

STATES REORGANISATION BILL

Mr. Speaker: The House will now resume further discussion on the motion for reference of the States Reorganisation Bill to a Joint Committee. As the House is aware, the discussion on that motion is scheduled to end today. When shall I call the hon. Minister?

The Minister of Home Affairs (Pandit G. B. Pant): At whatever time the House decides.

Mr. Speaker: How much time would the hon. Minister like to have?

Pandit G. B. Pant: I would like to know how much time the House can spare.

Mr. Speaker: Will the hon. Minister give us an idea of the time he may require, having regard to the discussion here?

Pandit G. B. Pant: About 40 minutes.

Mr. Speaker: All right; the House is sitting till 5-30; I will call the hon. Minister at 4-50.

Shri Kamath (Hoshangabad): May I make a request? Let the General discussion go on today. The Minister can reply tomorrow; he will come with a fresh mind.

Mr. Speaker: We have fixed up three days. However, if the hon. Minister finds it more convenient to reply tomorrow, I have no objection.

Pandit G. B. Pant: I have no particular objection to it. I do realise that about an hour was taken up by the discussion on the point of order.

Shri Gidwani (Thana): That was what I wanted to point out.

Pandit G. B. Pant: If hon. Members want to have some more time, I am prepared to give it.

Mr. Speaker: The debate will conclude today and the hon. Minister will reply tomorrow.

Before I call upon the hon. Member to continue his speech, I would like to dispose of the point of order that was raised briefly. Mr. More raised a point of order, namely, there are two Bills that have been introduced in this House—the States Reorganisation Bill and the Constitution (Ninth Amendment) Bill. He pointed out the use of the expression

or the category of Union territories sought to be provided in the States Reorganisation Bill. All the States Parts A, B and C—are called States and the other territories are called Union territories. The hon. Member pointed out that Union territory is a new category to be introduced, for which in the Bill to amend the Constitution, provision is sought to be made by amending Schedule I, and therefore, until the amendment is made, *i.e.*, until the provision is made for the category of Union territories, no such territory can be created under the S.R.C. Bill. Attention was drawn to two previous rulings that I had given on a prior occasion that if one Bill depends on the passing of another Bill, before the latter Bill on which the other Bill depends is passed and it has received the assent of the President, further steps ought not to be taken regarding the first Bill. After those two rulings were given, it was thought necessary to make a provision in the rules themselves and rule No. 85 was framed in similar terms, carrying out the spirit of the rulings.

I have looked into the matter carefully. Regrouping of the existing States, formation of new States, detaching some portion from the existing States or adding to any State or territory are all provided for under Article 3 of the Constitution. The S.R.C. Bill, in so far as it relates to these matters, is based on the power given to the Parliament under Article 3 of the Constitution. Article 1 refers to India being a Union of States, the territory of India comprising the territories declared to be the States and the territories specified in Part D of the First Schedule and other territories which are acquired. According to me, the whole of the territory of India consists of two territories: territories belonging to the States and territories belonging to the Union. These territories are put in Part D, so that reference can be made to their administration in the other sections and provisions of the Constitution. There is nothing like a Part D State. It is Union Territory. Therefore, there is no fresh category that is thought of.

Even apart from that, re-distribution of States can take place under article 3. An area can be included in a State, as Ajmer is included in Rajasthan. That is, under clause (b) of article 3. A new State can be formed by the addition of various States.

Shri Ramath : Ajmer is a Part C State.

Mr. Speaker : Ajmer a Part C State can be included in a Part A or Part B State. Likewise, in an existing State, some territory can be taken away and that State can be diminished to that extent. The Union Territory Bombay will be a diminution from the existing State. But, all the same, either it will be a Part A State belonging to a State or if it does not belong to a Part A State, it will belong to the Union. To bring it within the jurisdiction of the Union, it must be put into Part D. I agree that it must be put into Part D. For putting it into Part D and calling it by that name, an amendment of the Constitution is sought by a separate Bill. Unless it is put into Part D, the Centre will not have jurisdiction to deal with it. My impression is that the persons who have tabled other amendments of the Constitution independently have ignored the fact that under article 4 of the Constitution, whenever an amendment is made or a new area is created or the original area is diminished, or a new State is created under article 3, provisions by way of amendment of the First Schedule should be made in that Bill itself and no separate Bill is necessary. It is mandatory. It is not as if it is optional. In these circumstances, the First Schedule in the Constitution Amendment Bill must have been brought as a Schedule to the States Reorganisation Bill. In these circumstances, there are no two Bills. Rule 85 will apply only if there are two Bills, one depending on the passing of the other Bill. The Mover of the Bill has introduced two Bills; as a matter of fact, there must be one. This amendment of the Schedule is part and parcel of the States Reorganisation Bill. If there is a lacuna, it must be made up in the Joint Committee or after it is returned from the Joint Committee. It is not a separate Bill. If it becomes part and parcel of the same Bill, the rules or the rulings quoted do not apply. The rulings will apply only if there are two Bills, one depending on the other. This is a case where there ought not to be two Bills. There ought to be one single Bill. There may be an amendment of Schedules I and IV. In these circumstances, merely because they have put in a separate Bill, it does not become a separate Bill. Only, the Schedules will have to be added to this. Clause (b), Union Territories, etc., can be thrown out.

