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**SIKKIM  
FOR  
SIKKIMESE**

*Distinct Identity Within The Union*

**Jigme N. Kazi**

**SIKKIM FOR SIKKIMESE**  
**Distinct Identity Within The Union**

*A Collection of My Work – Vol I*

**Jigme N. Kazi**

**Hill Media Publications**  
**Gangtok – Sikkim**  
**India**

Published by:  
Hill Media Publications  
Gangtok, Sikkim (India)

First Published: January 2009

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Printed at:  
**ABX Printers**  
Ashrampara, A.J.C. Bose Road  
Siliguri, West Bengal

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Dedicated  
to  
My Teachers  
who taught me  
how to read and write  
and  
aim for higher things  
in life

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## Acknowledgements

My son Tashi (now in college), after having read my first book – *Inside Sikkim: Against the Tide* – and discovering that I was actually quite a good footballer in my school days in Darjeeling, recently informed my wife that I did not give much time to him, also a good footballer, on the football field as I should have. This is a genuine complaint for which I have no excuse – only regrets.

Being in print journalism in a small town (Gangtok) in the '80s and early '90s, when you did not have the luxury of using today's modern printing technology and allied equipment, and when you literally had to play the role of editor, publisher, reporter etc all rolled into one, was indeed a very daunting undertaking. More than anything else, it took all your time – your precious time – from your family, close relatives and friends. I owe an apology to them all.

This book is dedicated to all my teachers, including those who taught me in Lachen, Yangang and Gangtok, in Darjeeling. For most people, reading and writing are minor parts of their daily life; but I made a career out of it and, therefore, I am deeply grateful and indebted to all my teachers, particularly those who taught me in Mount Hermon School (MH), Darjeeling. But more than this, the things that I consciously and unconsciously picked up during my formative years in MH (1963-1979), whether in the classroom or on the playing field, helped me to stay the course despite trying circumstances.

I am also deeply grateful to all those who worked, in any capacity, for my various publications, *Spotlight on Sikkim*, *Sikkim Observer*, *Himalayan Guardian*, *Hill People*, *Bhoomiputra* and *Common Cause*. They know full well the trials and tribulations that we had to undergo

and I want to thank them for their patience and contribution.

I would also like to thank the following for their help, encouragement, and support: Suresh Pramar, Chukie Topden, N.T. Lachenpa, Arthur Pazo, Tenzing Chewang, Ranjit Devraj, D.P. Sharma, Ai Kesang, Chungyalpa Family, Choudhary Family (Darpan Publications, Siliguri), Late Sonam Chyoda Lepcha, and Late Pema Thinley and family.

**Gangtok, January 2009**

**Jigme N. Kazi**

## Preface

While going about my job and writing for my own publications, particularly the *Sikkim Observer*, and other newspapers/journals (1982-2008), it never crossed my mind that one day – after twenty five years – I would sit down and plan for a book or several books, to leave behind a collection of my work. I finally left my chosen profession – journalism – in 1996 after about a decade and half, when I decided to call it quits and devote more time to my other inclination – politics. Though I continued to edit and publish the *Observer* and also write for other publications after I formally quit the media in 1996, when I also resigned as correspondent of *The Statesman* and *United News of India (UNI)*, I know that 1996 was a turning point in my career.

I would never have opted for politics if those that I trusted and supported kept their faith and did not let us down. The division of the Sikkimese people into tiny fragments, the loss of our political rights, and the erosion of the distinct identity of Sikkim and the Sikkimese people through the gradual and systematic dilution of Article 371F, a special provision in the Constitution for Sikkim, were major issues that could not and should not be left in the hands of petty politicians and corrupt bureaucrats to resolve. Though I started my flirtation with politics in 1994, when I formed my own non-political organization, Organisation of Sikkimese Unity (OSU), it was in 1996 that I finally and perhaps reluctantly bade goodbye to the Fourth Estate. The OSU actually became active only in 1999-2000.

My disgust and disappointment with the way the Chamling Government and the ruling Sikkim Democratic Front (SDF)

handled the Assembly seat issue in mid-2000 led me to join the Indian National Congress (Cong-I) in November 2000. After nearly four years of active involvement in the Congress party I finally resigned from the party in August 2004. Thereafter, I spent my time in self-imposed exile until I resurfaced in December 2007, when I, along with some of my friends, floated our own political outfit – Sikkim United.

Focusing on my literary pursuit in the past several years after quitting press and politics was a luxury that was rare during my earlier years in the profession. My first book, *Inside Sikkim: Against the Tide*, was written in 1993 when I was forced to suspend publication of my newspapers due to unfavourable political situation in Sikkim. More than anything else I have been able to complete or in this case start my pending literary work. I hope to publish several volumes of my published works in the near future. They not only reflect the hopes and aspirations of our people but are also a record of the struggle of a people for their survival in the land of their origin.

