

[Shri Tangamani]

that 87 per cent. will be disbursed to schools and colleges and 23 per cent. will be utilised by the National Coaching Scheme. May I know what will happen to the balance, how that will be spent for the promotion of games and sports?

Dr. K. L. Shrimall: The remaining 20 per cent. will be spent as given below:

Grant to construction of stadia—3 per cent.

Grant to National Sports Federation for various activities—4 per cent.

Popularisation of games and sports in rural areas—3 per cent.

Organisational expenses on federations, associations, State Sports Councils etc.—5 per cent.

That will make a total of 20 per cent.

12.27½ hrs.

LEGAL PRACTITIONERS BILL*

The Minister of Law (Shri A. K. Sen): Sir, I beg to move for leave to introduce a Bill to amend and consolidate the law relating to legal practitioners and to provide for the constitution of Bar Council and an All-India Bar.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to amend and consolidate the law relating to legal practitioners and to provide for the constitution of Bar Council and an All-India Bar."

The motion was adopted.

Shri A. K. Sen: Sir, I introduce the Bill.

12.28 hrs.

ANDHRA PRADESH AND MADRAS (ALTERATION OF BOUNDARIES) BILL

Mr. Speaker: Before we take up the next item of business, I would like to make a brief statement to the House. This boundary matter relates to my constituency and, therefore, I do not propose sitting here. However just I may try to be, I do not want to create an impression that I am deciding one way or the other.

Shri Braj Raj Singh (Ferozabad): Hon can that impression be created?

Mr. Speaker: I shall, therefore, ask the Deputy-Speaker, Sardar Hukam Singh, to take the Chair and get through this Bill.

The Minister of State in the Ministry of Home Affairs (Shri Datar): How many villages in your constituency are going, Sir?

Mr. Speaker: I think more than half my constituency.

Pandit Thakur Das Bhargava (Hissar): Before you leave, Sir, may I submit.....

12.29 hrs.

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

Shri Naushir Bharucha (East Khandesh): Before we proceed with the Bill, Sir, may I point out that on the last occasion the Government undertook to circulate to us the plans showing the individual boundaries. So far nothing has been done. I should like to know from the Government why the wishes of the House have been disregarded.

Pandit Thakur Das Bhargava: Sir, Shri Reddy submitted an application stating that certain documents be called for before this Bill is taken up.

I also made a suggestion by way of an application and sent a copy of it to the Home Minister; and on that the hon. Speaker was pleased to call for those documents. We have been enquiring about those documents every day and were asking whether they have arrived in the Library. Those documents have not arrived. At the same time, this is very peculiar. The award is there. The award says that such and such memoranda presented by the two Governments form part of the award. I shall refer you to pages 14 and 15 of the award. There it is said that the Government of Madras have put in their memorandum which was given to the Andhra State Government and the Andhra Government replied. Both these form part of the award. But unfortunately, those documents are not here. Many people made applications and produced plans also. They were not considered and they are not here. We wanted to call for them. This is a peculiar case. The judgment is here, but the pleadings are not here; the evidence is not here; and we are called upon to see whether the report is correct. I will beg of you to ask the Government to furnish kindly at least such documents which have already been ordered by the Speaker to be made available to us, so that we may be able to do justice to this case.

There are two plans. The Speaker was pleased to order that the survey plan of 1957 may be made available to Members. But only the plan of 1935 has been given. The eye-sketch plan has also come, but not the survey plan of 1957-58. What is the use of those plans? The right plan which is acceptable now has not come.

Shri Datar: May I point out that in this connection a request was made that certain maps should be produced. Seven copies of these maps had been forwarded to the Lok Sabha Secretariat and they have been made available in the Parliament Library. The following two maps of Tiruttani have been placed in the Parliament Library:

"(1) The 1935 survey map of Tiruttani taluk, an authentic publication of Madras Government referred to in para. 2 of this note, and (2) An eye-sketch map of Tiruttani taluk; five copies have been supplied, as prepared by the Andhra Government referred to in paragraph 5".

Mr. Deputy-Speaker: Are they the latest publication so far as this subject is concerned, and about which objection has been taken now?

Shri Datar: They are the latest and they are authenticated by both the Governments.

Pandit Thakur Das Bhargava: They are the maps of 1935. They are not the latest.

Mr. Deputy-Speaker: What should I do? That is a matter of controversy. The Government says this is the last and the hon. Member says this is not the last. He can argue it when he moves his motion.

Pandit Thakur Das Bhargava: The hon. Speaker was pleased to order that the survey plan of 1957-58 should be produced. Has that been produced?

Mr. Deputy-Speaker: If the Government says there is no such map of 1957-58.....

Pandit Thakur Das Bhargava: I can produce a copy of the plan. I can produce evidence to the fact that there is a plan of 1957-58. It is being withheld by Government.

Shri Ranga (Tenali): Government have not said that there is no such plan at all. They only referred to certain plans. The hon. Minister then said that the 1935 plan is available. He said that the 1935 plan is authenticated by both the Governments. It is not necessary that it should be authenticated at all. The 1957 plan was made not by either of the State Governments, but was made under the authority of the Government of India. Is it not?

Shri Datar: The Madras Government

Mr. Deputy-Speaker: I was told that only the 1935 map has been placed in the Library. I put this question to the hon. Minister of State in the Ministry of Home Affairs whether there was any later plan. He says this is the last, and it has been authenticated by both the Governments. Therefore, there is no choice left for me to put another question, when he says that this is the latest and the last map. It is disputed that there is another map which is of later preparation and that it ought to have been made available. We can discuss it when we proceed with the Bill. But, according to me, when the Home Minister says this is the last map, I do not think we can pursue the matter further.

Pandit Thakur Das Bhargava: May I request you to look at it from another standpoint? I submitted that even the memoranda given by the Madras Government and the Andhra Government have not been placed here. The award says that they form part of the award and the whole record. They have not been placed on the file. The memoranda, the applications, representations, etc. have not been placed on the file.

Mr. Deputy-Speaker: That is another matter. But, if Shri Pataskar has said that they should form part of the award, they ought to be on the record.

Pandit Thakur Das Bhargava: At pages 14-15, he has said that they are part of the award. In regard to the plan, my submission is, let the Government say categorically that no plan has been prepared in 1957-58. How could both the Governments sign on one plan, the plan of which the hon. Minister speaks? Only the plan of 1957-58 had been prepared under the Act of 1923. The 1957-58 plan has not come before us. How can the survey people get the two Governments' signatures? The plan of 1957-58 was not prepared for the purpose

of this case. What we want is a plan, the survey plan of 1957-58, prepared for the first time as a survey plan of the Tiruttani Taluk and it is now needed in connection with this Bill. The 1935 plan covers only one half of the area, and not the whole of it. That is not a real survey plan at all. Let the hon. Minister make a statement that no survey plan has ever been prepared by either of these Governments. He is not prepared to say it.

Shri Datar: So far as the hon. Member's reference to the award in which it is said that the documents form part of the award, is concerned, will the hon. Member let me know where Shri Pataskar has said that?

Pandit Thakur Das Bhargava: I have mentioned pages 14-15. I will read that portion.

I gave a copy of the memorandum submitted to me at Madras by the Madras Government to the Andhra Government, and the latter in turn submitted to me their memorandum with regard to this dispute. Both these memoranda are attached to this report " etc.

Then, it is said

representatives of Salem district, particularly from Hosur, came to Hyderabad and completed the enquiry," etc., etc.

Further, on page 15,

Shri Datar: The hon. Member is not reading from Shri Pataskar's award. He is reading from something else. The hon. Member has stated that it was stated in the Pataskar Award itself. Will the hon. Member kindly enlighten us on this point?

Pandit Thakur Das Bhargava: I am quoting from Shri Pataskar's award.

Shri Datar: I have got the Pataskar Award in my hands and it does not mention that.

Mr. Deputy-Speaker: Pandit Thakur Das Bhargava has got a stencilled copy and the hon. Minister has got a printed copy. Perhaps there is difference between the two.

Pandit Thakur Das Bhargava: The copy is signed by Shri Pataskar. It is dated 7th September, 1957. If he passes on to me his copy, I shall find out, and I shall pass on to him my copy.

Mr. Deputy-Speaker: Probably the pages do not tally.

Shri Narasimhan (Krishnagiri): When we have got a ready-made Bill approved of by two legislatures for our confirmation, how does the question of the original award itself come in? The Bill is based on it

Mr. Deputy-Speaker: Because Parliament has to see to it, and the hon. Members have to make up their mind one way or the other when it comes to voting. They therefore want certain information

Shri Thirumala Rao (Kakinada): Last time, when the question was discussed, it was agreed that the latest map should be supplied by Government. What was the understanding at that moment? Was it the map of 1935 or that a map of 1957-58 should be prepared and supplied? Let us first understand on what basis the adjournment of the discussion was accepted then and whether the Government have agreed to supply the latest map made in 1957-58.

Shri Mohammed Imam (Chitaldrug): Copies of the Pataskar Award which is based on these maps may be made available to the Members because that is the most important document on which the entire discussion is to be based.

Mr. Deputy Speaker: They are in the Library.

Shri Naushir Bharucha: Five copies for 500 odd Members. It is absurd.

Pandit Thakur Das Bhargava: Only two maps. In response to the order of the Speaker, a map of 1957-58 should have been given to us. He never ordered for a map of 1953 nor did he order for the eye-sketch map.

Mr. Deputy-Speaker: What we are discussing is about the award. They say there are no adequate copies of the award. This was the objection taken by Shri Mohammed Imam and Shri Naushir Bharucha. Now, has Pandit Thakur Das Bhargava found the appropriate place where this point is mentioned, namely, the memoranda would form part of the award?

Shri Viswanatha Reddy (Rajampet): Objection has been taken by Pandit Thakur Das Bhargava to the non-supply of the latest map. From my perusal of the eye-sketch map that is placed in the Library, I found that the disposition of the various villages is far removed from the disposition as shown in the original map which was drawn by the Census Commissioner or the Assistant Census Commissioner. In the light of the changed disposition of the villages, I must say that the Pataskar award itself will have to be very different. If the same matter is referred to Shri Pataskar again.....

Mr. Deputy-Speaker: That is a different question; that is not before us now.

Shri Viswanatha Reddy: The main principle of the award is completely changed

Mr. Deputy-Speaker: A Bill is coming up, which has been agreed to by two Governments. Can I ask the Government to refer the award to Shri Pataskar again?

Shri Viswanatha Reddy: This House will have to consider it on the basis of the latest material.

Mr. Deputy-Speaker: The motion is coming up that the Bill be taken into consideration and the House can take any decision that it likes. It shall have that authority.

Shri Rang: Before we take up the consideration motion, we want information to be given to us, which the Speaker was pleased to direct to be supplied.

Mr. Deputy-Speaker: I will look into what the Speaker has said

Shri N. R. Muniswamy (Vellore) I find there is a good deal of misconception in regard to maps asked for in this House. I was there the other day when the discussion was adjourned. The Speaker wanted that the latest map should be supplied. He meant the map which contains the villages, etc. But the hon. Minister said that he would try his level best to give the latest one. Now he says this is the latest one.

Mr. Deputy-Speaker: I have those proceedings before me and I might read it for the benefit of hon. Members. This is what the hon. Speaker said.

"They have asked for the supply of a copy of the latest survey plan which gives the boundaries on the ground that the original plan that was looked into by Shri Pataskar does not show any contours, configurations and so on.

"I will certainly ask the Home Minister to supply a copy of the latest survey plan which is the authentic plan."

So, there are two things—latest and authentic

"I will pass on this information to the hon. Home Minister. He will try to get a copy of the survey plan, the proceedings which they wanted, the arguments for and against in relation to the plan that were submitted, etc.—whatever paper has not yet been placed before the House. I will look into it and inform the Home Minister."

That was what the Speaker had said at that moment. I have asked the Home Minister, according to those observations, whether the plan that has been placed is the latest and authentic also. This is what the hon. Home Minister has conveyed to me. This satisfies both the conditions. Under those circumstances, I request the Home Minister to move the motion.

Shri Naushir Bharucha: May I be permitted to move that the consideration of this Bill be postponed to a date to be fixed by the House, because we find Government is systematically denying to this House information and papers which are very valuable for proper consideration of this Bill? Irrespective of the fact whether a particular thing forms part of the award or not, certain relevant information must be made available.

Mr. Deputy-Speaker: Unless the consideration is asked for, how can he move for adjournment of consideration?

Shri Naushir Bharucha: I will move it after the Minister finishes.

