

[Mr. Speaker]

day of the first week of the next session;

that in other respect the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to the Council that the Council do join in the said Joint Committee and communicate to this House the names of members to be appointed by the Council to the Joint Committee."

*The motion was adopted.*

HIMACHAL PRADESH AND  
BILASPUR (NEW STATE)  
BILL

**Mr. Speaker:** The House will now take up the Himachal Pradesh and Bilaspur (New State) Bill, as passed by the Council of States.

[MR. DEPUTY-SPEAKER *in the Chair*]

**The Minister of Home Affairs and States (Dr. Katju):** I beg to move:

"That the Bill to provide for the formation of the new State of Himachal Pradesh by uniting the existing States of Himachal Pradesh and Bilaspur, and for matters connected therewith, as passed by the Council of States, be taken into consideration."

This is a simple Bill. Hon. Members will find from the Statement of Objects and Reasons that Bilaspur is the tiniest State in India. It was one of the Punjab hill States and should normally have been integrated in Himachal Pradesh, but while its area is small, it has the Sutlej waters in it...

**Mr. Deputy-Speaker:** There is too much of subdued noise in the House. The hon. Home Minister may resume his seat for a minute and let all hon. Members conclude their speeches.

**Dr. Katju:** It has also the Sutlej waters in it, and the headworks of Bhakra-Nangal, a great project, are located there. We could have brought this Bill much earlier, but I was anxious that proper arrangements might be made for the administration of that project, and, incidentally, for the rehabilitation of people, whose lands, houses and other properties are merged in the reservoir which will come into existence when the project is completed. We have now made provision for all proper arrangements being made by the President under clause 31. That having been done, it was found that the separate existence of Bilaspur was leading to various difficulties and very undesirable results. There was a Chief Commissioner and he had all the paraphernalia of the provincial administration—a Chief Secretary, other Secretaries, heads of departments and all that. For a State with about a lakh of people, it was complete waste of time and waste of money, and incidentally also, the people of Bilaspur State were deprived of any machinery by which they might express their opinion and take any part in the administration of their own affairs. Under the Constitution, while they have one seat in the House of the People, here there was no provision for any local Legislative Assembly, and the result was that the Chief Commissioner had carried on the administration. Under this Bill, the House will observe that the people of Bilaspur will be entitled to send Members to the Himachal Pradesh Assembly and there will be seats reserved for the people of the Scheduled Castes also. While this Bill has been under consideration for so many years, no protest has been raised and it was almost an agreed measure, and the House may take it that that state of affairs continues. I say even though a petition is supposed to have been presented to the House containing a large number of signatures, but I do not know how they were obtained, whether by some mechanical process

or by human process or in what way. I do not want to take the time of the House unnecessarily.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill to provide for the formation of the new State of Himachal Pradesh by uniting the existing States of Himachal Pradesh and Bilaspur, and for matters connected therewith, as passed by the Council of States, be taken into consideration."

I have got an amendment here in the name of Shri Anandchand. Does he wish to move it?

**Shri Anandchand (Bilaspur):** I have very carefully listened to what the hon. Home Minister has been saying and the reasons he has advanced for this measure. This is not such an easy matter to be dismissed in such a short while without going into the merits of the decision of the Government of India, the reasons that prompted such a decision and its effects on the people of Bilaspur. Before I move my amendment and give the reasons for moving it.....

**Mr. Deputy-Speaker:** I have got some doubts regarding the admissibility of the amendment.

**Shri Anandchand:** I will try to say a few things...

**Mr. Deputy-Speaker:** The hon. Member will kindly enlighten me regarding the admissibility of his amendment. After a Bill is sent here as passed by the Council of States, what are the motions that can be moved in this House under the rules?

**Shri Anandchand:** I think this House has got the full right to move for eliciting public opinion on the measure. The mere fact that it has been passed by the Council of States does not debar us from debating that.

**Mr. Deputy-Speaker:** A ruling of mine on the 8th December 1953 has been brought to my notice. After moving the motion for consideration

of the Travancore-Cochin High Court (Amendment) Bill, as passed by the Council of States, the Deputy-Speaker observed as follows in regard to an amendment for circulation of the Bill:

"I have got notice of some amendments. Shri Matthen says that the Bill, as passed by the Council of States, be circulated for the purpose of eliciting public opinion thereon. I do not find any provision in the rules for a Bill as passed by the other House to be circulated. The only motion that can be moved is for a reference to a Select Committee. \* \* \*

The provision as to what can be done is contained in rule 146 (that is the corresponding rule here):

"Any member may (if the Bill has not already been referred to a Select Committee of the Council or to a Joint Committee of both the Houses, but not otherwise) move as an amendment that the Bill be referred to a Select Committee and, if such motion is carried, the Bill shall be referred to a Select Committee, and the Rules regarding Select Committees on Bills originating in the House shall then apply."

The subsequent rules deal with consideration and passing."

"On a motion for consideration on a Bill originating in this House an amendment can be moved that the Bill be referred to a Select Committee or be circulated for eliciting public opinion, whereas here it is only reference to Select Committee. Wherever it is intended to allow a motion or an amendment for circulating a Bill for public opinion, it has been said so. Therefore, except under the Rules, a particular procedure is not allowed. There is no provision for circulating the Bill for eliciting public opinion. Therefore, the amendment is out of order."

[Mr. Deputy-Speaker]

This is my prior ruling on a similar previous occasion. I would like enlightenment from the hon. Member how, in view of this ruling and the rules that I have referred to, this motion for circulation of a Bill that has already been passed by the other House and sent to this House, is in order.

**Shri Punnoose (Alleppey):** It is true that you gave that ruling on a Bill on a previous occasion. If that position is accepted, it is open to Government to shut out an amendment for circulation for eliciting public opinion by introducing the Bill in the first instance in the other House, getting it passed there and producing it here.

**Mr. Deputy-Speaker:** Similarly, they may introduce it here, get it passed and send it to the other House, in which case the other House would be precluded from sending it for eliciting public opinion.

Let me hear the hon. Member who has tabled the amendment first, before I hear other Members.

**Shri Anandchand:** Sir, I submit that so far as the procedure is concerned, certain rights are given to hon. Members of both Houses, rights which must be enforced equally. If by introducing a Bill in the Council of States the right for an amendment that it be circulated for public opinion is denied to the lower House or *vice versa*, it would only mean that Government can block this motion to be made. I would request you to give your ruling, in the light of this valuable privilege of the House.

**Shri S. S. More (Sholapur):** May I make a submission?

Before we come to interpret this particular rule 154, it is absolutely necessary to take into consideration the particular purpose and functions for which the two Houses have been created. The Council of States is supposed to be a body.....

**Mr. Deputy-Speaker:** I would ask hon. Members to make their observations in the following manner so that I may be able to follow them:

First of all let them cite whether there is any provision in the rules; if there is such a provision in the rules, my previous ruling may not be correct: or, at that time there might not have been a provision. Let us tackle this question in this way. If there is a provision for this motion to be made, of course, I must allow this amendment.

Are we only to be guided by the procedure that such and such thing be done? Or, if a particular step is prescribed, and no other kind of amendment is there, is it at all possible for this House to enlarge the provisions and invoke the general jurisdiction on the question of constitution and say that the other one must be implied? There is no inherent restriction, and, therefore, it ought to be followed.

**Shri S. S. More:** May I make one request to you?

**Mr. Deputy-Speaker:** Is there any rule?

**Shri S. S. More:** My submission is that we are not ready with the proper references and I would rather request you to postpone a decision on this particular point of order. In our haste to come to a conclusion, we are apt to come to wrong conclusions. I would therefore suggest that we should be given some time to explore the whole position. It is the Chair's duty to give the correct guidance to the House and your ruling is likely to be quoted as a precedent. In view of the bulk of our Rules of Procedure, it is very difficult to find a particular rule.

**Mr. Deputy-Speaker:** I am quite willing to allow time.

**Shri C. R. Narasimhan (Krishnagiri):** You quoted a ruling of yours that in the case of a Bill passed by

the other House and transmitted to us, a motion for circulating it for eliciting public opinion cannot be made. Supposing the Chairman of the other House takes a different view and gives a ruling that a Bill coming from this House may be circulated for eliciting public opinion? Then there may be disparity of procedure.

**Mr. Deputy-Speaker:** It is not on a reciprocal basis that I am giving my ruling here. We are guided by our Rules of Procedure. Hon. Members may know that whenever there is a provision specifically, the general right or jurisdiction cannot be invoked. We have a specific rule here, No. 154. I hope the Minister of States will examine this matter.

**Shri Anandchand:** Rule 91 mentions the motions that can be moved after introduction of a Bill. It says:

"When a Bill is introduced, or on some subsequent occasion, the member in charge may make any of the following motions in regard to his Bill."

**Mr. Deputy-Speaker:** Rule 91 which is in section (i) deals with Bills originating in our House. There is a section (ii) which deals with Bills originating in the other House (Rule 150 et seq) and rule 154 refers to motions that can be made in this House. It reads:

"Any member may (if the Bill has not already been referred to a Joint Committee of both Houses, but not otherwise) move as an amendment that the Bill be referred to a Select Committee, and if such motion is carried, the Bill shall be referred to a Select Committee, etc."

There is no provision here for amending the motion for consideration by a motion for circulation. In the absence of that what is the position? I have already on a previous occasion, in the case of a similar Bill, given a ruling that no other motion than the one given in rule 154 can be made.

Anyhow, as this is a matter which will curtail the powers of this House, I would like to go into it more carefully.

**Shri Anandchand:** If you reserve your ruling, that would be better.

**Mr. Deputy-Speaker:** Has the Minister of Home Affairs and States anything to say?

**Dr. Katju:** Sir, it is quite clear that unless the rules permit in so many words, the motion for circulation for eliciting public opinion will not be in order. Because, the rule definitely says that when a motion is made for consideration of a Bill, what sort of other motions can be substituted in place of that motion—a motion for appointment of a Select Committee or Joint Select Committee, or for eliciting public opinion. If the rule does not mention a motion for eliciting public opinion, it is quite clear that it cannot be moved. I respectfully submit that your previous ruling was right.

**Mr. Deputy-Speaker:** I find that two hours have been set apart for this Bill. My first reaction is that, following the previous ruling, I should rule this amendment out of order. Anyhow, I will tentatively allow the hon. Member to say what he wants to. I shall hear one or two other hon. Members also and later give my ruling so far as the legality of the motion is concerned.

**Shri S. V. Ramaswamy (Salem):** Will you admit an amendment for reference of this Bill to a Select Committee?

**Mr. Deputy-Speaker:** But no notice of it has been given. The rules of procedure were not discovered now; they are already there.

**Shri S. V. Ramaswamy:** They were there but the other amendment was not ruled out. If you could kindly examine this point....