There is no definition of Union territory as the property of Parliament and so on.

Shri S. S. More (Sholapur) : That definition is given in the Constitution Amendment Bill.

Mr. Speaker : True. So far as the amendment of Schedules I and IV of the Constitution, to bring them into line with the amendments, clubbing together of various States, formation of new States, taking away from States, adding to States under article 3, there ought not to be a separate Bill. It must be part and parcel of the Bill itself. If by change they have put in any separate Bill, I am not going to treat it as a separate Bill. There must be an addition to this Bill itself here. If there is a lacuna it must be made up somewhere. There is no authority for treating it as a separate Bill and the other Bill preventing this Bill. Because a reference has been made to that Bill, so far as it relates to amendments under article 3 of the Constitution, it must be followed by a consequential amendment of I and IV in the Bill itself under article 4 of the Constitution. That other Bill to that extent ought not to be treated as a separate Bill. We may ignore that Bill. An amendment must be made to this Bill. I would suggest that instructions may be given to the Joint Committee to add a Schedule of those items which are Schedules to the Constitution Amendment in so far as they are consequential on the grouping of States and so on. That must be made part and parcel of this Bill itself. That can be done by the Joint Committee. Or, after it comes from the Joint Committee, it can be done. That the framers of this Bill have chosen to put in a separate Bill, does not take away the right of this House to insist upon those amendments being carried out as part and parcel of this original Bill itself. If that is the view, there is no objection to the original Bill going on.

Shri S. S. More : You will please permit me to seek some clarification. Shall I be correct if I understand according to your ruling that necessary amendments in the Constitution under article 4 shall be treated to have been carried out by this Bill and to that extent the necessary part in the Constitution Amendment Bill shall be incorporated in the present Bill? If that ruling is accepted, all the provisions which are laid down in the Constitution and the rules

[Shri S. S. More]

for the passing of Constitution Amendments will have to be applied to this Bill.

Shri A. M. Thomas: (Ernakulam): No, no. Because, under the article itself . . .

Mr. Speaker: I shall answer.

Pandit G. B. Pant: I have to go to the other House at 12 O'clock.

Mr. Speaker: I have heard the hon. Home Minister the other day. I am giving my ruling. If the hon. Member has any doubts I am trying to clarify.

Shri A. M. Thomas: Under article 4, clause (2) . . .

Mr. Speaker: I shall say myself.

Shri S. S. More: My submission, Sir, is,—not to have any breach of the rules, I request you to take the Chair; Ministers are also on their legs.

Mr. Speaker: The hon. Member need not point out small things. We are on a serious thing. I shall answer the hon. Member's question.

Shri S. S. More: You will permit me one minute, Sir, I referred by sample to one part. If you take into consideration the States Reorganisation Bill, it encroaches upon so many constitutional provisions. Take for instance, . . .

Mr. Speaker: I am aware of that. Article 4 says: "Any law referred to in article 2 or article 3 . . ."

It is, under article 3 that new States are constituted, old States are split or some portions thrown out, etc.—

"shall contain . . . amendment of the first Schedule and the Fourth Schedule as may be necessary to give effect to the provision of the law"

I need not read the rest.

"(2) No such law as aforesaid shall be deemed to be an amendment of this Constitution for the purposes of article 368."

Therefore, the consequential amendment under article 4 modifying the First and Fourth Schedules consequent upon the amendment under article 3 is not an amendment within the four corners of

article 368 and no special ^{majority} is necessary. I am aware there are certain other amendments which do not arise out of article 3. Those separate amendments of the Constitution will have to stand. In so far as those portions which stand in the way of our proceeding with this Bill may be considered. What was brought to my notice was in regard to the Union territory which comes under articles 3 and 4. My ruling is that there is no objection or impediment to proceeding with this motion for reference to the Joint Committee. I have given the ruling already. If any other things are pointed out, so far as those points are concerned, as and when they arise, I will give my ruling.

Shri S. S. More: Before proceeding further, may I make my submission in continuation of the remarks that I have already addressed to you and to which you were indulgent enough to give attention? In order to economise the time of House, I referred by way of sample to one provision. If we carefully study the States Reorganisation Bill, and the parallel Bill, the Constitution Ninth Amendment Bill, you will find that they run parallel to each other and some provisions are duplicated. As far as article 368 is concerned if it is only territorial alteration, I can understand that the requisite majority will not be necessary. I perfectly accept what you have said. There are also other provisions of the Constitution which are sought to be amended by this particular measure. Unless those provisions become part of the Constitution by accepting the other Bill, any provision to that effect will be *ultra vires* because it is not covered by the existing provisions of the Constitution. If your ruling is extended even to apply to that . . .

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Mr. Speaker: I am not applying.

Shri S. S. More: . . . then it will mean that if any provisions of the States Reorganisation Bill conflict with or are not on a par with the provisions of the Constitution, then the provisions of the Bill to that extent will stand suspended.

Mr. Speaker: Let me make it clear. In so far as an amendment of the First Schedule and the Fourth Schedule arises in consequence of action being taken under article 3 of the Constitution, then to that extent, it will not be a regular amendment of the Constitution. It will

come under article 4. No special majority is necessary, nor need this Bill stand over until the other Bill is agreed to, in so far as that is concerned.

