

[Shri Karmarkar]

The correct reply should be as follows: "The reply was based on the information furnished by the Delhi Municipal Corporation who have subsequently explained that an application from an individual person, named Shri Devi Chand of village Burari, requesting for supply of sewage water for irrigation of his land, was received by the Corporation in June, 1958 and is receiving their attention. The area through which the channel has to be extended could not be surveyed so far as it is still under flood waters. It will be observed that there is apparently no inaccuracy in the reply previously given as it is a fact that no application was received from the farmers of village Burari (Delhi) for making arrangements for utilisation of water for irrigation of their land but the application was from one individual person "

BUSINESS ADVISORY COMMITTEE

FORTY-FOURTH REPORT

The Minister of Parliamentary Affairs (Shri Satya Narain Sinha): I beg to move the following:

"That this House agrees with the Forty-fourth Report of the Business Advisory Committee presented to the House on the 19th November, 1959."

Shri C. K. Bhattacharya (West Dinajpur): May I repeat the statement that I made to you a little before? There should be two hours allowed to each of these motions, that is to say, two hours for the 1957 report and two hours for the 1958 report of the Registrar of Newspapers

Mr. Speaker: I am sure the report relates to the same matter though for two different years. Much of the ground is the same. I have got the discretion to extend the time by half

an hour which I shall do in this case so that it will be 2½ hours and that will suffice.

Now, the question is:

"That this House agrees with the Forty-fourth Report of the Business Advisory Committee presented to the House on the 19th November, 1959."

The motion was adopted.

KERALA STATE LEGISLATURE (DELEGATION OF POWERS) BILL*

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, on behalf of Shri G. B. Pant, I beg to move for leave to introduce a Bill to confer on the President the power of the Legislature of the State of Kerala to make laws.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to confer on the President the power of the Legislature of the State of Kerala to make laws."

The motion was adopted.

Shri Datar: Sir, I introduce the Bill.

12.14 hrs.

ANDHRA PRADESH AND MADRAS (ALTERATION OF BOUNDARIES) BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri B. N.

*Published in the Gazette of India Extraordinary Part II, Section 2, dated 20-11-1959.

Datar on the 19th November, 1950, namely:

"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."

[Mr. Deputy-Speaker in the Chair]

Shri Tyagi (Dehra Dun): Last time a demand was made on behalf of the Members that they should be provided with survey maps to know as to which villages are to be transferred. What has happened to that demand?

Mr. Deputy-Speaker: That question was raised yesterday and we have discussed that in detail. Now, perhaps, it is no use taking it up again. Now, Pandit Thakur Das Bhargava may continue

The Minister of State in the Ministry of Home Affairs (Shri Datar): How much time remains, Sir?

Mr. Deputy-Speaker: We had four hours for the general discussion and we had taken about 2½ hours. I suppose we have about 1½ hours for general discussion.

Shri N. R. Muniswamy (Vellore): Many Members want to participate. What about them. (Interruptions.)

Pandit Thakur Das Bhargava (Hissar): Sir, I may at the outset say that somehow yesterday I could only touch upon one point. That point was not finished. I submitted yesterday and I beg to repeat it most respectfully today that the time allocated is very short. We are today discussing the fates of at least three lakhs of people and I maintain it is not right to pass this Bill in haste. Therefore, I respectfully ask you to give me full time. I am not interested in this way or that way. I am from Punjab. The Madras and Telugu friends are the same to me. I speak from the

national standpoint. The homes are disrupted and people are sent from one State to another and Parliament should be convinced of the validity of the report as well as of the fact that they should be transferred. The transfer of three lakhs of people is a serious affair

Mr. Deputy-Speaker: I quite appreciate the point of view of Pandit Bhargava but my difficulty also must be appreciated. There is the Business Advisory Committee and usually I find Pandit Bhargava present. I could not speak particularly about this particular meeting and say whether he was present or not. Again when it makes a recommendation, it is placed before the House for its approval. When the House has approved it, Members can see whether the time would be enough or not. When once we prescribe the limit, we should attempt to stick to it. Even then the Presiding Officer has got an hour with him and he can extend the time by an hour or so. If, instead of five hours, we were to ask that it ought to be 10 or 15 hours, how is that possible? That would rather be a reflection on us that we could not foresee what time would be taken by the Bill before us. I am prepared to give him more time but he should also consider the overall limit.