When I returned home after my law studies in Bombay at the end of 1982 the only passion that consumed me was to be with my people and serve them in the best way possible. I have done just that in the past two and half decades and am, therefore, happy and fully satisfied with whatever I have done. I believe I have finally and fully paid my debt to this sacred land. I am a free man now.

*Sikkim for Sikkimese: Distinct Identity Within The Union*, the first volume of my work, focuses on the major theme of my writing. Whether we like it or not we are now a part of India. But within this sub-continent we have the right to preserve our unique and distinct identity, promised to us by India, the Chogyal (king) of Sikkim and the political leadership of Sikkim during the controversial 'merger' era in 1973-75.

The gradual and systematic dilution of the special status enjoyed by Sikkim and the Sikkimese people under Article 371F of the Constitution, inserted in the Constitution when Sikkim became

part of India in 1975, and the need for the world's largest democracy to live by its promises and honour the 'terms of the merger', have been consistently articulated in this book.

Article 371F is not just a piece of legislation or an article in the Constitution of India; it is An Article of Faith between the peoples of India and Sikkim. Before it is too late and before things get out of hand, India must listen to the voice of the Sikkimese people and not be misguided by petty politicians and their wayward ways. It must honour its commitments and assurances made to the Sikkimese people during the 'merger' period.

The collection of my work in this book not only has my articles, including those that appeared under my own column, *On My Own*, in the *Observer*, but also some of my important newsitems in my publications, which reflect major issues and events in Sikkim in the past few decades. They are not only worthy of being recorded for reference work, but for posterity to take note of how the Sikkimese people lived through these difficult times.

If we are able to preserve "Sikkim for Sikkimese" for all times to come my endeavours in the past quarter of a century are worthwhile. If not, my efforts will reflect a record of how the hopes and aspirations of a people were set aside to pursue the hidden agenda of those in power. The book is also a record of one man's struggle to fight for a just cause. Ultimately, what matters is not just what has been achieved but how much faith, commitment and passion we have in our work.

Gangtok, January 2009

Jigme N. Kazi

PART I  
IDENTITY CRISIS (1982-1989)

## 1. Soul of Sikkim, Soul on Fire

It is appointed for a man once to die and then the judgment.

Every man is not a king, but every king is a man. Death is inevitable to all men.

A king must die, but his people live on and his hopes continue. A mortal man like the king achieves immortality when his people, his loved ones, and even his enemies acknowledge the greatness of his being and silently step into his shoes.

The 19th of February 1982 will go down in the history of Sikkim. It was not a funeral day of the late Chogyal Palden Thondup Namgyal of Sikkim; it was the day of resurrection of the Sikkimese people whose long suppressed spirit found utterance. He who goes out mourning will come back rejoicing. The 19th of February was such a day.

Over 30,000 people witnessed the happenings of the day. Some went away sad, some happy, and a few frustrated and defeated – determined to snub us down once again. The funeral day was a moment of reality. Truth cannot be suppressed for far too long. Sikkim will never be the same again.

The forces that work against its people cannot ignore the impact of the day. What they saw cannot be denied. What they heard cannot be forgotten. For on that day the people spoke. Their silent speeches and their silken scarves will forever be recorded in the minds of those who witnessed the greatness of that day. The very fragrance of the day will last for eternity.

The spontaneous way in which the people showed their love for their leader who fought for them till his last breath, cannot be passed as 'mere sentiments' or 'emotionalism'. Emotions are vehicles in which human beings express their true nature. Elections



rarely convey the real aspirations of the people. We in Sikkim have witnessed this reality in the past few years.

The greatness of a man is known not by the use of flashy cars or three-piece suits; or even by the mighty mansions and highways that he has built. The greatness of a man, in the true sense, is measured by how much he is missed by his people after he is no more. The 19th of February proved to the world the love the people of Sikkim had for their King, Miwang Chogyal Chempo Palden Thondup Namgyal of Sikkim.

We who live in Sikkim have witnessed, in the recent few years, the attempts of some of our honourable members of the Assembly to topple the existing Government. But all their ceaseless efforts to overthrow the controversial Bhandari Government have been futile exercises. To overthrow any government is not an easy task. But if the right move is made by the right men at the right moment, it is not an impossible dream. It was the 'pro-Sikkim' 'anti-merger' party that put an end to the Kazi's reign in 1979.

On 19th February 10 honourable MLAs of the 32-seat State Assembly took a stand which not only threatened the very existence of the Bhandari Government but challenged the validity of the 36th Amendment Act of the Indian Constitution which made Sikkim the 22nd State of India on 26th April, 1975. These MLAs had submitted a statement acknowledging Crown Prince Wangchuk as the 13th Consecrated Chogyal of Sikkim.