With respect to other matters, I need not give instances, but there are other matters which have not come into this by way of addition, subtraction etc., but independently, such as that the nature of a particular State has been touched and so on. In those matters, unless the Constitution is amended, these other things will not be allowed. As and when particular clauses are taken up, we shall see. I am not going to allow any special majority to be waived, wherever it is necessary. We shall apply our minds as and when each matter comes up.

So far as this matter is concerned, this need not stand over, because this is confined only to article 3.

Shri Frank Anthony (Nominated—Anglo-Indians): The difficulty that I envisage as a result of the point raised by my friend Shri S. S. More is this, that all these articles 1, 2, 3 and 4 are governed by what the term 'State' implies. And I think Shri S. S. More suggested that the term 'State' very categorically is seen to mean Part A, Part B and Part C States. That is the meaning attached to the word 'State'. Articles 2 and 3 will not help because either in the formation of States or in the alteration of areas, we are only thinking in terms of States, namely Part A, Part B and Part C States; and any other alterations involving formation of union territories can only come in by an amendment to Part D of the First Schedule; and those are not States.

Mr. Speaker: They are territories.

Shri Frank Anthony: But article 4 will not apply in that case.

Mr. Speaker: It will apply. Article 4 applies not only to States but to territories. The hon. Member has not followed me evidently. He may kindly see clause 3 of article 1 which reads:

"The territory of India shall comprise—

- (a) the territories of the States;
- (b) the territories specified in Part D of the First Schedule...."

They are not territories of the States; they are only mentioned in Part D of the First Schedule; they are directly maintained and administered by the Centre. They are union territories. Then clause 3 of article 1 further reads:

"(c) such other territories as may be acquired."

For instance, Chandernagore was acquired by Government before it was made part of Bengal. It was the territory of the Union; and special provision for administration was made. In all those cases, article 4 applies.

Then, with regard to Part A and Part B States a Part B State may be merged in a Part A State. To that extent, article 1 and the First Schedule have to be amended, so that there is a deletion of that particular State. For instance, we may assume that the Mysore State, without being given the name Mysore, is included in a Kannada State. In that case, the First Schedule has to be amended by deleting the word 'Mysore' from the list of Part B States. Similarly, all the Part B States may also go. To that extent, the First Schedule has to be modified. To that extent, there is no difficulty in modification.

But Shri S. S. More referred to cases where an area or a territory is not touched but the manner in which a particular area, as for instance, Delhi, is managed without a Council, without an Assembly, and so on, is such that it must come under a regular constitutional amendment, for which a special majority is necessary.

Shri S. S. More: The point that arises out of your ruling is this.

Mr. Speaker: What are we doing now? So far as this ruling is concerned, this ruling is all right. As and when any other trouble arises, we shall look into the matter again. I am not going to allow a simple majority with respect to the other matters.

Now, who was in possession of the House yesterday?

Shri Gidwani: Already thirty-five minutes have been taken in this.

Shri Kamath: May we know whether any Minister, that is to say, the Prime Minister, the Finance Minister or any other will intervene in the debate today?

Mr. Speaker: Now, Dr. S. N. Sinha.

Dr. S. N. Sinha (Saran East): I do not know whether you know flying but as I am in temporary possession of the House I would like to pilot everybody straight to Bombay. From the air, what is the panorama you see? It is a panorama different from that of the adjacent Maharashtra. It is a sea-side panorama which is a beautiful and picturesque one. Whether you come from Kerala or Kashmir, Assam or Kathiawad, you will have the same feeling, 'Here is Bombay, here is my home'.

An Hon. Member: 'My home'?

Dr. S. N. Sinha: This is the feeling which you have. In spite of protests, we land at the Chaupati beach, and there we will salute Lok-Manya Tilak and also Vithalbhai, and then mix up with the crowd. And what sort of crowd is it? It is a colourful one where languages are varied and different. There lies the beauty of our country. It lies in the diversity, in the different and picturesque costumes, clothes, languages, and varieties of people. At no cost must this beauty be spoilt. It must be maintained at any cost. And that is the main problem today about Bombay.

The linguistic agitation, which is a very bad thing, has brought dark clouds over Bombay, and therefore, we hear some voice that Bombay belongs only to Maharashtra and to nobody else. Well, that statement is totally wrong. From the very beginning, I must say that. Now, why is it wrong? The Marathi-speaking population is only 43.6 per cent.

An Hon. Member: 48 per cent.

Dr. S. N. Sinha: The rest that is 56.4 per cent. are non-Marathi-speaking people. Therefore, this minority of 43 per cent. has no right to dictate its terms to the rest of the people residing in Bombay.

Shri Kamath: But the others support their claim to Bombay as part of Maharashtra.

Dr. S. N. Sinha: I am coming to that. You should not decide that. The Commissions have decided on this problem. First of all, I shall take the Dar Commission. What do they say about the city of Bombay? They say:

"The city of Bombay stands in special relations to Maharashtra, Gujarat and India as a whole."

(Interruptions). Please do not interrupt. The Dar Commission have made their recommendation on this basis and have said:

"In all the non-Maharashtrian evidence which came before us, there was practically unanimity that the city of Bombay should be formed into a separate province either Centrally administered, or government of its own, and in no case should be placed under a bilingual government."

