present situation. Although there is full for the present, I can say that normalcy is returning slowly, and I think normalcy will return fully after some time. But how much time it will take, that is the question. For that, I am proposing that let us offer general amnesty to these underground organisations or extremists or insurgents, as we call them. Let us try this in Manipur. I can assure that at least these Metal insurgents will respond to it, though I cannot say the same about the NSC; But if we can bring these Metal extremists overground by offering them general amnesty and after that by assuring rehabilitation and employment, which should also be a part of the general amnesty, I think it will be a great success. After that you can have political dialogue with the organisation to come overground. For NSC, there is no other means except to disarm their contingents with the force of our army or security forces. Only after disarming them, we can have talks with them, political or otherwise. So, it will be

[Shri Yaima Singh Yumnum]

better if general amnesty is offered to them also. If the miter insurgents come overground in response to that and after that if you provide rehabilitation, employment and other amenities to them, it will be a great success.

In the present situation, I would like to propose to the Union Government, particularly to the Home Ministry, that the time has come for the restoration of the popular government in Manipur. That is my earnest proposal and I hope that it will be considered very seriously by the Home Ministry.

Now I come to the problem created by intruding into Molcha by the Burmese. Molcha, as referred to by George Fernandes Ji, is a part of India and a part of the State of Manipur but it is referred to as being under the control of the Burmese Government, that is, the Myanmar Government. It is a fact. Some years back, the representatives of the Union Home Ministry and the Chief Secretary of Manipur and some other officials went to that site to find out the fact and there might be reports on that. I would like to urge upon the Home Ministry to look into that and try to settle the dispute in that area so that there may not be further problems there. As a matter of fact, the people of Manipur, particularly these youngsters or these insurgents who are underground, are very annoyed on account of this also. They think that the Indian Government is going to surrender a certain part of Manipur to Myanmar.

So, that is also one reason for their annoyance. So, I would like to urge the hon. Minister to look into it and settle it with that friendly country. It will be rather too late if we do not take it up earnestly very soon.

I would like to refer to another point, that is, about the extension of the Panchayati Raj Act or the Nagarpalika Act or the Autonomous District Council Act in the tribal areas of Manipur. It is a matter in which the Government must give a deep thought because it will be too late if they delay it. At the moment, there are District Councils which are looking after the development works of five districts. Although there are five districts, these District Councils are there in other areas also. So, I would like to know whether the Union Government is prepared to extend the Sixth Schedule in the tribal areas of Manipur and whether the Nagarpalika Act or the Panchayati Raj Act will be extended to those areas. But I have proposed for the extension of the Sixth Schedule to Manipur also, because at the moment it will greatly help the development of the tribal areas of Manipur. I would like the Union Government to look after that. I would also like to propose or support the extension of the Sixth Schedule to the hill areas of Manipur. This is my strong opinion.

Lastly, I will come to the present political situation in Manipur. In Manipur, we have tried to combat insurgency of the Naga extremists by keeping our Armed Forces. We are successful to some extent. But as Shri George Fernandes has just mentioned, sometimes the excesses of the Army create some problems. Sometimes, the police, while exercising their powers, are committing some excesses and when persons are arrested and kept in police custody, there are deaths under police custody. On account of that, there were many bandhs in Manipur. It has to be looked into very strictly so that there may not be excesses by the Armed Forces. Sometimes, the people are feeling that the Human Rights are abused there. I also sometimes

wanted to bring those facts before this House. But because of some considerations I never raised it here.

As a matter of fact, because of the excesses committed by the Armed Forces and the police forces, the Human Rights have been abused there. I would like to request the hon. Home Minister to look into that very seriously because it may create more trouble there.

So, with these words, I would like to support the Bill wholeheartedly and I hope that elections to the Panchayats and the Municipalities will be conducted, if it is possible, within six months.

17.10 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

When there are no elected representatives in the municipal council, the authority is with the administrators. They are not very much interested in taking up developmental work. The best thing would be to have the elections conducted at an early date.

With these few words, I thank you very much.