**Mr. Deputy-Speaker:** This is a lame excuse. Apart from the rules, hon. Members know fully well that this

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motion for circulation may not be accepted by the House and so if any hon. Member wanted, he could have asked or moved an amendment for reference to a Select Committee.

**Shri Anandchand:** The hon. Home Minister has given us three cogent reasons just now as to why he wants the Bill to be taken into consideration and why it is no longer possible to continue Bilaspur as a Part C State. The first reason is that it is the tiniest of the Part C States in India. That I think, was hardly a reason which could be put before this House because I think the basic structure of our Constitution does not recognise the doing away of tiny States. If Bilaspur is tiny today, after you do away with it Coorg will remain a tiny State; if this is taken away, then another will remain or become tiny. Thus there may come a time when even a State with a crore or two crores of people will be considered tiny when compared to Uttar Pradesh which has a population of five crores. That is not the sort of argument which I expected from the hon. Home Minister.

The second point was that this delay for the Bill has been occasioned by Government's anxiety to make some provisions for the Bhakra-Nangal project before this measure came before the House. I would refer to this point when I speak further. Here I would very respectfully say that Bhakra-Nangal project was one of the things which put Bilaspur on the map of India.

I should like to come back to these reasons later. Meanwhile, I would like to put before this House, with your permission, the picture as it was on the 15th of August 1947. I am not pleading—I might say from the very beginning—the case of Bilaspur as an Indian State, or as an erstwhile Indian State. That is no longer in the picture. It has gone and I am glad. As an ex-head of an Indian State, I am glad at the integration of the States

and I support and say that without any hesitation, I think it was most essential to plan the integration of the body-politic of the Indian States who have been closely related with the rest of India so that democratic republican form of Government might develop in this country, and this work had to be done after Independence. But what I am saying is this. I am not pleading the case of Bilaspur as a Part C State. I am pleading the case of a State, a constituent part of the Indian Union, a State which is one of the 28 units of the federation. Therefore, with your permission, I would like to go back to the picture that was presented to us on 15th August 1947, and I propose to trace the course of its development in very few words and to show how it found a place in the Part C States.

After Independence, the relationship that the Indian States had with the Dominion Government as it emerged, was through the medium of instruments of accession. Every State signed this instrument of accession and these instruments were temporarily restricted to three points: defence, communications and foreign affairs. After the signing of these instruments of accession in a hurry, if I may say so, it was realised that for the new structure of a free democratic India that was going to emerge, it was necessary that the States should be fitted in the democratic structure and therefore, there was a further development, the next picture after the instruments of accession of so many States—about 142 States which signed these were placed in the first class. There were another 140 or 120 States which were placed in the second class and there was a large body-politic of States—a few hundreds of them—which you might call third class and they were dealt with just like the small States in Kathiawar which have been attached to Baroda. In the light of these instruments of accession, Government of India, after independence, embarked upon a very sound and sensible policy. That was to bring the Indian

States into closer relationship with the Union through the method of negotiation. I want to emphasise the word 'negotiation'. There was no compulsion as the hon. Prime Minister on so many occasions said. If there was compulsion, it was compulsion of events.

Now what happened? This was between 15th August 1947 and 26th January 1950 or I would really call it, November 1949, because the Constitution as such was passed by the Constituent Assembly in 1949 and all these States had been fitted into the Union with various kinds of agreements. Some States emerged as centrally-administered areas; some became part of the provinces and now there are States like Orissa, Bombay and Madhya Pradesh and so on. There were other States which were formed into Unions. The basic approach for all of them, I might respectfully say, was the same, namely, negotiations.

As one of the acceding States and as one which signed this instrument of accession, Bilaspur too had to find its place in the new India that was developing. Again this was done through negotiations through the Ministry of States, the late Sardar Patel. I personally had some talks and I do not want to go into all of them. As a result of these negotiations, certain decisions were made by the Government. I am not here taking the time of the House to quote from a variety of letters that I had during this period of negotiations because they really are not relevant to the subject matter at issue. The hon. Home Minister has said that the Bhakra-Nangal Project was the only basis of Bilaspur's being an important State. I would ask you to give me permission to quote from here—only one from the many letters. This is a letter written by Mr. V. P. Menon on 1st June, 1948 when these negotiations were proceeding and I would read a few lines. 'I had many talks with your Development Minister', I am quoting: 'I may tell you that I have spent on Bilaspur more

time in argument with you and your Advisers than I spent in forming the Madhya Bharat Union.'

'I have told Your Highness that as a special case I am prepared to keep Bilaspur as a separate entity; that I am again prepared to see that Your Highness and your people are represented on the Council. I would further add that if there is a difference of opinion between the Administrator and the Council I shall instruct the Administrator to refer the matter to the Government of India for decision. These are all concessions which I have made and I would suggest that you come and sign the agreement'. I am only giving this as one of the basis of this agreement. The emergence of Bilaspur was not something which came out of space. The States in the Indian Union were not created out of space. Such a leader—a leader of the calibre of the late Sardar Patel who was instrumental in making India one compact unit—did not make a mistake here; it was not a mistake. Here was, as I pointed out, a definite issue which was settled in the only manner possible at that time. It was a reasonable settlement by the method of negotiation.

As a result of this, the next step for the Government of India to take was to include this in their official documents. This State has been accepted by them. What were the legal consequences? The only consequence of it was the White Paper, the only authoritative document we have on the Indian States. This White Paper on the Indian States issued by the States Ministry in March 1950, has on page 47, paragraph 117, a specific reference to the State of Bilaspur. It says:

"The group of these East Punjab Hill States included the State of Bilaspur. In view of the location of Bhakra Dam in this State, which is of all India importance, it was decided to take the State as a separate centrally administered unit. The State was

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taken under central administration on the 12th of October 1948."

This was the reason given in the White Paper. Then again, in the Constituent Assembly in 1949—I have not been able to find out that particular volume from the library, but I will quote from memory—to a question put to Sardar Patel, the then States Minister as to why Bilaspur which is not a viable unit has been kept as a centrally administered area, if I remember aright, his reply was that the public interests demanded that. Now, those who have, if I may say so, the background under which Bilaspur emerged as a Part C State—Bhakra Dam was one of them, I do not deny—will agree, that when emphasis is to be mainly on the administration and future control of the project, I think we lose sight of the very important factor that this Bhakra-Nangal project affects the people of the State in a variety of ways. Here is Bilaspur with its 126 or 127 thousand inhabitants. Here is Bhakra Dam which when completed would submerge 4,700 square miles of the State's territory dispossessing nearly 17 thousand people. Those 17 thousand people have, as it has been mentioned even at the time when the negotiations were made, done a very great sacrifice for the common cause. They had agreed to this dispossession and it was a very welcome agreement of course. If we can do something to the rest of India, we are proud of it. We are proud of the sacrifice that the people of Bilaspur have made. But, there is this dispossession, this large upheaval which was to take place, directly or otherwise. Radical changes were to take place in the State of Bilaspur. The Central Government, therefore, correctly thought that it would be right to administer it separately so that all problems relating to the rehabilitation of the people, all problems relating to the construction of a new township of Bilaspur which would

have to be built, all these things could be best done if it was centrally controlled, centrally administered and there was no interference or any other intermediary—if I may call them so. It was considered better to have a direct connection between the Central Government and Bilaspur. That was done and the State was made a Part C State. It was adopted in the Constitution and that Constitution was adopted by the Constituent Assembly. The administration as such proceeded.

Then, Sir, I come now to the second point. In this Statement of Objects and Reasons it is said:

"It was one of the Punjab Hill States which should normally have been integrated in Himachal Pradesh but in view of the location of the Bhakra Dam in the State it was kept as a separate Part C State. It has accordingly been decided that it is no longer necessary to continue Bilaspur as a separate State...."

May I know as to why it has been decided so? Is it that one fine morning the States Minister got up and he said: "what is the use of Bilaspur State? Let us do away with it"? After all the Constituent Assembly sat and drafted the Constitution, and Bilaspur was put as a Part C State. Certain negotiations were also entered into under the terms of the Constitution. Now to say: "it was accordingly decided to do away with it", there must be some reasons. There must have been some reasons to put Bilaspur as a Part C State. Why was the question of doing away with it not done in 1951? Why was it not done in 1950 when the Constitution was passed, when there was not even a single Member from Bilaspur to plead its cause. The reason is, if we look into the States Ministry's report for 1952-53, on page 2—if I may quote from that—the reason is clearly given. What is the reason?

The reason given therein is 'adjustment of boundaries' under the heading 'Abu and Bilaspur'. Paragraph 12 says:

"Bilaspur is the smallest of the Part C States. It has an area of ....."

10 A.M.

Then the reason given is 'adjustment of boundaries'. It says that claims have now been made and Government have therefore decided that it was no longer necessary to continue Bilaspur as a separate State and that it should be merged in Himachal Pradesh. Therefore, the reason was the claims of Himachal Pradesh for the merger of Bilaspur in Himachal Pradesh on grounds of linguistic and cultural affinity and probably, no other reason. Now, let us examine it. If that was the reason, then obviously the best course for Government was to appoint a commission, a body of inquiry, some men to go to Bilaspur and take the wishes of the people into consideration; tell them: "look here, we are now going to go back upon our agreements"—not a very pleasant word, but they can say it. They can say, although in 1950 we were quite prepared to keep Bilaspur as a separate entity, now 1½ years have passed and we have come to the conclusion that we cannot do it. The reasons perhaps could have been explained. I do not think that to say that it was a tiny State and did not affect the people very much, was any reason. Many other reasons could have been advanced. They can say, for the better security, for betterment, because Bilaspur was standing in the way of democratic institutions in this country, it was necessary to do away with it: therefore, we have come to you; Himachal Pradesh has claims on you; what do you say about it? They can ask, "Do you want to merge into Himachal Pradesh; have you affinities and ties with them?" That would, obviously, have been the correct course to take. Even when this claim was laid by the State of Himachal Pradesh on the ground of cultural and

linguistic affinity, the Government of Punjab also laid claims on Bilaspur. Here is really a case of a bride with two suitors who claimed her hand in marriage, and the Home Minister, a puritan as he is, has agreed to give the bride without asking her consent.

**Dr. Katju:** What does the bride say? Does she want to remain a virgin?

**Shri Anandchand:** If she wanted to remain one, she had every right to say so.

What happened was, when there were these counter claims, the conference was held, the great conference about which page 3 of the report is full, when all the representatives were asked: representatives from Himachal Pradesh, representatives from Punjab, representatives from PEPSU and Rajasthan, but no representative from Bilaspur. If there was one, it was the Chief Commissioner, a functionary of the Government of India and he could not speak on behalf of the people of Bilaspur whether they wanted merger with A or B.