Pandit Thakur Das Bhargava: These are the words in the award.

"The Madras Government had also then sent a Secretary to Hyderabad to supply me with any information I needed. I gave a copy of the memorandum submitted to me at Madras by the Madras Government to the Andhra Government and the latter in turn submitted to me their memorandum with regard to this dispute."

After this, in my copy, these words appear, viz., both these are attached herewith. In this copy, they do not appear. But that would not make any difference. The Madras Government prepares its case and gives it to the mediator and a reply is called for from the other Government. That is also submitted. It is just like a petition

and written statement. They are very essential. We must know the views of both the Governments. So far as the people are concerned, they also came and made representations. They were also heard. All those documents were called for, but none of them is forthcoming.

Mr. Deputy-Speaker: In the first instance he said they formed part of the award. That was where I was anxious. But from the latest statement of the hon. Member, I find they do not form part of the award; they were evidence which he called for. After all, they were evidence and they do not form part of the award. So, if the Government is not putting forward that, the Members can take any decision they like, that they are not well-informed and they might give their opinion. But so far as the discussion is concerned, I cannot stop that.

Shri Thirumala Rao: Can Government deny the information on the ground that they are not published documents?

Mr. Deputy-Speaker: Let us proceed and we will see if there are any difficulties.

Shri Datar: I beg to move:

"That the Bill to provide for the alteration of boundaries of the States of Andhra Pradesh and Madras and for matters connected therewith, be taken into consideration."

Sir, it will be proper for me to place the circumstances under which this Bill has to be brought forward. It had a history dating back to 5 or 6 years and so, as far as possible I shall point out the circumstances and how this matter was evolved and has now taken the form of this Bill. The House is aware that in 1953, there was a very earnest desire on the part of Members of Parliament from the

then Andhra portion of the Madras State and also from others that an Andhra State should be carved out as early as possible. Then the Prime Minister made an announcement, according to which he stated that an Andhra State would be carved out from the undivided State of Madras excluding the city of Madras. Inasmuch as the Andhra people were anxious to have an Andhra State as early as possible, the matter had to be expedited. As stated by the Prime Minister in Parliament, the undisputed Telugu-speaking areas of the then Madras State were to be immediately formed into a separate Andhra State. Therefore, what were disputed were to be considered subsequently. So, a number of districts and 3 taluks of Bellary district were together formed into a separate State. A Bill was brought before this House and passed by the Houses of Parliament, and the new Andhra State was inaugurated on 1-10-1953. After the Andhra State was formed, naturally the question was to be considered as to which were the parts in the Andhra State that were to go to Madras or which were the parts in the remaining Madras State which were to come to the new Andhra State. For that purpose, Government had to take certain steps, one of which was that in respect of the disputed areas in some districts either of Andhra or of Madras, the language composition was again looked into. So, the census authorities were asked to collect figures and find out the linguistic composition of the villages in the disputed area. That took nearly two years. The work was started in October, 1953 and completed in June, 1955. The House will then note that by that time we were in a position to know the linguistic position of the various villages that form part of the disputed areas both in Andhra and Madras State. Then a very important event occurred at that time. The Government of Madras addressed a letter to the Government of India, and also to the Government of Andhra Pradesh, and that has been referred to by Shri Pataskar, because from here onwards the progress of this matter starts.

(Alteration of
Boundaries) Bill

[Shri Datar]

In July 1955, the Government of Madras, by their letter dated 2nd July, 1955, addressed the Government of Andhra, suggesting that the border dispute between Andhra and Madras may be settled by mutual agreement between the two Governments, and the representatives of the two States may sit together in a conference for the purpose. Then the Government of Madras laid down four criteria, which should be noted very clearly in this connection. The Government of Madras suggested to the Government of Andhra Pradesh the following criteria

- (1) the boundary line may be a continuous one and isolated pockets should be avoided to the extent possible,
- (2) village should be the unit for consideration and partition of villages should be avoided,
- (3) villages with over 50 per cent Telugu-speaking people should be incorporated in Andhra, to the extent practicable, and vice versa, and
- (4) due consideration may be given to the geographical features such as hills, forests and rivers as constituting natural boundaries between the two States and to economic features such as irrigation sources and their ayacuts being in the same State

You will find, thus, that two points were made clear by the Government of Madras. One was that there should be a solution by agreement between the two parties, and the Government of Madras further suggested the criteria that was to be followed in working out such an agreement and finding out which areas should go to which of the two States

Now, this letter of the Government of Madras was answered by the Government of Andhra in August 1955.

And one of the important points that has to be noted in this connection is that they generally agreed to the principle suggested by the Government of Madras and the understanding was that the parties should come to an agreement on certain specified points in respect of the disputed areas. The second point was that the agreement should be worked out in consonance with the four principles, to which I have already made a reference. After the Government of Andhra have agreed to this, we had before us these four principles, which had to be worked out into practice. It was at this stage that Shri Pataskar was requested to mediate and to give his report or award, whatever words we might use on the basis and in consonance with the four principles that were laid down by the Madras Government and accepted by the Government of Andhra.

Then a map was also produced. So far as that is concerned, I may point out that the Government of Madras prepared a map on the basis of the material that they had. Now, the principal point was with regard to Tiruttani taluk, then in Andhra State. With regard to that, what had happened was that in 1935 a part, a half of the taluk of Tiruttani, had been duly surveyed, but the other portion had not yet been surveyed. Then a map was prepared, more or less depending upon this map of 1935 and the Government of Madras gave that map to Shri Pataskar. That map was available to both the Governments of Madras and Andhra. At a subsequent stage, the survey of the remaining portion of Tiruttani was also duly finished and a map was prepared, and it was duly authenticated by both the States together. That is a point which has to be noted.

Then the Government of Andhra also prepared, what is known as an "eye sketch map", and after this map was prepared they sent it to the Madras Government for their consideration, or their verification. The Madras Government found that there

were certain discrepancies, and those discrepancies were regarding the location of certain villages. Out of those discrepancies, it might be found that except in respect of four, the other discrepancies were not of a material nature, because they were admittedly areas which were either predominantly Tamil-speaking or predominantly Telugu-speaking, that means, they were within them. Then the Government of Madras found that these discrepancies ultimately could be confined only to four places, and not more. Then this was looked into by the survey officers of the Government of Madras and the Government of Andhra, who, I believe, went to the various areas, and they agreed that the discrepancies ultimately had to be confined to those four places.

So far as those four places were concerned, as a result of this enquiry, three continued to remain in Andhra, because they were inside the area, and not on the border, which should be noted. With regard to one, it was on the border and so that was allotted to the Madras State. This is what has happened, so far as these maps are concerned.

So far as these maps are concerned, a number of hon. Members are possibly under a misunderstanding and, therefore, I would make it quite clear to this House that, so far as the map of Tiruttani taluk is concerned, except the map which has already been prepared, no other survey map was prepared in 1957-58, and that the other map that has been produced in five copies was the eye-sketch map of Tiruttani taluk prepared by the Andhra Pradesh Government, which was looked into and scrutinised by both Governments, when they came to the conclusion that except on four points, on which the parties agreed that three villages should go to Andhra Pradesh and one should go to Madras, beyond that, there was absolutely no mistake at all, no inaccuracies

Both Governments were agreed on that point, let that be kindly understood. Special officers were appointed from the survey departments of both the States and here I would read from the report with a view to leave no room for doubt.

“On comparing the 1935 survey map with the eye-sketch map of the Andhra Pradesh, the Madras Government observed 22 discrepancies in the physical location of certain villages”

It may be stated that this list of 22 discrepancies was looked into but *they did not affect the question of the transfer of any villages, because they were inside the border. But what was affected was only four, and therefore a descriptive correction was made so far as these four villages were concerned. Three of these villages were actually located in the two plots recommended to be retained in Andhra Pradesh and one was found to be on the new boundary line between the two States. Then it states—I would request the House to note this—*

“As a result of the joint scrutiny of the villages in question by the Deputy Director of Survey of both States in February 1959, these discrepancies were settled between the two Governments

“It was agreed” by the two Governments “that the three villages, which, if transferred to Madras Government, would have been enclaves in Andhra Pradesh, should be left with Andhra Pradesh. The fourth one, which was on the new boundary line, was agreed to be transferred to Madras

“Provisions in the Bill are on this basis. These adjustments do not involve any modification of Pataskar award in the sense that only a correction has been made

[Shri Datar]

about physical location of three villages which were found actually to be situated in the two blocks proposed to be retained in Andhra Pradesh."

13 hrs.

Shri Ranga: Would the hon. Minister be good enough to tell us as to who prepared the 1935 survey map?

Shri Datar: Let me complete and if there are any questions to be asked I shall answer them afterwards. I shall place the whole picture in an organised manner before the House so that, according to me, a number of conceptions will have been removed.

The most important point in this connection is that the two Governments have confirmed that there are no more discrepancies affecting the award. This is a categorical statement made by the two Governments of Madras and Andhra Pradesh.

Then, the matter, as I have stated, was referred to Shri Pataskar. Shri Pataskar gave his first award and when he gave his first award it was found that Andhra Pradesh felt that certain points had not been decided by him. Therefore the matter was again remitted to him. He went into the points that were raised before and what he did was that he stated that in addition to the villages that according to him were to be either retained in Andhra Pradesh or transferred to Madras three villages from the Krishnagiri Taluk of Salem District should be transferred to Andhra Pradesh.

Shri Ranga: Tiruttani Taluk?

Shri Datar: Krishnagiri Taluk of Salem District. I have stated so

So, what was done by this subsequent or modified award was the grant of three more villages from the Krishnagiri Taluk to the Andhra State. Now, the remaining claims of

the Andhra Pradesh Government, either from Krishnagiri Taluk or from Hosur Taluk, were negatived by him. This last award was given by him on the 25th July, 1957.

Then the two State Governments took up the matter in their hands and the Government of India prepared a Bill on the basis of Shri Pataskar's award. On the 7th April, 1959, the draft of the Bill, which the Government of India prepared in this respect, was sent to the two State Governments for consulting the legislature in the two States, because under article 3 of the Constitution nothing can be done unless the State legislatures were also consulted.

May I point out in this connection that the legislature in Madras consisting of the Assembly and the Council considered this matter in the same month, towards the end of April—I believe about the 28th and 29th of April. They accepted the Bill. Similarly, this Bill was also considered in the Andhra Pradesh Legislative Assembly and the Legislative Council. There the whole position was made clear by the Chief Minister, Shri Sanjiva Reddy. May I also point out in this connection that these points that are now sought to be raised stating that the maps were not correct and that large areas had been wrongly included in the Madras area were not taken up at all.

Shri Ranga: They were mentioned by several members.

Shri Datar: No. This is what I am pointing out to my hon. friend.

Shri Ranga: Kindly look into the speech of Shri Gopala Reddi.

Shri Datar: Let the hon. Member allow me to proceed.

I have got before me the debates of the Andhra Pradesh legislature and there you will find that this particular question was not raised at all. That is what I am pointing out. They

raised other questions. They stated that some more area in Krishnagiri and Hosur Taluks should also be given. They raised a particular ground. In the original principles agreed upon it was stated that for the transfer from one area to another what was required was that the population of the particular linguistic group should be 51 per cent. The Andhras made a case, subsequently before the mediator, that it is not necessary that it should be 51 per cent and that it is sufficient if the Andhras were the largest linguistic group in that area. For example in the Hosur Taluk, you will find that there are trilingual areas and the population of either the Telugus or the Tamils cannot be 51 per cent, because it is a trilingual area. In some cases it was contended that if, for example, the Telugus are numerically larger than, say, the Tamils or the Kannada people then naturally it ought to go to them. That was the argument that was advanced. But this argument was not accepted by Shri Pataskar. He stated that he had before him the four criteria and those criteria were to be literally followed. Secondly, they stated that if some villages in the Krishnagiri Taluk were given to them on this basis then—it was further contended—a contiguity would be offered. That was, what you can call, an inter-dependent argument, namely, give us some villages in the Krishnagiri Taluk on the principle that we form the largest linguistic group though not 51 per cent. If that is given then certain areas in Hosur would be theirs. That was an argument which did not find any favour with Shri Pataskar.

Shri Narasimhan: Counter-arguments were voiced by the other State Legislature.

Shri Datar: What I was submitting was that when this matter was taken up both by the Andhra Pradesh Legislative Council and the Andhra Pradesh Legislative Assembly, Shri Sanjiva Reddy moved this question.