Whatever may have been their motives behind the act one cannot deny the impact of such a move. It hid the headlines. It was gossiped in every corner of Sikkim. The Chief Minister, Nar Bahadur Bhandari, lost no time in dealing with the signatories of the statement and threatened to prosecute them on charges of sedition. Upon the move taken by the CM, almost all the signatories signed another statement withdrawing their signatures from the earlier statement.

What will happen now is a different matter. What has been seen is the fact that one single, solitary move by a few people in power

can cause havoc. We do not need ten thousand angry demonstrators shouting slogans to say something; we only need one lonely crusader for the right cause.

One notable public figure acknowledged the mood of the people and silently remarked to another distinguished visitor for the occasion, "It seems that he (Chogyal) has become greater after his death."

The Chogyal did not die of cancer. His death was largely due to other factors which caused the dreaded disease. It was our cowardice, our disloyalty, our betrayal, and our jealousy that put an end to his life.

Let it be known in Sikkim and elsewhere, that he, Denzong Chogyal Palden Thondup Namgyal, did not live for nothing; that he did not die in vain; that the 19th of February was not the end of Sikkim and her people, but the beginning of a bright new day – the dawn of a new era.

*Ref: Lukshyama, the annual magazine of Sikkim Students Association, Bombay, 1982.*

## 2. Sikkim: Citizenship Issue

**Problem:** The State Government, in the past few years, has made a number of attempts to persuade the Central Government to grant citizenship to the alleged 30,000 stateless persons residing in Sikkim. They have recommended 1970 as the cut-off year. So far the Centre has not taken any decision.

While the ruling Bhandari Government and a certain section of the population insist that this problem is genuine, there are many people in Sikkim, including high-ranking civil servants and political leaders, who think otherwise. The fact that it is an important issue for Sikkim and her people cannot be denied. Those few who have some understanding of the subject realize the various implications of the issue and the danger it could bring to the country at large if

proper and timely attention is not given to solve this problem.

If one is to view the problem in the right perspective, one must look at it with a clear mind. There are few basic questions which one must ask in order to understand the problem in its entirety. No solution can be formulated without studying the various factors which are related to the problem. A thorough analysis of the citizenship issue calls for an answer to certain fundamental questions relating to the subject.

These questions may be framed as follows: How many stateless persons are there in Sikkim? What method was used to determine this number? Are the alleged 30,000 stateless persons 'foreign nationals' or Indian nationals, who have been denied the right to acquire Indian citizenship? What step has the government taken on the citizenship issue? What are the political implications involved in this issue? What is the attitude of the Sikkimese people concerning this problem?

In the following pages an attempt is made to present the citizenship issue as analytically as possible. In no way it is to be treated as the ultimate authority on the subject. At best it is an honest and sincere presentation of facts in the light of the knowledge and information available. The only aim it has is to reach the common people who do not know the implications of such issues on their life. In many countries people are denied the right to participate in events that are important to them. Sikkim is no exception to this. It is in this light one must accept that is written in the following pages.

**Historical Background:** Sikkim's history dates back to the ascension of the first Chogyal, Phuntsog Namgyal, in 1642. Prior to this period, the ancestors of the Namgyal House of Sikkim were living in Chumbi (now a part of China), which then belonged to Sikkim. One of the ancestors of Phuntsog Namgyal (1604-1670) named Khye Bumsa (around 13th century) swore a blood relation with Thekongtek, a Lepcha chief at Khabri-Longtsok. Gradually, the Lepchas and the Bhutias settled in Sikkim and were able to live in harmony without much tension and conflict.

The invasions of the Bhutanese from Bhutan and later of the Nepalese from Nepal accounts for much of the loss of Sikkimese territory to these two neighbouring kingdoms. It was during these periods that Sikkim showed a steady increase of Nepalese in the region. It was the British, who in latter part of the 19th century, encouraged the increase of Nepalese population in Sikkim.

Whatever may have been the reasons for the growth and development of these three ethnic groups in Sikkim the most important fact is that these three communities have lived together in Sikkim for a long period of time and have much things to share in common. To cause division among these people in any way cannot and must not be tolerated. They have the right to live in peace with each other and pursue their common goals.

**Sikkimese Become Indian Citizens:** Before Sikkim became a unit of India in 1975 it was an Indian Protectorate. Under the Indo-Sikkim Treaty of 1950, India had exclusive control over Sikkim's defense, external affairs, and communications. The internal running of the country was left to the people themselves.