Pandit Thakur Das Bhargava: It is a very general question. It happens every day in the House. The Committee allots the time and the House accepts it but we find it difficult when we actually take up the question here. When we were considering the Arms Bill, which was one of the most important measures for India, at the end of clauses 13 and 14, we found that the whole thing had to be guillotined. At the time when the House accepts the recommendations of the Committee, no Member is fully conversant how the debate shall proceed and what time will be required. As soon as that meeting is over things come here and we pass them. I am also of the same view that we should stick to the time as

[Pandit Thakur Das Bhargava]

far as we can but in some cases when we find we cannot do so, one hour more would not suffice. This may be considered by the Business Advisory Committee and more time should be allotted. We should not make haste like this. What would these three lakhs of people say? How do we proceed in the House? I do not want the others not to speak. Even if there be five more hours, it will not be sufficient.

Mr. Deputy-Speaker: Other Members do want to speak.

Pandit Thakur Das Bhargava. I also want that they should speak. If I am speaking anything irrelevant, I will be guided by the Chair. I will not touch those points which are not important. But I will not be doing justice to me, to my countrymen and to the Parliament itself if I do not make those points which are important in this case and which ought to be considered by this House.

Mr. Deputy-Speaker: How long has he taken already?

Pandit Thakur Das Bhargava. The one point that I touched has not been finished and if I go wrong somewhere, I may be restrained and I will not mind it.

Mr. Deputy-Speaker: I have no objection to Pandit Bhargava's continuing. I have no intention to stop him in the middle but at least he ought to place some limit on himself. He has finished one point in one hour. If he has ten points and requires ten hours, he may continue for ten hours as he was saying yesterday. I am not obstructing him now but he should take into consideration, I hope, the overall circumstances. Now, he may begin.

Pandit Thakur Das Bhargava: Sir, I do not want to adopt an attitude which you do not like. I will stop in the middle of a sentence unless

you order me to proceed further. The Rules provide that in the matter of Bills, every Member must be allowed to speak fully and the Rule does not say that he should be asked to stop his speech in the middle or in the middle of an argument.

Mr. Deputy-Speaker: The Rules are made by the House and the House itself fixes the time. Instead of going into all that, I have requested him to resume his speech.

Shri Nath Pai (Rajapur): Sir, I would like to ask a small question. I am quite sure that Pandit Thakur Das Bhargava has to make a very valuable contribution to the debate. Some of us also are very much interested in this. I would like to know the time that can be allotted, because I feel that I want to make a very valuable contribution—of course, it will be for the House as a whole to decide who makes the valuable contribution. But with all humility and profound regard for the scholarship of Panditji, I would like to know whether you would tell me, if I make such a plea, that I may go on as long as I liked. Only five hours have been allotted for this Bill. I would like to know how you are going to distribute the time.

Mr. Deputy-Speaker: Pandit Thakur Das Bhargava has not asked me to allow him to go on as long as he likes, rather he has left it to me to stop him as soon as I like.

Pandit Thakur Das Bhargava: It is quite right. I agree with my hon. friend's suggestion that he will make a valuable contribution. I have never doubted the idea that he will make a better contribution. That is not the point at all. My hon. friend has taken a point which is not germane to the subject. (*Interruption*) Yesterday also, Sir, several hon. Members interrupted and did not allow me to proceed.

Mr. Deputy-Speaker: I would request him to proceed with his speech; perhaps, the interruptions will die themselves.

Pandit Thakur Das Bhargava: I was speaking of an example in relation to villages Nos 129 and 150. These two villages are shown to be contiguous in the Madras plan Sir, I made a submission to the Chair and I repeat that today also. I requested the Chairman kindly to look at these two maps. I want you, Sir, to give your undivided attention to these two plans. These will prove to you that, as a matter of fact, the contiguity which Shri Pataskar has taken on the basis of the Madras plan is absolutely wrong.

Mr. Deputy-Speaker: Even then there would be difficulty. Even if I feel convinced of the strength of the case of Pandit Thakur Das Bhargava I will have no vote to cast in his favour, it would be the hon. Members of this House who would be required to vote on his side and, therefore, he has to convince them rather than the Chair.

Pandit Thakur Das Bhargava: I am very sorry to hear it from you. You may or may not have a vote, I am not concerned with that. If there is a tie you will also have a vote. My point is, so far as the Chair is concerned the Chair may, as a matter of fact, feel that Shri Pataskar's award is wrong.