Then, the report of another commission is there, namely the JVP report. They have also come to the same conclusion. But that was also not satisfactory to the Maharashtrians. Then, there was the SRC. They also have practically come to the same conclusion. The Maharashtrians said, no, have mercy on us. Their leaders came to our High Command, and they themselves suggested that 'If we return to Maharashtra with this SRC report, then our leadership will be ousted. Please be kind enough. Please be merciful to us, and please change. Even the Swamiji was there. There were also written statements by the President of the Maharashtra Provincial Congress Committee to the All India High Command. They approached them and said 'Please change'. Then, they were asked, 'What is it that will please you?'. They said, 'if you make it Centrally administered, we shall agree to it'. Then, the High Command said, 'All right, if that satisfies you, then let it be so'. It is according to the wishes of the Maharashtrians themselves that in this Bill this provision for Bombay being a union territory has been made. Then, they returned to Maharashtra. They are now coming back and saying, 'Oh! no, we are not satisfied with that; we must have something more'. Then, they approached Panditji. Of course, Panditji is most reasonable even to most unreasonable people. That is why, he said, 'If that does not satisfy you then what can I do for you?' They said, 'Please accept this much, and please say that geographically, Bombay belongs to Maharashtra, and we shall be satisfied'. As a good man, Panditji went out of his way, and he said, 'If these words only satisfy you, and there will be no further trouble in Bombay, and everything is going to be saved, then all right, I shall say this'. But that also did not satisfy the Maharashtrian people.

Now the Maharashtrians come and say: 'Let us have the right to rule and to trample Bombay'.

Dr. Suresh Chandra (Aurangabad): Did he say without conviction?

Dr. S. N. Sinha: All right. Shut up.

Dr. Suresh Chandra: On a point of order.

Mr. Speaker: What is the point of order?

Dr. Suresh Chandra: The point of order is that the hon. Member has no business to use unparliamentary language. He has no business to say 'shut up' to another hon. Member, who has got such a right of interruption.

Dr. S. N. Sinha: All right. I will continue with your permission.

Dr. Suresh Chandra: He must withdraw those words.

Dr. S. N. Sinha: I will continue because it is no point of order and I am in possession of the House.

Mr. Speaker: Order, order. I am afraid the hon. Member, Dr. Suresh Chandra, invited this upon himself. Why should there be interruption? Why should he interfere? It was then that, the hon. Member said, 'Shut up' do not go on interfering like this. It is but right that he should say so. I should have done it myself; I should have pulled up the hon. Member. Let no hon. Member interfere while another hon. Member is speaking. Each hon. Member has got a right to say what he feels, in so far as it is proper. What he meant was 'keep quiet'. There is nothing wrong.

Shri Nambiar (Mayuram): On a point of order.

Mr. Speaker: No, no.

Dr. Suresh Chandra: Is it parliamentary?

Mr. Speaker: I do not think it is unparliamentary. It is a way of saying.

Dr. Suresh Chandra: I would like to have your ruling as to whether it is unparliamentary to interrupt any hon. Member. I have never seen anywhere in any other Parliament that interruption is unparliamentary.

Mr. Speaker: I have been noticing here that interruptions have been going on making it impossible for a Member

to go on. This is against all the rules of this House. I have been repeatedly requesting Members not to interfere, not to intervene like this. It is not a casual reference correcting a mistake, but it has got—I do not say it is calculated—all the effect of preventing an hon. Member from replying to some remarks made by other Members and having his say so far as that matter is concerned. I cannot ordinarily condemn this kind of interruption. But it is becoming a normal affair, preventing any hon. Member from exercising his right of addressing the House and convincing this House. This is what is happening. It is very wrong on the part of Members to go on interrupting any hon. Member.

Shri Nambiar: In spite of the fact that he said, 'shut up'?

Mr. Speaker: It is quite ordinary. He only meant, 'keep quiet'. I do not interpret it in any other manner.

Dr. S. N. Sinha: I was making a very good point which had been disturbed due to this interruption. That point is that the provisions in this Bill regarding Maharashtra and Bombay have been made according to the wishes of the Maharashtrians themselves. But at every step, they were dissatisfied.

An Hon. Member: No.

Dr. S. N. Sinha: My hon. friend says, 'no'. There is something in writing by the President of the Maharashtra Pradesh Congress Committee. Shri Shankarrao Deo, Swami Ramananda Tirtha and others come in the month of December and January, approached the High Command and said: "If Maharashtra can have just only this much satisfaction, and in the Bill it is provided, that Bombay will be Centrally administered, we will be satisfied". After that, on the 16th January, the announcement was made. Before that, all the discussions took place. So it was according to their wish that it was done. And Shri Jawaharlal Nehru went out of his way even to accommodate them and to tell them that Bombay belongs to Maharashtra geographically. He said this out of his way and just to see that nothing untoward happened in Bombay and no disturbances took place, and that everything would go smoothly in the country—as it is necessary at the present moment

[Dr. S. N. Sinha]

But it is not a gentleman's behaviour if, once a demand is acceded to, somebody goes on, once, twice, three times and four times raising and raising his demands higher up. That is Hitler's tactics, and that is dictatorial. That will break the country into pieces. That is why this provision which has been put in the Bill that Bombay should be Union territory, is according to the wish of the Maharashtrians themselves. They should have accepted it very gracefully. But now they are going further and further. So it is high time that the rest of India on behalf of the rest of the population of Bombay told them: 'Now please stop. Thus far and no further, for the present'. May be—as everything changes—as Shri Jawaharlal Nehru has said, in the future context things change, Bombay may belong to Maharashtra. Nobody is against it. But in this respect, there is some misinterpretation made on the floor of the House.

