

to the other agency, then the time required to take a decision also will be very short. That is why, I would leave that to the Committee to take a decision. I am of the view that the Committee has all the right and authority which the House has. The Committee will be guided by what is given in the Civil Procedure Code and the Law of Evidence. The Committee can ask the documents to be produced. If there is something in the documents which is erased, the Committee can ask what was it which was erased. And the officers will be duty-bound to produce those things before the Committee. And if they take a plea that it is not in the public interest that those things cannot be produced, then it is the Speaker who will take a final decision whether that should be produced or not. That stage has not yet come.

One more thing. If the Law of Evidence is applicable, if the Civil Procedure Code is applicable, if the persons is required to produce a document before an agency or before an authority or before a court or before a committee and if that person, for no reason is producing those documents before a committee, then the adverse inference against that agency which has not produced the document also can be drawn. In the judgement, the Committee would be entitled to say that this documents should have been produced, this information should have been given which has not been given and that is why, the Committee has a doubt that there is something wrong in it. In ultimate judgement, they would be pronouncing that all these things can be taken. I would request that, in the interest of the working of the Committees and in the interest of the practice we are following in the House also, such matters should not be raised on the floor of the Houses, although you are very much right to feel concerned about it. I do not deprecate it. I appreciate it. Yet in the interest of the procedure we should avoid taking it out.

(Interruptions)

SHRI BASUDEB ACHARIA (Bankura): But the matter has appeared in the newspaper. (Interruptions)

12. 32 hrs

RE. DISSOLUTION OF THE DULY
ELECTED AUTONOMOUS DISTRICT
COUNCIL OF KARBIANG LONG LONG
BY THE GOVERNMENT OF ASSAM

[English]

DR. JAYANTARONGPI (Autonomous district): Mr. Speaker, Sir, on the 13th of this month, the Government of Assam dissolved the duly elected autonomous District Council of Karbianglong. I have raised this issue not because I represent that constituency, I have raised this issue because it has got very wider implications in the entire ethnic question of the North-East India.

This Council belongs to such a place, that is, Karbianglong and North Cachar Hills, which has got a history. During the British period when the Britishers were about to go, so many hill tribal floated different demands right from succession to a separate State or even the concept of a 'Crown Colony'. That is the status which Hong Kong enjoys now. Even if there was concern, people of this district overwhelmingly decided and pleaded that they wanted to be within Assam with proper autonomy. This is a place where people at the time of the Constituent Assembly advocated that they would be within Assam with proper autonomy. This is very rare in the scenario of North-East India and the hilly tribals. They have been demanding either separation from the North-East India or they have been demanding a separate State (Interruptions)

MR. SPEAKER: We have decided that one Member will raise one issue.

DR. JAYANTA RONGPI: At the time of the reorganisation of Assam, the people of karbianglong said, "no, we do not want a separate State, we do not want Meghalaya, we do not want Nagaland, we do not want to be a separate State. We want to remain within Assam with proper autonomy." And a future provision was kept in the Constitution in Article 244(a) by a creation of an

autonomous State within the State of Assam. And after that, during the entire period of the rule of the regional parties for the last five years and prior to that the six years of Assam movement, where there was bloodshed where there was violence, this is the only place where there was complete communal harmony, where there was not a single political murder or communal murder.

We have discussed in Parliament about the insurgency problem in the North-East, ULFA, Bodo Security Force - only the other day it was banned by the Central Government - HMAR Peoples' convention, NSCN and ATTF. In the entire scenario of insurgency, this is the only district in the entire North-East. the only hill area which is completely insurgent-free. Here people are demanding peacefully and moving peacefully. And, what has the Government of Assam done? There, my party- Autonomous State Demand Committee- is having three-fourths majority in the Autonomous District Council. We have been demanding for upgradation and negotiation was going on, political dialogue was going on. On the 27th of March, this year, there was a tripartite discussion where the Union Home Ministry said that "the demand is constitutional but the very word "State" will give a wrong signal to the different parts of the country. So, you drop the word "state" and the Council will be upgraded by amending the Sixth Schedule." And we agreed to that. The Assam Government was asked to submit a joint proposal with the movement leaders for amendment of the sixth Schedule and upgradation of the Council, so that Assam need not be divided. And we agreed to that and the Assam Government submitted its proposals for amendment of the Constitution.