SHRI KABINDRA PURKAYASTHA (Silchar): Mr. Deputy Speaker, Sir, we are discussing the Manipur Municipalities Bill, 1994 which is to replace the ordinance promulgated on 24th May, 1994, when the State of Manipur was under the President's rule. It was brought under the President's rule on 31.12.1993. The Bill has been brought to supersede the then municipal council Act of 1976 and for strengthening of the local self-government. This Bill has been brought before Parliament and the provisions

sufficient for running and maintaining municipalities. But is simple promulgation of ordinance or enactment of law is not sufficient for implementation, the situation prevailed in a particular State is also to be taken into account? So long as a State is not normal, so long as there is no peace and tranquility and the people are not in happy mood, this Act cannot be implemented and that will have no impact on the people. This is the case with the State of Manipur. Practically, Manipur is a troubled State in all respects, politically, economically and socially. The state of affairs in the State of Manipur is something else. It is very surprising that the State of Manipur was brought under the President's rule and the Assembly is kept under suspended animation. When there are only 13 Members from the ruling party in a House of 60 Members, there is no chance of again reinstatement of a popular government. When all the political parties except the Congress are also demanding that this Assembly should be dissolved and fresh mandate should be taken, the Government is not taking any decision in this regard. I feel, this is also one of the reasons for the anguish of the people of Manipur.

MR. DEPUTY-SPEAKER: Kindly conclude. The time allotted was one hour only.

SHRI KABINDRA PURKAYASTHA: Secondly, I must say that the state of affairs in the State of Manipur is particularly very serious because of secessionist or insurgency activities which are going on in Manipur since long and this is also because of the partisan and discriminatory attitude of the State Government towards the youth of Manipur who are not feeling secure. The sentiment in the minds of the youth of Manipur is that they are not secure in India and they

[Shri Kabindra Purkayastha]

to them and there is also a mentality amongst them that the portion of territory of Manipur State has been taken away by Burma. One place has been given to Nagaland. Not only this, Compensation was not given properly to the riot victims and to the cultivators whose land was submerged by Loktag Hydro Electric Project. All these things created a sense of confusion and something like anguish amongst them.

Another problem has cropped up out of issue of identity cards. Identity card is very much essential particularly to the border areas. But in the minds of the people, there is a sentiment that there is infiltration and if infiltrators are given identity cards, they will become Indian citizens and this will create a very serious problem in future and this also had created anguish in the minds of the people of Manipuri youth.

Lack of economic development not only in Manipur but in the whole North Eastern States in another cause of present dismal condition in North East. Money has been spent but work was not done. During the period from 1949, from the date of its joining India till 1971, only Rs. 27 crores was given for developmental work and only when Manipur was declared as a full-fledged State in the year 1972, Rs. 540 crores were given to Manipur between 1972 and 1982 for developmental works but it is unfortunate that this money was mostly spent for maintenance of law and order but not for developmental work. So, this is also another cause of dissatisfaction or resentment among the people of Manipur.

Manipur has become practically a
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just adjacent to Burma and the drug trafficking and addiction in Manipur is also a very great problem to Manipur and Manipuri youth believe that high officials, even including unfortunately the security personnel, who are there for guarding the border with Burma, collude with the smugglers with the help of the powerful Ministers.

The drug and other things have come to India. In that way, this has created a very severe problem throughout the State of Manipur. It has not only come to Manipur but also through Manipur it is also being spread to other States of the North-East. In this situation, what I feel is that this enactment, which is meant for setting up of Municipalities, Panchayats etc. cannot be implemented unless a conducive situation is created. A conducive atmosphere must prevail for the proper implementation of this act. In this situation, I feel that the Government has to look into how normalcy, peace and tranquillity can be restored not only in Manipur but also in the whole of the North-East. In this connection, I must make one point. A sentiment growing amongst the tribal population of the hill State that non-tribal should be expelled from their States. Because of this, class wars and conflicts are being spread. This is creating a great problem throughout the North-East which is not in the interest of safety and security of the country. The hon. Home Minister has also heard about it; he has also visited the North-East. He has got better experience. Considering this grave threat to the safety, security and integrity of the country, I hope he will look into the matter, he will try his best so that peace and tranquillity can come back and prevail throughout the North-East. When this situation prevails there, the Municipalities Act may be implemented there. Otherwise, an enactment of this nature, in my opinion, will become

fruitless. I hope a congenial situation will prevail and then this Act will be implemented in a proper manner.

With these words, I conclude.

DR. JAYANTA RONGPI (Autonomous District): Mr. Deputy-Speaker, Sir, in my view, in the given situation of Manipur, the very purpose of this Bill that is meant to set up the municipal bodies at different levels in the State of Manipur shall be defeated. This view has also been expressed by different speakers from different political parties. I share their views and doubts. I also take this opportunity to draw the attention of this House and also the attention of the hon. Home Minister to the fact that Manipur is a typical case of mismanagement so commonly and monotonously being observed in the North-East. The popular Government is not there. It is under President's Rule. There is a general tendency to blame the insurgency problem and the law and order problem if anything wrong happens in the North-East. Being in this Parliament for the last three years, I have seen the veteran political leaders always expressing the view that the people of the North-Eastern region should be brought on the mainstream of India. It is an approach. Here, I differ fundamentally and radically. I would rather say that the ethos, the cultural, social fabric of the North-East has got the resilience of the societies of the North-East, the dynamism of the societies of the North-East. It is in a position to lead the rest of India. But the situation is quite reverse. I have been observing here and hearing about the electoral reforms. So much noise has been made about it.