I am very glad that yesterday Shri Gadgil was very temperate and very considerate. That has cooled down the atmosphere. But I remember one thing. Last time, when he spoke on the SRC Report, he did not do justice to his friend of 40 years' standing, Shri Morarji Desai. He quoted Shri Morarji Desai as saying (in Marathi) :

“काँग्रेस जीवन्त असेपर्यंत मुंबई महाराष्ट्रास मिलाणार नाही”

Rendering it in English, he said :

“It means, so long as Congress is alive, Maharashtrians will not get Bombay”.

I was surprised at what he said, because a responsible person like Shri Morarji Desai should never have said such a thing. Therefore, I found out again, and here it is. Here is what Shri Morarji Desai said during the discussion of the States Reorganisation Bill in the Bombay Assembly:

“I am very sorry that I am being misquoted even in this matter... I only said this, that violence will never get Bombay for Maharashtra and it should not get... If democracy is to survive in this country, nothing should be given, if there is any violence, whatever may be the case; otherwise, democracy will not survive.”

That is what he said, and I think any reasonable man, whether in this House or outside this House, in fact, the whole

country, will agree. Suppose you succumb to violence or to threats. What will happen to the country? If you break something in Bombay, it is not only a question of Bombay; the whole of India will go to pieces.

Therefore, although Shri Gadgil was very mild yesterday, there were a few things in his speech which, of course, must be made very clear. He said that Maharashtra has its 'vested interest' in Bombay and that should be accepted by this House, and by the rest of India. There is some venom in these words 'vested interest'. It is a vicious thing and should never be accepted by India, because it is sweetened poison, if you put it mildly. The other part of India has no right to swallow it. Yet, in spite of that, I appreciate what Shri Gadgil said yesterday.

I will draw the attention of the House to one thing more. These linguistic riots and strikes have done much more harm to the cause of Maharashtra itself than to anybody else. It may be that later on things will change, but any further emphasis on these things is wrong. Coercion of the whole of India is wrong and it is damaging the cause of Maharashtra. The way the case of Maharashtra is being put is against the interests of India; it clashes and conflicts with the interests of the rest of India. In response to Shri Gadgil's pleading, may I very respectfully plead with him that the measures proposed in this Bill for the City of Bombay becoming a Union territory—and this is the decision of the Maharashtrians—should be accepted.

Mr. Speaker: The hon. Member's time is up.

Dr. S. N. Sinha: Since my time is up, I cannot leave you in Bombay just to linger around the shores of Juhu, I will take you back to Delhi, and perhaps, if you find that it is too hot, in a couple of minutes, I will take you to Simla which is a cool place—because I always rush there when it is hot.

In Simla, you will find that there is another problem. The portion from Simla to Kalka must be given to Himachal Pradesh. If there is any justification for the claim of anyone to any territory, it is the claim of Himachal Pradesh to the territory from Simla to Kalka including the city of Simla.

Now, having cooled down I will also say one word about Vindhya Pradesh. The Baghelkand area of that State should go to the U.P.

In conclusion, I will only say this: that the Home Minister deserves warm—rather very hot—congratulations for bringing this Bill before the House. The provisions of the Bill are acceptable to the largest number of our people. Therefore, we give it all round support. I am convinced that the political wisdom and the determined strength of the Indian people under the wise leadership of Panditji and Shri Govind Ballabh Pant can, must and will, carve out a happy and bright future for the whole country, not only for Bombay or Simla, but for the whole of India.

Shri V. V. Giri (Pathapatnam): Mr. Speaker.....

Mr. Speaker: The hon. Member may come to the front.

Shri V. V. Giri: I will be audible from here; I shall speak from the back benches; there is no question about it.

After the marathon debate that we had a few months ago, I do not think much time need be spent in commending this Bill for the consideration of the Joint Select Committee of Parliament. The very illuminating speeches and statements made inside the House and outside by our leader, the Prime Minister and the Home Minister and the illuminating speeches made also by the Members of this House, have been of great educative value to the masses of the country, whether in towns or in villages and today everyone understands the implications of the issues involved. There is no denying the fact that today everyone realises that emphasis in India should be put not on sectarianism or narrow provincialism but that everyone should feel that he is an Indian first, Indian last and an Indian always and that would be to the benefit of this country.

I am, therefore, glad that the hon. Home Minister has introduced in this Bill a provision for Zonal Councils. But, I would respectfully submit to him that unless we go a step further—it may be good as far as it goes—but, unless we go a step further and make it clear that these Zonal Councils, after 5 years, will be replaced by Zonal States, North,

South, East, West and Central, my fear is that the Zonal Councils will merely be on paper and will not be able to produce results that are expected.