This is what he has stated. Let me make the position very clear. This is what Shri Sanjiva Reddy had said:

"At the time of the formation of the Andhra State, dispute arose about the future of Tiruttani and the Prime Minister advised that for the time being Chittoor District might be included in the Andhra Pradesh and the matter could be leisurely settled afterwards in the light of his advice."

The matter was immediately taken up.

May I also point out in this connection that inasmuch as this was a *special matter this was not governed* either by the advice of the States' Re-organisation Commission or by the States' Re-organisation Bill. In the Report it has been stated that inasmuch as that matter was being considered separately by the two Governments of Andhra and Madras, no recommendations were made by the States' Re-organisation Commission. Thus you will find that this matter is governed by an agreement and that agreement was worked out by Shri Pataskar. This was accepted by the two Governments at the Zonal Council meeting.

I forgot to mention that when Shri Pataskar gave his award the two Chief Ministers, that is, of Madras and Andhra Pradesh, accepted it at a meeting of the Zonal Council and it was only thereafter that further steps were taken. As I have pointed out, when the matter came before the Andhra Pradesh legislature, this specific question of the inaccuracy of the map and its bearing on the areas that are now raised was not touched at all. All that was raised was, as I have stated, mostly about Krishnagiri and Hosur. Afterwards the motion was adopted by the Legislative Assembly and also by the Andhra Pradesh Legislative Council.

Shri D. C. Sharma (Gurdaspur): What was the number of votes for and against?

Shri Datar: We have now come before the Parliament mentioning the main points on which an alteration has to be made

So far as the Andhra Pradesh is concerned, it also has got certain areas from Madras State Andhra Pradesh has got about 151 villages—72 from Ponneri Taluk, 76 from Tiruvellore Taluk and 3 from Krishnagiri Taluk in Salem district, the other two taluks being in Chingleput District Thus, they have got 151 additional villages The population is about 95,000 and the area transferred under the Bill from Madras to Andhra Pradesh is about 326.39 sq miles This is so far as the area that is got by Andhra Pradesh from Madras is concerned

The area that is transferred from Andhra Pradesh to Madras consists of 318 villages—288 villages from Tiruttani Taluk of Chittoor District, one village from Puttur Taluk also in Chittoor District, and 29 villages from Chittoor Taluk Thus, 318 villages have been transferred from Andhra Pradesh to Madras The population is 2.40 lakhs and the area transferred is about 405.89 sq miles Apparently there is a larger area that is given to Madras, but on this point may I read to you what Shri Pataskar himself has said?

Shri Ranga. Larger area or larger people?

Shri Datar: After reviewing the proposed transfer and the retention in the two areas, this is what he has stated on the page 22 of his last report:

"It can be seen that as a result of my proposal, though a large part of the Taluk of Tiruttani goes to Madras, a correspondingly large area from the Taluks of Ponneri and Tiruvallore goes to Andhra So, by this adjustment, no State loses appreciably in any extent."

Therefore, the main change that is to be made, or the substance thereof is that certain villages from Madras State are to go to Andhra Pradesh, and certain villages from Andhra State are to go to Madras On the whole, as Shri Pataskar has pointed out, there is no appreciable loss to any particular State So, this is the main purpose for which this Bill has been brought forward

Certain consequential arrangements have to be made so far as the representation in the legislatures is concerned So far as the Lok Sabha is concerned, there is no chance at all The membership of Andhra Pradesh and Madras remain as it is In respect of the Rajya Sabha, one more seat has gone to Madras and therefore in respect of the Assembly seats, there is one increase in Madras from 205 to 206, and consequently there is a decrease in the case of Andhra Pradesh from 301 to 300

Consequential proposals have also been made in other respects to which I need not make a reference Wherever there are certain public utility projects, as for example a tank, the matter is actually under consideration The Zonal Council has appointed a sub-committee which is looking into this matter Naturally one is interested in seeing that whatever has been done by way of development of public utility projects is shared by both the States together, because this reorganisation or this alteration of boundaries should not affect the development of any area Therefore, that question has been fully taken into account

There are other matters which are more or less of a usual nature as, when even one inch of territory is to be transferred from one State to the other, consequential provisions have to be made about the High Court, about the distribution of assets if any, other arrangements about institutions etc All that has to be gone through, whatever might be the extent of the area to be transferred As the House is aware, during the last session a

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certain area from Rajasthan was transferred to Madhya Pradesh for the purpose of facilitating the implementation of the Chambal Project. It was mostly a forest area, about 2,800 acres in extent, but still the whole process had to be one through because thereby certain areas were transferred from Rajasthan to Madhya Pradesh. Here the question is a bit larger because villages have to be transferred. Therefore, I submit that what was promised when the Andhra State Bill was passed, namely that steps would be taken for settling the question with regard to the disputed areas has now been completed by the sponsoring of this Bill.

Secondly, I may point out that this was an occasion where both the Governments agreed and laid down certain principles as Shri Pataskar has pointed out. Certain other criteria had been laid down so far as the States Reorganisation Bill was concerned, but here he rightly states that those principles need not be followed because in the States Reorganisation Act what they had stated was that normally the district should be the limit and the population should be 70 per cent. It should be appreciated that in this particular case fortunately for the two State Governments there was an agreement not only about the desire to come to an amicable settlement but also about the criteria or the principles to be followed, and therefore all that Shri Pataskar has done is only this. He was not an arbitrator, he was a mediator. He used his good offices for putting into effect the four principles that had been agreed to by the two State Governments. On account of this happy initial agreement it was easier for Shri Pataskar to give effect to these principles and to draw a line. On the whole, when the whole matter has been gone into in such a very careful manner

Shri Ranga: Careful?

Shri Datar: through the good offices of an earnest, independent and conscientious friend like Shri

Pataskar, we should consider whether there are any grounds at all for departing from what has been done

Shri Ranga: Question

Shri Datar: As I have stated, the two State Governments have agreed, agreed not only about the four principles, not only about the advisability of Shri Pataskar being the mediator, but also about the result of his award. That is what I am trying to place before the House.

Assuming for the sake of argument that there is something in respect of which perhaps a different view might be taken, the question is whether, after all, the whole point has been substantially complied with or not. It is true that 51 per cent has been mentioned there.

Shri Ranga: That is the trouble

Shri Datar: In addition, I may also point out that it has been stated that due consideration should be given to geographical features such as hills, forests and rivers constituting the natural boundaries between the two States. It is perfectly possible, if we take a theoretical view to draw some other line perhaps an awkward line, but taking all things together, has or has not Shri Pataskar's award satisfied what was necessary for settling the dispute between the two States? In my humble opinion that has been done. And there are no inaccuracies in this particular case, especially since the two State Governments have agreed at all the stages. That is a point on which I should like to lay the greatest stress.

After all, here, we have two States in India, and there was some area in one State which had not been properly developed, and when the question was raised about it Shri Sanjiva Reddi promised that special attention would be given to that particular area. I am anxious that this matter should be settled as early as possible and the suspense removed for ever. For, after all, if the suspense is there, then, naturally, things

Shri D. C. Sharma: On a point of order The hon Member Shri Raghunath Singh is sleeping

Shri Raghunath Singh (Varanasi) No, I am not sleeping

Shri Datar: Let him sleep; let him enjoy a little sleep

Mr. Deputy-Speaker: Order, order

Shri Datar: Apart from that, we have got here an agreement happily entered into, and fully confirmed and endorsed at all the stages

Therefore, I would appeal to all hon Members to set aside other considerations which are, after all, of a minor nature or a trifling nature Let us take into account the whole picture and let us put an end to this controversy

In October, 1953, the main Act was passed, and in November, 1959, after six years, this particular matter has been fully solved, and I am quite confident that hon Members will take this aspect into account and give their full support to the provisions of this Bill

Shri D. C. Sharma: May I know how much time is allotted for this Bill?

Mr. Deputy-Speaker: Five hours have been allotted for this Bill

Shri N. E. Muniswamy: How much for general discussion?

Mr. Deputy-Speaker: I am coming to that

Motion moved.

"That the Bill to provide for the alteration of boundaries of the States of Andhra Pradesh and Madras and for matters connected therewith be taken into consideration"

Now, I come to the question of the allocation of time as between the

different stages Five hours have been allotted for this Bill

Shri Tangamani (Madurai): There are practically no amendments, and there will be practically no second reading

Shri Nath Pai (Rajapur): The general discussion should get priority in the allotment of time

Pandit Thakur Das Bhargava: You will appreciate that five hours were allotted because this Bill was so complicated, but now after studying it for such a long time, I should think that the time which has been allotted is very short, and we shall not be able to do justice to it Even today, I do not think that we are in a position to debate on this Bill

I would beg of you to kindly consider that the fate of two lakhs of people is involved in this Bill

Mr. Deputy-Speaker: There is a motion coming up presently that the discussion on this Bill be adjourned, and hon Members shall have a right to exercise their choice then, and they can say whatever they like then

Pandit Thakur Das Bhargava: So far as extension of time is concerned, I may submit that that is a different matter entirely Five hours are not enough.

Shri N. E. Muniswamy: Let it be extended to 8 hours

Shri Jadhav (Malegaon) Let it be 8 hours

Shri N. E. Muniswamy: And let 5 hours be given for the general discussion

Mr. Deputy-Speaker: Let us see, as we proceed For the present, we may say that we shall have 4 hours for the general discussion and 1 hour for the other stages

Does Shri Naushir Bharucha want to make his motion just now or some time later? He can move it at any stage

Shri Naushir Bharucha: I move right now that further consideration of this Bill be adjourned to a date to be fixed by the Chair, and I trust that in the meantime the necessary and relevant documents will be circulated by Government. I particularly object to placing only five copies in the Library for five hundred Members. The Members must have the relevant documents before them. It is not enough to say that the two Chief Ministers have agreed, and, therefore this House should abdicate its authority.

Mr Deputy-Speaker: I shall put the motion to the vote of the House.

The question is

"That the debate on this motion be adjourned."

Till what date? The hon Member ought to fix the date himself and not leave it to the Chair. The motion has been moved by him and I am only putting it to the vote of the House.

Shri Naushir Bharucha: In that case, I move that it be adjourned to the first week of December.

Mr. Deputy-Speaker: Does he want that the discussion on the motion be adjourned to the first day or the first week of December?

Shri Naushir Bharucha: I shall say, the last day, that is, the last working day, of the first week of December.

I beg to move.

"That the debate on the Bill be adjourned to the last working day of the first week of December, 1951."

Mr. Deputy-Speaker: The question is

"That the debate on the Bill be adjourned to the last working day of the first week of December, 1959."

Pandit Thakur Das Bhargava: Will anybody be allowed to speak on this? I shall give you arguments to support this plea of my hon friend.

Mr Deputy-Speaker: Ordinarily, no detailed discussion is allowed on this motion. The hon Member Shri Naushir Bharucha has moved a motion, and afterwards he might say something on it. All right, Pandit Thakur Das Bhargava also might have his say.

Pandit Thakur Das Bhargava: I shall show you why the debate on this Bill should be postponed. The real reason is that as a matter of fact, Government themselves have not done their duty in this case. They are satisfied that two Chief Ministers have agreed and the Legislatures concerned have approved. But the duty of this Parliament is exceptional in this case.

Article 3 of the Constitution reads, 'Parliament may by law—

- (a) form a new State
- (b) increase the area of any State,
- (c) diminish the area of any State,
- (d) alter the boundaries of any State,
- (e) alter the name of any State:

Provided that no Bill for the purpose shall be introduced in either House of Parliament except on the recommendation of the President and unless, where the proposal contained in the Bill affects the area, boundaries or name of any of the States, the

[Pandit Thakur Das Bhargava]

Bill has been referred by the President to the Legislature of that State for expressing its views thereon "

The words are 'for expressing its views thereon' That is the only function of the local Legislatures So, really, it has not been appreciated that the entire duty in this case is that of Parliament and Parliament alone, no Chief Minister, no set of Chief Ministers, not even all the Chief Ministers combined, can part away with one inch of land belonging to one State in favour of another State

Mr Deputy-Speaker: That is why this Bill has come up here The Chief Ministers have not transferred any territory

Pandit Thakur Das Bhargava: The point is that when it has come up here, Parliament is the sole authority

May I submit that as a Member of Parliament, it is my duty to see that the whole thing is done rightly? My hon friend says that a good reliable *nayee* has come from his house May I just give you a story? A person was standing at a place, and a *nayee* went to him and told him, 'It is very unfortunate that your wife has become a widow' That person began to weep But other people came and told him, 'You are living So, do not worry' But he began to weep saying that his wife had become a widow, and he said "This *nayee* is such a reliable *nayee*, he has come from the house How can I disbelieve him' He began to say like this without even thinking that when he himself was living, his wife could not become a widow

Here, the whole argument during all this one hour has been that the two Chief Ministers have agreed, and two Legislatures have not said a word against this Is this the way in which this thing should be done? After all, this House has got not only the

authority but the duty and the sole duty of seeing whether justice has been done to these two lakhs of people

Shri Narasimhan: My hon friend says that it is the sole duty of this House May I submit to him that that statement is not quite correct, because, according to the Constitution, the Bill has to be referred to the two Legislatures also?