**Shri Algu Rai Shastri (Azamgarh Distt.—East cum Ballia Distt.—West):** You were not consulted?

**Shri Anandchand:** No; at no stage.

**Shri Algu Rai Shastri:** That is very strange.

**Shri Anandchand:** In that conference of 18th August 1952, the Central Government came to a decision. What was that decision? The decision was this. After the conference of all the States, it has been decided that a statutory body or corporation should be set up for the Bhakra-Nangal project, and after this project has been handed over to the statutory body, Bilaspur was to be merged into Himachal Pradesh, because as we found in the newspaper reports and other things, that the claims of Punjab on Bilaspur were rejected because they were not given any credence. The idea was that really these people had much more cultural and other affinities with Himachal Pradesh. Here



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again, as I said, is one of the most undemocratic decisions so far taken, a glaring example of an important decision being taken without consulting the people of the State.

What was the reaction? The first reaction was a petition to the Government of India. If the people did not want that decision, if the people thought that the decision was wrong, the obvious course was to petition, and a petition was submitted to the hon. Home Minister himself. That petition was signed, I think, by 42,000 people. I can speak with some authority. Here is another petition now. The first was in 1952 as soon as the decision was taken, because it was not implemented. There was no Bill at that stage. In that petition a request was made that the decision was wrong, that almost a commitment had been made when the Bhakra-Nangal project had not even started and the people facing dispossession had not been rehabilitated, and therefore, the Government of India should reconsider the decision. From 1952 to 1954 nothing was done in the matter. The hon. Home Minister has been saying here that the idea was to protect or safeguard the Bhakra-Nangal project; nothing, however, was done in the matter. I think I would not be wrong in saying that the withholding of the implementation of the outcome of that conference in 1952 was purely on account of the vehement opposition made by the Punjab Government to that decision. Here I say that with some authority because on the very next day of this decision, the Chief Minister of the Government of Punjab made a Press statement, an important Press statement, referring to this decision, and with your permission, I will quote a few words from that. Shri Bhimsen Sachar, in a Press conference on the very next day to this decision, i.e., 19th August, 1952, said, *inter alia*:

"The point of view of the Punjab Government that the

decision as to the merger of Bilaspur should be subject to the paramount needs of the Bhakra Dam and Nangal Canal was accepted...."

"...During the course of the discussion the Prime Minister of India suggested that it might be desirable to set up an independent Authority in order to safeguard the interests of the Bhakra Dam Project. In that case the Prime Minister said it would be immaterial to which State the Bilaspur territory belonged."

That shows that there was a tussle between the two States about the point as to which State this territory should go.

"Up to the last the Punjab stuck to the view that the question as to whether the whole of the Bilaspur State should form a part of Himachal Pradesh should be deferred till after the examination and adoption of the proposal to set up an independent authority for Bhakra-Nangal Project, as unless the question of the powers and functions of the proposed authority had been agreed upon it would be premature to take a decision on that point."

This is what happened. This is really the reason why from 1952 to 1954 the decision, as I said, could not be implemented and also, if I may say so with due respect though probably the hon. Home Minister would deny it, perhaps the entreaties, the telegrams and the representations of the 42,000 people had some effect, and I very much hope they would have even now—I refer to the other petition now before this House—some effect.

Matters went on like this, but then suddenly, as it were this Bill has come to us in 1954. I was very carefully reading the arguments advanced by the hon. States Minister in his

speech in the Council of States when this Bill was taken into consideration. I think there is some law or ruling that the proceedings there cannot be quoted in this House. Therefore, I would not like to say the exact words which the hon. Home Minister said, but he said something to this effect about the urgency of the measure. The reason why Bilaspur as such should be integrated and this Bill should be passed is the administrative structure there as such needs change. There is the Chief Commissioner, he said, whom we have changed. We appointed a functionary from Himachal Pradesh. The Lt.-Governor was appointed as Chief Commissioner. Still there is no improvement. And there is the urge on the part of the people that something should be done, and therefore the only thing that can be done is to do away with Bilaspur. Because the Central administration cannot improve that, do away with it. That was hardly a reason I thought, coming from very responsible quarters; that because the Central administration there was not proceeding as well as it should have proceeded, therefore the best thing is to let this entity disappear. The same reason could be advanced tomorrow if the administration fails in any other state—let us do away with that also. But that is hardly a reason. If that is really the reason, the position could be remedied. If this Chief Commissioner from Himachal Pradesh, or the Lt.-Governor of Himachal Pradesh as Chief Commissioner, did not work, the Centre could have appointed another Chief Commissioner, could have appointed a Deputy Chief Commissioner if they had no intention to provide a Chief Commissioner. Things would have improved, most certainly they would have. That they had deteriorated and the very fact that the hon. Home Minister has admitted that there was deterioration, I think, bears out what small criticism I put in this House in the previous debate in the House when I said that the administration had deteriorated.

At that time the States Minister was not prepared to admit it. At that time he said there were no functionaries as Judicial Commissioner. There was no big secretariat as in U.P. Today, the hon. States Minister says: "We do not want a large secretariat or the Judicial Commissioner. We do not want this top-heavy administration". I think that bears out this point that there were these functionaries, that these functionaries continue and they do their work. After all, if it is a large unit or a large State, they would do more work. If it is a small area, they would do lesser work, but work is done. Since it is a centrally administered unit of India, howsoever tiny it might be, there are functions to be performed, all those functions about laws, the application of laws about decisions in the Courts and on various communications that come from the different Ministries about how the procedure has to be adopted there. All these functions are there. So, this statement that the administration as such has been paralysed, was not proceeding properly, is hardly a reason to be given for doing away with the entity of the State or the right of the people to live or enjoy the rights of a particular political status. So, as I have said, the only reason was that Bilaspur should be merged on grounds of linguistic and cultural affinity, and that there should be a corporation or a statutory body, before it was merged. Here we have the two pre-requisites or the two guiding factors which brought about the 1952 decision. Here, if I may respectfully point out, were also the grounds for the Government of India to cure the injustice that had been done under this decision of 18th August 1952. How was it to be cured? If the merger was to take place on grounds of cultural and linguistic affinity, it having taken place in December 1952, that you had already appointed a States Reorganisation Commission, here was a method by which you can say, well, let the case be referred to the States Reorganisation Commission, because we

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have not asked the people of Bilaspur, because the people of Bilaspur protest against this merger, because this merger has to take place on grounds of linguistic and cultural affinity, and because we have here a forum and a body which is solely for the purposes of determining as to which areas have cultural affinity with which areas, and also for the purpose of determining which constituent units of the Indian Union have a right to live in the future. And Bilaspur was such a unit on the 29th December 1953, when the Government of India and the Home Ministry passed this Resolution and said that the terms of reference of this Commission would be, among other things, to examine the whole question of the reorganisation of the States of the Indian Union, with a view to promote the welfare of the people of each constituent unit as well as of the nation as a whole. Bilaspur was such a constituent unit, and it still is. How are its interests to be promoted, if at the very time when this Commission is going into the whole question of reorganisation, if at the very time when they are trying to redraw the map of India by common consent, you whisk away these entities one by one. Today, you whisk away Bilaspur, tomorrow you may whisk away some other State, and on the third day, you may whisk away a third State. If you are going to do so, why appoint this States Reorganisation Commission?

Now, there has been a reply to this point by the hon. Minister of States, in the Council of States. When the same argument was raised in the Upper House, the reply was that it is not the States Reorganisation Commission that is going to decide, but that it is the Parliament that is going to decide it. By that, I think, the States Minister meant that Parliament, which tomorrow can decide on the recommendation of the States Reorganisation Commission, can today decide in anticipation of them. I agree

with you; I subscribe to it entirely that the sovereign character of the Parliament of India, which is the sovereign law-making body of India is unchallenged. We can pass any law; tomorrow we can amalgamate the whole of the territories of India into one State, under this article of the Constitution, if it is conducive to the good government and the betterment of the people and of the nation as a whole. But then the point is this. If we are going to do all these things, if we are going to visit each of these little areas or small areas or villages—five hundred and odd of them are there—and if we are going to hold a commission of inquiry there as to with which area the people of a particular area have cultural or other affinities, if that is the function which we are to do, how are we going to function as government in other larger spheres in the country? Obviously, we have to devise a body or a forum, under which all these linguistic and cultural claims can be considered, and on the floor of which or before which all these points are given due weight and attention. When that forum has given its recommendations, we should proceed further in the matter. I agree that the high-powered commission is not a high-powered commission at all; it is only a States Reorganisation Commission. If it were a high-powered commission, naturally, we would have had to abide by its verdict. I am not, however, pleading here as to what the States Reorganisation Commission should be. I am only saying that once we have made that forum, and once we have established a certain procedure for the reorganisation of the States of the Indian Union, what are we proposing to do in this Bill? We are proposing to create a new State of Himachal Pradesh by uniting both these States.

We are creating a State or giving parliamentary sanction to bring into existence an entity which even after merger is a Part C State, not a Part A or Part B State, but a Part C

State which even after the union of both these States would have a population only of 11 lakhs of people—the population perhaps of any district in Punjab or U.P. or Bombay. If the hon. the States Minister has stated in his Statement of Objects and Reasons that Bilaspur is not a viable State, I respectfully point out to him that Himachal Pradesh is also not a viable State. So that argument cannot hold water. Therefore, if we were, by uniting both these States, to create a State with viability, I would have understood it. We have done something here; we are creating a new State in India in the fifth year of the Republic, as he has given in his amendment:

"Be it enacted by Parliament in the Fifth year of our Republic as follows..."

Is it not to wipe off in the fifth year of our Republic the State of Bilaspur against the will of the people?

**Shri Algu Rai Shastri:** It is the tiniest State.

**Shri Anandchand:** The tiniest has a right to live. If you are ten brothers in a family and one is very tiny, do you mean to say that the tiniest should be murdered?

So, Sir, the point is that in all these matters we have to give much larger consideration to this problem than has been given heretofore. And there was a reason, as I was pointing out, there was a condition under which the Central Government could have asked the people. They had the forum of the States Reorganisation Commission to say: 'We will leave the decision of 18th August subject to ratification. Here is the States Reorganisation Commission. We will refer it to them. We shall wash our hands of the foul smell that we are taking a decision *ex parte*'. That was not done.