I would like to place before this House that if we believe in the unity of this country, which should be the ultimate destiny, the problem of the minorities that will be in the border areas must be solved beyond the possibility of a doubt and, in the course of 5 years, it should be not only made the ideal but the objective of the State Governments and the majority population in each State, to assure the minorities that they are as safe as before, if not safer, in the newly formed States. Therefore, I consider that this matter should be given top priority and if this matter is given top priority and the minorities are made to be convinced that in whichever part of India they may stay they will be quite happy, then the unity of India shall be attained. We shall not talk parochialism or sectarianism or of linguistic States. This is a matter that ought to attract the attention of the hon. Home Minister.

It may be said, and we all have pious wishes on our parts, that the States will look into these matters, that the Governor will be the custodian of the rights and privileges of minorities; but, I fear, we will not be able to advance. After all, it must be remembered that the Governors are constitutional heads of States and they must tow the line with the Chief Ministers and the Cabinets. Otherwise, the Governors will not have any position in those States. Therefore, I humbly and respectfully place before the hon. Home Minister that the time has come when we have to make it clear that a Central Commissioner, on behalf of the Home Ministry, will be appointed to discharge in those areas—not to create disturbances, not to create trouble but—to make representations, whenever there are issues between States and the minorities, to the Home Ministry who, in consultation with the State Governments will be able to put matters right so that the minorities will forget that they are in a place where they are at a disadvantage. This is a matter which I would like the hon. Home Minister to consider carefully and if this trouble is removed, the unity of India will be assured and every Indian will feel, no matter in which ever part of India he may be, that his rights and privileges, professional, economic, racial and cultural are preserved.

[Shri V. V. Giri]

Therefore, I would like these two points to be made clear either through the Statement of Objects and Reasons of this Bill or in some other form. But, it must be made clear that ultimately, in India, at the close of the next five years, there will be 5 Zonal States. I sometimes feel very unhappy when people in this House, very responsible Members of this House and leaders of the country, feel very much agitated, almost grieved, and they bemoan and feel really submerged and suppressed whenever they think that their State is not preserved, that some part has not come in or some part has not got out. My feeling is,—if I may with all respect state that,—that instead of the S. R. Bill being discussed, if we are straight for the unity of India—no doubt it may be premature as I said in my speech in the last discussion on the S.R.C. Report—if we say straightway that India is a unitary State, that everybody in India, whether he is in Bombay, in Madras, in Calcutta, in Delhi or any other place, can claim every inch of India as his, then all prejudices of parochialism and sectionalism will be drowned and merged with the idea of a unitary State. But, I am not so sure whether all this could be done immediately and here and now.

I must congratulate incidentally Shri Gadgil—for the statesmanlike speech that he has made, and say that none could be happier than me if matters are settled in a proper way during the transitional period. If India has to keep up her place which she has achieved, thanks to the leadership of our Prime Minister—our foreign policy is acclaimed throughout the world as one of the very best and we have achieved today a definite place in the international world—if we have to keep up the place the only hope is from the Zonal Councils to the Zonal States, from the Zonal States to a Unitary State. And, that is the only process through which we have to pass. Let me, as a prophet, say that this is not only possible, not only practicable but it is inevitable. I, therefore, desire that we in this House and elsewhere should make these points quite clear to the people of this country that whatever adjustments are made, whether as regards boundaries or whether as regards minorities, the fact must remain and be placed high before the minds of the people that from the Zonal Councils, in 5 years, we march on to Zonal States and in another 5 years, God Willing, to a Unitary State. I want everyone of

you to understand that this is the only possible way of bringing peace and plenty to this country, a Unitary State based on the highest principles of socialist democracy, where everyone is guaranteed his fundamental rights, the right to work, the right to live and all other rights which will make life bearable from the womb to the grave.

Therefore, if all of us desire for our country a real place in the history of the world for ever, if only we can improve our national character, our national dignity and national discipline, all these will be possible. I do hope that everyone of us will try to achieve the goal that I have put forward so that India may have the greatest place in the world.

Shri .Thanu . Pillai . (Tirunelveli) : At long last, on this important subject, I am given an opportunity to speak. This view, coming from a back-bencher, is more representative because we are more in touch with the common man.

We are not obsessed by our past positions, nor are we obsessed by our future aspirations becoming possible or impossible. The whole question has been approached by the people in a parochial manner only to keep up the enthusiasm of the linguistic fanatics of their area for them to be the leaders, the dictators and the *chhota* Hitlers and Stalins of those areas.

When this Report was being discussed in this House, many harsh words were said which created chaos in the whole country. I would refer the House to two points in the Report.

"The first essential objective of any scheme of reorganisation must be the unity and security of India. Any movement which may tend to impair unity of the country must ultimately affect the welfare of all sections of the Indian people. Any measure of reorganisation which is likely to create tensions and disharmony must weaken the sense of unity among the people of India and should therefore be discounted."

In Chapter IV it is stated :

"It has been most distressing to us to witness, during the course of our enquiry, a kind of border warfare in certain areas in which old comrades-in-arms in the battle for freedom have been pitted against one another in acrimonious controversy, showing little appreciation of

the fact that the States are but the limbs of same body politic and that territorial readjustments between them should not assume the form of disputes between alien powers."