Mr. Deputy-Speaker: This is the constitutional provision that this Parliament has ultimately to decide whether to increase the area of a State or to add to one State or to diminish the area of one State, but the views of the States are to be ascertained

Pandit Thakur Das Bhargava: The views of every person, including those of the Legislature and the Chief Ministers are to be considered, and they ought to be appreciated I am not here to say that the Chief Ministers are unreliable people That is not what I am submitting The views of the Chief Ministers are not entitled to more weight than those of any person living in those States or of any outsider or of any Member of this Parliament When the Legislature of Andhra was consulted about the award of the Taluk and the Members representing the relevant constituencies of Andhra walked out in protest from the House Does it constitute approval of the award

The people of Tiruttani constituency are fortunate people because they have got our Speaker as their representative But the Speaker is not allowed to say a word That is most unfortunate Unfortunately, in the other House also the gentleman presiding over the other House, hon Dr Radhakrishnan, was born in Tiruttani But both these persons must keep mum The views of the local Legislature are claimed to be binding on us, Members, but unfortunately, their representatives in the Parliament will not be allowed to express their views even This is

unfortunate. The people living in those parts are fortunate in having such representation, but it is unfortunate that their representatives should keep mum. But this is beside the point.

My humble submission is that we must look at the matter from the point of view of those who are being asked to leave Andhra Pradesh for Madras or *vice versa*. Not a single word has been said about the objections that were raised. It is not that the objections are being raised only today and that the Chief Ministers did not wish to raise any objection. You may kindly see the award. In the award itself, Shri Pataskar has said that these people came to him and appealed to him against such and such a thing. Therefore, if we are to consider our hon. Minister's statement that people never raised any objection, then the whole file should be here. We should be furnished with all those papers in which the objections were taken to each and any everything. Supposing I prove that objections were taken before Shri Pataskar on those very things which we shall have to consider here, what would my hon. friend say? My hon. friend's plea can be substantiated only if the papers are before us. But what is it that my hon. friend has done? The maps were there. Shri Pataskar said that the Andhra Pradesh Government did not produce the map. Are you going to rely on that Government for not doing its duty, when it did not produce even a map when it had got the map? It produced maps for other territories and for other talukas, but not for this taluka. From the Award itself, you will be pleased to see that the Andhra Pradesh Government did produce maps for other talukas but for this taluka only no map was produced.

May I also bring to your notice the fact that unless we get the other documents, we cannot come to a correct conclusion in this matter? My hon. friend says that the Chief Minister of Andhra Pradesh has agreed to

it. I am ready to show here that the Chief Minister of Andhra Pradesh had on several occasions said—'I do not want to be bound by this, I want that the principles of the SRC should be applied to this case'. Those documents are not being produced before us. I want to say that the Chief Minister was under duress. He was not allowed to do his duty. So unless the papers are produced before us, we cannot come to a correct decision on this matter.

Shri Datar: Let the hon. Member not make such an allegation. It is most undignified to say that the Chief Minister of Andhra Pradesh was under duress.

Pandit Thakur Das Bhargava: Excuse me. This is only a conclusion. I did not say that Shri Datar put him in jail.

Mr. Deputy-Speaker: At least here the Chair should not be put under duress!

Shri Palaniyandy (Perambalur): Pandit Thakur Das Bhargava is under duress!

Pandit Thakur Das Bhargava: I would submit that in the Award itself the Chief Minister has said not once, not twice but several times, 'I am not bound by the previous agreement, I want that the whole matter may be deferred and it may be decided on the basis of the SRC principle' and yet mediation was arranged. The Chief Minister who is said to be a thoroughly reliable person, a gentleman whose words should carry weight and confidence has said this. In the Award it is recorded that he said it several times.

Then again what about those two lakhs of people? In a democratic State, does not the opinion of A and B count? Do they also not have their opinions, feelings, leanings, affections etc.? Those persons also brought their documents before Shri Pataskar. Those documents are also not here.

[Pandit Thakur Das Bhargava]

I am also not clear in my mind whether the printed Award is the last thing I have not seen the original Award I would like to see the original Award whether the words which appear in the printed Award are there in the original Award or not We cannot say whether the printed Award is rightly printed or not

Therefore, my humble submission is that the original Award, the two statements of the Madras Government and the Andhra Pradesh Government as also the representations made by various people and various associations—hundreds of people went in deputation to Shri Pataskar—should be placed before us I am not going to say that Shri Pataskar was partial not at all At the same time I must say that he was not an arbitrator He was bound hand and foot by certain principles If he had been allowed to proceed as an arbitrator he would not have done this As the ruling of one High Court says when a case is before the Judges they are not there to see a cock fight they must use their intelligence The maps that were relied upon were absolutely wrong The correct maps were not produced Shri Pataskar never went to that place He never went to a single place where there was dispute about contiguity

Therefore, at least in justice and fairness, the two statements of the two Governments as well as all the documents produced before him should be placed before us so that we may be able to judge whether the decision of the mediator, who was not even an arbitrator, was correct or not I do not know what they meant by 'mediator'

Shri N. R. Muniswamy: On a point of order The motion moved by the hon Member is for adjournment, but my hon friend now seems to be going into details

Mr. Deputy-Speaker: I will request the hon Member to be brief I can very well follow that he is making out a case that because the necessary documents have not been produced, therefore the discussion should be adjourned This is his line of argument He could say that the documents had not been produced, that they were relevant important and very necessary, but he should not they go into details He should be brief

Pandit Thakur Das Bhargava: Then there is one point to which I would respectfully invite your attention The point has been made that no plan had been prepared in 1957-58 and the only plan was of 1935 The 1935 plan, you will be pleased to see is of no use I may assure the hon Minister that even the plan that he has produced is not a survey plan but only an 'eye-sketch' plan That is the name given

Shri Datar Of the Andhra Pradesh Government

Pandit Thakur Das Bhargava: Of the Andhra Pradesh Government All right He says that both Governments signed it Let it be signed by both Governments

Mr. Deputy-Speaker: Was the plan placed in the Library the plan of 1957-58?

Shri Datar: Both The 1935 survey map of Tiruttani taluk is an authentic publication.

Mr. Deputy-Speaker: That is also an eye-sketch plan?

Shri Datar: No, no It is a survey map

Mr. Deputy-Speaker: The plan of 1957-58 of one taluk is an eye-sketch plan

Shri Datar: Yes

Pandit Thakur Das Bhargava: May I submit that the only plan which was relied upon by Shri Pataskar and the

two Governments is another plan, about which my hon friend has not spoken at all? That plan is here in the Library That is the Madras plan That is not put in here Instead of that, something else is put before you So I would beg of you at least to adjourn consideration of this matter to enable that plan to be produced before the House I have got a copy of that plan That plan is a decisive plan These other plans are not valid The later plan—eye-sketch plan—appears to have been prepared for the purpose of this case We are submitting that that plan will be of no value

Mr Deputy-Speaker The hon Member wants to bring up that plan for the benefit of the House or he wants the Home Minister to produce it?

Shri Ranga There are other documents also

Mr Deputy-Speaker What I could follow from his latest words was that he wanted that the discussion should be postponed so that he should have that plan

Pandit Thakur Das Bhargava My submission is that as a matter of fact, in a boundary dispute, plan is the most important thing You agree that the 1935 plan if you will be pleased to see, is only a survey plan for half of the Tiruttani taluk, for the other half, it is not a survey plan at all The later plan which is prepared by and agreed to by the two Governments is there, that plan is relevant and I will take advantage of that But the third plan which is in existence—I can certainly give an affidavit before you—should be brought here The Government have not brought that plan here It is not that that plan is non-existent It is in existence and should be brought here

Shri Khadilkar (Ahmednagar) I am supporting the motion for adjournment of this discussion for a different reason So far as the map is concerned, I would refer to page 21 of the Report of Shri Pataskar wherein it is said

"The adjustment of the border suggested by me is marked thick in blue on the map specially prepared by the Government of Madras on the basis of village-wise data collected from the census of 1951"

From this it is clear that when the Award was given, a special map where all these corrections were made and blue pencil marks were there, was submitted Unless that is presented to the House, we won't be enlightened as to whether justice has been done This is one point

There is another point So far as the boundary disputes are concerned, since the States reorganisation issue the Home Ministry has made a mess of everything, because it has laid down one principle at one time and another principle at another time Today the Ministry is coming before this House in respect of one particular boundary issue All the State boundaries are under our jurisdiction in the sense that we can alter or modify them In that sense, why should this piecemeal legislation be brought before the House when there are boundary issues between Bombay and Mysore

Mr Deputy-Speaker. That is a different affair altogether While speaking on the question of adjournment of the discussion, why should he bring in those matters?

An Hon Member One principle for all

Mr Deputy-Speaker: May be one principle But what we are discussing just now is a different thing

Shri Khadilkar: What I say is that in this issue when you bring in piecemeal legislation, at least accept the principle for universal application Then it is something The Home Minister has not accepted that position He said that they are applicable only to a limited area Therefore, I say that unless the Home Minister is prepared to make a state-

[Shri Khadilkar]

ment that the principles laid down by Shri Pataskar are of uniform and universal application when there is a dispute between one State and another, we cannot accept the position. If he accepts the position that the principles will be of universal application, then there is some value and sanctity in it.

Shri Tangamani: Mr Deputy-Speaker, I stand up to oppose the motion just now moved by Shri Bharucha on the following grounds. Already there has been considerable delay. Shri Datar took pains to explain to us the various developments that took place ever since the Andhra State was formed on 1-10-1953. As early as July, 1955 the issue was referred by both the State Governments and the award was actually given on the 25th of July, 1957. I do not know why the Government had taken so much time to bring this legislation. Actually when the Bill was brought forward on 7th April, 1959, we expected that this would be passed by the last session. Owing to certain reasons, it has come over to this session. This should be the last session and it should not be postponed further.

Secondly, there is an uncertain position prevailing in the 300 and odd villages which are to go over to Madras State and the 150 and odd villages which are to go over to the Andhra State. It is unfair to these people to keep this pending. Representations have been received by many of the organisations that it is time that something is settled because the position now is that neither the Madras Government nor the Andhra Government are taking any steps for developmental activities of these particular areas. I can give many instances.

The third reason is that this border issue will probably work as a precedent to many of the border issues which may come even later. Here certain principles have been accepted by two State Governments. Conti-

guty is one principle and taking the village as a unit was the other principle. (Interruptions) Shri Pataskar took into account not only the memoranda from the two State Governments but many memoranda were actually submitted by the various organisations and many people were actually examined. It is only after sifting their evidence that this award was given. I can understand if Pandit Thakur Das Bhargava says that the entire evidence must be placed in the Library so that he can pursue it. But just to say that the memoranda from the Andhra Pradesh Government and the Government of Madras alone should be made available and to cast certain reflections on these two Chief Ministers is something which I cannot swallow. In the case of LIC, whether the evidence was written or oral, it was made available and I can understand that position here also. Otherwise, unless people are familiar with these particular areas, it is difficult. Shri Pataskar, with the help of these people, particularly these two State Governments, has shifted this evidence. (Interruptions) Therefore I say that there should not be any demand to postpone this still further.

Shri N. E. Muniswamy: Sir, I am opposing this adjournment motion tooth and nail on two grounds. Firstly, the same reasons assigned by my friend Shri Bharucha may recoil on him when the question of bilingual Bombay State comes up. It is a bad precedent.

Mr Deputy-Speaker: He should not be frightened on that account.

Shri N. E. Muniswamy: Pandit Thakur Das Bhargava had given out reasons for reopening the issue. But what do people expect any one of us here in this House to do? He bases his arguments purely on legalistic grounds and it may be very tenable in a court of law. Even here it may be regarded as a court of law but still

we must have a human approach and take into account the people living in these villages. These disputes have been pending long without settlement. The developmental projects and other things have not been looked into. My friend took exception to what the two Chief Ministers have done and I think he should not have mentioned the Chief Ministers of the two States. These two Chief Ministers represent the ideas and have the confidence of the people living there. I do not think any useful purpose would be served by adjourning this (*Interruptions*). He says that heavens are not going to fall if it is adjourned by two days or ten days. Still we must know that we defer the developmental activities to that extent.