Then what is the urgency about it? I do not know from the Statement of Objects and Reasons what urgency there is about this. The very fact that there is no urgency, if I may respectfully point out to the House, is a

glaring fact. What is the urgency of this business before the House? I am not conversant with all the Rules of Procedure. But I heard from Mr. Tulsidas who is a member of the Business Advisory Committee that there were originally about 16 or 17 odd measures which Parliament was expected to pass by the 15th May and disperse. But with the continuation of the session for another four or five years, the Himachal Pradesh and Bilaspur (New State) Bill must be brought before you! What is the urgency I cannot understand. What is the urgency for bringing about a union of these States? And when is the Union to come into effect? There is no appointed date. The Union is to come into operation when the Government of India pleases! If there was any urgency, I should have thought that the very first thing that the Government would put in this Bill was an appointed date on which it would come into operation. The very fact that the Government has made that very indefinite disproves the urgency. This Bill will come into effect on the day the Government may issue a gazette notification. So what does it mean? It means that after the passage of this Bill, Government can sit three years before the new State is formed.

**An Hon. Member:** Persuade them.

**Shri Anandchand:** There is no question of persuasion. It means that they want to be indefinite. And if they want to be indefinite, then why do they not refer it to the Reorganisation Commission? (*Interruption.*) I want to have an opportunity in the House to show how injustice is done. I do not want to go to the hon. Minister's office and have my say. That is hardly the forum for me; that is for the petitioner. I have not come here as a petitioner; I have come as one of the Members of the House to put before the House my point of view. It is the people who are sovereign; Governments after all, are created by the will of the people; they

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rise and fall with the will of the people.

So I should have thought that that was the proper thing to do. Now, there had to be repercussions. When a wrong decision is taken, when a double wrong is committed, those people who are politically alive—I am glad to say so—to a certain extent, naturally react. There had to be some sort of reaction and that reaction was referred to by my hon. friend, the States Minister, when the Bill was before the Upper House. He said there had been some disturbance of 'emotional tranquillity' in Bilaspur—not public tranquillity. I thought it was public tranquillity, but now it was described as 'emotional tranquillity'—it is a new word to use. What it probably meant was that all these 5041 signatories were going round in each of those small villages. Now, Members of this House, except probably a few, have not seen Bilaspur. I was born there; I have lived there all these years and I am glad I have all possible contacts with the people, with the humblest man there. I take no credit for that. As a Member of Parliament, it is my duty. All those are poor people spread out in the villages on the hill-tops and on the banks of the river. The whole population is 1,26,000 which the hon. Home Minister always flings on our face. He always says here is a population of 1,26,000 in a Part C State. I say in reply to him: what is the population of Coorg, which is another Part C State? It has only a population of about two lakhs. If that is to go, let us have a proper measure for all these Part C States to go. Let there be a proper principle for their extermination, a proper principle by which all these States could go. Let there be a uniform principle by all means. But the procedure should be there. After all, this is a question of one of the constituent parts of the Indian union: this is a question of a State of India, howsoever small it may be. If you are going to adopt a

policy of exterminating these States, the questions in respect of which are integrated with other major questions, without consulting the people, will of the people, where will democracy be? It cannot flourish in this country. I think it would be a wrong step if we are to consider this problem in the way in which it is being done.

I heard my hon. friend from Manipur speaking the other day. I never met him but I remember his words. He was very outright in his speech and said that if it was possible for him to do *gol mal*, he would do *gol mal*. He is not there today to do *gol mal*. But I can do no *gol mal*. I can only plead before the House that an injustice should not be done. Then there will be no occasion for any *gol mal*, whether in Tripura, Manipur, Himachal Pradesh, Bilaspur, Coorg or any other State.

**Shri Radhelal Vyas (Ujjain):** How much time will be given to the hon. Member? You said that only two hours have been allotted to this Bill. We would like to know how much time will be given to us?

**Mr. Deputy-Speaker:** I was considering this matter myself. Two hours have been allowed by the Business Advisory Committee. I find that a number of amendments have been tabled by the hon. Member, who is now in possession of the House, on almost every clause of this Bill. There is no other hon. Member who has given notice of amendments. Already the hon. Member has taken one Bill hour and I cannot extend the period of time.

**Some Hon. Members:** No, Sir.

**Mr. Deputy-Speaker:** What is this 'No' about? The hon. Member started at 9-26. What is the time now? What is the meaning of 'No' then? I am noting down the time in these matters. There is the office here. In such matters, it very often embarrasses me when hon. Members say 'No'. It is one thing for hon. Members to say

that they may be given more time. I have no objection to their saying so. When an hon. Member is in possession of the House, he may speak on all matters relating to the Bill. I have given him one hour and I hope he will finish soon. Otherwise, there may not be time even for the hon. Minister to speak, and I will have to put the whole thing to the vote of the House straightaway.

**Shri Anandchand:** I shall finish in a few minutes. I was referring to the reactions of such a measure. The only reaction which was a correct parliamentary reaction, which was a perfectly constitutional reaction, was to bring all this, in equity, to the Houses of Parliament and say, this is what has happened. This is what we pray for, and please consider our prayer. Now, this petition has been presented to this august House. It has a signature of something like 45,000 people of Bilaspur, though my hon. friend, the Home Minister, says 'I do not know how they obtained it'. Well, in the present status in which the people of Bilaspur are living,—I am one of those who are living there—we have hardly any of this police force, hardly any military which we can order about, in which case one could order the people to put their thumb impression. There is nothing of the kind. What has now been presented is an address signed by most people of the State of Bilaspur. It is on the Table of the House. According to the rules, the name of each individual, the address of each individual, his *kamura*, as they call it, are all there. If there is anything wrong in them, you could call the concerned people and ask them whether they did it or not, whether they subscribed to the petition or not. That is the end of it. But the point is, this petition has been sent. There have also been representations to the Chief Commissioner of Bilaspur, who, at the present moment, is the Lt.-Governor of Himachal Pradesh. He is acting in both capacities. We have nothing against him. He is a person who is very nice, who is of a very high calibre,

and as the hon. Home Minister said, we are very happy that he is enjoying the confidence of the President of India. Our relations with him are very happy. But, in this particular matter of Bilaspur and its future, we have taken the liberty with the Chief Commissioner as our Chief Commissioner—and I would say it was a natural liberty—and we have approached him and said, 'Here is our representation, will you please put it up to the Government of India and say that the people as such resent this measure and they want that this measure should not be proceeded with'?

I would not go into the grounds of the petition. I have said more or less whatever is contained in it. Although I went to the hon. Speaker and wanted to have this petition circulated, there was no time for circulation because he said the Bill is coming up tomorrow and it cannot go to the Petitions Committee now. So, the contents of the petition could not be circulated to the House. Therefore, I would, with your permission, read only four or five lines from that. They say that there is no reason why the people of a Part C State should not be consulted about their future, when the Government of India have admitted this even in the case of Chandernagore, which is only an area with 26,000 inhabitants, the right of self-determination. Chandernagore is going to be merged with West Bengal. It was a French territory. Admitted. Bilaspur was an Indian State. When this area of Chandernagore, with 26,000 inhabitants came directly to India, when its administration—*de facto*—was transferred from the French, the Prime Minister himself had declared on the 3rd February, 1949 that arrangements for the association of the Settlement with the Indian Union will be in conformity with our declared policy and be regulated according to the wishes of the people with whom there would be the fullest consultation. In pursuance of this declaration of policy a Commission of Inquiry was appointed—the

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Jha Commission—and the Commission's Report is here. He went to the people of Chandernagore, asked them what they wanted about their future status. I am glad that as sensible people—I do not say we are insensible that way—they said that they would naturally like to merge with West Bengal which is their neighbour. At the same time, they wanted certain cultural and other things to be taken into consideration. This report has made out a case for them and it pleads their case. It says, give them good treatment, let there be a Corporation for Chandernagore, let there be even a seat for Chandernagore in the West Bengal Assembly with only 26,000 people, though according to the Constitution you cannot have a representative for less than 75,000 people or so. Here we have got this Bilaspur State which is a bigger area, we have created something out of the hills or even plains, whatever it may be, it is a Part C State of the Union of India. We want extensive lands. Let us do something for them. They want lands and there is no land in the Himachal Pradesh. It has been found out that there is no land for their resettlement. They have time and again said that they want land from Punjab and Punjab refuses. Why? Because the bride is not being offered to Punjab, because this place would not go to them, they do not want to give or part with good 30,000 acres of Punjab land. Here is a question, whether the Central Government is going to rehabilitate and establish these people. He has made mention of section 31. What does this section 31 speak of? It says:

"Nothing in this Act shall be deemed to derogate from the powers of the Central Government to make such arrangements or to take such action in relation to the Bhakra-Nangal Project as may, having due regard to the purposes of the Project be necessary to ensure its proper administration and effective implementation."

This only saves for the Government the power to see that the Bhakra-Nangal Project is properly administered and effectively implemented. No word about the 17,000 people who will go to dogs. What about their rehabilitation? We are here being uprooted because of this dam. Under this section there is no power to issue directions to the Punjab Government to allot us lands. By our making sacrifice Delhi will get electricity. I read in the papers that Bhakra-Nangal is going to produce electricity for Delhi to run trains. Millions of acres of land are going to be cultivated and crops are to be raised and the people of Bilaspur by whose sacrifice all this is possible are going to be erased. That, I would call is hardly justice; it is not fair. Therefore, with due respect, I would urge this hon. House to take all these factors into consideration, namely, the reason why this measure has come, whether there is any urgency and whether in the shape of things to come, in the India that we want to create, an India of viable units, where alone democracy can flourish in its proper perspective, this new State which will come out of this Bill, with its 11 lakhs of people, with its deficit financing, can exist properly. According to the Himachal Pradesh's budget, its revenue is Rs. 1,25,00,000, while its expenditure is about Rs. 2,40,00,000, and the balance is made up of subsidies which Parliament allows every year. Without subsidies from Parliament, it cannot exist. Bilaspur, of course, is also a deficit State. What is the use of the deficit State of Himachal Pradesh being merged with another deficit State of Bilaspur? Is there any algebraic process by which you can make these two minuses into a plus? Here, Sir, minus and minus will still be minus, and so what is the use of adding them together? I would say that it is hardly fair to the people of Bilaspur State and I would say even to the people of Himachal Pradesh, because they themselves have to fight a battle before the States Reorganisa-

tion Commission tomorrow in connection with a larger Punjab. I would respectfully submit that the Bill, at the present stage, be not taken into consideration, that the Bill be referred to the State Reorganisation Commission, that the States Ministry appoint an enquiry commission, as they have appointed in the case of Chandernagore, to go and ascertain the wishes of the people, and after the recommendations of that commission have been placed on the Table of the House, the House may do whatever it likes. It is a sovereign body and it may do whatever it pleases at that time.

**Mr. Deputy-Speaker:** With regard to the point raised by Mr. More, I may inform him and the House that I had sent for the Rules of Procedure of the other House, and they are also word for word similar to the Rules of Procedure of this House.

**Shri S. S. More:** I quite see that there are many provisions under rule 154. If we go to rule 91, it has got a wider aspect.