Mr. Deputy-Speaker: What should the Chair do?

Pandit Thakur Das Bhargava: The Chair can express its views. If the Chair is helpless, all hon. Members are helpless.

Shri Tyagi: I want to know whether the hon. Home Minister accepts that it is wrong as suggested by Pandit Thakur Das Bhargava.

Mr. Deputy-Speaker: Order, order. There ought not to be more than one hon. Member standing at a time.

Shri Khadlikar (Ahmednagar): Sir, I rise to a point of order. The hon. Member just now said that the award is wrong. It is not an award, it is an agreement between the two parties concerned; that must be made very clear.

Mr. Deputy-Speaker: Where is the point of order?

Pandit Thakur Das Bhargava: That is exactly where my hon. friend is wrong. It is an agreement between two Ministers about the principles, but so far as the report is concerned it is not an award.

Shri Palaniyandy (Perambalur): It was discussed in the legislatures also.

Mr. Deputy-Speaker: Order, order. Every point that he makes is not to be opposed here and now. Let him proceed. Let us hear him, and then the hon. Members can rebut him or support him.

Pandit Thakur Das Bhargava: It is the report of a mediator. The Government is not denying it. You can see the report.

Mr. Deputy-Speaker: He should proceed with his speech now.

Pandit Thakur Das Bhargava: I am submitting that no arbitrator was appointed in this case. This has come out from a mediator. I do not want to go into this question; the House knows better than myself what an arbitrator's award is. An arbitrator's award is respected in other ways. If it were an arbitrator's award I would have dealt with it in a different way. Here we have a mediator's report on which the whole thing has proceeded. I would beg of you, Sir, to look at these plans for two minutes.

Mr. Deputy-Speaker: I will look into the maps later; I now request him to proceed with his speech.

Pandit Thakur Das Bhargava: I am referring to these maps. As I said, there are two villages Nos. 129 and 150. They are shown as contiguous to each other in the Madras plan, the plan on which Shri Pataaskar proceeded. As a matter of fact, even in the plan on which the Government has relied—the Government has not given us the right plan—even in the eye-sketch plan on which both the governments relied, they are not shown as contiguous. Every person can see from this eye-sketch plan that villages 129 and 150 are not contiguous. There is another village—village No 132—which intervenes.

Shri Tyagi: It is so, Sir

Pandit Thakur Das Bhargava: I hope the hon Minister will kindly look into the matter. Taking these two villages as contiguous so many villages have been taken away. Village 132 that intervenes is an Andhra village. I hope this point is absolutely clear, and these four or five villages at least will not be allowed to go to the other side.

Now I will refer to the last example I have already referred to nine or ten examples; not that there are no other examples, there are 82 such examples but for want of time I am only taking 11 or 12. I now come to village No. 201 which has been given to Madras. Let us take the question of contiguity in regard to this number. There are villages Nos. 196 and 200 which are un-inhabited. Certainly they are not Madras villages. There is no population in these villages and the whole area belongs to Andhra—Tiruttani taluk in Andhra. These un-inhabited villages are the property of Andhra; certainly not of Madras.

Shri Tyagi: What is their language?

Pandit Thakur Das Bhargava: If I take the question of language I will have to start right from the beginning.

Mr. Deputy-Speaker: When they are un-inhabited, whose language is there?

Shri Tyagi: Their names must be in one language or the other.

Pandit Thakur Das Bhargava: When no person is there how can there be any language?

Shri Tyagi: The names of the villages will indicate that.

Pandit Thakur Das Bhargava: In Andhra the names of the villages are all "Andhrians".

Shri Tyagi: Are they "Andhrian" names?

Pandit Thakur Das Bhargava: Of course, there is no doubt about it. These two un-inhabited villages do not form part of any pocket of Madras. Villages 201, 195 and 176 are contiguous to those villages. Village 176 is actually shown in the survey plan as lying east of 201 whereas in the Madras plan it is not shown like that. Therefore, according to this plan and also the eye-sketch plan it is absolutely clear, as clear as day light, that these are not contiguous to Madras.