Sikkim first became a British Protectorate in 1890 through a Convention signed between Great Britain and China relating to Sikkim and Tibet. Later, when India gained her Independence, she signed a Treaty with Sikkim in 1950, enabling her to continue playing the role of a Protectorate.

When Sikkim became the 22nd State of India in 1975, the people of Sikkim (i.e. those who were Sikkim Subjects) automatically became Indian citizens. This was in accordance with the existing law of India found in Section 7 of the Citizenship Act, 1955, which says: "If any territory becomes a part of India, the Central Government may, by order notified in the official Gazette, specify the persons who shall be citizens of India by reason of their connection with that territory; and those persons shall be citizens of India as from the date to be specified in the order."

On May 16, 1975 (the day when the Indian tricolour replaced the Sikkimese National flag and when the first Governor of Sikkim

was sworn under the Constitution of India), the Ministry of Home Affairs in New Delhi passed the notification which read: "In exercise of the powers conferred by section 7 of the Citizenship Act, 1955 (57 of 1955), the Central Government hereby makes the following Order, namely:-

This order may be called the Sikkim (Citizenship) Order, 1975.

Every person who immediately before the 26th day of April, 1975, was a Sikkim subject under the Sikkim Subjects Regulation, 1961, shall be deemed to have become a citizen of India on that day."

Under the existing law of the land (India) as enacted in Section 7 of the Citizenship Act, 1955, persons belonging to the territory, which has become a part of India, become Indian citizens. This means that the nationals of Sikkim, because of Sikkim being a part of India, can automatically become Indian citizens. Under this law, no other person living in Sikkim, prior to Sikkim becoming a part of India, can claim for Indian citizenship if such persons cannot prove themselves to be connected to Sikkim.

**Sikkim Subjects:** The relevant question, therefore, is who is a Sikkimese national? How can a Sikkimese prove his 'connexion' with Sikkim in order to get Indian citizenship?

Under the Proclamation of the Chogyal of Sikkim, the Sikkim Government initiated the move for registering the names of Sikkimese nationals under a regulation known as the Sikkim Subjects Regulation, 1961 (now repealed but still an important document for reference and official use). The Regulation clearly defines the status of Sikkim Subjects and other provisions for acquisition and loss of the said status. The Sikkim Subjects Register of 1961 shows a total of about 1.50 lakh names.

The Sikkim Subjects Register contains the list of the names of the holder of Sikkim Subjects Certificate, along with the name of the person's father, date of birth, and place of residence. Thus it is a good reference to those who wish to obtain Sikkim Subjects Certificate following the due process of law or for checking the

validity of their certificates.

Those who did not qualify for subjecthood under the rules of the Regulation were not included in the list. There were a number of cases whose applications were cancelled due to disqualification of the applicant. Most of these were either Nepali immigrants from Nepal or Tibetan refugees. Many of the unqualified Nepalese moved to Assam but some of them returned to Sikkim later on. The concerned authorities of the Sikkim Subjects Committee of 1961 mentions that the registration of these names was a very thorough and exhaustive process.

Under the provisions of the Sikkim Subjects Regulation, 1961, the criteria for a person to acquire Sikkim subjects are as follows:-

1. Every person who has his domicile in the territory of Sikkim immediately before the commencement of this Regulation shall be a Sikkim subject if he

(a) was born in the territory of Sikkim and is a resident therein, or

(b) has been ordinarily resident in the territory of Sikkim for a period of not less than fifteen years immediately preceding such commencement:

Provided that in counting the period of fifteen years any absence from the said territory on account of service under the Government of India shall be disregarded; or

(c) is the wife or minor child of a person mentioned in clause (a) or clause (b):

Provided that a person shall not be a Sikkim subject under this section unless he makes a declaration to the effect that he is not a citizen of any other country at the time of inclusion of his name in the register of Sikkim subjects to be maintained under the Regulation:

Provided further that in the case of a minor or person of unsound mind, such declaration be made by his guardian.

(2) Certain person, though not domiciled in Sikkim, can become Sikkim subjects if he is a person whose ancestors were deemed to be

Sikkim subjects prior to the year 1850.

(3) A person can also acquire Sikkim Subjects through descent. Every person born after the commencement of this Regulation shall be a Sikkim subject if at the time of his birth his father is a Sikkim subject under the Regulation, whether or not the birth takes place in the territory of Sikkim.

(4) Sikkim subject can also be acquired through marriage by a woman of foreign nationality who renounces her former nationality on being married to a Sikkim subject.

(5) A person can also become a Sikkim subject through naturalization by making an application to the Government of Sikkim in the manner prescribed by the rules under the Regulation.