And only on 12th of this month, in the Consultative committee attached to the Home Ministry, in which I am also a Member, when this question was raised, the hon. Home Minister, Shri Chavan has categorically assured that "since this demand does not involve vivisection of the State of Assam, does not involve division of the State of Assam; it involves only amendment of the Sixth Schedule, I am going to consider it

sympathetically and positively and tonight itself I will discuss with the Chief Minister of Assam." And on that very night of 12th, the Government of Assam has dissolved this District Council without any cause. It is not constitutional, its illegal. Anticipating this, we moved a caveat in the Guwahati High Court; and the Guwahati High Court gave the order on 9th saying that the case will be heard on the 19th and the Government of Assam cannot take any action before that. So, after 9th, the Government was silent on 10th, 11th and 12th. And on the 12th midnight, at 12 O'clock, paramilitary and military forces entered into the District Council Headquarters, as if they have entered into an enemy territory and they gheraoed the entire Council Headquarters. They broke open the lock; they removed the sign-board; they went to my residence and they asked my wife to vacate the residence immediately; they had cut my telephone wires then and there and they took away the vehicle and then broke away the lock of the office at my residence. They have done it on 13th only four days after the High Court order was passed. The High court, has passed the order on 9th.

So, in a dishonest way, the Government of Assam has dissolved the District Council. I do not want to take much of the time. I want to appeal to the Government, to the Home Minister because the Chief Minister has categorically stated that he had got the green signal from the Home Ministry to dissolve the District Council, and in a very uncivilized way, they have done it by force and now the situation is very alarming. Today only, I have got a telephone call from the local MLAs. There, they have arrested 20, 000 people who have gathered at the District Council Headquarters and they have lathi charged, tear-gassed, in which 70 people got injured.

So, I appeal to the Central Government to intervene in this matter, to revoke the dissolution order which is illegal and unconstitutional. I demand that the Home Minister himself should go and visit and see the plight of the tribals because they have not allowed any tribals to move by train. I do not know whether the Railway Minister knows it or not but they have asked the trains not to

505 *Re Dissolution of* AGRAHAYANA 6, 1914 (SAKA) *Council of Karbianglong* 506
duly elected Autonomous District *by Govt of Assam*

stop at any of the stations passing through Karbianglong District, so that people cannot come and go to the District headquarters. And any tribal, any Mongolian looking face cannot travel now by public transport. They have been forcefully pushed out from the public transport and they were not allowed to go to the District headquarters.

MR SPEAKER I have given you ample time. Please conclude.

DR JAYANTA RONGPI This is the condition. Therefore, the Home Minister should go and visit that place. On this matter, I would also like the opposition and the democratic organisations to support the cause and condemn this act of the Government.

SHRI VISHWANATH PRATAP SINGH (Fatehpur) I have been briefed on this subject by the hon. Member. As we went through the documents regarding the procedures and rules, it is very clear that the rules have not been followed in the dismissal of this Committee. I think you may ask the Home Minister to make a statement on this and also to protect and uphold the rules. It is such actions which lead to alienation. All the other things about conduct that has been said indicating stopping of the tribal movement, the manner in which the office was raided and other details is very serious. We are very much concerned. I request that the Government should make a statement on this. In violation of rules that has taken place it should be rectified and justice should be done.