I want the House to remember these remarks. They observe that it is a passing phase. It may be a passing phase. If it were a passing phase I don't mind, but it is not so. Long before the Report was written when people gave evidence, the Commission came to this conclusion and since then many months have passed. Has it showed any symbol or symptom of its being a passing phase? Certainly not. We have seen many developments. They say that the Congress has given the slogan of linguistic States. I say that a weapon of war cannot be an instrument of peace. Division of this country on linguistic lines cannot forge unity. If this is possible, then war alone can create peace. It is so fallacious as to say that war is for peace.

If you analyse the people who shout "my State, my language, my country", you will find they are mostly ex-Ministers and some of them who have lost their positions. Some people were aspiring for places and could not get them and have gone astray. Some Government servants who could not compete with others think that if new States are created, the other officers will go and they can become Secretaries, etc. The unemployed man thinks that he will get more opportunities to get employed if the new linguistic States come into being. I hear Shri Vallatharas saying the other day that the Malayalees are dominating all the offices and where could we, the Tamilians go. This is the mentality which is behind the people who shout linguism and then say that there should be unity in India. Let them be more honest and say that they want a sovereign State here and now. Let them be more honest and say that they want to be Chief Ministers of their small States. But they say that they are for the unity of India; and Yet they cannot live together. Russians and Indians are brothers; Chinese and Indians are brothers; but Malayalees and Tamilians are enemies; Maharashtrians and Gujaratis are enemies. What is the picture that we have now? This approach has been a wrong approach by our people.

The philosophy of our politics is truth and non-violence, dilated, it means faith and fearlessness and right means to right ends. What fear has possessed

our leaders now I do not know. They say that the people want linguistic division of the country. Did the people go to Mahatma Gandhi and say that they wanted him to lead them? Mahatma Gandhi went to the people; he enthused the people. Here we find that the leaders say that the people want them to do this and so they are giving this reorganisation. People never wanted anything. They want food to eat and house to live in. That is more important.

The language of the pandits is not the language of the masses. These pandits, who shout about linguism, do not understand the language of the masses, and the masses do not understand the literary flourishes of the pandits. That is the real fact about linguistic approach to this question.

Unfortunately, somehow or other, at a time when there were the great riots in Bezwada, Andhra State was created. It was decided in 1949, but it was granted just after Potti Sriramulu's death. The impression created in the whole country was that anything could be achieved through violence. The Travancore-Cochin State troubles in the Pattam Thanu Pillai regime were the outcome of the grant of Andhra State at that particular hour. I was there at that time and I heard them say that 'if Andhras can get it, why not we?' That is being repeated in Bombay.

Let us not repeat that mistake, and call the people to come to a compromise and say that we will give you this and you should be good boys. That compromising attitude has done great harm to us. We should have been definite on certain issues and should be firm when we come to a decision.

Regarding Bombay, much has been talked about the feelings of the people as being very real. When I talked to my friends on either side, this is what they say. The Maharashtrian friends say that they—the Gujaratis—have no confidence in us. First the S.R.C. Report stated that Vidarbha should be separate and bilingual Bombay State should be created, why Vidarbha should be separated—otherwise the Maharashtrian element will be in a preponderant majority. They themselves wanted a separate State, but that is another matter. The Gujarati friends say that they are in a large number—the Maharashtrians—and so they cannot remain with them. Should

[Shri Thanu Pillai]

Gujaratis, whose province gave us Mahatma Gandhi, exhibit feelings of fear that because numerically the Maharashtrians are in larger numbers, the Gujaratis cannot live together with them in one State? Is it reasonable? On the other hand, the Maharashtrians say that 'the Gujaratis do not respect us, do not believe us and wound our feelings'. Both parties have wounded each other's feeling profusely.

Much was said about Maharashtrian leadership. I would appeal, through a humble back-bencher, yet a good Congressman, that in the name of the unity of India the Maharashtrians should think of Mahatma Gandhi, not Morarji Desai. Similarly, I would appeal to my Gujarati friends that they should think not of Gadgil * * * but of Gokhale and Tiak. Gopal Krishna Gokhale was the political guru of Mahatma Gandhi. Should good sentiments, on which they have brought us up, be spoilt for small things like this? Should we exhibit heat on small things?

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My submission in a humble way is—though my friends say it is an era of personality cult—that the personality cult is gone. We suffer from, not personality cult, but want of personality cult. After all, what is this personality cult? Leaders are there. Their wishes, if they are good, should get the endorsement of the people. Our leaders' wish is to have big multi-lingual states and forge the unity of India. But these deputy leaders drag in different directions for some purpose. They, in turn, do not say that they want this. The people are agitated and incited by these very persons. We are suffering, at the moment, from the petty personality cult. In this country, where a young man can organise hartals and demonstrations he is respected as a great man. They want to leave the final say to him in all these important matters. If that is going to be the method of reorganisation of our country, I am afraid, that we will be doing a great disservice to our country, whether we like it or not. If India is to be divided on this basis into linguistic States and these States are given a permanent stature, then the ultimate result will be this. Each unit will be economically poor, and politically too, a smaller State is likely to have a

weaker voice. It will be taken advantage of by somebody or the other and then what will be the result? The result will be; tension between the Centre and the States and ultimate disintegration.