Likewise there are a number of ways in which a person can lose his status as a Sikkim subject under the Regulation eg.:-

If a person renounces his status as Sikkim subject or voluntarily acquires the citizenship of any other country or

Any Sikkimese woman who marries a person who is not a Sikkim subject or

Any person who severs his connection with Sikkim or

If a naturalised subject ceases to reside ordinarily in the territory of Sikkim or fails to comply with any of the conditions under the Regulation or

Any person unlawfully traded or communicated with an enemy, or has been disloyal to the Chogyal, or obtained the certificate of naturalization by fraud, false representation etc., or has been convicted of any offence in any country within five years of naturalization.

**Memorandum to the Prime Minister 1978:** The Sikkim (Citizenship) Order, 1975, while finally settling the citizenship issue, did not satisfy a section of the population of Sikkim, whose names were not found in the voters list. Since the names of these persons were not in the Sikkim Subjects Register they were not included in the electoral rolls. A number of these persons, majority of them being Nepalese, wanted revision to the Sikkim (Citizenship) Or-

der, 1975, for inclusion of their names in the voters list.

This is apparent in the Memorandum submitted to the Prime Minister, Morarji Desai, in 1978 by the State Government. This Memorandum, which was dated September 24, 1978, was signed by a 10 Member Delegation of Sikkim Legislators which included the Chief Minister, Kazi Lhendup Dorji Khangsarpa, R.C. Poudyal (Leader of the Delegation), and N.B. Khatiwada (MLA).

**The contents of the Memorandum are as follows:-** That the Election Commission of India has directed a house-to-house enumeration for the preparation of the Electoral Rolls of Sikkim. The Sikkim Rajya Janata Party as well as the State Government have been receiving several complaints to the effect that the names of thousands of persons have not been included in the Electoral Rolls. This had caused widespread discontentment amongst the people of Sikkim.

Persons who were qualified to be registered as Sikkim Subjects in accordance with the provision of the Sikkim Subjects Regulation, 1961 but, who failed to have their names included in the Sikkim Subjects Register are now not treated as Citizens of India.

Consequently, their names do not appear in the Electoral Rolls under preparation.

The Sikkim (Citizenship) Order, 1975, needs to be revised for the purpose of conferring citizenship and consequently the voting rights to the people of Sikkim whose names do not appear in the Sikkim Subjects Register.

Further, Clause (C) of Article 5 of the Constitution of India provides that: "At the commencement of the Constitution every person who has his domicile in the territory of India and who has been ordinarily a resident in the territory of India for not less than five years immediately preceding such commencement, shall be a citizen of India." Thus the expression 'commencement of this Constitution' in relation to Sikkim should mean the commencement of the Constitution (36th Amendment) Act, 1975 i.e. 26th day of April 1975, the day Sikkim became the 22nd State of India.



Thus this would mean granting citizenship to those persons whose names do not appear in the Sikkim Subjects Register but who have been residing in Sikkim for five years prior to Sikkim becoming a part of India in 1975. This would mean 1970 as the cut-off year for the said purpose.

The response of the Government of India to the Memorandum submitted by the Delegation was negative. The Prime Minister told the then Chief Minister that this sort of work was the duty of the opposition and not that of the ruling government.

**Citizenship Committee 1981:** The work was then taken up by the Bhandari Government which came to power after winning the general elections in 1979. By then both persons dominating the Central and State Governments had changed. Sikkim's first Chief Minister of the 22nd State of India, Kazi Lhendup Dorji, was ousted when none of his partymen, including himself, won in the elections.

The present Chief Minister, Nar Bahadur Bhadrari, then a fiery advocate of anti-merger, fought the elections under the Janata Parishad banner and won 16 seats for his party. The victory of the Sikkim Janata Parishad (now Congress-I) in Sikkim was followed by Indira Gandhi's comeback in the Lok Sabha elections in 1980.

After about a year and half in power, the Sikkim Government felt the need of finalizing the citizenship issue which they felt was left incomplete by the previous government. On February 11, 1981, a 7-member Citizenship Committee with Deputy Speaker, L.B. Basnet, was constituted to go into the question of granting citizenship to those whose names were not registered in the Sikkim Subjects Register and who presumably did not belong to any other State. The Committee was directed to submit its report to the Chief Minister by the end of April 1981.

**Recommendation of the Committee:** "11. Having examined the 6 categories detailed in this report earlier and considered them thoroughly the Committee is of the view that the Sikkim (Citizenship) Order, 1975 which was made in pursuance of the provision

contained in Section 7 of the Citizenship Act 1955 (57 of 1955) needs to be suitably modified. The Committee is further of the view that clause 2 of the Sikkim (Citizenship) Order, 1975 may be modified by submitting the following clause for the existing clause 2, namely:-

“2. Every person who had been ordinarily resident in the territory of Sikkim for not less than five years immediately preceding the commencement of the Constitution (Thirty sixth Amendment) Act, 1975 (i.e. the 26th day of April, 1975), and every minor child of such person born before such commencement shall be deemed to have become a citizen of India on that day.”