Sir, I have pointed out these eleven examples, and there is one point that emerges from that. Sir, this plan, a copy of which I hold in my hand, has not been furnished. The hon. Home Minister was pleased to say at one time that no such plan has been prepared; but, ultimately he had to admit that such a plan was prepared and it is there. Wherefrom was this plan prepared and boundaries given? That plan is not forthcoming in spite of the Speaker's order and in spite of our humble requests. After all, we must decide whether these 67 villages existing in one place, which have been given to Madras have been transferred rightly. These villages are Andhra—majority villages. The population must be about 25,000. The

area must be a large one. According to me, they are contiguous. Any person can go and see them. They are all contiguous in the Puttur taluk of the Chittoor district. This can be found out not only by reference to this map but by mere sight. Any person can go there and see for himself. Any Member from this House can see it and the hon. Minister may go and see. I challenge anyone. Let him go and find out whether 135 Puttur village is contiguous or not to those forty-seven villages which have been given as pockets to Madras. There is no doubt about it. The Madras plan, of which I shall speak later, is absolutely wrong and it has been manufactured by a certain person who has bias and with a view to show that the Madras contiguity may be shown there. What is the result?

Now, there is another village which consists of 12 houses and has only 90 persons. 47 villages go to Madras from Andhra on account of the wrong location of the villages in a certain place. But this village of 12 houses is only a small village. On the other hand, the entire group of 47 villages go away to Madras. What is this? It is impossible to think of it in the history of the whole of India, and in the history of the world even such an anomaly, such an absurdity and such a tyranny has never taken place. On account of a wrong location, 47 villages have been taken away and the people there have been expelled from their places, from their own State and taken over to another State. The contiguity, as I said, can be seen by any person sent by this House or by the Minister.

Besides, who are the persons who prepared this map? They are persons who have not taken any oath before this House. So, even if the map do not show the contiguity, we have to decide, for the matter of that. But No. 135 is contiguous to Andhra. I would respectfully ask the Home Minister to verify it. He can do it very well. I may say that Shri

Pataskar never went to the spot. I know Shri Pataskar. He has been our colleague. He is a very respectable man and he was our Law Minister. I do not want to say that Shri Pataskar was partial to anybody. Not at all. I do not think he was partial. He is a man of eminence. He is one of the leaders. I do not want to say anything against him. But, at the same time, if our leaders commit a mistake, if the hon. Minister commits a mistake, we must correct the mistake.

One of the four principles which were laid down was that the line should be contiguous and sometimes it happens that the lines are not contiguous. An intervening line between two States cannot be contiguous unless, of course, as in this case, it crosses the boundaries. Therefore, on that basis alone, the people of these 47 villages cannot be deprived of their rights because of a wrong map and a wrong location. My hon. friend the Minister will not allow the other map to be brought here. This is the difficulty.

I spoke yesterday giving another example about the location of one village. Again, 20 villages have been given to Madras. What is this? The village I spoke of was in reference to the 12 houses. That is, No. 134—Gopalapuram.

Shri N. E. Muniswamy: The name itself shows that it belongs to Madras. It is a Tamilian name.

Pandit Thakur Das Bhargava: Why point out the names in that way? After all, as Shakespeare said, "What is in a name"? I am not concerned with names. I am concerned only with population. The principle was that the population should be taken as a factor, and then it should be decided whether the village should go to Andhra or Madras. Not the name. The name may be there because it was once in a composite State of Madras, and it might have been in Madras then. In that case, I can

[Pandit Thakur Das Bhargava]

understand that This thing shows how the gentlemen are raising objections If the name is there like that ought not the population be looked into? Therefore, I submit, and I beg of you and of the whole House very respectfully on my bended knees and folded hands that the House should not be a party to the giving away of these 47 villages to Madras at least because of this mistake If this is a mistake, the House has to rectify the mistake

Shri Tyagi: Let that mistake be investigated

Pandit Thakur Das Bhargava. It is very clear I can prove it now Let the plan come and it will be conclusively established by mere inspection of the plan then I must say a word about the plan also First of all, let us look at the plan which has been placed before the House by the hon Home Minister This is an eye-sketch plan I have never heard of this plan before, but it has been placed before us What is its worth? It is said that after Shri Pataskar made his report, one Government made a plan or sketch and the sketch was sent to the other Government They wanted to see how wrongly it was done There is a note here which says

“ correct location of the census villages which have been wrongly located in the census map 80, 100, 90 etc ”

The census map is that of the Madras Government They themselves say that there are mistakes, and what are they? They further say “about 100, 96 and 80 etc, etc” What is the meaning of these “et ceteras” At least, if not one, there are 82 examples on the whole

