17.34 hrs.

NAGALAND (APPROPRIATION)
BILL,** 1977

THE MINISTER OF FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1976-77.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1976-77."

The motion was adopted.

SHRI H. M. PATEL: I introduce† be the Bill.

I beg to movet:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1976-77, be taken into consideration."

MR. CHAIRMAN: The question is:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Nagaland for the services of the financial year 1976-77, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: We shall take up the clauses. The question is:

Account), 1977-78

"That clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, the Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. M. PATEL: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

17.37 hrs.

PONDICHERRY BUDGET, 1977-78— GENERAL DISCUSSION AND DEMANDS*FOR GRANTS ON ACCOUNT, 1977-78

MR. CHAIRMAN: Now, we take up Pondicherry Budget.

Motion moved:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, be granted to the President out of the Consolidated Fund of the Union Territory of Pondicherry, on account, for or towards defraying the charges during the year ending on the 31st day of March, 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos. 1 to 33.

^{**}Published in Gazette of India Extraordinary, Part II, section 2, dated 30-3-77. †Introduced/Moved with the recommendation of the Vice President acting as President.

^{*}Moved with the recommendation of the Vice President acting as President.

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[List of Demands for Grants on Account (Union Territory of Pondicherry) for 1977-78 submitted to Vote of the Lok Sabha]

No. of Name of Demand Amount of Demand for Grant Demand on Account 1 2 3 Revenue Capital Rs. Rs. 1,88,000 Legislative Assembly 5,000 Administrator Council of Ministers 63,000 Administration of Justice 7,32,000 82,000 Elections 27,62,000 Revenue 3,45,000 Sales Tax Taxes on Vehicles 92,000 11,95,000 Secretariat 5,16,000 District Administration 31,29,000 10 Treasury and Accounts Administration 6,79,000 11 37,88,000 Police 12 2,16,000 Tails 13 Stationery and Printing 7,01,000 14 Miscellaneous Administrative General Services 9,58,000 15 14,52,000 Retirement Benefits 16 77,63,000 1,27,67,000 Public Works 17 13,000 1,76,89,000 Education 18 1,01,19,000 Medical 19 5,93,000 Information and Publicity . 20 7,64,000 Labour and Employment 21 34,02,000 9,000 Social Welfare 22 12,45,000 12,58,000 Co-operation 23 Miscellaneous G.neral Economic Services 3,53,000 24 2,15,000 38,58,000 Agriculture

17	3
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I	2						3	
							Revenue Rs.	Capital Rs.
2 6	Animal Husbandry	· •	•	•	•		10,97,000	83,000
27	Fisheries	,			•		14,15,000	55,000
28	Community Developme	ent		•	•		20,58,000	42,000
29	Industries	•	•	•	•	•	12,03,000	16,04,000
30	Food and Nutrition	•	•				1,76,000	• •
31	Electricity	•		•	•		1,06,64,000	80,73,000
32	Ports and Pilotage	•		•	•	•	1,98,000	96,000
33	Loans to Government	Servants			•		••	12,80,000

SHRI ARVINDA BALA PAJANOR (Pondicherry): Actually I wanted to raise a point of order on this but since this Budget is coming at fag-end of the year and there is no time left and I do not want the administration of Pondicherry to come to a standstill. I will cooperate at this occasion. But I am pointing out certain anomalies. According to me, as per the Constitution under Article 356, the President's Rule cannot extended in any territory for than three years. The Assembly was dissolved on 28th March, 1974 and as per the Constitution you cannot extend it for more than three years. But the President's Rule was first extended for one year, then it was extended to second and then to third year. Unfortunately, the Emergency was there and under Emergency you can extend this President's Rule for any number of years. Now it is a very good feature that the Emergency both internal and external, has been withdrawn. Since there is no Emergency, you cannot go on extending the President's Rule there. According to me, there is an anomaly and there cannot be any President's Rule after 28th March, 1977. The maximum period of three years is over but you have not declared elections there and now you have again come with the

Budget of Pondicherry in this House. The Finance Minister has said nothing in the speech about the elections there. I want to know how to over this anomaly. I think they may take shelter under the Union Territories Act. But the Union Territories Act is also within the Constitution and it cannot override the Constitution. If somebody takes up the matter to the High Court or the Supreme Court, then there will be a hindrance. So, I request the Finance Minister or the Law Minister or the Home Minister to immediately declare elections Article 356 says: there.