Shri Raghunath Singh: I support the motion for the adjournment of this debate for three reasons. When Shri Pataskar gave his award, there was no survey map. Secondly, as far as census is concerned, how did he come to the conclusion about the census when there was no survey map and when there was no boundary of the villages.

Mr Deputy-Speaker: It is not the maps that we are discussing now. We are discussing whether the discussion should be postponed.

Shri Raghunath Singh: Yesterday, we received in Bulletin No 2 that the map is hung on the wall in our Library. I have gone there to study the map. It is a very big map and there are nearly 200 villages and we have to go through each and every village census.

Mr Deputy-Speaker: The hon Member has evidently been absent from Delhi. Otherwise, the map has been hanging there for a long time.

Shri Raghunath Singh: Only yesterday it was given in the Bulletin (*Interruptions*). It is very difficult to study these things in two or three days. Therefore, I support this motion.

Shri Narasimhan: I am coming from an area from where three villages go from Madras to Andhra. Strictly speaking, I am supposed to be a loser but in spite of that I would like this discussion not to be postponed. Shri Tangamani had stated that these should not be treated as mere chunks of territory. Lakhs of people are involved and for the last so many years developmental activities have not taken place. Roads are not built or even repaired. Bus routes are not given. Many other activities have come to a stand-still on account of the limited interest taken. On behalf of the people of either side, I plead that there should be a finality about these things. It will be like the doctor saying that the operation was performed successfully but the patient was not there. People want developmental activities to be undertaken. After all, the territories involved are small. Therefore, I request for an early decision. There is an urgent necessity for this law being passed and I also request that the appointed day may be fixed as soon as possible.

Shri Basappa (Tiptur): My hon friend has said that there should be a finality to these things. I say that finality will not come till the claims of Mysore to these areas are also settled because

Mr Deputy-Speaker: We are not taking it up now.

Shri Basappa: I want to say that the award itself speaks of the trilingual border area. Mr Pataskar says in the award and the triangular dispute regarding the trilingual area can be settled only at the instance of the three parties concerned. So, I say that this question is also intimately connected with it (*Interruptions*).

Mr Deputy-Speaker: Order, order. We are not discussing it now. What does Mr Nath Pai want to say?

Shri Nath Pai: I was only drawing your attention that there is a specific motion and Members should confine their remarks to that motion.

(Alteration of Boundaries) Bill

Mr. Deputy-Speaker: I am also trying to do it but sometimes I do fail in my attempt. I had also some difficulty. I would not be able to put it to the vote before 2.30. That was also my difficulty and that is why I have allowed. Otherwise, I would have finished this soon.

Shri Ranga: Sir, last time the Speaker directed that all those documents that were referred to should be produced and made available to Members of Parliament. The hon. Minister has not given us any indication of the reason why they have failed to respect the direction of the hon. Speaker. We want—not that we do not want all other documents—but the two documents of the Chief Ministers which were submitted to Shri Pataskar and whatever relevant official documents were submitted to Shri Pataskar. They are already, I suppose, in the archives of both the Governments. One would have expected the Government of India to be prepared to place them before the Members of this House. Would it not be reasonable on their part to agree to this proposal, for this adjournment for a few days? Heavens are not going to fall in between. It is not as if check measurements are going to be done, money has been paid and the contractors are going to bring in materials and start work on construction of roads or other things. Why is it that the Government of India should not be agreeable to this minor thing so that they can satisfy the direction given by the hon. Speaker at least in its spirit if not in its letter?

Shri Datar: Sir, I should like to clarify a number of misconceptions. In the first place, I may refer to what Shri Ranga has stated. What was received from Shri Pataskar was a report along with two letters from the two respective Governments marked "confidential". So far as these two memoranda are concerned, they cannot be produced. Even in the original report of Shri Pataskar it has not been stated that these documents form part of the award or the report. Under

these circumstances, we have not been suppressing any documents. We have got only Shri Pataskar's award and the two memoranda from the two Governments. As they are marked "confidential" they cannot be produced.

Pandit Thakur Das Bhargava: Who says they are confidential? It is for the Speaker to decide or for the hon. Minister to decide, it is not for the man who sends it to say that it is confidential.

Mr. Deputy-Speaker: He is stating the position of the Government.

Pandit Thakur Das Bhargava: Either the Government should claim privilege . . .

Mr. Deputy-Speaker: That is what he is doing. He has stated that they are marked "confidential", and Government are not going to produce those documents, that is the privilege claimed.

Shri Datar: Then, Sir, about the maps used by Shri Pataskar there has been some misunderstanding and therefore, I would like to clarify the whole position. Tiruttani taluk was partly surveyed prior to 1935, the year in which the taluk map was printed. This partial survey relates to the villages belonging to the Tirumalai-Tirupathi Devasthanam Estate. The rest of the area (about 50 per cent of the total extent of the taluk) was not completed in survey till about 1953-54. By 1956, the survey work under section (5) of the Madras Survey and Boundaries Act, 1923, of this area had come to a stage when sufficient records were available to prepare a plan on the basis of the eyesketch of the taluk and to have the position of the villages and their boundaries verified with reference to the available survey records. This method was adopted to prepare the plan of the unsurveyed portion of Tiruttani taluk. For the surveyed portion, the village boundaries were copied from the taluk map printed in 1935, and the grouped villages were

marked in the plan of Tiruttani taluk with reference to the grouping list of the old records of the surveyed villages. The plan of the taluk prepared in 1957-58 is, therefore, based both on the records of the recent survey and the old records of the survey done prior to 1935.

Then, in 1935, the Madras Government issued a survey map of the Tiruttani taluk. This was the map used by the Census Superintendent for the Language Brochure Book maps which were later incorporated in the map specially prepared by the Madras Government for Shri Pataskar's use. It is an authentic publication of the composite Madras Government long before the creation of the Andhra State. At the time Shri Pataskar conducted his enquiry, the Andhra Pradesh Government produced no map before him because I would point out, this particular map was an authentic map or a correct map. Under these circumstances, it would not be proper to say that there was no proper map before him.

After all, the question of a map is not so material as the question of the laying of a boundary line. So far as the question of laying down of the boundary line was concerned, there were only four inaccuracies which have been corrected. Under these circumstances, I would submit that no useful purpose would be served by postponing the debate. As a number of hon. Members have pointed out, the work of development has been delayed and there is a lot of suspense. I would therefore, urge the hon. Members not to ask for postponement.

Shri Thirumala Rao: I want to ask one clarification with regard to this matter. I would like to know whether Shri Pataskar asked the Andhra Government to submit their map in addition to the map prepared by the composite Madras Government previously and the Andhra Government did not supply that map. Is it not a fact that Shri Pataskar arrived at his conclusions without the map supplied

by the Andhra Government and which map they submitted later after Shri Pataskar gave his award?

Mr. Deputy-Speaker: I am afraid that question would not be very material so far as this motion is concerned. I shall now put the motion to the vote of the House. The question is

"That the debate on the Bill be adjourned to the last working day of the first week of December, 1959."

The motion was negatived.

Mr. Deputy-Speaker: We can now proceed with the discussion on this motion for consideration. There are two amendments to this motion.

Shri Mohammed Imam: Sir, I beg to move

That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th November, 1959."

Sir, I have heard with deep interest the speech of the hon. Minister while moving his motion for consideration of this Bill. I am also aware that there is a good deal of confusion and I cannot do full justice to this subject nor arrive at a decided opinion for want of necessary material.

I belong neither to Andhra nor to Madras. I come from Mysore and Mysore is sandwiched between Andhra and Madras. It has intimate relationship with both these States, both economic and cultural.

Sir, looking at the Bill I feel that Andhra seems to be the greater sufferer than Madras. While Madras has to part with only 150 villages and 240 square miles of its territory, Andhra has to hand over more than 450 square miles and more than 300 villages. So far as I am concerned—and I am sure that is the case with many Members of this House—I have no personal knowledge of these villages or their location. We

[Shri Mohammed Imam.]

had to be guided by the relevant documents. We had to be guided by the maps. But these are not made available, and that is why Shri Nausahir Bharucha moved for the adjournment of the consideration of this Bill which was not accepted by the Government.

14 hrs

Mr. Deputy-Speaker: By the House.

Shri Mohammed Imam: Yes, by the House. What I am concerned with is this. Will this transfer be for the convenience of the people who have been living under certain conditions from ages? Or, will it improve their status or will it bring them any fresh advantage? That is what we are concerned with. On this the Minister has not thrown any light.

This border dispute is not the only one that concerns the State of Madras and the State of Andhra. Between these States there are other disputes also. There is the dispute between Mysore and Madras, and there is a dispute between Mysore and Andhra also.

An Hon. Member: Kerala

Shri Mohammed Imam: I am not concerned with Kerala. Kerala does not come here though I am very anxious about that.

Mr. Deputy-Speaker: How does Mysore come in here? Is it only because it is somewhat in between the States of Madras and Andhra?

Shri Mohammed Imam: Mysore has a dispute both with Madras and Andhra.

Mr. Deputy-Speaker: Does the hon. Member intend to lay claim to some of the villages that are being transferred this way or that way?

Shri Mohammed Imam: Not in regard to these villages. What I submit is, we must give a finality as was suggested by Shri Basappa. On Hosur, there is a dispute between Mysore and Madras. There is a dispute between Andhra and

Mysore regarding Hirul and Madakasira and other regions. What I submit is, instead of taking up these questions one by one, it would have been desirable to consider all these boundaries at one time and arrive at a decision. It would have been the end of the trouble, so far as these border disputes are concerned.

I know the original idea was that Shri Pataskar should deal with the border question as regards Mysore and Madras regarding Hosur and that he must also take into consideration the border dispute between Andhra and Madras. There were three parties, and that was the original understanding. Somehow, I do not know what is the reason, Mysore was left out of this picture, though Mysore had strong claims for Hosur. Hosur is so near to Bangalore; it is only 20 miles from Bangalore. Though it is the inclination of a large number of people at Hosur to join Mysore and though the joining of Hosur with Mysore would have been advantageous administratively and economically also, somehow, the Madras Government kept quiet and it was not referred to Shri Pataskar. So, instead of a tripartite conference, it became only a conference, between two States—Andhra and Madras.

Shri Tangamani: Because Mysore was not in the composite State of Madras.

Shri Mohammed Imam: The original intention was to settle all the disputes among the States of Madras, Mysore and Andhra as regards the boundaries.

Mr. Deputy-Speaker: Let us speak about the settlement that is now before us.

Shri Mohammed Imam: Instead of taking up these questions one by one, it would have been better to have settled all these matters from the point of view of administrative convenience.

and the economic background also. But that has not been done.

So far as I am concerned, I am not aware what reaction this redistribution will have on the local inhabitants of the area. It is true that the local Chief Ministers have agreed to this transfer. It is also true that the concerned legislatures also have agreed. I do not know whether that agreement was unanimous, and I am sure there must have been dissidents in both the legislatures. But I am not aware what reaction this will have on the people, whether it is to their disadvantage or advantage. I may submit that we are not aware of the views of the representatives who come from the Chittoor district, for example, from our Speaker. His views should have been most valuable, but anyhow, the Speaker has kept away from these discussions.

An Hon. Member: He cannot speak.

Shri Mohammed Imam: But he can express his views. Personally, I think that on such occasions, the Speaker may vacate the Chair and put you in the Chair and then come and sit along with the Members and speak.

Mr. Deputy-Speaker: He cannot do that. As long as he is inside the House he must preside and nobody else can preside.

Shri Mohammed Imam: Apart from it, we do not know what is the reaction of this redistribution on the villages. 300 villages are sought to be transferred from Andhra. Personally, I think this is not the way of settling a boundary dispute. Virtually, it would be transferring a big region, a big slice, from the Chittoor district to the Madras State. Any such transfer, I know, will have a great repercussion on the people. I do not like and I do not agree with the Pataskar Award. Shri Pataskar takes into consideration only one aspect, that is, the linguistic aspect. He lays down that a village should be taken as a unit. He lays down that if there are 51 per cent of the people who speak a certain language,

then their claims must be upheld. It is only on these two grounds that these villages have been proposed to be handed over. I do not agree with this view. This procedure goes directly against the views and the principles laid down by the members of the States Reorganisation Commission. The States Reorganisation Committee lays down that at the most the taluk should be taken as a unit, and in some cases, the district must be taken as a unit. The Commission lays down that, apart from this, the administrative convenience, the cultural affinity and the economic advantage must be the guiding factors. If any economic advantage is to be gained or if the administrative convenience is to be secured, then, I think we must allow some latitude so far as the languages or linguistic affinities are concerned.