I have referred to this plan Fortunately for the Minister, he is likely to say that his case was very good He has placed a plan which we never asked for. The plan we asked for is the plan of 1957-58 Instead of that

plan, he has given us this plan, which I am having here, and even from this plan I have shown to you, and I maintain that the House will come to the conclusion, that at least 125 villages on the basis of contiguity alone will go to Andhra and be retained in Andhra We have to rely on the plan on which both the concerned Governments rely Are we to be guided by the officers, whose names we do not know, in this regard? As a humble Member of this House I maintain that by a comparison of the plans, I have come to the conclusion that the contiguity is shown wrongly I pointed this out to the hon. Minister Out of eleven examples of plan there is only one case in which the hon Minister did not agree with me, and that was I think in regard to No 257 I gave the reason why he did not find it Regarding 207 he felt that the contiguity is not made out There is the village No 207 I submitted that it is contiguous to 184 The hon Minister rightly pointed out that they are not contained in this plan as contiguous But I am bound by this plan—I have got a copy of the survey plan It is not my making In that plan 207 and 204 are shown contiguous to each other, they are attached to each other That is not all In a plan of such a nature, where the boundaries of the villages are not shown, how can I be sure about the contiguity unless the boundaries are given? In this eye sketch plan also the boundaries are not given Therefore, he felt some difficulty in tracing out the boundaries 207 and 204 are contiguous in the survey plan It is a question of fact

Yesterday, I gave a story—
घर से आया मोतबिर नाई
In all these things, should we not see to the question of fact? Is it not a question of fact? What is the use of appointing a mediator who does not go to the villages? In these things what are we to consider? I am very sorry that the hon. Minister said yesterday certain wrong things He

stated the position wrongly. Of course, Shri Datar is a man for whom we have got the highest respect. Though he is younger to me in age, so far as respect goes, he commands our respect as much as his leader Shri G. B Pant and Shri Jawaharlal Nehru. We respect him very much, but I am afraid that when I find that he is wrong, I must point out to him that he is wrong. He will excuse me if I refer to what he said. Yesterday he pointed out that all the things that I was referring to were not objected to in the Assembly and the Council there. He said that nobody said these things and nobody objected, and asked why this man from Punjab is coming forward in this matter and whether I am pleading a case as in the Supreme Court. I am only submitting one thing. I say it most honestly and believe me when I say that I am only interested in the fate of those people, who are our countrymen. I have got no other interest.

Will the hon. Minister kindly look at the contents of these two debates in the Andhra Legislatures? I did not read them before yesterday, and therefore I could not contest the point of my friend in that regard, though I knew the facts. I have gone through the evidence and gone through the debates which took place the same day in both Legislatures. The Chief Minister said, "We are to give the recommendations on the 31st July and we must have the whole argument today and in a very short time". Certainly it was a very short debate, in the Council, on the 28th July, 1959, and the recommendation was to be sent on the 30th July. The hon. Chief Minister made a speech then. There were about six more members who spoke. I would respectfully beg of the hon. Minister to go through the speeches. He will find that at least two of them took strong exception to this report. If I read out to you the speech of the Chief Minister, you will see that he was very apologetic. If any hon. Member is interested, I would request

him to read these portions. But so far as the hon. Minister is concerned, I would most respectfully submit to him to kindly go through the speeches. He will see that Mr. Sanjeeva Reddy himself was apologetic and he said, as a matter of fact, that these maps are incorrect.

Shri Tyagi: Party discipline

Pandit Thakur Das Bhargava: I will show it is a case of party discipline and there is nothing more. If a whip is issued to me, either I must resign from the party or vote for it. I have made very conflicting speeches in this house many times against the principles propounded by Government, but at the time of voting, I have to vote for it, as otherwise I have to leave the party. This is our complaint every day in this House. In the Assembly, more Members criticised this report of Pataskar than agreed to it. Only 2 members agreed and they were one Mr. Mir Kassim Ali Khan and Mr. Sanjeeva Reddy. He also was apologetic. I will read out the names of those who opposed this Bill in terms stronger than mine. They gave the very same arguments as I am giving. Unfortunately, I have no time. If you allow me ten hours ..

Mr. Deputy-Speaker: If the hon. Member wants 10 hours and if the House agrees for 10 hours, what objection can I have? I can put it to the House.