12. The Committee feels that with this substitution all the six categories of persons would be covered and that the Government of India may be requested to modify the Sikkim Citizenship Order 1975, in the manner specified above.

The six categories of persons mentioned in the Report of the Committee on citizenship are as follows:-

Category – 1

Children of persons who were deemed to have become Citizens of India under the Sikkim (Citizenship) Order, 1975, born after the commencement of the Sikkim Subjects Regulation, 1961 (now repealed), and before the 26th day of April, 1975, whose names were not entered in the erstwhile Sikkim Subjects Register maintained under the Sikkim Subjects Regulation, 1961 (now repealed).

Category – 2

Persons who were fully qualified to be registered as Sikkim Subjects under the provisions of Sikkim Subjects Regulation, 1961 (now repealed), but whose names were not entered in the Sikkim Subjects Register maintained under the aforesaid Regulation for some reason or the other.

(c) Category – 3

Persons who had legally acquired agricultural lands in Sikkim before the 26th April, 1975, but whose names were not recorded in the Sikkim Subjects Register.

#### Category – 4

Persons of Lepcha, Bhutia or Nepali origin who neither owned agricultural lands in Sikkim nor were their names entered in the Sikkim Subjects Register, but who were ordinarily residents of Sikkim.

#### Category – 5

Persons of Lepcha, Bhutia and Nepali origin having landed properties in urban areas only but whose names were not entered in the Sikkim Subjects Register.

#### Category – 6

Sikkimese women married to non-Sikkim Subjects prior to the 26th day of April, 1975 (i.e. before the repeal of the Sikkim Subjects regulation, 1961), and who continued to live, or have live interest, in Sikkim,

Children of Sikkimese women failing under category (i) above.”

The official census figure of Sikkim in 1981 show a total population of 3.16 lacs of which 73, 000 and 18,000 were scheduled tribes and scheduled castes respectively. In 1971, the population figure showed a total of 2.10 lacs. This shows an increase of 50 per cent between 1971-1981 which is about one lac in ten years. On an average it would mean an increase of about 10,000 persons annually. i.e. about 800 persons per month.

Since the formation of the Bhandari Government in 1979, no government organization has been instituted to detect the 30,000 alleged stateless persons residing in Sikkim. What then was the basis on which the Basnet Committee made such findings? What were the methods used to find out this number?

Many people, including some ministers, feel that the basis on which this number was detected was the 1981 census record. Most of the top political leaders and bureaucrats of the State claim that they knew nothing of the move of the State Government on the citizenship issue. Many more are very suspicious of the government's anti-people strategy on this matter. They feel that it is nothing but a vote catching method to come to power again. An increase in the

number of citizens would mean an increase in the votes of majority community, whose cause the present Chief Minister is now trying to champion.

This may seem a valid point now but when the Committee undertook its task, the ruling party was in a much better shape than it is today (although it has now 26 seats in a House of 32). Bhandari's own image and standing amongst the people during that period was above reproach. This is an important factor if one is to judge the motives behind the action. He was still then very much a Parishad man and tried various means to implement his party's "sons of the soil" policy. It was also during this time that he faced much opposition of his "pro-local" stand.

**1970 as Cut-Off Year:** Sometime in the beginning of 1982, the State Government, after a prolonged thaw on the citizenship issue, recommended to the Centre to make 1970 as the base for granting citizenship. Under the Constitution of India only the Central Government has the authority on matters concerning citizenship. In the past one and half years there has been a steady dialogue between the Centre and the State Government on this issue. So far Chief Minister Bhandari has stuck by his earlier decision.

Most people in Sikkim feel that a large chunk of the alleged 30,000 stateless persons are from Nepal. The fear the three ethnic groups (Lepchas, Bhutias and Nepalese) have is the gradual loss of their distinct identity if the Centre accepts the State Government's recommendation. The Nepalese of Sikkimese origin have their own separate identity and feel more attached to Sikkim than Nepal although their language and religion is more akin to the Nepalese of Nepal. The Bhutia-Lepchas are even more apprehensive of the inclusion of these 'foreign nationals' in the voters list. Being the minority community it is they who will suffer in the long run since the majority of the alleged stateless persons are Nepalese from Nepal and other neighbouring areas.

The initial move and the consistent pressure on the Centre by the State Government on this issue is viewed with great suspicion by

the local people. Many people are of the opinion that even though Bhandari has an absolute majority in the House he will not fair very well in the coming elections. Most of the leaders and supporters of the then Sikkim Parishad have lost their faith on Bhandari.