I may give you one instance as to how administrative difficulties will be caused if we adhere to the only one principle of language. I may give you the instance of Rayadrug. Rayadrug is only 25 miles from Bellary. A large number of people who speak both Kannada and Telegu are there. They had their cultural affinity with Bellary and their trade relationship with Bellary and Chitaldrug and they were quite happy. After this reorganisation, Rayadrug, instead of the repeated requests, became part of Anantapur district. Now, they have been suffering, because their district headquarter lies nearly 80 or 90 miles away from their place. To attend to courts and other official matters, they have to make a long journey of more than 80 to 90 miles. Secondly, there is the question of their economic relationship with Bellary and Chitaldrug. That is the disadvantage. To day if the Government of India were to ask them whether they are going to Mysore, Bellary or Anantapur, they will gladly say, "We are going to Bellary", because it is to their advantage from all points of view.

To give another instance, take the *frka* of Heriol, which was formerly very near Bellary taluk. It is only 12 miles from Bellary. It is an enclave

[Shri Mohammed Imam]

and the road that runs from Bangalore to Bellary runs through this firka. There is administrative convenience and those people want to go to Mysore. I think the Andhra Government is willing to hand them over to Mysore. For the sake of administrative convenience, they have transferred the maintenance of roads to Mysore Government in that particular area, though it belongs to Andhra.

These are the instances I am quoting. Such sudden wholesale transfers without taking into consideration other aspects, will cause immense difficulties and disadvantages to the people living in those areas. Nearly 300 villages are going to be transferred. Maybe they are very near to their taluk headquarters or to the district headquarters at Chittoor. But if these 300 villages are going to be transferred to Madras, what will be their position? I would like to know how far they will be from the taluk headquarters. Perhaps they are going to be added to Chingleput, Tirutani.

Shri Tangamani Chingleput does not come in here.

Shri Mohammed Imam. There may be 51 per cent of Tamil or Telugu-speaking people but that is not the only criterion. As laid down by the States Reorganisation Commission, along with that, we have to take into consideration the natural affinity, the affinity of the People, administrative convenience, economic relationship and so many other things. It is only after looking into all those things that we have to come to a conclusion. But here it is a very sad and deplorable principle that has been laid down by an eminent jurist, Shri Pataskar. Here we are taking into consideration only one aspect—the language aspect—which is very wrong. I am sure the people living in those 300 villages will be put to untold suffering. After all, they are accustomed to a certain established practice, going to a certain taluk

headquarter; they have got their own friends. We are suddenly cutting them away and handing them over to another State.

So I submit that language alone should not be the criterion. We must see how far they are affected from all aspects. All these factors have to be determined. On this ground, I think it is too premature to consider this thing. Let us not be in a hurry, especially when we are going to reorganise and transfer certain villages. After all, they must live there and work together happily. When they go to the new areas, they must exchange blessings and work for the common good. On the other hand, if we take arbitrary decisions, I am afraid we will not be doing any good. We will be setting up an invidious distinction by taking language alone. If we apply this language criterion alone we will have to disrupt so many States. For example take the Kolar Gold Fields in Mysore.

Mr Deputy-Speaker. Two instances have already been given and they are sufficient.

Shri Mohammed Imam. I am speaking in favour of Madras.

Mr Deputy Speaker. I am not concerned whether he is speaking in favour of Madras or against it. He is making out a case that the Bill be circulated for eliciting public opinion. Where does this come in, viz. there are other cases in Mysore, etc?

Shri Mohammed Imam. I am only pointing out the dangers of applying the principles laid down in the Pataskar award. I am saying there is another area which is a purely Tamil-speaking area, with a population of 1 lakh and odd, surrounded on all sides by Kannada area. In the middle we have got a Tamil colony. So, if you accept the principle laid down in the Pataskar award.

Shri Tangamani. The principle of contiguity also comes in.

Shri Mohansmed Imam: I am afraid this is a very bad, unhealthy and a very dangerous move. You will be giving a handle to other States to rake up similar questions and the whole country will be disrupted. Whatever good work was done by the SRC and the Parliament will be undone and there would not be any peace. On this ground, I submit that there is no hurry. We must take our own time. Let the Minister also collect all the materials and provide them to us by that time. The most important thing is, I want to know the reactions of the people living in those areas. Till now nobody from that area has said that he wants such a change. Let us proceed slowly and cautiously. On this ground, I submit that my amendment be accepted.

Mr. Deputy-Speaker: The amendment is before the House.

Pandit Thakur Das Bhargava: I beg to move:

That the Andhra Pradesh and Madras (Alteration of Boundaries) Bill, 1959, be referred to a Joint Committee of the Houses consisting of 30 members, 20 from this House, namely Dr M S Aney, Shri Harish Chandra Mathur, Shri Mahavu Tyagi; Shri Hirendra Nath Mukerjee, Shri Radha Raman; Shri C R Basappa, Shri Surendra Mahanty; Shri Raghunath Singh; Shri Indulal Kanaiyalal Jaynik, Shri Upendra Nath Barman; Shri Ranbir Singh Chaudhuri, Shri Nath Pai, Rani Manjula Devi; Shri Banarsi Prasad Jhunjhunwala, Shri Jagdish Awasthi; Shri K. P. Kuttikrishnan Nair; Shri T. N. Viswanatha Reddy; Shri N. R. Muniswamy; Shri B. N. Datar and Pandit Thakur Das Bhargava and 10 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the last day of the first week of the next session;

that in other respects 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 Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee

I also beg to support the amendment moved by the hon Member who preceded me. This question of alteration of boundaries of States is not a question which is only limited in its application to the States whose boundaries are sought to be altered now. This is an all-India question, in which if some principle is accepted, it will be regarded as something which will apply to other parts of India also. We have seen how things are moving. In this House, so far as Bombay was concerned, we know fully that the views of even the Home Minister and the Prime Minister, whom we respect so much, were not given effect to. I remember the day on which Shri Asoka Mehta, Shri Patil and others spoke and the entire House agreed with their views. We changed that Bill and 216 Members signed a representation to the Prime Minister. Ultimately, the decision of the Government did not prevail. The decision of the Home Minister and of the Prime Minister did not prevail, but the decision of the House prevailed. That was, I should say, a red letter day in the history of this Parliament. As a matter of fact, the House realises its responsibility.

Shri Bhargava: That is also going to be revised.

(Alteration of
Boundaries) Bill

Pandit Thakur Das Bhargava: The House realises its responsibility and even the views of Ministers are not being respected. If we want to revise again and revert to the old provincial boundaries and accept the principle of language as the guiding factor, may I humbly ask why not have Punjab suba of Master Tara Singh? Why not also have a Hariyana suba? Then you will only be inviting trouble. Either you have a uniform policy of not changing the boundaries or, if you want to have linguistic States, apply the same formula to all States. Why should you say to Master Tara Singh, 'No, Punjab suba will not be given?' Why say the same thing to the Hariyana people? If we want to have linguistic States in this way, there is no reason why we should favour Bombay or Gujerat alone and not favour Punjab and Hariyana. I, for one, am against the division of this country. I am for the unity of the country and, therefore, even when there was a demand for Hariyana I did not support that demand. So far as Punjab suba is concerned, I have every sympathy for my Sikh friends, but, at the same time, I opposed their demand for the sake of the unity of the country. Therefore, I will oppose the division of Bombay also. I know that my voice will be a voice in the wilderness and I will not be heard. But by this step you will be doing a wrong thing which will disturb the unity of the country. If you think that the demands of Gujaratis or Maharahtrians are justified, or that they are too vehement, and so you want to split the State of Bombay, do the same thing with regard to Punjab suba and Hariyana and other parts of the country also. Be consistent.

The difficulty in this matter is that certain kinds of principles are evolved by persons interested, and they offer explanation for all that. In this particular case, the main plea of the Government is that the two Chief Ministers agreed and, therefore, they have done this. My humble submission is: Let us see the legal position

of a Chief Minister in regard to this matter. As I submitted, under article 3 of the Constitution, Parliament and Parliament alone can do this.

Shri Tangamani: The Legislature has passed a resolution, not only the agreement of the Chief Ministers.

Pandit Thakur Das Bhargava: I think the hon Member will have his turn. This is not the way of interfering with the speech of a Member. I know that I have seen their speeches also. Not that I do not know that. But does my hon. friend maintain that Legislatures have got a right to influence Parliament, or because they have passed a resolution, we are bound by it? Does he maintain that? Kindly see article 3. According to article 3, who are responsible for alteration of boundaries in States?

14.23 hrs

[SHRI BARMAN in the Chair]

Shri Tangamani. I am aware of that.

Pandit Thakur Das Bhargava: Then why raise the question?

Shri Tangamani: I was only saying that it is not only the Chief Ministers but the Legislatures also.

Pandit Thakur Das Bhargava: You are certainly not aware of the position. If you are aware of it, you will not raise this. You do not appreciate the point. So far as the proviso is concerned it only says

'Provided that no Bill for the purpose shall be introduced in either House of Parliament except on the recommendation of the President and unless where the proposal contained in the Bill affects the area, boundaries or name of any of the States the Bill has been referred by the President to the Legislature of that State for expressing its views thereon.'

They have only the right to express their view.

Shri Narasimhan: I very humbly want to ask one question. When the Constitution has got a provision like that, which makes it inevitable for the Parliament to get the opinion from them, has that point no implication? The implication is that through them the public opinion is ascertained and we are guided by it.

Pandit Thakur Das Bhargava: I am yet to learn from my friend the meaning of the words "for expressing its views thereon".

Shri Narasimhan: Providing the eliciting of opinion in the Constitution in that manner, has it no meaning?

Pandit Thakur Das Bhargava: Saying that the asking for the expression of opinion is tantamount to saying that you accept their opinion is too much. That is doing injustice to the language, to the meaning of it. Suppose the views expressed are discordant, some members give this view and others give a contrary view. What happens? If there is a conflict in the views, what happens? May I tell the hon. Member—and he knows this better than myself and he is interpreting like this for the sake of Madras, his own province, which is the gaining party.

Shri Narasimhan: No, no.

Pandit Thakur Das Bhargava: In the Council conflicting opinions were expressed by at least five members, they expressed different views. In the Assembly also, there was difference of opinion and most probably majority disfavoured the award and were highly critical about it.

Shri Narasimhan: Here also we differ.

Pandit Thakur Das Bhargava: Therefore, when the views are expressed there and when the views come to us, we will consider, this House will consider the question, keeping in view the views expressed there. But it is up to us to accept or reject their views.

Shri Narasimhan: But to treat the views of those members in that fashion is not doing justice to the Constitution.

Pandit Thakur Das Bhargava: What is the legal position of the Chief Minister of a State? When people have chosen their representatives for Parliament, those representatives of the people in Parliament have got the right to influence the decisions here, not other people. A person who has been returned to the State Assembly and then subsequently becomes the Chief Minister has no legal position, better than an average individual. The Chief Minister as such, or any member of the Assembly as such, has no legal position to say that his opinion is more authoritative, or has got better weight than that of an ordinary individual. The voter has sent him only to the Assembly and not to Parliament.

Shri Narasimhan: What about the zonal councils?

Pandit Thakur Das Bhargava: There we are not legally bound to accept their view. I am afraid, he is introducing extraneous things. We have not heard from the hon. Minister that the zonal council has considered that.

Shri Narasimhan: It is in the memorandum.

Pandit Thakur Das Bhargava: What is a zonal council? Our Constitution does not speak of the zonal council at all. At least the opinion of the Legislature has got to be expressed. But what is the zonal council? So, his argument about zonal council is like a broken reed. He has brought it in desperation in advancing his argument.

So far as the Chief Minister is concerned, his legal status is only that of an ordinary citizen of this land. Every ordinary citizen of this country has got the right to approach Parliament and express his view. As a matter of fact, these alterations should not be made. A Chief Minister cannot barter away chunks of terri-

[Pandit Thakur Das Bhargava]

tory When the agreement about principles was made, even the Legislature was not consulted, also, when the letter was addressed to the Madras Government by the Chief Minister of Andhra

If you go through the history of the Andhra affair, you will be pleased to see that, as a matter of fact, the Andhra affair has got many vicissitudes of fortune. At one time in 1948, when the thing was mooted in the Constituent Assembly a committee was appointed. In 1949, a partition committee consisting of representatives who were Ministers of Andhra and Madras was appointed and all of them opined that Chittoor is an undisputed territory which must remain with Andhra. That was their decision. Also, when the statement was made by the hon Prime Minister in relation to Andhra, he also said that these 11 districts, including Chittoor are undisputed, so far as Andhra is concerned. Even in 1951, for nine months there was no agitation even after the State was inaugurated. So, what I am submitting is that things cropped up in course of time when different interests come into play. But, at the same time, to say that as a matter of fact, certain persons are of this view or that view is not proper.