[Translation]

SHRI LAL K ADVANI (Gandhi Nagar) Mr. Speaker, Sir, the issue raised by the Hon. ble Member is not relevant to that area alone, but also for the entire North-East. It is unfortunate that a sense of alienation is growing in the minds of the people especially the tribal population. Now, the council has been dissolved in utter disregard of all rules because the area is far off from Delhi and the tribals are taken for granted. If this situation continues and this attitude of the Central

Government doesn't change, then it would be very damaging. Therefore, I feel that it would be proper if the hon. Minister makes a detailed statement in the House, in this regard, because all the newspapers have vehemently criticised this action, violatove of all rules. Keeping in view, both the facts that the area lies in the volatile North-East and the population involved is tribal, it is my submission to the hon. Minister of Home Affairs to make a statement.

SHRI RAM VILAS PASWAN (Rosera) Mr. Speaker, Sir, a demand for Bodo Land is being made. A similar demand is being made for Jharkhand Land. (Interruptions)

MR SPEAKER No, no, he has spoken already. Your leader has already spoken.

[English]

This is not correct, Paswanji.

SHRI SAIFUDDIN CHOUDHURY (Katwa) It is quite clear that the constitutional provisions have not been followed. Karbianglong District Council has been formed under the Sixth Schedule of the Constitution. For the dissolution, according to law, the requirement is that there has to be an enquiry committee. That has not been formed. There is the other provision that one can temporarily take over the power, but that has not been done, it has been permanently dissolved. Also we find the most dubious manner in which the Government tried to thwart the court's order. The court on 9th gave the order that no action should be taken. (Interruptions)

[Translation]

MR SPEAKER It was decided only yesterday that the issues will be taken up one after the other. There are 40 other issues lying with me. There is no use repeating the same thing.

(Interruptions)

[English]

SHRI SAIFUDDIN CHOUDHURY But on back date the notification for dissolution

has been issued. This is most myopic and most harmful to the sensitive area of the north-east which is connected with the sentiments of the tribals. This kind of forceful dissolution should not have taken place. It has to be rescinded.

MR. SPEAKER: The rule in the House is that one matter which is brought to the notice of the House need not be repeated. You can say that you are of the same view and that is all.

SHRI SAIFUDDIN CHOUDHURY: This point is very important. An elected Government to thwart the court's order and signing a notification on the back date is very serious. What kind of morality does this Government have? It is quite clear.

MR. SPEAKER: The rule is, if the matter is brought to the notice of the House, the same matter need not be brought to the notice of the House by another Member.

SHRI SAIFUDDIN CHOUDHURY: We are giving our support.

MR. SPEAKER: I understand that and that is why I allowed you. Please understand Saifuddin. On one point if I allow ten Members to speak and other Members are not allowed to speak, they feel hurt.

SHRI SAIFUDDIN CHOUDHURY: You say the same thing everyday.

MR. SPEAKER: What do I do? I cannot stretch the time.

SHRI SAIFUDDIN CHOUDHURY: We all know what is an important matter.

MR. SPEAKER: That is important for you and other matters are important for others.

SHRI SAIFUDDIN CHOUDHURY: This is very important. All other matters are also important; but there has to be answer from the Government of India on that. There has to be an answer. We do not speak on every subject. *(Interruptions)*

MR. SPEAKER: You are speaking on every subject.

(Interruptions)

SHRI SAIFUDDIN CHOUDHURY: Yes. But, Mr. Speaker, Sir, you please do not interrupt every time. *(Interruptions)*

MR. SPEAKER: No. I have to.

(Interruptions)

SHRI SAIFUDDIN CHOUDHURY: We know what is important and what is not. We know that. *(Interruptions)* We want an answer from the Government. *(Interruptions)* We want an answer from the Government. *(Interruptions)*

MR. SPEAKER: This is unreasonable. Please take your seat now.

(Interruptions)

SHRI SAIFUDDIN CHOUDHURY: There has to be an answer. *(Interruptions)*

MR. SPEAKER: I allowed you. But you should take into consideration that other Members are sitting behind you who want to speak.