Yesterday, Shri Gurupadaswamy observed that by setting up Zonal Councils they will become Zonal States and ultimately will become free units. I would like to know the intention. Does the Government of India want small States to be created so that they may be neglected or suppressed and they may not have the power to kick back? We want to be equal partners in the Union, well-respected and well-regarded and each having its opportunity to speak, and act with equal power. If that is the objective, then bigger States would be essential for economic prosperity. If these small States were created on linguistic basis, then difficulties will arise because of the natural resources not being made available to the region. The respective States will be quarrelling. Even if the Centre is willing to do something, it could not do much because the States will not come together.

For instance, take the Bellary question. One party said: "The headworks are there; therefore, we want that area." The other party said: "Our people are there—linguistically-speaking and so we want that." The demands were like that. That means, if such areas like in another State, the people cannot utilise such resources.

Let us apply that theory to the southern States. They are very small. The resources fall in one area and the area where these resources could be utilised falls in another State. Naturally, there will not be co-operation or co-ordination. We cannot organise these things on a co-existence basis. It should be on a co-operative basis or co-parcenary basis. Therefore, for the better economic development of the country, it is absolutely essential that the States must be reorganised on a zonal basis, taking into account the economic viability and the natural resources that are available, and not language alone. I would like to point out as to where these will ultimately lead to.

Shri Nambiar: Does he approve of Dakshina Pradesh?

***Expunged as ordered by this Chair.

Shri Thanu Pillai: Yes. I will say what Pradesh I want. My friends are already disturbed. People who cannot think of a big State, who belong to a party which wants to live on poverty and exploit poverty by creating small States. It is their theory. Why should they be disturbed? I say that on a regional basis, for economic development, we must have a big State. He immediately jumps and asks: what about Dakshina Pradesh? (*Interruptions.*) I would appeal to the Congress friends on this side. Let us beware. If anything is necessary to create a big State, the only thing necessary is to avoid Aikya Kerala. It is the Communist Party which wants to uphold poverty and create small States in Kerala, Bengal and anywhere else. I challenge them, if they are a living party, if they have faith, and if they have confidence in their theory, let them opt out for a bigger State and fight us in that pattern of organisation. We welcome it. They are not capable of that. They have no originality; it is all sold to somebody else. Take even this personality cult. What did Stalin do? He created the world communist front but he has been let down. Why? The present masters of Russia have dropped him and so he has been let down. (*Interruptions.*)

Mr. Speaker: The hon. Member's time is up.

Shri Thanu Pillai: One more point and I would finish.

If, ultimately, linguistic division is to be granted, and accepted, why should there be discord? So much was said about Devikulam and Peermede and also about Gudalur. I would like to see a leader who would say: "Mine is mine and yours is yours." All leaders say: "Mine is mine and yours is mine." Madras wants Devikulam and Peermede because they are predominantly Tamil.

Mr. Speaker: Your time is up.

Shri Thanu Pillai: In Gudalur the Malayalees are in a majority but Madras wants it because the Kunda project is there and generation of electricity and natural resources and all these things come in. Kerala wants the Malabar district because Malayalees are in a majority but they do not want to give up the southern taluks which are predominantly Tamil because they want the paddy fields. I can appreciate somebody saying: "I want mine; you better take yours." None of these leaders have said that. Why? They are afraid of saying that they do not want an area and that they are

prepared to give it, because the opposition will go and say "See here, these Ministers have not been acquiring this territory." We cannot go on, for this reason, fighting like aliens. Ultimately, the languages of the States are going to be the regional languages. It will be the language of the university also. What will be left for the unity of India? Indian unity at best, at the moment, is negative unity, born out of the anti-British front. There will not be any unity if this language and linguistic fanaticism is allowed free play at all levels. Ultimately it might so happen that one Indian will have to talk to another Indian with an interpreter.

One more point and I would have done. The Travancore-Cochin State's temple funds and temple properties have been taken over by the Government and they are given Rs. 51 lakhs every year to meet the temple expenses. Out of this sum, the southern taluks which come to Madras are to get about Rs. 15-20 lakhs but in the Bill the money given is only Rs. 4.5 lakhs. It is not a question of who bears in but what the quantum is. What we are anxious about is that the temples must not be left in the lurch in this reorganisation. After all, they are our national monuments and they are the seats of our cultures. They should not be allowed to be spoiled. The temples at Cape Comorin and Suchindram are so important to us. If these funds are not properly divided and granted, the Madras Government may not find funds from other temples for these temples and these temples with a rich heritage will suffer for want of funds. In spite of your secularism, whether you like it or not, I would submit that—with all respect to all religions in India—from Badrinath to Cape Comorin, the Hindu religion has been giving a spirit of unity, which nothing else has been able to give. No 'ism' has been able to give it. So, the temples which are coming to us should come with full possession of the resources for the maintenance of these temples. I refer to the Devaswom fund. The details may be worked out. My request to the Joint Committee is that Rs. 20 lakhs or whatever amount is required to administer these temples should be given.

RULES COMMITTEE

THIRD REPORT.

Sardar Hukam Singh (Kapurthala-Bhatinda): Sir, I beg to lay on the Table the Third Report of the Rules Committee.