

of Technology Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 25th November, 1961."

- (2) "In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the High Court Judges (Conditions of Service) Amendment Bill, 1961, which was passed by the Lok Sabha at its sitting held on the 21st November, 1961, and transmitted to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

COMMITTEE ON PETITIONS
FOURTEENTH REPORT

Shri Barman (Cooch-Bihar—Reserved—Sch. Castes): I beg to present the Fourteenth Report of the Committee on Petitions.

ESTIMATES COMMITTEE

FORTY-FOURTH AND FORTY-SIXTH
REPORTS

Shri Dasappa (Bangalore): I beg to present the following Reports of the Estimates Committee:—

- (1) Hundred and forty-fourth Report on action taken by Government on the recommendations contained in the Twenty-fourth Report of the Estimates Committee on the Ministry of Education—Administration (Secretariat), Grants-in-aid, etc.
- (2) Hundred and forty-sixth Report on action taken by Government on the recommendations contained in the Ninety-fifth Report of the Estimates Committee on Rehabilitation Finance Administration.

PRESENTATION OF PETITION

Shri Punnoose (Ambalapuzha): I beg to present a petition signed by 86,000 petitioners of the Ambalapuzha and Shertallai taluks relating to protection of coir industry in Kerala with a view to remove unemployment there.

CORRECTION OF ANSWER TO
STARRED QUESTION No. 249

The Minister of Transport and Communications (Dr. Subbarayan): In reply to part (a) of Starred Question No. 249 by Shri Ram Krishan Gupta answered in the Lok Sabha on 25-11-1961, it was stated that one departmental official and six outsiders had been arrested. The actual position is that two departmental officials and five outsiders had been arrested.

12.13 hrs.

STATEMENT RE. ADMINISTRATIVE
SET-UP OF THE UNION
TERRITORIES

The Minister of Home Affairs (Shri Lal Bahadur Shastri): In accordance with the assurance given during the last Session of Parliament, I would like to make a statement in regard to making changes in the existing set-up of the Union Territories.

Before I proceed to apprise the House of the steps Government propose to take in this matter, I would briefly refer to the existing arrangements about the administration of these territories. As the House is aware, the States Reorganisation Commission made a detailed examination of the various aspects of the problems of the former Part C States and came to the conclusion that these States provided no adequate recompense for all the constitutional, administrative and financial problems which they posed. The Commission accordingly suggested that to the extent practicable, the Part C States should be

[Shri Lal Bahadur Shastri]

merged with the adjoining larger States. The Centrally administered areas recommended for immediate merger with the adjoining States included Himachal Pradesh and Tripura. In regard to Manipur also, the Commission was definitely of the view that it could not maintain its separate existence for long and that the ultimate solution should be its merger with Assam.

As regards the appropriate set-up for such of the Centrally administered areas as might retain their separate existence, the Commission recommended that there need be no local legislatures for such territories and that Parliament should legislate for them in all matters. The Joint Select Committee on the Constitution (Ninth Amendment) Bill also recommended that Parliament should be the legislature for these territories. These recommendations form the basis of the present administrative set-up of the territories of Himachal Pradesh, Manipur and Tripura. We have now Advisory Committees for each of these territories which include Members of Parliament from the respective territories. In recognition of the fact that Parliament is the legislature for these territories increased representation has been given to the territories in both Houses of Parliament. Territorial Councils have also been set up for these territories and a number of important matters of local concern have been entrusted to them.

The purpose of the Central Government assuming the direct responsibility for the administration of these economically backward territories has been to ensure that the pace of their economic development is speeded up. The House is aware that under the existing arrangements, these territories have received increasing attention of the Central Government and have made all-round progress. The tempo of their development during the last five years has been much faster than before and the total allocation for the Second Five Year Plan for the

territories of Himachal Pradesh, Manipur and Tripura, which was a little over three times the First Five Year Plan outlay has been fully utilised.