But in the North-East, in spite of having insurgency problem for so many decades, it is the only part of India where

even in the absence of the present incumbent the Chief Election Commissioner, Shri Seshan, even before the stringent measures, the most peaceful elections were held. If you go to the percentage of voters, it is higher compared to the other parts of the country. Even the democratic society is far better. But we have specially the Governments after Governments right since Independence and also some major political parties who are having unfortunately patronising attitude towards the North-Eastern region for bringing them to the so-called mainstream. But here I want to say that only the effect of so-called mainstream has spoiled the democratic society of North-East... has spoiled the peace-loving people of North-East.

Now in the case of Manipur, there is the President's rule not because of insurgency problem but the President's rule is there because of horse-trading which is one of the main characteristics of the so-called national mainstream politics. And that is what now also has started in Sikkim. I do not know who is responsible for this. This horse-trading has started in Sikkim, one of the most peaceful State in the North Eastern India. So, those people are forgetting this mainstream concept. I would rather humbly advise them not to mingle with the North-Eastern stream of India to get rid of so many social and problems presently faced by this country.

Secondly, the Government of India must have an introspection. It is easier to blame some foreign agency, it is easier to blame some disgruntled youth, it is easier to blame someone. But have we ever examined the intrinsic defect our policy, of our planning and of our economic policy? Are they suitable to the North-East? Until and unless we do this introspection and adopt a policy suitable to the North-East,

[Dr. Jayanta Rongpi:]

the social and political upheaval for the North-East will continue and the present method of adopting some special laws, Special Armed Forces Act for Assam and Manipur has been there. But it has failed to curtail insurgency problem. We have banned organisation. We have banned NSCN; we have banned ULFA; we have banned PLA. So many organisations have been banned. Has it curtailed insurgency problem? No Rather the other day, a new outfit has come up. Accords after accords have been signed. Naga Accord was signed in 1971 in Shilong. I would only ask whether it has been implemented. Assam Accord was signed and the so-called foreigners' movement is there. I want to ask whether the Assam Accord has been implemented and whether the foreign nationals problem has been solved or not. Bodo Accord was signed on a month back. I want to ask whether the Bodo Accord has been implemented and whether the problem is solved. The answer should be no. This is the common pattern of handling the problem of North East. First, we ignore it when these are demanded peacefully. And when they become a law and order problem, then adopt some harsh measures, apply TADA, apply Assam (Special Powers) Act, ban this, introduce army, crush it and then after sometimes, you sign some accord and then there will be a failure of the accord to divide the organisation. ULFA has been divided between ULFA and SULFA.

Now Bodos are divided into different groups. Naga insurgents are divided into different groups and the result is, unfortunately, no. So, through you very dispassionately and without having any political intention I would like to draw the attention of the Home Minister as well as the House that we should have an introspection.

We must frame a new policy and for that we must first understand the North-Eastern society, its dynamism, its resilience, its strong points, its weaknesses in a proper perspective and after that we should handle the problem in a proper manner. And if we approach this problem only from political exigencies, if we want to handle this problem or approach this problem from the point of law and order or if we only want to approach this problem arising from doubt, these are not going to pay any dividends. Therefore, I would request the Home Minister to meet different tribal people and different groups, may be, through his agencies -and try to understand their problems and those problems which are genuine should be solved immediately without any delay. And while dealing with those problems, there should be straightforwardness. They should be able to say that this is the policy of the Government of India, that Government of India can do this much or that Government of India cannot do this much. That type of straight forwardness in their approach will go a long way in dealing with different issues of the North-East.

And so far as this particular Bill is concerned, I have got objection against one provision, that is, the dissolution. This municipal corporation can be dissolved, and of course, there is a provision that within six months or one year's time there should be elections. But in my personal experience, I have seen that there are different tribal bodies, different autonomous district councils, autonomous councils in the North-East where one of the main irritant is this provision of dissolution. And there is always a conflict between the State Government and the different subordinate local bodies. And when there is a political difference or other differences, they always dissolve these subordinate or local bodies. So, this

particular irritant, this dissolution part, should be done away with. We have seen this dissolution drama in the case of Tripura Autonomous Council. We have seen the same thing in the case of the district councils of Garo Hills and Khasi Hills when they were with Assam and these dissolutions led to disbelief and mistrust and forced the tribal people of Khasi and Jaintia Hills to demand a separate State and ultimately the State of Meghalaya came into being. So, this particular provision of dissolution should be done away with, whether it is applied in Manipur municipal areas. If at all this provision of dissolution has to be there, there should be some checks and balances. And it can be met this way. If at all they have to be dissolved, they can be dissolved only after getting a report from a Commission and that Commission's report has to be submitted in the Legislative Assembly and after getting the approval of the Legislative Assembly only these corporations can be dissolved. This provision should be kept amending this present clause of dissolution.