(Interruptions)

MR. SPEAKER: It is only yesterday, we decided that one matter will be raised by one Member, and on the next day, you break it. *(Interruptions)*

SHRI SAIFUDDIN CHOUDHURY: But you allowed me. Had I not been allowed, I would not have raised it. *(Interruptions)*

MR. SPEAKER: Please do not argue like that. Please understand that you are a senior Member and I allowed you in deference to your position as a leader.

(Interruptions)

SHRI SAIFUDDIN CHOUDHURY: Then, you allow me to complete. *(Interruptions)*

509 *Re. Dissolution of* AGRAHAYANA 6, 1914 (SAKA) *Council of Karbianglong* 510
duly elected Autonomous District
by Govt. of Assam

MR. SPEAKER: You need not repeat what has been said by other Members. We are capable of understanding the things, once it is said on the Floor of the House. That is the rule also.

(Interruptions)

SHRI SAIFUDDIN CHOUDHURY: I was about to complete. I was about to ask a statement from the Government.
(Interruptions)

MR. SPEAKER: That is all. Okay, it is very good. Now, you please sit down.

(Interruptions)

MR. SPEAKER: Shri Sontosh Mohan Dev:

THE MINISTER OF STATE OF THE MINISTRY OF STEEL (SHRI SONTOSH MOHAN DEV): Sir, I am from Assam. Hon. Ex-Prime Minister, the Leader of the Opposition and other senior Members, the Leader of the Opposition and other senior Members have brought certain issues which are quite important. We are equally anxious. *(Interruptions)* I hope that the Speaker has allowed me. *(Interruptions)* If other Members do not want to hear me, I will sit down. *(Interruptions)* Now, one Member asked as to why I am standing. *(Interruptions)*

SHRI RABI RAY (Kendrapada): I said, I am glad that you are speaking.

(Interruptions)

SHRI SONTOSH MOHAN DEV: Sir, I would like to say this. I do not want to go into the merits or demerits of the case. It is for the Speaker and the Home Minister to judge and say. But I want to put the record straight.

The Government of Assam has taken certain action which is being challenged in the High Court. The matter is being heard in the High court. The next date for hearing is either Second or third of next month. This is number one.

The second thing is that the issue has been brought out in national Press; and Shri Advani has very rightly expressed anxiety. I would like to tell this much that when this Body is an elected Body elected by the tribals and the elected people are all tribals; and when the same Members come before the Government with certain serious allegations of financial irregularities, the Government is supposed to look into it - right or wrong will be decided by the High court. But this matter has been brought in such a manner as it is alienation of tribals because we do not accept that it is an alienation of tribals. Financial irregularity, of there is any, the Government which is an elected Government has got the right to take action. It has nothing to do against tribals.

Assam Government has got full respect for the tribals. Whether it is Bodo land or whether it is Karbianglong, we are sympathetic; Government of India is discussing; it should be settled through negotiations. But the message should not go that the action was against the tribals. It is an action against that Body, whose action, according to the Government of Assam is contrary to the interests and contrary to the Constitution; and it has been challenged by them. But we shall abide by the decision of the High Court. *(Interruptions)*

THE MINISTER OF PARLIAMETARY AFFAIRS (SHRIGHULAM NABI AZAD): Sir, my hon. friend has said that the matter is before the High Court. I wonder whether we can discuss when the matter is pending before the High court; and it is coming up again next week. *(Interruptions)* Yet, I will bring this to the notice of the Home Minister to take appropriate action. *(Interruptions)*

[Translation]

SHRI HARI KISHORE SINGH (Sheohar): Mr. Speaker, Sir, I would like to draw the attention of the august House towards a very important matter. The economy of the country has been shattered with the introduction of the new economic policy. The Government is trying to sell out major industries to foreign companies and

also trying to transfer some of them to the private sector. The B.H.E.L. is the most prestigious industry in the economic development of the country. *(Interruptions)*

SHRI NITISH KUMAR(Barh): There should have been a statement by the hon. Home Minister on the first issue.

[English]

MR. SPEAKER: Mr. Nitish Kumar, you are commenting continuously. it is not good.