**Mr. Deputy-Speaker:** Rule 91 relates to motions after introduction of Bills.

**Shri S. S. More:** I quite see that. I am just comparing these two rules. Under rule 91, a Member is permitted so make at least four motions of different sorts. By the separate section on page 39 of the Rules of Procedure, it is restricted in its meaning, and I may say, after reading all these provisions, that you are in a way right in saying that, but I would rather go to the spirit. As far as the interpretation of the letter is concerned, I may concede you are right, but on occasions when we are to interpret rules or laws, we have to see the spirit of the legislation, the spirit of the particular motion, and that is why I say that we have to take into account the purpose for which the Council of States has been created. The Council of States has been created for the purpose of sitting as a revising body, because the House of the People, which is supposed to be representative of the people, may

in its own enthusiasm come to some rash decisions or rash conclusions or rash estimations. A body of elders, who are supposed to deliberate in a cooler manner is to sit there. Therefore, I say that the right of ascertaining public opinion of this original body or this paramount body should not be denied. As a matter of fact, our composition is based on public opinion; we are directly elected by the people, while the Council of States is elected by the States. We are much more concerned in ascertaining public opinion, because if we do not ascertain public opinion, possibly next time we will find it extremely difficult to be here. My submission is that this body, owing its origin to the will and support of the people, has more often to consult the people, and, therefore, its right of circulating the Bill for eliciting public opinion, in spite of the fact that it has been passed by the other House, is not restrictive. This, I believe, is the spirit of our Constitution: this I believe is the spirit of the federal structure of Government that we are having in this country. I would, therefore, say that you will be pleased to give your interpretation in a manner which will not place any restriction on the sovereign powers of this particular House.

**Shri Velayudhan** (Quilon *cum* Mavelikkara—Reserved—Sch. Castes): The House can throw the Bill out.

**Shri S. S. More:** My hon. friend Mr. Velayudhan is giving his own ruling from that side of the House.

On the merits of this measure, I have nothing to say, except that I entirely agree with the hon. Home Minister that all these small Part C States should be abolished. Schedule I of the Constitution has enumerated as many as ten States under Part C. I do not see any reason why these ten States should be there. Under the Constitution the Central Government which federates the various constituent units are given certain powers; but the Centre is out to have more powers and more beggars at its doors. Therefore this retinue of Class C



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States is maintained, with beggars' bowls in their hands. They will be going to States Minister and Finance Minister for help.

As far as Bilaspur is concerned, it raises an important point of law. Under Article 363 whenever there is any dispute regarding any agreement or covenant, or pact, between a ruler of a State and the Government of India that dispute cannot be enquired into by the Supreme Court. The jurisdiction of the court has been taken away. Now we find that there is a dispute. The ex-Ruler has spoken with great vehemence, though with restraint. He has pointed out that the original agreement which the Minister of States has entered into with him on behalf of the Government of India has been flouted. I may say that the ex-Rulers entered into agreement with the Government of India in their own interests and against the interests of the subjects. So, these agreements should not carry any sanctity. But if we are taking our stand on our Constitution, then we have to see that every article which is relevant is given effect to.

Article 363 which I have already referred to says that if there is any dispute the Supreme Court will not go into it. Then, which is the body that will go into it? But there is an article, No. 143, which gives power to the President to consult the Supreme Court. The Supreme Court can come in not as Supreme Court, but as the authority referred to under article 143.

Now, Sir, this House has to assume great responsibility. The question of interpretation of a particular article of the Constitution has been posed before us. I am not prepared to attach any importance to the other matters, like the right of self-determination, because the time at my disposal is short. But what about the constitutional point? I quite see that Bilaspur is a very small State. But its ex-Ruler has raised one of the major issues, though his State is not a major State.

Now, what is to be done regarding this particular law point? We have seen that there is a clear dispute between the ex-Ruler and the Government of India regarding the terms of that agreement. He is maintaining a position that under the terms of the agreement, you are bound to maintain Bilaspur as a separate entity and if you are not sticking to it and passing this measure, it means that you are flouting the terms of that agreement. If there is no such dispute regarding the terms of the agreement and its binding effect before this House then I think there is no objection in passing this Bill. If there is any such dispute, I think it is a matter which should be referred to the President for his consultation under article 143. Then only we shall be given some assurance. I went into one of these and I feel that the Government of India were in their effort to merge the different States entered into wrong agreements with the ex-Rulers just to tempt them to sign. All these agreements stand in a different category. As far as articles 362 and 363 are concerned, these provisions should be taken into consideration in passing any law relating to the agreements and covenants entered into by the Government of India with the ex-rulers. They referred to article 291 and say that is the spirit in which the Constitution has been passed. If I have got some grievance against this Constitution, I will get it properly amended but as long as it is not amended, we must work that Constitution, and therefore, I submit that this is a constitutional issue in which the President does step in and therefore, we must give an opportunity to the President. We can very well postpone the discussion on this matter or its consideration and give an opportunity to the President to take steps under article 143 by inviting the opinion of the Supreme Court whether the contention of the ex-ruler that this measure is in violation of the agreement entered into is correct or not. That is my humble submission.

**Mr. Deputy-Speaker:** Soon after the amendment is moved, normally I must place the amendment before the House. So far as this point is concerned, the amendment of Shri Anandchandji wants that the Bill be circulated for the purpose of eliciting opinion thereon by the 1st October 1954. My attention has been drawn to rule No. 91. It relates to motions after introduction of bills: that is when they originate in this House. It mentions the kinds of motions that can be moved as an amendment to the motion for consideration. 91 (iv) refers to circulation for the purpose of eliciting opinions thereon. But the relevant rule is 163. That relates to the motions that can be made regarding a Bill which originated in the Council of States and was transmitted to this House. That rule definitely says that it can only refer to a Select Committee. There is no reference to circulation for eliciting public opinion. Mr. More also agrees that so far as the strict letter of law is concerned, the rule does not permit or make any provisions for a motion of this kind, an amendment seeking circulation..

**Shri Anandchand:** I want to submit one point.

**Mr. Deputy-Speaker:** I am not going to allow this hereafter. There must be an end to this.

My attention was drawn to the provisions of the general principle that the upper chamber is only a revisory chamber. Normally it must be a revisory chamber but the Constitution, except with respect to certain Bills, says that other Bills can be introduced in any of the Houses. To that extent, the provisions of the Constitution, whatever might have been originally intended, negative such a contention and I cannot go merely to the spirit of the Constitution. It may be desirable by way of convention to establish that all such Bills of importance must originate in this House with a view to see that the representatives of the people, directly elected, might bring their minds to bear upon these and take all these steps. Then the

procedure is much more elaborate which is not so when the Bill originates in the other House and comes to this House. As a matter of convention all important Bills are to originate in this House, giving the Members ample opportunity, instead of fettering the discretion of this House. I am helpless so far as this matter is concerned. A Bill of this kind can originate in the other House and when it comes to this House the only amendment that can be made to the motion is for referring the Bill to a Select Committee. If it was the first impression possibly, I might have considered it. On a prior occasion on a similar matter, I gave another ruling. Consistency to a large extent is always better than inconsistency. Therefore, I propose to follow the previous ruling and rule this amendment out of order.

Now, I call upon Shri Radhelal Viyas, but I would request hon. Members to be very brief; only five minutes each.

**श्री राधेलाल व्यास :** उपाध्यक्ष महोदय, मैंने अभी बिलासपुर से निर्वाचित माननीय सदस्य के भाषण को बहुत ध्यान से सुना और मुझे प्रसन्नता है कि उन्होंने जनतंत्र पद्धति को अपनाने का फैसला कर लिया है और जनतंत्र पद्धति के अनुसार यहां पर इस बिल के विरोध में कार्यवाही करने का निर्णय किया है। श्रीमान्, उन्होंने १५ अगस्त, १९४७ के दिन की और उन दिनों की घटनाओं की याद दिलाई और कहा कि बिलासपुर राज्य को एक स्वतंत्र इकाई के रूप में क्यों रखा गया था। उन्होंने श्री वी० पी० मेनन के एक पत्र को भी यहां पर पढ़ कर सुनाया और उस पत्र को सुनने के बाद कोई भी व्यक्ति यह नतीजा अवश्य निकालेगा कि उस वक्त के नरेश और माननीय सदस्य बिलासपुर के सम्बन्ध में जो इस्ट्रमेंट आफ एक्सेशन था उस पर शायद हस्ताक्षर करने को सहमत नहीं थे . . . .

**श्री आनंदचंद :** यह बात गलत है।

श्री राधेलाल व्यास : मैं नहीं, वह श्री मेनन का पत्र कह रहा है ।

श्री आनंदचंद : मैंने १० अगस्त को हस्ताक्षर कर दिये थे ।

श्री राधेलाल व्यास : मेनन साहब ने इंस्ट्रूमेंट आफ एक्सेशन को साइन करने का उस पत्र में निमंत्रण दिया था और वह पत्र स्वयं इस बात का प्रमाण है कि वह उस समय भी इंस्ट्रूमेंट आफ एक्सेशन पर हस्ताक्षर करने को सहमत नहीं थे । स्वर्गीय सरदार पटेल ने जिस तरह से रियासतों का एकीकरण किया और देशी राज्यों के प्रति जिस उदारता और दूरदर्शिता से काम लिया वह वास्तव में सराहनीय है और उससे किसी को इन्कार नहीं हो सकता है और यह उनकी योग्यता और दूरदर्शिता का नतीजा था कि ऐसे समय में उन्होंने इंस्ट्रूमेंट आफ एक्सेशन पर उनके हस्ताक्षर कराये । १९४७ में जिस समय कि ब्रिटिश सरकार ने यह ऐलान किया कि सावरेन्टी अब खत्म हो कर राजाओं के पास वापस जाती है उस समय बिलासपुर स्टेट की क्या स्थिति थी ? श्रीमान्, मुझे इस सात महीनों में तीन मर्तवा बिलासपुर स्टेट में जाने का मौका मिला और मैं अभी दस दिन तक वहां पर रहा था और मैंने वहां की स्थिति का जो अध्ययन किया उसके आधार पर मैं आपसे कह सकता हूँ कि बिलासपुर के बारे में बहुत सी ऐसी बातें मालूम हुईं और कई लोगों के मत जो मालूम हुये, वह मैं आपके सामने रखता हूँ । मेरे पास इतना समय नहीं है कि सबको पढ़ कर यहां पर सुनाऊँ । लेकिन सन् ४७-४८ में जो स्थिति थी, उस मौके पर हिन्दुस्तान के एक बहुत बड़े माननीय नेता जो उस समय कांग्रेस के प्रेसीडेंट थे, डाक्टर पट्टाभि सीतारमैया उनके वक्तव्य से एक उद्धरण को आपके सामने रखता हूँ :

“One fails to understand how the Bhakhra Dam assumes an All India

character any more than the numerous dams which are being built or, are contemplated in the various Provinces or States, nor is it easy to see the relevancy of this fact in relation to the political set up of a State. Let it be remembered that the State is easily the worst State in India not excluding Hyderabad. The vagaries of the prince of Bilaspur have attained a notoriety not easy to equal or excel by any other prince.”