"Provided that if and so often as a resolution approving the continuance in force of such a Proclamation is passed by both Houses of Parliament, the Proclamation shall, unless revoked, continue in force for a further period of six months from the date on which under this clause it would otherwise have ceased to operate, but no such Proclamation shall in any case remain in force for more than three years."

I bring to your notice that on the 28th March, '77 the three year veriod has come to the point of limit and I do not think you can continue this

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[Shri Arvind Bala Pajanor]

Proclamation any more. You may say that under Article 251 of the Union Territories Act, you can go on increasing it for a number of years. But this Act cannot be an independent Act outside the Constitution. You must consider the spirit behind this enactment. There should not be any discrimination between people in one State and other in a Union Territory.

Now, Madam Chairman, if government takes shelter under section 51 of this Act, it should give reasons why it is not able to proceed with an elected government. There is no Emergency, external or internal, according to the government. This information is welcome. I want to know under what Article it has been done. If it has been done by the previous government, the present government has not come up with a new proclamation. I think it is not fair for the present Prime Minister and Home Minister to take shelter under certain things which had taken place prior to the 21st March. I want a clarification on this.

Leaving this aside, I do not want to raise any technical point. I used to oppose the technical points which Mr. Sezhiyan used to raise in this House earlier. I am one with you that the spirit of the matter should be taken into consideration.

I want my government to run Pondicherry. I am the solitary representative. There are so many people to speak for Nagaland. You have dissolved the Pondicherry Assembly for so many years now. No Municipal elections have been held there. I appeal to you to declare elections for Pondicherry as early as possible. Elections to Parliament were there only two weeks bac**k**. You can hold at least municipal elections. They have not been held for ten years now. I do not understand why there is any mention about elections in this bill. I do

not want my administration in Pondicherry to suffer. There are no doubt good officers there. They are doing their best, with the limited funds that are available. Pondicherry is a backward area. It is also a very peculiar one Mizoram, Andamans and Lakshadweep have contiguous areas, whereas in Pondicherry, I have to traval a Between minimum of 1,000 miles. Karaikal and Pondicherry the distance is 100 miles. Between Pondicherry and Mahe, it is 450 miles. For going to Yenam, I have to travel 750 miles. (Interruption) If I become the Prime Minister, I can use the helicopter. It is a peculiar territory. single constituency is spread over 3 States. There is only one representative. While allotting funds for Pondicherry, please don't equate it with any other Union territory. It is a peculiar territory which was ruled by the French for 300 years. I would request the present Finance Minister to allot adequate funds. Even though I used to receive congratulations whenever I spoke earlier, nothing was substantially done for Pondicherry. My request have been met to the extent of 20 per cent. I have become a gramaphone record. I am bound to repeat things, because you are new Finance Minister. I would like to see whether your actions go along with your words and promises. Pondicherry comes up, India will be benefitted. Pondicherry is spread over the entire Dakshin Bharat, i.e. over 3 States. I am happy to see that on this occasion, the Finance Minister was concentrating very much. I hope that he will listen to my speech also carefully. These are very important matters for Pondicherry. First I would appeal to you that there must be elections as early as possible, because you believe in the verdict of the people and you bow down to the wishes of the people. I am sure you will declare the elections as early as possible.

Secondly, for the last three years I have been asking for a University.

It has been pending for the past seven years. It should be done early. I want a categorical answer from the Minister of Finance whether they are going to give us the University in the coming financial year.

So far as deep sea fishing is concerned, the project has been sanctioned. Though it has not been mentioned here, I hope serious attention is being paid to the development of deep sea fishing by the present Finance Minister, so that the food problem can be solved. There should be centres, one each at Pondicherry, Karaikkal and Mahe.

Then I will refer to the Ariyanganam river project. Another point is a thermal project, which has not been sanctioned. As a matter of fact, they are going in only for a medium ther-The present Ministry mal project. can reconsider the question. Unless there is a thermal project, the power problem cannot be solved. You have started small scale and medium scale industries because it is a backward area. In that context, the supply of power is very important and serious consideration should be given to that. So, I would suggest that a thermal plant should be established there as early as possible.

Then, in order to relieve the congestion and port facilities at Madras and Cuddalore, small ports should be established at Karaikkal and Mahe.