(Interruptions)

MR. SPEAKER: You are disturbing him and they also.

(Interruptions)

MR. SPEAKER: he has said that he is bringing to the notice of the Home Minister.

[Translation]

SHRI HARI KISHORE SINGH: There was a report in the newspapers that a conspiracy is being hatched to sell out the Bharat Heavy Electricals Limited to a multinational company. I would like to know from the Government, whether it is an industry which has become sick and the Government declared it to be so. Was it not a yardstick of our economic progress and development in the world? Is it running in loss?

Besides it, it has also been reported in the newspapers today that Management of the railway stations is also going to be privatised. I do not know, why the Government, as a matter or repeeth for you has started this work from Maharashtra with the privatisation of the Management of Bandra railway station.

[English]

MR. SPEAKER: Speaker does not do anything in Maharashtra.

[Translation]

SHRI HARI KISHORE SINGH: Does the new industrial policy aim at privatisation of the prestigious industrial establishments and selling them out to the multinational companies. It appears to me that by the turn of this century we will be seen begging from door to door as national beggars. I want to know about the steps being taken by the Government in this regard. I demand that the Government make a statement in this regard and bring an end to this state of affairs.

SHRI HARPAL PANWAR (Kairana): Mr. Speaker, Sir, through you, I would like to draw the attention of the House towards the irregular and cancelled flights of the Indian Airlines. Uncertainty is prevailing in the flights of the Indian Airlines. The passengers who want to travel by it or who book their luggages in it are always put in a dilemma whether the particular flight will take off or not. The pilots are behaving in a high handed manner, Even after getting a handsome salary and other perks, they are not attending to their duties. They are getting Rs.40000/- per month, These pilots perform harly 40-45 hours duty in a month, while the pilots in the private companies work for 80 hours. It seems that the situation is out of control of the Government. Therefore, the Government should be directed of dismiss them service immediately and make fresh recruitment, otherwise this state of uncertainty will continue long and every one will suffer. The Government will have to bear the financial loss.

[MR. DEPUTY SPEAKER *in the Chair*]

12.53 hrs.

SHRI VISHWANATH SHASTRI (Gazipur): Mr. Deputy Speaker, Sir, I would like to draw the attention of the Government towards the conspiracy that was hatched to murder the hon. **Member of Parliament** of the Communist Party of India from Monghyr, Shri Brahmanand. **The police officers of lakhi Sarai sub-division also know about it. This news has been reported in the November**

20 issue of Jansatta, published from Calcutta. I want to demand, through you, from the Government that the life and property of the hon. Member, Shri Brahmanand Mandal should be protected. He should be provided security and arms licenses of the conspirators should be cancelled.

[English]

SHRI ANANTRAO DESHMUKH (Washim): Sir, I want to raise a very important matter in this House. It relates to an article which has appeared in the German Press on 29.9.92. I will have to translate it to English as it is in German.

MR. DEPUTY SPEAKER: Do not read out verbatim. You can give the gist of it in English.

SHRI ANANTRAO DESHMUKH: I will tell you the text of that article.

"Atomic Power Station - boiling water - people have taken ill because of radiation. Madras people are suffering due to atomic radiation around the power station. Fishes are found cooked and boiling water around Kalpakkam. People have developed blindness and many eye problems. Doctors advice people to leave the village."

If this is true, then the matter is very grave. We would like to know the Government reaction thereon. If it is not true, then I would urge upon the Government that they should take it up with their German counterpart so that they can curb publishing of such an article which is maligning the image of this nation. I would like to have the Government's reaction thereon.