With these words I appeal to the Government that keeping in view all the suggestions made by the hon. Members from the North-East, a comprehensive policy, a wholesome policy, a realistic policy should be framed so that the North-Eastern India can not only become a part in our international effort but can also lead the rest of India with its resilience and with its democratic fabric of society. Thank you very much.

[Translation]

SHRI HARI KISHORE SINGH (Sheohar): Mr. Speaker, Sir, the agony and sentiments expressed by the hon. Member who was just speaking, clearly shows the prevailing situation in North-
 es. I visited 3-4 states for a

period of two weeks and then informed Shri Chavan Ji in October 1992 about the manner in which condition of these states were changing. The role of Government of India in that changing atmosphere is becoming negligible. I had also requested the hon. Home Minister that in the absence of timely action, the condition would go from bad to worse.

17.36 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

There is need to pay more attention to the prevailing condition there. Just now one of our colleagues was saying that during the last decade the Central Government had been playing the politics of defection in the country which eclipsed all other sort of politics and unfortunately whenever they played the politics of defection tragedy occurred in the country. They have played such politics with Longowal Ji and as a result of that a tragedy occurred. Similarly they played similar politics in Srilanka and a big tragedy occurred in Tamilnadu. When you played similar politics in Assam, the brother of Assam's Chief Minister was assassinated. A number of political disputes cropped up one after the other but they go on with their policies of defection to get applause.

Many of our colleagues were mentioning the name of former Governor of Jammu and Kashmir because there was another Governor who refused to go there and the Government transferred him from Srinagar to Ahmedabad...
 (Interruptions)

You are asking how all these things are linked with the Municipalities. You are talking about the decentralisation of local bodies but what happened in Kamataka? The elections were held there for District

[Shri Hari Kishore Singh]

Councils and Gram Panchayats but as your party did not get majority in District Councils that is why the results of those elections were postponed. The Panchayat Minister of Karnataka resigned over this issue. Even today, there are certain people in the Congress Party who know as to how to protect their self respect and dignity of the country.

I do not know why the Government interferes in the matters of the states, be it Nagaland, Manipur or Meghalaya. You know that a big capitalist was sent to topple the Sikkim Government because he was not given licence to run a casino by the former Chief Minister Shri Narbahadur Bhandari. That is why MLAs were kept in a farm house there as well as in Delhi. The hon. Minister should be aware of it. Whatever happened in Kashmir after toppling the Government of Dr. Farooq Abdullaha, the same thing is going to happen in Sikkim today. I would like to caution the Government and the country through this House. Kashmir is burning today and same thing happened in Punjab. There is no Minister who can dare to visit Punjab without having proper security. Sheshan was hotly being debated in the House. It was just like Sheshan versus session. Had Shri Sheshan not postponed elections there. Sardarji would have not come to power there. Had the elections been conducted at that time, the Congress Party would have been deprived of having nine members to this House.

What I would like to say is that the committees constituted by the Government for North-Eastern in states and for border areas would not be of much avail. The hon. Home Minister has constituted three such committees but it seems that there is no unanimity between the Home

Ministry and the Home Minister on these committees.. (*Interruptions*) The hon. Home Minister visits some places to do something and later on Shri Pilotji go there to mar the work done by him. This should not happen. The Home Ministry should be run by one Minister. It is a matter of pride that our country had Home Ministers like Sardar Vallabh Bhai Patel and Shri Y.B. Chavan... (*Interruptions*) Why the precious time of the House is being wasted on the petty issues of the States. Shrimati Sheila Ji would have taken rest there. Why you have bothered her? The policy of defection should be done away with. If any other party comes to power there, the heaven will not fall because we are all Indians. The Government should take a lesson from the prevailing situation there which has left the Government in a total fix there.