Coming to heavy industries, since there is a heavy industry plant at Trichy, there should be a subsidiary plant at Karaikkal. It will solve the unemployment problem which is very acute, in Pondicherry. It is a very big problem there. You will be surprised to know that people who have registered their names in the employment exchanges as early as 1969 are yet to get their first call for interview for appointment. Young boys of the

age of 19 registered their names with the exchanges in 1969 and now in 1977 they cannot get employment because they are over-aged and so disqualified. This is the pitiable position in Pondicherry, so far as employment is concerned. Now that you have given so many hopes to the people, I hope you will fulfil those promises at least in the matter f employment.

Lastly, the Government had promised aerodromes for all State capitals. Yet, when I asked for an aerodrome for Pondicherry, they asked "why". When you have some guidelines for the construction of aerodromes, why do you not follow them? Pondicherry is a State capital. Every now and then you have to summon here your Governor and the Secretaries. Therefore, there should be a small airport so that they can come here in a short time.

So far as the Ashram is concerned. the management has been superseded. I would request them to reconsider the matter and grant the Ashram the bare facilities and their reasonable requests. I have sent a petition in the matter after consulting the Administrator. I know how the Ashram has been functioning. It is a very good institution. promoting international understanding. It creates a feeling of oneness amongst the people so that they can understand one another for a better and peaceful life. My name is Aravinda Bala Pajanor because my father was a devotee of the Ashram.

As far as Auroville is concerned, the Tamil Nadu Government was giving some trouble. Now that problem has been solved because both Tamil Nadu and Pondicherry have come under President's Rule. Now you cannot say that something has been done by the Tamil Nadu Government.

Karaikkal is in the delta of Cauveri. This year I cannot take my man to

[Shri Arvind Bala Fajanor] harvest in my own field because the water supply was cut to Pondicherry. Of course, Pondicherry is represented in the Cauveri Board. We want to appeal to you to allot more funds so that we can have underground water for development of agriculture in that area. At present the situation there is not happy. Karaikkal is the granary of Pondicherry State. Yet, there the price of rice is going up day by day. The administration there with a young and efficient officer is trying to solve the problem. At the top level it is very beautiful and nice, but the upper and lower division clerks took active interest in the elections and tried their best to rig them, to indulge in malpractices. I know many of them personally, and I put an end to it. So, it is high time that Government of India, because they are directly ruling Pondicherry, take interest in the matter and warn those elements.

Both Karaikkal and Pondicherry are religious centres. You have made the people there contribute to the compulsory deposit scheme. The poor government servants are in a mess. I know the Finance Minister personally, he is a reasonable man. If he thinks that it is right, he will agree to it. So, I request him to resonsider the question of including Pondicherry in B-2 and Karaikkal in C category, so that the people in my constituency may be happy. Unless you keep Government contended, you cannot lift servants the country up.

I am not raising the constitutional issue because it is the spirit of the law that has to be considered and not the letter, but there is a fear that somebody may take up the matter in the High Court and so I mentioned it.

I request that at least a Judicial Commission's Court may be established at Pondicherry if not a High Court.

I hope Government will give serious consideration to it.

I invite the hon. Ministers of the Government to visit Pondicherry. It is a beautiful place. The invitation includes you, Madam Chairman, also.

THE MINISTER \mathbf{OF} FINANCE AND REVENUE AND BANKING (SHRI H. M. PATEL): I appreciate the spirit in which the hon. Member decided to drop the constitutional issue which he intended to raise, but I would like to assure him that there is a good answer to it. A notification had been issued by the President on 8th February, 1977 and the order says that "for 'three years' occurring in (a) of the first-mentioned clause order, as subsequently amended, the words 'four years' shall be substituted." So, that has been taken care of, and he need not be apprehensive that it might be taken up by somebody in any court.

The hon. Member has raised a number of points. Some of them are of such vital importance that I am sorry to find that no attention has been paid to them for such a long period.

I can only assure you that we will see to it that every single point mentioned by you will be gone into and attempt will be made to do some justice in regard to as many of them as possible.

MR. CHAIRMAN: The question is:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper, he granted to the President out of the Consolidated Fund of the Union territory of Pondicherry, on account, for or towards defraying the charges during the year ending on the 31st day of March. 1978, in respect of the heads of demands entered in the second column thereof against Demands Nos. 1 to 33."

The motion was adopted.