[Translation]

DR. LAXMINARAYAN PANDEYA (Mandsaur): Mr. Deputy Speaker, Sir, on 22.11.92 a major rail accident took place between Rattam-Dohad railway stations on the Western Railway in which 20 people died and more than 200 people sustained injuries. But no proper arrangements were caused

concerns to provide medical treatment to the injured made by the railways. This has their family members. It has also come to the notice that the railway officials also behaved in an inhuman way. My submission to the hon. Railway Minister is that the families of the deceased and those of the injured persons should be provided some help and those who are in a critical condition should be given treatment so that they could be saved

[English]

SHRI P.C. THOMAS (Muvattupuzha): Sir, the nurses of the All India Institute of Medical Sciences are on agitation for the past few days on very genuine demands. There have been repeated assurances from the side of the Government that quarters will be given to nurses. Though there are more than 1200 nurses working in that hospital, only 150 nurses have been given quarters. All others are finding it so difficult that with their paltry salary, they are not in a position to get quarters for their residence.

Secondly, their demand is that their conditions of salary and promotions must be made on par with others in Delhi. These are genuine demands. Today, they are on a hunger strike. As you know, the hon. Members of this House are going to AIIMS for treatment. Not only the Members of this House but the nation as such is being served by these nurses. I would plead and humbly suggest the hon. Minister for Parliamentary Affairs to inform the Health Minister about their strike and demands and they may be taken heed to. Please respond for a minute.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI GHULAM NABI AZAD): I will bring this matter to the notice of the Health Minister.

[Translation]

SHRI SATYA PAL SINGH YADAV: (Shahjahanpur): Mr. Deputy Speaker, Sir, I would like to draw the attention of the House to the problem of 10,000 cultivators of Uttar Pradesh. The cultivation of opium in Uttar Pradesh. The cultivation of opium in Uttar

scale. A large amount of foreign exchange is earned through export of opium. I am sorry to say that this year the officials have refused to issue licences to opium cultivators due to wrong policies of the Government. Farmers cannot cultivate opium without licence. In this regard, an M.P. from Bareilly raised this issue yesterday in the House. Besides, the Departmental officials don't visit the farms of those farmers whose crops have been damaged. With the result the cultivators don't get licences. Though the Departmental officials have circulated pamphlets inviting people to extract opium from damaged crop, yet licences are not being issued to those who are interested in it. Therefore, I would like to urge upon the Government to issue licences to opium cultivators without any delay. (Interruptions)

13. 00 hrs.

SHRI TEJ NARAYAN SINGH (Buxar): Mr Deputy Speaker, Sir, it has not been raining in Bihar for the last one year. With the result Bihar is experiencing famine. In Bihar, wells, ponds and rivers have dried up and drinking water is not available there for human consumption. The general public in Bihar is in great distress. The Government of India is well aware of the situation but it has not taken any action so far in this regard. The poor people are migrating from Bihar to other States in search of job. Therefore, I would like to demand that the Government of India should release a sum of Rs. 1400 crore as relief to Bihar so that relief work could be carried out and migration of poor people could be stopped.

Secondly, provision of electricity should be made there. The tube wells, which are out of order, should be repaired and for this purpose, boring be made in every village especially in Harijan localities, so that poor people may get drinking water. I hope the Government of India will take note of it and provide relief to Bihar Government at the earliest so that the Government of Bihar could meet the situation.

MR. DEPUTY SPEAKER: Now Zero hour is over. We shall go to the next item please I call Shri Pradhanani

(Interruptions)

[Translator]

SHRI SUFRAJ MANDAL (Godda): I have been giving notice for the last three days but I am not being given an opportunity to speak. (Interruptions)

SHRI MUMTAZ ANSARI (Kodarma): I should also be given an opportunity to speak. I have also been giving notice for the last three days. (Interruptions)

13. 02 hrs.

COMMITTEE ON WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES

Reports of Study Tours

[English]

SHRI K. PRADHANI (Nowrangpur): I beg to lay on the Table a copy each (Hindi and English versions) of the following Reports:

- (i) Report on Study Tour of Study Group I of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on its visit to Guwahati, Agartala, Calcutta, Darjeeling and Patna during June-July 1992.
- (2) Report on Study Tour of Study Group-II of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on its visit to Bombay, Cochin, Kottayam, Coimbatore, Ooty, Mysore and Bangalore during June-July, 1992.