इसके अलावा आल इंडिया स्टेट्स पीपुल्स कांग्रेस की स्टैंडिंग कमेटी ने जिसके अध्यक्ष पंडित जवाहर लाल नेहरू थे, एक प्रस्ताव पास किया और उस प्रस्ताव में बिलासपुर स्टेट के नरेश की एकटीविटीज को Sadistic perversity कहा और वहां यह आदेश दिया गया बतलाते हैं कि बिलासपुर में जयहिन्द कहने के लिये यह आदेश था कि अगर कोई जयहिन्द कहे तो उसकी जवान काट ली जाय . . . .

श्री आनंदचंद : यह झूठ है ।

पंडित बालकृष्ण शर्मा (जिला कानपुर दक्षिण व जिला इटावा—पूर्व) : यह बात सच है ।

श्री राधेलाल व्यास : यह कहां तक झूठ या सच है यह स्वयं पंडित जवाहरलाल नेहरू जानते हैं कि जब उन्होंने वृषभान जी को आपके निमंत्रण पर बिलासपुर में इनक्वायरी करने के लिये भेजा था तो क्या परिणाम हुआ था ? वृषभान जी आपके राज्य में दाखिल नहीं हो सके थे उन पर यह आर्डर सर्व किया गया था कि वह आपके राज्य में न प्रवेश कर सकें ।

डा० सुरेश चन्द्र (औरंगाबाद) : इसका क्या जवाब है ?

पंडित बालकृष्ण शर्मा : चुप जवाब है ।

श्री राधेलाल व्यास : इसके अलावा मैं और भी बातें आप का बतलाऊँ कि सन ४७ में जिस वक्त कि देशी रियासतों के नरेश

हिन्दुस्तान में शामिल होने और रहने का फैसला कर रहे थे उस समय पंजाब स्टेट्स के रूलर्स की एक मीटिंग बिलासपुर में हुई और उस मीटिंग में शरीक हुये एक व्यक्ति से मेरी बातचीत हुई है और उन्होंने मुझे बतलाया है कि उस मीटिंग में बिलासपुर नरेश ने यह प्रस्ताव रखा था कि :

"We should negotiate with the Indian Government if they are prepared to negotiate with us on equal terms. We are not prepared to negotiate...."

**Shri Anandchand:** Is this all relevant?

**Shri Tulsidas (Mehsana West):** Is any matter prior to the agreement relevant?

**Dr. Suresh Chandra:** Mentality of the rulers: from that point of view, it is relevant.

**Shri S. S. More:** What about Hyderabad, (Interruption)

**Mr. Deputy-Speaker:** Order, order. The present question is this. The ruler has gone out.

**Shri S. S. More:** Gone out?

**Mr. Deputy-Speaker:** The hon. Member need not amend my statement. The ruler is not there. It is a Part C State. The ruler, no doubt, is the representative of the people. Here, he does not speak in the capacity as the ruler. Though it was taken up by Shri S. S. More, the ruler himself did not say so, that it is beside the point, etc. It is open to any hon. Member to say that the wishes of the people had not been consulted that it is wrong, and that other provisions have not been made. Seventeen thousand people have surrendered their houses. Therefore, it would have been better to join with Punjab. Houses can be built and land could be given. These are points which any hon. Member can make. There is no good going into ancient history and saying that the ruler was this or that. Possibly rightly the ruler was dislodged on account of that various things

happened. Let us proceed to the relevant point as to whether Bilaspur should be joined with Himachal Pradesh or not. That is the question.

**Shri Velayudhan:** I want to raise one point.

**Dr. Suresh Chandra:** When the question has been raised, the hon. Member should be allowed to reply.

**Mr. Deputy-Speaker:** Order, order, Shri Velayudhan.

**Shri Velayudhan:** The hon. Member in his speech referred to the past history of Bilaspur also. Therefore, he has every right to mention about the past history of Bilaspur.

**Mr. Deputy-Speaker:** I am not expunging all that has been said.

**Shri Radhelal Vyas:** He referred to the events in 1947 which led to the agreement.

**Mr. Deputy-Speaker:** He can say that. But, does the hon. Member say that the petition signed by 40,000 people is also in the same tune? The ruler is now a Member here. Is it suggested that he was interested and so he has brought about the signature?

**Shri Radhelal Vyas:** Yes.

**Mr. Deputy-Speaker:** In that way, it is relevant. The hon. Member can go on. Anything can be made relevant or irrelevant.

**Shri Velayudhan:** This is a Bill.

**Mr. Deputy-Speaker:** I think he has said enough about this.

श्री राधेलाल व्यास : मैं सिर्फ इतना ही कह रहा था कि १९४७ में क्या स्थिति थी, वह बिलासपुर को एक अलग राज्य की हैसियत में रखना चाहते थे। उस प्रिन्सली कान्फ्रेंस में यह इच्छा प्रकट की गई थी कि अगर गवर्नमेंट आफ इंडिया नेगोशियेट करने को तैयार हो . . .

That is my point. He said: we should be prepared to negotiate with Pakistan.

**Shri Anandchand:** यह बिल्कुल झूठ बात है

This is a very serious allegation being made against a Member and against the people of Bilaspur.....

**Shri Radhelal Vyas:** I have papers with me. I can read from them.

**Shri Anandchand:** The Dominion of Pakistan is an independent country. This....

**Shri Radhelal Vyas:** I do not give way.

**Mr. Deputy-Speaker:** We shall hear and see if there is any support in favour of his statements.

**Shri Radhelal Vyas:** I shall read extracts from certain newspapers. The *Hindustan Times* on 31st December, 1947 said:

"The next big act of the Viceroy was to deflate those princes who egged by the Political Secretary, Corfield, were working on the theory that the best interest of the princes lay in lining up with the Muslim League and that if a weak Government emerged after the British left India, the Princes could expand their respective territories."

The *Indian News Chronicle* of 8th June, 1948 said:

"The Ruler of Bilaspur has been an aggressive exponent of the view of Sir Conard Corfield."

**Shri Anandchand:** This is a Press statement of the *Hindustan Times*.

**Shri Radhelal Vyas:** I do not give in. I did not interrupt him. On 29-3-48, the *New Times* said:

"Bilaspur affords one typical example of palace intrigues."

तो मैं बतला रहा था कि उसके बाद भी वहाँ पर क्या परिस्थिति रही और क्या हलचलें रहीं। आपने बतलाया कि वहाँ की जनता की राय नहीं ली गयी।

**Mr. Deputy Speaker:** Is there any fear that it will now accede to Pakistan?

**Shri Radhelal Vyas:** There is a fear in the minds of a few people. I had been there for ten days and many persons, unattached, independent persons, told me that if an opportunity was given, the opportunity would be availed of.

तो मैं यह निवेदन कर रहा था कि बिलासपुर को अलाहिदा रखने का शरू से ही ब्याल था। इंस्ट्रूमेंट आफ एक्सेशन पर जब हस्ताक्षर किये गये तो स्टेट मिनिस्ट्री ने यह स्वीकार किया था कि वह रियासत अलग रहेगी लेकिन बिलासपुर के नरेश पहले चीफ कमिश्नर बनाये जायेंगे। स्टेट मिनिस्टर साहब अपने यहाँ की फाइलों को देखें। उस समय बिलासपुर की जनता ने वहाँ के नरेश के चीफ कमिश्नर बनाने पर कितना विरोध किया था। कई टेलीग्राम उनके दफ्तर में आये थे। उनको वह देखें। मैं यह बतलाना चाहता हूँ कि शरू ही से स्टेट मिनिस्ट्री ने बिलासपुर नरेश के साथ रियायत की है और वहाँ की प्रजा की रियायत के लिये कोई कदम नहीं उठाया। इसके पहले की मिसाल मैं आपको देता हूँ। अगर गवर्नमेंट आफ इंडिया और स्टेट मिनिस्ट्री बीच में न आते तो बिलासपुर की जनता वही कर लेती जैसा कि हिमाचल प्रदेश की जनता ने किया। मेरे पास साकेत की मिसाल है। वहाँ की जनता ने हिमाचल प्रदेश में एक प्रोवीज़नल गवर्नमेंट कायम कर दी थी और साकेत पर हमला करके राज्य का झंडा फहरा दिया था। आठ नौ दिन तक साकेत पर वहाँ की जनता का राज्य रहा और अगर स्टेट मिनिस्ट्री ने उन्हें न रोका होता तो वे सारे हिमाचल प्रदेश पर कब्ज़ा कर लेते और वहाँ के प्रिन्सली आर्डर को खत्म कर देते। लेकिन प्रजा की लड़ाई को रोक कर जो स्टेट मिनिस्ट्री ने प्रिन्सली आर्डर के साथ रियायत की है इसकी मुझे शिकायत है। आपको सुन कर ताज्जुब होगा कि स्टेट मिनिस्ट्री के जो अफसर थे उन्होंने बिलासपुर के साथ कितनी रियायत की। मैं वहाँ गया। मुझे कुछ चीजें

देख कर आश्चर्य हुआ। वहां लड़कियों के पढ़ने के लिये कोई इमारत नहीं है लेकिन गवर्नमेंट की एक बहुत अच्छी बिल्डिंग एक रुपया महीना किराये पर क्लब के लिये महारानी साहिबा को दी गई है। बच्चों को खुले में बैठना पड़ता है। सुबह से धूप निकलती है जिसमें बच्चों का बैठना बहुत मुश्किल होता है। लेकिन बच्चों के आराम पर ध्यान न दे कर एक रुपया महीना में महारानी साहिबा को यह इमारत दी गई है।

**Mr. Deputy-Speaker:** Has it not been cancelled?

**Shri Radhelal Vyas:** Not yet cancelled.

**Mr. Deputy-Speaker:** Why not?

**Shri Radhelal Vyas:** If it is cancelled, it would be welcomed. The people would welcome it.

**Mr. Deputy-Speaker:** That is why it is merged with Himachal Pradesh, is it?

**श्री राधेलाल व्यास :** ऐसी एक ही मिसाल नहीं है। मैं आपको कई मिसालें दे सकता हूँ। हरिद्वार में कई धर्मशालायें और जमीनें राजा साहब को दी गई हैं। अगर बिलासपुर का हिमाचल प्रदेश से मर्ज हो जाता तो वह उनको नहीं मिल सकती थीं। स्टेट मिनिस्ट्री के अफसरों ने यह रियायत उनके साथ की है। आपको ताज्जुब होगा कि स्टेट मिनिस्ट्री ने उन से आर्म्स एंड एम्पुनिशन की लिस्ट मांगी लेकिन कोई लिस्ट अभी तक नहीं दी गई है। अभी तक स्टेट मिनिस्ट्री उनको हथियारों के कानून पर अमल नहीं करवा सकी है।