Therefore, I may submit that so far as these agreements are concerned, we have got the Contract Act and we have got other Acts. So, even the Prime Minister himself cannot pass even one inch of our territory to another country. We know what happened to Beru Bari in the case of the Nehru-Noon agreement. People objected that even the Prime Minister is not competent to do that, what to speak of a Chief Minister. A Chief Minister cannot barter away, or do anything which would have the effect of taking a big chunk of territory from one State to another. Therefore, my humble submission is that this agreement, whatever it was, was an agreement without jurisdiction; without authority and without

any sort of sanctity. Who are the affected people? These persons are not the affected people who will be sent from Madras to Andhra and from Andhra to Madras? They are the affected people. They are the people who should have been asked what to do. Unless he was a person who was their representative, a legally appointed representative, he cannot make any promise like that or agree to barter territory. Now suppose I fight with Shri Narasimhan,—though I will not fight—and say let us see who survives? Suppose we use arms in the duel and he kills me. What would happen? The person who kills me will be hanged though there is an agreement that we will have a duel and that nobody shall be brought to book. Still, the result will be that the law will not recognise that agreement. So if there is an agreement which is of no value, does it bind me? Have you shown me any agreement stating that the people of these provinces have agreed? The Chief Ministers came to conclusion and therefore the people are bound by these principles? No, not at all. Who is the Chief Minister to agree? He is nobody to agree.

In respect of this agreement, may I bring it to your notice that this very Chief Minister, it appears from the award, disagreed and said many a time subsequently, "I do not want this. Let the principles of the SRC apply to all the disputed items in Andhra, Madras, Mysore and Orissa." He stated, "We want to be bound by the SRC." His statement was this and the Chief Minister's statement was not respected. Why? Because this Chief Minister gives a statement favourable to the side which wants to have the advantage of it. Then, do not say that the Chief Minister said so.

Why were those people not bound by the statement that he made subsequently? Therefore my humble submission is that it is wrong to attach any sanctity to the statement

of the Chief Minister so far as these persons are concerned. But this is a long story. My hon friend, Shri Imam, has given us certain ideas about the SRC and I will take full time to read out from the SRC Report. There are principles of general application and how these persons have been affected by them. But before I go to that I will try to convince you as regards one aspect at least, namely, that this is a case in which this Bill cannot be accepted at all. That aspect is this:

A reference has been made by the hon Home Minister to two maps—one of 1935 and the other which has been subsequently made. This one is said to be the 'eye sketch' map. The two States agreed to that plan. The Government relies on those two plans. The third plan he said previously was not in existence but subsequently he had to admit that the third plan is also there. It is the survey plan which was subsequently made. It was made under a particular Act. It is relevant under section 35. That plan now he has admitted, is there which he has not yet brought and does not propose to bring. Let him bring that I think, in fairness to this House in fairness to the country and in fairness to the two lakh people. He should not withhold that plan from the House. It is entirely wrong to withhold that plan. He should bring that plan and give the House that plan so that we may know how the position stands with regard to these areas, whether they should go to Andhra or to Madras. In the absence of a survey plan my humble submission is, no boundary dispute can be settled. It is impossible to settle a boundary dispute of this dimension when 318 villages on one side and 151 villages on the other are affected without the survey plan.

Now, there was one survey plan of 1935. The hon Minister has agreed that this survey plan does not relate to all the villages which have been affected but only to a part of them.

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The plan is here and I would respectfully beg of you to call those plans as I am going to rely on those plans and submit for your consideration that even according to those plans the Pataskar award cannot stand for a minute. According to those plans which have been accepted by both the Governments and by our Government as well and according to the very principles which Shri Pataskar has accepted the situation is that at least 125 villages must be retained in Andhra or must go to Andhra out of these 318 villages. I want you kindly to look at the plans. You may kindly call for the plan and I will show and prove to you that even if the plan be accepted there is no contiguity of Madras or there is contiguity of Andhra also. I will go to the other parts of the question in due course but this first part I want to dispute and want to bring to your notice. Those two other plans may be called for so that you may be able to appreciate what I am submitting. I want to have the attention of the House for a few minutes on this point and I beg of the House to be indulgent to me so that I may be able to show to the House as to how the position stands.

The one plan on which the Madras Government relies was prepared at the instance of the Madras Government in a very curious way. That plan if shortened is fully contained in the plan which I am holding in my hand. That plan is with the Government also. This is, as a matter of fact, a small edition of the plan on which Shri Pataskar relied.

Shri Tangamani: May I know when was this map prepared by the Government of Madras?

Pandit Thakur Das Bhargava: They prepared it for the purpose of this case. They produced it before Shri Pataskar. This plan was placed before Shri Pataskar for deciding the dispute. You will be pleased to see that this plan is contained in the printed book, *Census of India, 1951*.

[Pandit Thakur Das Bhargava]

Other plans are also there but this is the plan that I have got from this book. They are all printed by the Madras Government. Now this plan, I submit, is not in keeping with the other plan on which the Government relies. The other plan which the Government has produced is called the 'eye-sketch' plan which is signed by officers of both the Governments according to the statement of the hon. Minister after Shri Pataskar gave the award. But he says that the Governments accepted the other plan and only four discrepancies were there. I am here to tell you that there are 82 mistakes in this plan compared to that plan. A list of these 82 mistakes has been given in Petition No. 35 which was presented to this House by two Andhra people. That petition is here and 82 mistakes are stated there. I am here to convince you with reference to that petition that these 82 mistakes are quite clear and they can be substantiated. You will take time if you go through those 82 mistakes and I do not propose to waste so much time of the House on those 82 mistakes taking them one by one. But at the same time I would respectfully ask the House to give me indulgence so that I can at least bring to the notice of the House ten cases out of those 82. So far as contiguity is concerned, the principle of contiguity has been accepted as one of the four principles on which both the States agreed. In the words of Shri Pataskar, contiguity is a matter which is absolutely inviolable. The last words of his award are these:

"I am aware of the feelings and sentiments of the Government and people of Andhra regarding the Telugu areas in the taluk of Hosur. But it must be remembered that in the matter of adjustment of boundaries of States, the principle of contiguity must be kept inviolable. It would be dangerous in the larger interests of the nation to depart from this principle."

I congratulate Shri Pataskar for the enunciation of this principle in such a strong language. But I only beg of this House to look to this principle and apply it in this case. Now, to start with, there is a village, No. 134 in Pottur Taluk. That village has been given to Madras but the situation of that village is shown absolutely wrongly in this plan which the Madras Government prepared. Madras Government produced this map before Shri Pataskar and in it No. 134 is shown as a village occupying much more area and the boundaries are different, whereas the real boundary was that No. 135 is contiguous, which belongs to Andhra, to many other villages, specially No. 90. Now I do not know whether, unless the map is before you, you will be able to appreciate what I am submitting. So, I will submit that all the maps may be brought before you so that you may be pleased to understand what I am submitting.

Mr Chairman: I do not know whether the maps can go into the proceedings. Unless they go into the proceedings, simply my seeing them will not help.

Pandit Thakur Das Bhargava: The maps are in the Library. Five maps have been produced by Government.

Mr. Chairman: He can cite the particulars by which it can be described.

Pandit Thakur Das Bhargava: I must at least satisfy you that in regard to these ten cases the award is wrong, and that the map is wrong, even on the basis of the map produced by the Madras and Andhra Governments subsequently on which our hon. Minister relies. I want the hon. Minister's attention as well as yours, because I am sure I can convince the hon. Minister that so far as these ten cases are concerned, 125 villages must go to Andhra. So, I beg of the hon. Minister to give me his undivided attention for about five minutes.

Shri Datar: I am giving. I am just trying to find out what he has stated.

Pandit Thakur Das Bhargava: Unless these two plans are before you, you will not be able to follow me. There are two plans. One is the eye sketch plan to which you were pleased to refer.

Mr. Chairman: Is it the basis of your argument that the principle of contiguity has not been followed?

Pandit Thakur Das Bhargava: Yes. According to these two maps on which Government relies, there is no contiguity, and these villages should not be given to Madras.

Mr. Chairman: You can refer to that and the hon. Minister will verify.

Pandit Thakur Das Bhargava: This is the Madras plan, the bigger one is based on this. This is a replica of that. The eye sketch plan is a short plan.

The first point I am submitting is in regard to village No 63, to the western side of Tiruttani Taluk in the plan. In this plan which is before you 63 is shown as south of 53 and 65, north of 96, east of 62 and the hills and west of 64 and 65. Kindly see this very situation in the eye sketch plan. There 63 is south of 64 and 66, north of 79, east of the hills and west of 56 and 80. Therefore, the location is not the same, nor are the boundaries the same. The effect is that villages 53, 65, 55, 64, 54 and 66 have been pocketed though they are Telugu majority areas having contiguity with 62. Sixtytwo is an Andhra village and it has got continuity with all these villages, viz., 53, 65, 55, 64, 53 and 66. They are all contiguous. If you agree that 62 is an Andhra village, and it is an Andhra village, you can consult anybody, it is shown as an Andhra village then 53, 65, 55, 64, 54 and 66 are all contiguous to 62. They have been given to Madras on the plea that

there is no contiguity with Andhra. I do not want your opinion. You can reserve your opinion. I only want you to follow me.

Shri Datar: I am following him very intently

Pandit Thakur Das Bhargava: That is all I want. It has been said that on account of this 63, eight or nine villages have been given over to Madras, whereas the contiguity with Andhra is there.

Now I proceed to the second instance, in regard to 81. It is shown as south of 79 and 69, north of 101 and 104, west of 82 and east of 101 and 79 in the Madras plan. In the other map it is shown to be north of 101, to the south of 56, 58 and 59 and west of 69 and east of 80.

This 80 is one of the villages about which you have been pleased to say that both the Governments have submitted that it is wrongly shown. It is wrongly shown in the plan. You will find a note just beneath the eye sketch plan to the effect that 80 is wrongly shown. When it is rightly shown, it is adjacent to 81 which is a Telugu majority area having contiguity with a number of Telugu Majority villages, but it has been pocketed and given away to Madras. This 81 has been given away to Madras though it is contiguous to Andhra, and other villages also. This is the second example.

Kindly look at the third Village No. 102 has been given to Madras. It is to the north of 103 in the Madras plan, south of 101, east of 120 and west of 142. This 102 which is contiguous to 80, and that very 80 has been found to be wrong by both the Governments, is in the other plan to the north of 103 and the hills, south of 80, east of 97 and west of 101. By the wrong location of 102 which has a Telugu majority and has contiguity with as many as 20 Telugu majority villages, the area has been proposed to be given away to Madras. If you agree with me that there is this

[Pandit Thakur Das Bhargava]

contiguity with Andhra so far as 102 is concerned, these 20 villages should not have been given to Madras.

Then I come to 134, Gopalakrishna-puram. It will be difficult for you to find it in those two plans, but I will give you an indication by which you will be perfectly convinced. It is in Puttur Taluk and is wrongly shown in the Madras map showing contiguity with 60 and 74. This is very important. But according to the survey plan, according to your eye sketch plan also—in the eye sketch plan it is not given—by this wrong location, more than 47 Telugu majority villages have been proposed to be given to Madras. I beg of you to kindly verify this. The boundaries of this 134 and its area are shown only in the Madras plan. As a matter of fact, there is 135 which belongs to Puttur. This 134 also belongs to Puttur. By virtue of this 134, they have made 47 villages into a pocket. They say on all the four sides there are other villages of Madras. On the three sides it is so, but on the fourth side this 134 is there. 134 is in Madras as it is contended by the Madras people, then on all the four sides there are Madras villages, but its dimensions are wrong, and it does not adjoin 60 and 74. On the contrary, in this line 135 is there which belongs to Andhra. I have got other plans with me which will prove this fact, but those other plans have not been admitted by my hon friend so far and, therefore, I am asking him to satisfy himself. I can satisfy him, and I can satisfy the House through those other plans but at this stage. I need not go into them. I shall leave it to my hon friend to verify for himself if 135 adjoins the Andhra villages which have been given away, that is, these 47 Andhra villages which have been given away. Because 90 is contiguous to 135,—if this contention of mine is correct—therefore these 47 villages must be retained in Andhra Pradesh.