When Bhandari won the last general elections in 1979, he had the support of the entire tribal population of Sikkim. Of the 17 Parishad candidates who won in the election 9 were Bhutia-Lepchas. The remaining 8 candidates (of which 3 were Limboos) were largely elected on tribal support.

Over the years, Bhandari's credibility has deteriorated gradually, especially since the merger of the regional Parishad party into the ruling Congress(I). Today Bhandari is no longer regarded as the people's leader he once was. This is a tragedy which could have been avoided if there was a better understanding between the Centre and the State Government. New Delhi must admit her role in this sad affair.

In the process, many people who could have played a better role for the people of Sikkim, within the framework of the Constitution, have been turned into sycophants overnight. But the State Government, and above all Bhandari, must share the blame for the gradual erosion of the people's faith in democracy.

The ruling party must accept that they no longer have any hold on the people. Without the help of 'money power', they cannot hope to even think of contesting the next elections which is due before October 1984. Whether Bhandari wins the next elections is no justification of his popularity; 'how' he wins (that is if he wins) is of utmost importance. The greatest tragedy of democracy in Sikkim is not the defeat of the Sikkim Janata Party by Sikkim Parishad in the 1979 general elections; the greatest tragedy is that a man like Bhandari, who once was acclaimed as the champion of the Sikkimese cause, now finds no place in the hearts of the people.

**Present Situation:** The present situation offers a vivid recollection of what took place during the Kazi regime. It is apparent from past records that both Kazi and Bhandari faced similar situations.

Both desperately lacked the support of the local people and both wanted 'outsiders' to help them achieve their aims.

During the tenure of the Kazi Government (1974-1979), the influx of 'outsiders' reached its zenith. At no period in Sikkim's entire history did it experience such large influx into Sikkim at such short time. There have been many occasions when the British Raj in India encouraged the Nepalese immigrants from Nepal into Sikkim for the purpose of trade, business, road building etc. But the sudden rise in the population of Sikkim in the '70s is alarming. It showed a rise of one lac in only a decade, most of which took place after 1973 when the anti-Chogyal faction gained the upper hand in Sikkim. It finally led to the 'merger' of Sikkim with the Indian Union in 1975.

Not all the 'outsiders' of that period were foreign nationals. Many of them came from the neighbouring areas of Kalimpong, Darjeeling and Kurseong, which have predominantly Nepali population. This was encouraged by the political leaders of that time who played a dominant role in using these people for their own (personal) gains. Unfortunately, most of these people, after being enlisted in the voters list through various means were given government jobs and other facilities to settle in Sikkim. These settlers further encouraged their friends and family members to settle in Sikkim. Their names now appear in the voters list prepared during Kazi's regime.

Recently, Bhandari stated that the 30,000 stateless persons were Nepalese and Lepchas who have been living in Sikkim for the last 50-100 years but their names have not been enlisted in the voters list.

His statements on the citizenship issue was refuted by D.K. Manavalan, former Chief Electoral Officer of Sikkim, who has been reported in a national weekly as having said that if there were that many persons in Sikkim, then they must have crossed over to Sikkim a few years before or after the 1979 elections.

The State Governor, Homi J.H. Taleyarkhan, in his recent visit to New Delhi gave the impression that he did not support the State

Government's proposal to the Centre on the citizenship issue.

Former Chief Minister, L.D. Kazi, when asked to comment on this issue in his capacity as the President of the newly-formed Sikkim United Council (Sikkim Sanjukta Parishad) said, "Let them show the names of these people. We have included all the names." His statement was supported by former ministers of the Bhandari Government, Sherab Palden and Sanchaman Limboo, now secretaries of the Sikkim United Council. They feel that Bhandari is unnecessarily trying to create an Assam-type of situation for his own political gain.

By wanting to include the so-called 30,000 stateless persons, majority of them being Nepalese, it seems that Bhandari is desperately trying to win over the Nepalese, knowing full well that the issue is a big farce. Unfortunately for Bhandari, the local people, including Nepalese of Sikkimese origin, are resisting the move. A large section of the majority community have expressed the fear that that an increase in the number of their community, no matter where they come from, would cause them economic problems. They fear that the Government, at a future date, in order to keep the new citizens in good humour, might call for distribution of available land among them.

The State Government's recommendation, if accepted by the Centre, would not serve any purpose for the country at large. It would not be beneficial to India to have disinterested citizens whose political and social allegiance is to another country. There is, therefore, the need that the citizenship issue should be considered without communal and political blinkers. What may be politically expedient now may well turn out to be a political blunder in years to come.