अब जहां तक लोगों की राय का सवाल है, मैंने बतलाया कि चीफ कमिश्नर के मामले पर उनकी क्या राय थी। अभी राजा साहब ने बिलासपुर की सिविल लिबरटी की बातें कहीं। लेकिन आज भी वहां पूरी सिविल

लिबरटी नहीं है। वहां के लोग समझते हैं कि हिन्दुस्तान तो स्वतंत्र हो गया मगर बिलासपुर अभी पराधीन है और वहां महाराजा का राज्य है। वह छोटी सी स्टेट है और उसमें सरकारी मुलाजिमों का तबादला नहीं होता और सेक्रेटरी, पुलिस इंस्पेक्टर आदि को वहीं रहना पड़ता है और उन पर बड़ी बड़ी शक्तियों का दबाव पड़ता है और उन से लाभ उठाने की कोशिश की जाती है। पहले तो वहां पब्लिक मीटिंग भी नहीं हो सकती थी। अब तो हो जाती है। गवर्नमेंट जो बिल लाई है वहां की पब्लिक उसके साथ है। जनता में से ४२ हजार आदमियों के दस्तखत की बात यहां पर कही जाती है। वहां की कुल आबादी १,२६,००० है। उसमें से ४२,००० के दस्तखत कैसे हो सकते हैं यह कल्पना करने की बात है। वहां लिटरेसी बहुत कम है और वहां के रास्ते बड़े दुर्गम हैं। ऐसी हालत में वहां के सारे बालियाँ स्त्री पुरुष दस्तखत कर दें यह बात कोई भी आदमी मानने को तैयार नहीं होगा। इसमें बहुत कुछ गलत मालूम होते हैं। मैं चाहता हूँ कि गवर्नमेंट इस बात की इनक्वायरी करे कि यह जो हाउस के सामने ४२,००० हस्ताक्षर रखे गये हैं यह गलत है या ठीक है। हाउस को कोई गलत इत्तला नहीं दे सकता है और अगर देता है तो वह हाउस की कंटैम्प्ट है और इसलिये हाउस को इसकी जांच कराने की कार्यवाही करनी चाहिये। जब वहां कांग्रेस की तरफ से या दूसरी संस्थाओं की तरफ से मीटिंग होती है तो उस रोज वहां जो एक सिनेमा घर है उसके टिकट फ्री हो जाते हैं। वह महाराजा का सिनेमा घर है। लेकिन जब महाराजा साहब के प्रचार के लिये मीटिंग होती है तो वह सिनेमा घर बन्द कर दिया जाता है ताकि कोई आदमी वहां न जा सके। यह वहां की स्थिति है। अगर कांग्रेस की मीटिंग होती है तो हुल्लड़ करने की कोशिश की जाती है। यह वही लोग करते हैं जिनको महाराजा की तरफ से लाउड स्पीकर दिये गये हैं और

## [श्री राधेलाल व्यास]

दूसरा इक्विपमेंट दिया गया है। और यह लोग महाराजा के पेड एजेंट्स की तरह से काम करते हैं। यह स्थिति वहां पर है। वहां के लोगों की राय के बारे में मैं बतलाऊं कि वहां कांग्रेस है, वहां जर्मैयतल उलेमा हिन्द है वहां पर सोशलस्ट पार्टी है। आप देखिये कि वे क्या कहते हैं। उनके तार होम मिनिस्टर साहब के सामने हैं और उनका समर्थन काउंसिल आफ स्टेट्स में भी हुआ है। वहां के एक प्रतिनिधि श्री सी० एल० वर्मा ने वहां के लोगों की राय पढ़ कर सुनाई थी। मैं खुद भी वहां गया हूं और मुझे वहां की प्रतिनिधि संस्थाओं से मालूम हुआ है कि बिलासपुर को एक इकाई के रूप में न रखा जाय बल्कि हिमाचल प्रदेश के साथ मिला दिया जाय ताकि जो वहां के सरकारी कर्मचारियों पर दबाव डाल कर न्याय के विरुद्ध आचरण करने की व्यवस्था चल रही है उसको खत्म किया जाय और उन पर कंट्रोल हो सके। साथ ही जो यहां दिल्ली में आ कर अफसरों से मिलजुल कर कार्यवाही होती है इसका भी अन्त वहां की जनता चाहती है। इसलिये वे लोग चाहते हैं कि बिलासपुर जल्दी ही मर्ज कर दिया जाय। तो यद वहां की स्थिति मैंने आपके सामने रखी।

**Mr. Deputy-Speaker:** The hon. Member must conclude. I must call upon other hon. Members also.

**Shri Radhelal Vyas:** One or two minutes more, and I shall conclude.

दूसरी बात जिसपर जोर दिया गया वह यह थी कि एग्जिमेंट में यह तय हुआ था कि बिलासपुर को अल्स स्टेट रखा जायेगा। मैं निवेदन करना चाहता हूँ कि बड़ौदा को भी अलग रखना तै हुआ था। और विन्ध्य प्रदेश को पार्ट बी० स्टेट के रूप में रखना तै हुआ था। लेकिन परिस्थिति ऐसी हुई कि न तो,

बड़ौदा अलग राज्य रह सका, और न विन्ध्य प्रदेश ही पार्ट बी० स्टेट बन सका, बल्कि पार्ट सी० स्टेट बना। जो एग्जिमेंट है उसकी यह स्पिरिट है कि उसको जारी रखा जाय। उसमें यह नहीं है कि वहां की जनता को अपने ऊपर शासन करने का अवसर न दिया जाय। आज वहां चीफ कमिश्नर का राज्य है और वहां की जनता के प्रतिनिधियों को जो शिकायतें हैं उनको दूर करने का कोई साधन नहीं है। गवर्नमेंट आफ इंडिया ने जो अब तक देर लगाई है वह बहुत ज्यादा है और वहां की जनता को अपने हकूक से महरूम रखा है। मैं समझता हूँ कि चाहे देर से ही सही लेकिन जो यह बिल आया है वह वहां की जनता के हित में है और वहां की जनता इसका स्वागत करती है।

इन शब्दों के साथ इस बिल का समर्थन करते हुये मैं अपना स्थान ग्रहण करता हूँ।

11 A.M.

**Shri Punnoose:** I have only a few words to say. Naturally I shall take very little of the time of the House.

After having heard the two speeches made in English, and the speech made in Hindi, which I did not understand. I am feeling certain doubts. Why Bilaspur was made a Part C State was not explained by the hon. Home Minister to my satisfaction. Certainly, the all-India importance of the Bhakra-Nangal project is not doubted. But why should there be a Part C State for that purpose? Why was it necessary to maintain Bilaspur as a Part C State at that time?

The second thing is, why should it be abolished now? So about the birth of this Part C State and also about the burial of this State, I have got certain doubts. Why should it be abolished just now when we have got the States Reorganisation Commission at work? These things have not been explained.

Sir, when I heard the hon. Member who spoke last quoting English passages, I was very much surprised how he should dare to quote those passages. We have time and again told this House, sometimes to the displeasure of the Home Minister, how bad these rulers had been and how the Congress should not have given any quarters to them. But now he is quoting statements of Dr Pattabhi, that these rulers were enemies of the people and they were oppressing the people. Now, it is for the Home Minister to say why he gave quarters to them from Cape Comorin to Kashmir. Is it now open to the Congress Party when it chooses, when it fits it, to get up and say they were all bad men? Sir, in all these settlements since 1947, for which the Congress claims so much credit—that the Indian States problem was solved—the only party that ought to have been consulted and whose desire had to be taken into account, was left out—the people. The only people who ought not to have been consulted and with whom compromises ought not to have been arrived at were taken into confidences. And in certain cases, we were not able to please them and they are now putting up a show against you.

Now, when the hon. Member from that constituency was speaking, I felt I was in agreement with many of his arguments. But there was at the back of his mind, as I felt it, the personality of Bilaspur, the integrity of Bilaspur, the entity of Bilaspur coming up again and again. That, I could not agree. Now, whether Bilaspur should be integrated with Himachal Pradesh or with Punjab is a question on which there can be two opinions. The people of those States have to be consulted. I want to be enlightened on a matter of fact. Here in this publication, my friend says in 1952, immediately after this Bill was announced, 42,000 people sent a petition to the hon. Minister of States. But the hon. Minister never made mention.....

**Dr. Lanka Sundaram (Visakhapatnam):** There are two petitions.

**Shri Punnoose:** I do not know where those petitions were whether they were signed mechanically or by the people themselves. Nevertheless, if there was a petition like that, it was the duty of the Government to go into that question.

Now, much more than the other aspects of this question, there is a vital point in considering this question of Bilaspur State. When this dam is completed, 8000 houses will be submerged rendering 17,000 people homeless; 30,000 acres will be under water. So I was looking into this Bill whether there is any provision for these people—these 17,000 people. The very town of Bilaspur is going to be submerged. What is going to happen to them? Are you going to give them land?

**Dr. Lanka Sundaram:** Compensation.

**Shri Punnoose:** Are you going to give them compensation? If they say that they do not want land in Himachal Pradesh, but land in the Punjab, is it possible to give them? That is the most important question. That is the human aspect of the question, and without answering it, how are we to consider this Bill and take a decision? Has the hon. Minister any arrangement in view?

There is also the question of language spoken in Bilaspur. They say that the language spoken there is akin to the language spoken in Punjab. I do not know the nearby areas there. What is the correct position? What will be the result if this question is kept hanging fire for a few months more? Is there any calamity going to happen in Bilaspur or over the whole of India, if this question is kept pending for a few months till the States Reorganization Commission can have their say? They should go into the question and then only should a final decision be taken. Anyway, this Parliament should make this point known to everybody, namely, that we are anxious that these 1,26,000 people with their families do not suffer as a result of this merger with Himachal Pradesh. This is a sort of making and unmaking States, playing with



[Shri Punnoose]

people: that is, one fine morning, the Home Minister may feel that it should end, and this way, there will be a final settlement of this question! Therefore I request the Home Minister to consider whether it is not possible even now to postpone this issue for a few months more and leave it to be settled by the States Reorganization Commission.

**Dr. Katju** rose—

**Mr. Deputy-Speaker:** On behalf of the P. S. P., Shri Gurupadaswamy wants to speak. Then I will call upon the Communist Group, and then I shall call upon the Minister.