If I am making any complaint, my hon. friend may kindly excuse me. I

was rather severe in my complaint and said something against him which he may not have liked, but my real complaint is that if the Puttur plan had come here, which the Andhra Pradesh Government have not sent, then the House would have been satisfied on seeing that 135 villages of Puttur are contiguous. Then, I would not have had this trouble of making so many appeals to my hon. friend; he might kindly see for himself. If that plan had come here, then I would have shown that 135 is contiguous to 90, and, therefore, those 47 villages must remain in Andhra Pradesh.

Now, I shall proceed to the sixth example, which is village No. 21, Thirumal Rajupet. My hon. friend will be pleased to see that this is in the north, just on the border. This is shown in the Madras plan as south of 6, and north of 19, east of 5 and west of 22, whereas in the eye-sketch plan, this is shown south of 5 and 22, north of the Hills, east of 11 and 22 and west of 23. You will be pleased to see that because of this wrong location, village No 21 is proposed to be given wrongly. 21 which is a Telugu majority area, and which has contiguity with a Telugu area is proposed to be given wrongly. If these sketches are rectified, then 19 and 21 will be retained in Andhra Pradesh because they are contiguous to Andhra territory.

Now, I shall proceed to the next example. In the Madras plan, 97 is shown as south of 79, north of 120, west of 101 and east of 80. In the eye-sketch plan, it is shown existing as south of 80, north of 96, west of 101 and east of 119. Therefore, according to the eye-sketch plan, 97 is really a pocket for Andhra Pradesh, because on all the four sides, Andhra villages are there; therefore, 97 ought to have been given to Andhra Pradesh because of its being a pocket. But now, because of this wrong location, what is the effect in regard to that small pocket of Andhra

Pradesh? Villages Nos 102, 101, 103, 142, 135, 136, 138, 135, 104, and 81 have been given to Madras. Since 97 has been given, all these villages also have been given as a result of it, whereas, if you are satisfied that 97 must belong to Andhra Pradesh, and must be its pocket, because it is surrounded on all sides by Andhra territory, then all these villages must be given to Andhra Pradesh. If the location had been rightly made, then 97 would not have been given to Madras. In the Madras plan, 97 was shown as contiguous to 100, whereas it is not so contiguous and is a pocket of villages Nos 80, 120, 190, 196 and 99.

I now proceed to the next instance. Though there are as many as eighty-two examples yet I shall only give ten examples. As regards village No 207,—it is somewhere in the middle, perhaps, it may be difficult to find it, but in the Madras plan it can be easily found—it is shown as south of 206, north of 247, west of 228 and east of 193 in the Madras plan, in the other plan, 207 is shown existing as south of 204, 205, north of 246, west of 206, 208 and east of 247. My hon friend may find it difficult to locate it because it is not so prominently given, and it looks as if something is effaced there. But if he could locate 206 and 208, it can be found. I do not know whether my hon friend has been able to find it.

Shri Datar: In this map, north of 207 is 206.

Shri Ranga: That is in the earlier plan.

Pandit Thakur Das Bhargava: 207 is shown existing as south of 204 and 205.

Shri Datar: 204 is far above.

Pandit Thakur Das Bhargava: 204 and 205 are north of 207.

Shri Datar: The boundary is like this. To the north of 207 is 206. To its south is 247, to its east 228 and to its west 193.

Pandit Thakur Das Bhargava: Let it be so, I do not mind, because my hon friend has only to see whether this is contiguous to Andhra territory in any of these places. My contention is that it is contiguous to Andhra area. In the survey plan, 204 is shown differently, by this wrong location, 207 is made an island. This is a Telugu majority area, having contiguity with Telugu-majority villages. Is it not contiguous to 204? It is contiguous, because, as the hon Minister has been pleased to point out, it is situated in one direction of 204. If 204 is in the Andhra area, then it is certainly contiguous according to my hon friend's contention also.

My contention is that if 204 is contiguous to 207, then 207 is contiguous to Andhra areas, such as 96, 119, 178 and 195 and other Telugu villages. So, this village should not have been given. This is Andhra area, and this is contiguous to Andhra areas.

May I now proceed to the next example?

Shri Datar: My hon friend is referring to the other map?

Pandit Thakur Das Bhargava: I have given both the boundaries. I may repeat if my hon friend likes.

Shri Datar: Is my hon friend referring to the eye-sketch map or the survey map? Is he referring to the Tiruttani taluk map?

Pandit Thakur Das Bhargava: In the Madras plan, 207 is shown as south of 206, north of 247, west of 228 and east of 193. In the eye-sketch plan, 207 is shown existing as south of 204. This 207 is shown as contiguous to 204, 96, 119 etc. Is that correct or not? If 207 is contiguous

[Pandit hakur Das Bhargava] to any of these, namely 204, 96 and 119, then my point is established. I need not go over the rest of it. Is 207 contiguous to 204 or not?

Shri Datar: My hon friend may kindly correct himself. 204 is far away from 207 even in the eye-sketch map.

Pandit Thakur Das Bhargava: Is it not contiguous? Is there anything between the two?

Shri Datar: 207 and 204 are far away.

Pandit Thakur Das Bhargava: To say 'far away' is quite different. The point is whether their boundaries adjoin or not. We are only concerned with that.

Shri Datar: They do not.

Pandit Thakur Das Bhargava: One may be a big village and the other may be a small village, but the only question here is whether their boundaries adjoin or not.

Shri Datar: They do not.

Pandit Thakur Das Bhargava: All right, if my hon friend is not satisfied, I shall proceed and make my submission again.

15 hrs.

Shri Tangamani: On a point of order, I would like to know whether the hon. Minister is now making his reply as and when Pandit Thakur Das Bhargava is making his points in his speech.

Mr. Chairman: He is trying to verify what is stated.

Shri Datar: He specifically asked me as to whether what he was stating was correct. Only for that purpose I was speaking.

Pandit Thakur Das Bhargava: I stand corrected. I am subject to correction. I am making my statements on the basis of facts. Why should my hon. friend take offence at that?

Shri Tangamani: I thought there was a running commentary going on.

Shri Ranga: Anyhow the hon. Member is not exceeding the 5½-hour time-limit.

Shri Palaniandy: Is he speaking on the motion for adjournment as well as on the Bill itself?

Pandit Thakur Das Bhargava: I do not want a running commentary.

Mr. Chairman: It is 3 p.m. now. There is another Motion for discussion on the Order Paper now. The hon. Member can speak later when this subject will again be before the House.

Pandit Thakur Das Bhargava: Let me finish this part. I will only quote three examples more.

Mr. Chairman: How much time it will take?

Pandit Thakur Das Bhargava: Four or five minutes. But then I will not have finished my speech.

Mr. Chairman: Yes.

Pandit Thakur Das Bhargava: He was not prepared to consider 204 as contiguous to 207. Therefore, he is not satisfied. I will make another attempt and if he says I am not right, I will accept it. Kindly see 292. It is shown as south of 275, north of 311, east of 291 and west of 301, whereas in the eye-sketch plan it is existing as south of 274, north of 291, east of hills and west of 281.

Shri Palaniandy: If the hon. Member goes on at this rate, we do not know how long the discussion will take.

Pandit Thakur Das Bhargava: Is the hon. Member my mentor? I do not know what is his objection. The hon. Minister is agreeable to what I am submitting. Why should the hon. Member raise an objection? After all, every Member has a right to speak here.

Shri Datar: Let the hon. Member correct himself. There is no question of my agreeing with what he says. I am merely trying to follow what he is saying.

Pandit Thakur Das Bhargava: I am bringing this to his notice. I am not asking that he should agree with what all I am saying. It is not my case that he should say 'a.l right' to whatever say. I do not want that.

Shri Tangamani: Parliament has become a Supreme Court.

Pandit Thakur Das Bhargava: If Parliament has become a Supreme Court, Parliament has not lost. I have even heard Members say that I am speaking as if in a court. Court is not such a bad thing that people should deprecate. Members should know their duty. We are not here for deprecating the Supreme Court.

Shri N. E. Muniswamy: What about the next Motion on the Order Paper?

Pandit Thakur Das Bhargava: I do not know what the objection is if they can quote some rule by which I am restrained from speaking, I can understand it. Otherwise, there is no point in taking objection to my speaking.

I was submitting about 292 which is shown as south of 275, north of 311, east of 291 and west of 301. Again in the other plan 292, is existing as south of 274—this is the most important thing—north of 291, east of hills and west of 281. By this wrong location, 292 is made an island. This

is a Telugu majority village having contiguity with 274, 241 and 271. All these are Telugu villages. If he says that they are contiguous, I am satisfied.

I proceed to the next. Villages 15, 14, 13, 28 and 25 are proposed to be given away to Madras, though they are Telugu-majority areas having complete contiguity with the Andhra area. Look at 15. It is shown as south of Tiruttani Taluk border. You will see that the whole border is Tiruttani and the entire area is Tiruttani. It is north of 27, east of 13, and west of TRT Tk border. Again, this exists as south of TRT border, in the sketch plan, north of 13 and 27, east of 12 and west of TRT border. Therefore, clearly 13, 14 and 25 are contiguous to 15 which is on the Puttur border. The Puttur border is all Andhra.

Now, I come to the last.

Shri N. E. Muniswamy: He may continue next time.

Pandit Thakur Das Bhargava: This is the last example.

On the eastern side, there are two villages, 129 and 150. This is very important. This is a glaring instance. These are shown as contiguous in the Madras plan, whereas in the other plan, the sketch plan, 132 intervenes and they are not contiguous. 132 is Andhra. The mistake is very glaring. 129 and 150 are very much apart. If you will, kindly see, they are not even near. This would result in retention of 132, 130 and 131 in Andhra.

Shri N. E. Muniswamy: There are only two hours for the other Motion.

Mr. Chairman: The hon. Member must stop now. He may continue tomorrow.

Pandit Thakur Das Bhargava: If my hon. friends are so impatient, I do not want to tire their patience. I

[Pandit bakur Das Bhargava]
will take more time tomorrow when the subject comes up. There are only two examples more which I wanted to give.

Shri D. C. Sharma: How many hours more does the hon. Member require?

Pandit Thakur Das Bhargava: According to the rules, when a Bill is under discussion, every Member is at perfect liberty to go on independently.

Shri N. R. Muniswamy: But the other Motion is there.

Pandit Thakur Das Bhargava: When the Chair has permitted me to speak, I do not know what objection hon. Members can have to my speaking. If they are not willing to hear me, I shall sit down. I will continue tomorrow.

Shri Palaniyandy: Bhargava may go on speaking till the Madras gets Thirupati.

Mr. Chairman: The hon. Member may continue tomorrow.

15.08 hrs.

**MOTION re: REPORT OF DAMODAR
VALLEY CORPORATION**

Shri N. R. Muniswamy (Vellore):
Mr. Chairman, Sir, I beg to move:

"That this House takes note of the Annual Report of the Damodar Valley Corporation for the year 1957-58, laid on the Table of the House on the 29th August 1959."

This Annual Report covers various points. I may be permitted to say at the start that it covers mainly two aspects, that is, with regard to the

administration, and the audit report thereon. I may be permitted to deal with these two aspects in a comprehensive way in the order in which I choose.

On the whole, this Report is a long one and many of us are exercised over the real administration of this Corporation. My object in moving this Motion is only to pinpoint some aspects and problems that are facing us so as to draw the attention of the House to them and see that these things are not repeated.

With regard to administration, for a period of two years—if I remember aright from November 1956 to February 1958—there was no Secretary for this Corporation. The reason assigned was that no suitable successor was available to the previous incumbent. As such, an Additional Secretary was appointed to act on behalf of the Secretary for a period of 16 months. The appointment of a Joint Secretary for or Additional Secretary arises only when there is a Secretary. Even without the existence of a Secretary, an Additional Secretary was appointed to discharge the functions of the Secretary in his own way. It is an autonomous corporation handling as much as Rs. 130 crores. It is a deplorable situation that there has been no Secretary during the period I mentioned. I do not mean to say that the Additional Secretary has not done his job properly. He has done yeoman's service. But the lightning and thunder that would be attached to Secretary would not be there.

The question of headquarters has been exercising the attention of many hon. Members here as also the participating Governments and they wanted the headquarters to be shifted from Calcutta to the valley. Some reasons were given by the DVC not to shift it from where it is but not one of them