**Revision of Electoral Rolls 1983:** The May 8 Agreement, 1973, signed between the Chogyal, Government of India and the Political Parties of Sikkim, ensured basic human rights and fundamental freedoms for the people of Sikkim. It was agreed that the people of Sikkim would have the right to elect their represen-

tatives on the basis of adult suffrage on the principle of one-man, one-vote. There should be an Assembly elected by the people on the above basis and the term of the Assembly should be four years. The elections should be fair and free and be conducted under the supervision of the Election Commission of India which should be appointed for the purpose by the Government of Sikkim.

For this purpose the electoral rolls were revised with reference to December 1, 1973 as the qualifying date. Only those persons who were registered subjects of Sikkim and were 21 years of age on December 1, 1973, were registered as voters. The rolls were finally published on 4.2.1974. It contained a total of approximately 1,01,535 electors in the State.

The elections to the State Legislative Assembly was held in April 1974 in accordance with the provisions of the above mentioned Act. The polling was about 40 per cent. 31 seats, including 3 uncontested seats, were won by Sikkim Congress Party and one seat was captured by Sikkim National Party. Lhendup Dorji Kazi, the leader of the Sikkim Congress Party, was elected as the Chief Minister of Sikkim.

Since the electoral rolls prepared in 1974 included the names of Sikkim Subjects only it was necessary to revise and prepare the electoral rolls under the provisions of the newly extended Indian Laws to include the names of all Indian citizens. This revision was mainly due to Sikkim becoming a part of India in 1975.

In 1975, the Election Commission, therefore, directed the revision of electoral rolls by house-to-house enumeration with the electoral card system. The electoral rolls prepared in 1975 were further revised in 1976 along with the general revision of the rolls in the rest of the country. According to the electoral rolls of 1977, the number of electorate in the State was 1,24,023.

The final number of electorate for the 1979 State Legislative Assembly showed a total of 1,18,224 electors. The scheme of photo identity cards for electors was also introduced. This was mainly to check bogus voting.



Intensive revision of the electoral rolls in the 32 Assembly constituencies in Sikkim has already begun. In a press release dated April 27, 1983, the Government of Sikkim stated that the revision of the electoral rolls for the purpose of enumeration of eligible voters was to begin from May 1, 1983. This did not take place on the said day but was postponed to a later date. The work began only on July 1, 1983.

According to a press release issued by the State Chief Secretary in his capacity as the Chief Electoral Officer the following criteria (also used in 1979 for the said purpose) for enrolment of voters has been adopted:-

Indian citizens belonging to other states of India who are domiciled in Sikkim in connection with trade, business and commerce etc.

Persons whose names are registered in the Sikkim Subjects Register and have become citizens under the law.

Persons staying in Sikkim who have got landed property and or paying land tax etc.

Persons who are eligible as per the provisions contained in the Sikkim Subjects Regulation, 1961.

In pursuance to the above law, the Sikkim Government, whose term expires on October 1984, is now preparing the voters list for the next general election which is due sometime before October 1984. The work of the intensive revision of the electoral rolls, which began on July 1, 1984, will be completed on November 30, 1983.

**Centre Must Decide Now:** During his recent visit to the Union capital, Chief Minister Bhandari said the question of conferring citizenship to the stateless persons in Sikkim did not come under the present Election Commission's formula for inclusion in the electoral rolls. This would mean that many more names may be added to the voters list later on if the said persons are given citizenship. Bhandari suggested to the Prime Minister that a Central team should visit Sikkim to find out the genuineness of this issue.

It is now for the Centre to decide whether to accept or reject the State Government's earlier recommendation for making 1970

as the cut-off year. Whether there actually is such a huge number of stateless in Sikkim as it is alleged, is the first issue the Centre should take up to study. The ruling government should not be allowed to exploit the situation for its own convenience without proper justification.

Speaking at a press conference at the Raj Bhavan during her visit to Sikkim, Prime Minister, Indira Gandhi, said that the stateless persons in Sikkim have not been identified so far and the matter was under process. She also said that the State Government's suggestion of 1970 as cut-off year for conferring citizenship was being studied by the Centre.

Even if they do find that there are such persons living in Sikkim, the Centre must accept the fact that citizens of any country have the right to resist foreign domination be it in the form of military aggression from without or mass infiltration to capture power from within. A country which aspires to follow the democratic principles in all fields of human development cannot for long endure if it encourages a government of foreign nationals, by foreign nationals and for foreign nationals.

It is hoped that the Government of India will take the right step towards the fulfillment of the legitimate aims and aspirations of the Sikkimese people for a strong, secure and peaceful border state in the region. It would be a fitting memory to those in the past who have pledged their lives to bring peace and prosperity to the Himalayan borderland.

India's territorial integrity and Sikkim's distinct identity, within the framework of the Constitution, can and must find an expression in the prevailing situation.