I have given briefly the past history and the constitutional changes that have been made. It would be agreed that Government and Parliament then arrived at the decisions after a good deal of careful consideration. Even the Constitution was amended and Article 240 which pertained to Part 'C' States was repealed. It would be very awkward that Government should again totally reverse the old decision and consider re-amending the Constitution. To make such radical changes so frequently will not speak well either of the Government or of the Parliament. If it is not possible to restore fully the previous arrangements, we have naturally to think of other steps which can be taken with or without amending the Territorial Councils Act, as Government do feel that the present arrangements do not give enough scope to the people of these territories to help in the building up of their areas.

Our basic approach is to afford an opportunity to the representatives of the people to develop their territories and also give them a feeling of genuine participation in the running of the administration. In order to give effect to this approach, it seems essential that all work relating to development should be transferred to the Territorial Councils. This will include subjects like education beyond the secondary stage, all medical institutions, agriculture, animal husbandry, co-operatives, panchayats, industries and supplies, labour and employment, roads and buildings, irrigation and electricity. This list is only illustrative and not exhaustive and the point whether any other department should be transferred can be further considered. Some other subjects, however, will have to be kept out, such as law and order, administration of justice, revenue administration, excise and taxation. These may continue to be

the responsibility of the Administrator.

The important point is the participation of the people's representatives in the administration of the transferred subjects and departments. The point to consider is if there could be a set-up which would be responsible to the Territorial Council and also do executive work. This may be done by setting up an executive committee in each territory with the Chairman of the Territorial Council at the head to discharge the executive functions of the Territorial Councils; but this is a point that will have to be examined more carefully.

As I have already stated, with the repeal of the old article 240 of the Constitution, which empowered Parliament to create legislatures in Part C States, it is not possible to establish in the Union territories legislatures with legislative powers which vested in the legislatures of the old Part C States. We might, however, examine whether the Territorial Council could in a formal way advise the Government of India on subjects and matters pertaining to legislation in the State field.

All these matters raise a number of issues, legal, financial, administrative and others and before we come to a final conclusion, it would be advisable to give the whole matter full thought and expert consideration. For this reason, Government consider it necessary to appoint an official Committee with the Law Minister as Chairman to examine all the issues which might arise in this connection and submit their report to Government soon.

Government are anxious that the new changes should be effected at the earliest so that the newly elected representatives after the General Elections get the fullest opportunity to take on their added responsibilities and work out the new scheme.

I hope that these proposals will be accepted in the best spirit. What is important is not name and form, but

the substance. What Government have proposed will give power and authority as also active participation in the running of a wide field of administration and development, subject only to the superintendence and control of the President. I would appeal to the people and the leaders of the Union Territories to lend their full co-operation in the steps indicated above.

Shri Dasaratha Deb (Tripura): Sir, the demand of our people is that the existing Chief Commissioner's regime should be replaced by a responsible form of government, that is, by a full-fledged legislative assembly. Some such type of administration should be established. That was the assurance given earlier by the hon. Home Minister himself as also by the hon. Prime Minister. I want to know the reason why Government has now retreated from its earlier statement. I may also tell the House that our people will not be satisfied by simply transferring power to the Territorial Council.

Mr. Speaker: Order, order. I am not going to allow it. Shri Jaganatha Rao.

Shri Braj Raj Singh (Ferozabad): Sir, could I seek a clarification? The hon. Home Minister has said that the Government is going to appoint a committee. Who are the other members of that committee?

Mr. Speaker: I am not going to allow any discussion on the statement (Interruption). Shri Jaganatha Rao.

RELIGIOUS TRUSTS BILL

REPORT OF JOINT COMMITTEE

Shri Jaganatha Rao (Koraput): Sir, I beg to move that the time appointed for the presentation of the Report of the Joint Committee on the Bill to provide for the better supervision and administration of certain religious trusts, be further extended upto the 31st March, 1962.