[*English*]

THE MINISTER OF URBAN DEVELOPMENT (SHRIMATI SHEILA KAUL): Sir, I am happy that a number of hon. Members have participated in the discussion on this Bill. What I have noticed is that nobody has spoken against the Bill. Ours being a democracy, everybody believes in democracy. And if we have wanted to bring democracy somewhere, it is welcome by our hon. Members. There were a number of speakers. Dr. Pandey had mentioned whether there were other States which had accepted this.

[*Translation*]

I would like to inform that except Manipur all other states have accepted it. That is why Ordinance was promulgated. Action is being taken on it. It will also be implemented in case of Delhi and Chandigarh. Manipur is a part of India and it should also be done there.

Prof. Kamson has given good views on it. There is district council act for the Hill areas about which he has made a mention in his speech. There should be no objection to it. This Bill is applicable to plain areas.

[English]

PROF. M. KAMSON (Outer Manipur): Madam, will you please yield for a minute? My point was like this. This Municipalities Bill is very good and I welcome it. But this Bill is applicable only to the plains and not to the hilly areas. Only 10 per cent of the entire territory of Manipur comprises plains and the rest is hilly area. Now Manipur has got 22,000 Sq.km. of which only 2,000 Sq.km. of plains areas is covered by this Bill. The rest of the 20,000 Sq.km. comes within the purview of neither the Panchayat nor the Nagarpalika provision. Therefore, I draw the attention of the Home Minister to this fact and I request him to ensure that the hilly areas will get their due share under the Sixth Schedule.

SHRIMATI SHEILA KAUL: Well, that is what I am also saying.

[Translation]

Shri George Fernandes has left the House. He has mentioned in his speech as to how a small village has relations with Burma. I am grateful to him for giving such information.

Shri Barman Ji has mentioned about the importance of democratic participation. It is also an objective of this Bill. Shri Yaima Singh Ji has supported the Bill. He has referred to the Finance Commission and has said that by doing so, the planning committee would be greatly benefited and it is necessary to

percolate its benefit to the grassroot level. You have to look into it. The sole purpose of this Bill is to enable the people at grassroot level to get benefit of it.

Dr. Jayanta Rongpi and Shri Purkayastha have also participated in the discussion. This Bill would provide socio-political status everywhere. It would pave way for the development of every area. This Bill would provide identity to the people.

Shri Hari Kishore Ji has gone. Whatever he has referred to in his speech is not related to me. The hon. Home Minister has become the victim of his wrath. That is why I could not understand whether he was supporting the Bill or opposing it. But it seems to me that he was in favour of this Bill because he believes in democracy as we all believe in it. I am very grateful to all of you for your overwhelming participation in the discussion on the Bill and giving a message to the people that we all are unanimous on this subject and we want that every one in the country should get his equal share.

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Chairman, Sir, the points raised by the hon. Minister are good but she has not replied to my question as to why this Bill was not brought in the Budget session and why it has been delayed this much. Had you brought it in time, you could have avoided the tendency of promulgating ordinance and there would have been no need to promulgate the ordinance. Please tell me about it.

SHRIMATI SHEILA KAUL: I have already told you about it.

[English]

MR. CHAIRMAN: Mr. Pandeya, are you pressing your Resolution?

DR. LAXMINARAYAN PANDEYA: No, Sir. I seek leave of the House to withdraw my Resolution.

*The Resolution was, by leave,
withdrawn.*

MR. CHAIRMAN: Now, I shall put the Motion for consideration of the Bill to the vote of the House.

The question is:

"That the Bill to provide for constitution and organisation of municipalities in the Urban areas of Manipur and for matters connected therewith and incidental thereto, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill.

The question is:

"That Clauses 2 to 231 stand part of the Bill."

The motion was adopted.

Clauses 2 to 231 were added to the Bill

MR. CHAIRMAN: The question is:

"That clause 1, Enacting Formula and the Long Title stand part of the Bill"

The motion was adopted.

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

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

SHRIMATI SHEILA KAUL: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

17.53 hrs.

STATUTORY RESOLUTION RE:
DISAPPROVAL OF PUNJAB MUNICIPAL
CORPORATION LAW (EXTENSION TO
CHANDIGARH) ORDINANCE
AND
PUNJAB MUNICIPAL CORPORATION
LAW (EXTENSION TO CHANDIGARH)
BILL

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Chairman, Sir, before moving the motion of disapproval, I would like to submit that though on close circuit T.V. my name is being correctly mentioned yet it is being indicated that I am elected from Maharashtra. However, I would like to submit that I represent Madhya Pradesh.

THE MINISTER OF HOME AFFAIRS (SHRI S.B. CHAVAN): What is the problem in being shown as Maharashtraian?

DR. LAXMINARAYAN PANDEYA: I have no problem. Mr. Chairman, Sir, I beg