**Sardar Hukam Singh** (Kapurthala-Bhatinda): A chance for my party may be given.

**Mr. Deputy-Speaker:** I cannot help it.

I am calling Shri Gurupadaswamy.

**Shri M. S. Gurupadaswamy** (Mysore): Let me make it clear at the outset the standpoint of our party. Our party wholly support this measure. We have been agitating all along that there should be some sort of uniformity in the constitution of our Republic with regard to the units. We have been urging that there should not be any classification such as Part A, B, C and D States. We want that there should be one type of states in the Indian Union. It is especially our considered view that Part C States are a sort of derelict pockets of political reaction in India, and they exist like paralytic infants without being able to sustain themselves and always depending upon contributions from the Union of India. Such tiny pieces should not exist in our body-politic. They are a positive disease to the nation.

The other day, I was speaking to a foreigner. I was telling him that western colonialism was a great evil.

He reminded me that there is a sort of colonialism in India also. He said Part C States represent a type of colonialism. The extent of liberty and the pattern of political set-up are completely different in Part C States. So I say that these derelict pockets of political reaction should not continue hereafter. Any step taken by Government with a view to end this type of nefarious and notorious political system is welcome.

**Dr. Lanka Sundaram:** Why do you not mention Himachal Pradesh also? That is another Part C State.

**Shri M. S. Gurupadaswamy:** I welcome the abolition of that State also. I submit that unfortunately the Government is not taking the entire system into consideration. They are going step by step. But at least this is a step in the right direction. So far, we support this. But, we want to urge that steps should have been taken already; there should not have been any delay in abolishing these Part C States. But, anyway though late this is a step in the right direction. So, we say that we welcome this measure.

One speaker from Bilaspur was saying that public opinion has not been taken.

**Sardar A. S. Saigal** (Bilaspur): From Bilaspur State.

**Shri M. S. Gurupadaswamy:** Sir, I am reminded of a famous adage. I forget the name of the political thinker who said that. 'Oh! nationalism, how many crimes have been committed in thy name'. Now I change this and say, "Oh! public opinion, how many crimes have been committed in thy name!" Shall we consult public opinion in Pondicherry, shall we ask for public opinion in Goa, shall we consult public opinion in other pockets? Should we ask for plebiscite on matters which are obvious? Public opinion is clear that they want to merge with us. They have been

part and parcel of India. There is no necessity of consulting them, because it is clear that everybody wants freedom. Everybody wants to merge with India. One hon. Member said there has been an Inquiry Committee for Chandernagore and let us have an enquiry committee for this also. Our party took objection to the appointment of this Committee long ago. We said public opinion is very clear; the people in Chandernagore want to merge with West Bengal and there is no necessity of an inquiry committee. And yet the Committee was appointed. It is very necessary that we should have in the Indian Union a few viable administrative units, and we should not have these haphazard small States which cannot exist on their own, and which cannot sustain themselves. So, I say, that the merger of Bilaspur is a right step. But I urge upon the Minister to take concrete steps to abolish all the other C States. My hon. friend said that the States Reorganisation Committee has been set up and so let us refer the matter to that Committee. But the object of the Bill is laudable and clear and we should not defeat the object of the Bill by saying that there is a committee and let us refer to it. It is rather dilatory and we are unanimous and clear on this point that Part C States should not exist at all. I feel that even the States Reorganisation Committee ought not to have been appointed. That is my personal view because steps could have been taken by the Central Government to reorganise the States on their own initiative. And the Reorganisation Committee might now be used as a sort of delaying device to defeat the very purpose of reorganisation. I say we are very clear in our minds that there should be reorganisation of States. There should be only one type of States in the Union. I think the majority of the Members of this House would agree with me in saying that these small anachronistic states should not exist.

**Dr. Katju:** Mr. Deputy Speaker, the hon. Members who have preceded me

have answered each other and therefore my task has been very much lightened. I do not want to go into the history nor to refer to the activities to which my hon. friend, Shri Radhelal Vyas has referred. Some portions of it are not quite pleasant to read. But, taking my hon. friend as a Member from Bilaspur and considering all aspects, I may inform the House of one thing that while we have been most anxious to see to it that complete justice is done to the Bilaspur people because of the hardship that they might suffer because of the Bhakra-Nangal project, the conditions there were becoming more and more difficult and more and more unsatisfactory.

**Shri S. S. More:** Why?

**Dr. Katju:** You had better ask my hon. friend from Bilaspur.

**Shri S. S. More:** You are the Home Minister.

**Dr. Katju:** The Home Minister has, sometimes, got to be very delicate and refined in temperament. He does not want to say unpleasant things.

**Mr. Deputy-Speaker:** Why sometimes?

**Dr. Katju:** This question was gone into in 1951 and 1952, and we held a great conference about it. Before the conference was held and when the news got abroad, it was really astonishing that boxful of representations were scattered all over, which created quick political consciousness, and signatures appended to a great argumentative application, practically on the lines which have just been advanced. It was really a refreshing thing to find that every single individual over the age of eighteen, living in Bilaspur, man, woman and child—not child, I am sorry—was quite alive to the implications of the problem as to what is desired and what is not desired and so on and so forth. My hon. friend, being a native of Bilaspur,—as he himself said he was born there—rightly exercises great influence. It is a matter on which I should like to congratulate him, and the people probably love him

[Dr. Katju]

and, therefore, they are prepared to sign whatever he asks them to sign. When he goes about in a jeep or accompanied by his near ones and dear ones, they will sign almost their body and soul, and everything. So, I personally think that very little weight is to be attached to such manufactured applications. The decision was taken—he knows it—in August 1952 when everybody was represented and I think he might not have been there present in body, but he knew about it.

**Shri Anandchand:** From newspapers only.

**Dr. Katju:** As a matter of fact, he knew about it. As he was sending those applications with 42,000 signatures, the inference is that every individual living in Bilaspur knew about it, namely, that this thing was coming. What happened was that last year we appointed a Lieutenant Governor under the Constitution as the officer to manage the State on behalf of the Central Government, and the Lieutenant Governor found the position very difficult—small State servants working under great influence and so on and so forth. Therefore, this Bill had to be brought forward. My hon. friend urged that the Bill should be referred to the Reorganisation Commission. This is a closed chapter; we have considered every aspect of it—cultural affinities, hill people, etc. If the State Reorganisation Commission, on a consideration of a variety of matters, make any recommendations about Himachal Pradesh or Punjab, then this will go. Otherwise, this small tiny little State of 1,25,000 people cannot possibly stand by itself permanently. Please remember also that the area is about 450 square miles, out of which nearly half will be submerged. Therefore, what will remain will be about 200 and odd square miles and that will be an unstatable proposition. It cannot stand and the administrative difficulty becomes so great—I am not blaming anybody—that the State cannot be worked. It was so expensive having

a Chief Commissioner, Judicial Commissioner, Secretaries, Deputy Secretaries, heads of departments and so on. My hon. friend, Mr. More, with his customary ingenuity, raised the point "consult the Supreme Court", and he referred to certain sections. The articles of the Constitution are sometimes so elaborate that unless you read them very closely, you will simply overlook the point. Now, the article to which he referred for reference by the President is with reference to article 291 and article 291 does not refer to the integration of the States at all, its territories, etc. It refers only to the privy purse of the rulers. The only thing which can be referred by the President is the privy purse. That is the only thing guaranteed. When the rulers consented to integration, they got a guarantee about their privy purses, their personal dignities, carrying of arms, and so on and so forth.

I suggest that this measure is calculated to confer a great benefit upon the people. They will become part of the greater unit: they will have better justice and they will have, most of all, representation in a Legislative Assembly. As the House would have seen from the Bill, they are going to get five seats, four general seats and one reserved seat. Up till now they were under a Chief Commissioner; they had no voice.

I therefore request the House to take this Bill into consideration and pass it.

**Mr. Deputy-Speaker:** The question is:

"That the Bill to provide for the formation of the new State of Himachal Pradesh by uniting the existing States of Himachal Pradesh and Bilaspur, and for matters connected therewith, as passed by the Council of States, be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** There are some amendments by Shri Anandchand. I think I will have to put all

the clauses together; there is no time for any of these amendments.

Clauses 1 to 32 were added to the Bill.

The title was added to the Bill.

### The Enacting Formula

**Dr. Katju:** I have one amendment which I shall move. I beg to move:

In page 1,—

for line 1, substitute—

“Be it enacted by Parliament in the Fifth year of our Republic as follows:—”

The new formula that I have suggested is on the principle that we should mention in each of our Acts the year of the Republic in which the Bill is passed.

**Mr. Deputy-Speaker:** To that there is an amendment by Dr. Lanka Sundaram:

“In the amendment proposed by Dr. Kailas Nath Katju printed as No. 2 in List No. 1, of amendments—

for “our Republic” substitute “the Republic”.

**Dr. Katju:** I suggest that the best course would be, as a compromise to put “the Republic of India.”

**Mr. Deputy-Speaker:** The question is:

In page 1, for line 1, substitute—

“Be it enacted by Parliament in the Fifth year of the Republic of India as follows:—”

The motion was adopted.

**Mr. Deputy-Speaker:** The question is:

“That the Enacting Formula, as amended, stand part of the Bill.”

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The first Schedule was added to the Bill.

The Second Schedule was added to the Bill.

**Dr. Katju:** I beg to move:

“That the Bill, as amended, be passed.”

**Mr. Deputy-Speaker:** The question is:

“That the Bill, as amended, be passed.”

**Pandit Thakur Das Bhargava** (Gurgaon) rose—

**Mr. Deputy-Speaker:** We have already exceeded the time by 5 minutes.

**Pandit Thakur Das Bhargava:** The hon. the Home Minister said that the Reorganisation Commission will be entitled to look into the matter again. The Punjab Government want that this area should be made over to them. I am happy that the Home Minister has said that the Reorganisation Commission will go into the entire question. This is provisional arrangement only.

**Mr. Deputy-Speaker:** There is a formal amendment, I think. The question is:

“That the Bill as amended, be passed.”

The motion was adopted.

### SHILLONG (RIFLE RANGE AND UMLONG) CANTONMENTS ASSIMILATION OF LAWS BILL

**The Minister of Home Affairs and States (Dr. Katju):** I beg to move:

“That the Bill to assimilate certain laws in force in the scheduled areas to the laws in force in the Khasi and Jaintia Hills District, as passed by the Council of States, be taken into consideration.”

This is one of those rare Bills, probably the only Bill introduced by me which was passed in the Council of States without any discussion at all and I hope it will meet the same good fortune in this House. It is purely a formal measure.

On the passage of the Constitution, certain districts were constituted in Assam. In that district, a part of the