Shri Tyagi: Time will not decide it. The matter is more complicated than even the McMahon line, it seems.

Pandit Thakur Das Bhargava: I am not asking you to put it to the House. I do not want to take up an attitude which you do not or the House does not want to like. If the House restricts me, I will sit down.

Shri N. R. Maniswamy: There is no objection to Pandit Thakur Das Bhargava having more time if the total time for the Bill is extended by 2 hours.

Pandit Thakur Das Bhargava: The gentleman has such a large heart that he wants to hear me. This must be the attitude of others who are opposed to my view. There is no conflict between us.

Mr. Deputy-Speaker: I will put it to the House, for extension.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):
I beg to move:

"That the time allotted by the House on the 21st August, 1959, (*vide* Forty-first Report of the Business Advisory Committee) for consideration and passing of the Andhra Pradesh and Madras (Alteration of Boundaries) Bill, 1959, be extended from five hours to six hours."

Pandit Thakur Das Bhargava: Even the Deputy Speaker can extend the time by one hour.

Shri Satya Narayan Sinha: Originally Government allotted 3 hours for this Bill. Then I agreed to 5 hours. Now I am agreeing to extension by one more hour. That means, from 3 hours it is now 6 hours. What more does the hon. Member want? The decision about 5 hours was almost unanimous.

Pandit Thakur Das Bhargava: My objection is, this is not like the Andhra Council, where there were only 16 pages of proceedings on this important Bill. This House is a responsible one. Article 3 of the Constitution enjoins on us to take full responsibility. (*Interruption*).

Mr. Deputy-Speaker: There is a protest that the Andhra Assembly is also a responsible one.

Pandit Thakur Das Bhargava: But there are only 16 pages for the whole of this proceeding.

I beg to move:

That in the motion moved by Shri Satya Narayan Sinha,—

for "six hours" substitute "twenty hours."

Shri D. C. Sharma (Gurdaspur): In view of what my hon. friend, Pandit Thakur Das Bhargava, has said, I submit 6 hours are very inadequate. So, I request you to increase the time to 10 hours. I beg to move:

That in the motion moved by Shri Satya Narayan Sinha,—

for "six hours" substitute "ten hours".

Shri N. R. Muniswamy: I beg to move:

That in the motion moved by Shri Satya Narayan Sinha,—

for "six hours" substitute "seven hours".

Mr. Deputy-Speaker: I will put Pandit Thakur Das Bhargava's amendment first. The question is:

That in the motion moved by Shri Satya Narayan Sinha,—

for "six hours" substitute "twenty hours".

The motion was negatived.

Mr. Deputy-Speaker: I will now put Shri D. C. Sharma's amendment. The question is:

That in the motion moved by Shri Satya Narayan Sinha,—

for "six hours" substitute "ten hours."

The motion was negatived.

Mr. Deputy-Speaker: I will not put Shri N. R. Muniswamy's amendment for increasing the time to 7 hours.

Shri Nagi Reddy (Anantapur): I think it would be better to adjust ourselves to 7 hours.

Shri Satya Narayan Sinha: All right.

Shri Guray: We agree provided all the extended time does not go to Pandit Bhargava.

Mr. Deputy-Speaker: The question is:

That in the motion moved by
 Shri Satya Narayan Sinha,—
 for "six hours" substitute
 "seven hours".

The motion was adopted.

Mr. Deputy-Speaker: I will now put Shri Satya Narayan Sinha's motion as amended. The question is:

"That the time allotted by the House on the 21st August, 1959, (vide Forty-first Report of the Business Advisory Committee) for consideration and passing of the Andhra Pradesh and Madras (Alteration of Boundaries) Bill, 1959, be extended from five hours to seven hours".

The motion was adopted.

Mr. Deputy-Speaker: We may place some time-limit on the speeches also. May I know how many Members want to speak? There are at least 12 Members and some may be absent.

Shri N. R. Muniswamy: Madras and Andhra Members may be given preference.

Shri Nath Pal (Rajapur): This is Parliament, not the Andhra Assembly.

Mr. Deputy-Speaker: If we stick to the decision that one hour will be given to the clause-by-clause consideration, we have spent 3 hours so far.

Shri Nagi Reddy: Yesterday some time was taken on technical matters.

Mr. Deputy-Speaker: That is also included in the general discussion. Out of 7 hours, 6 hours are for general

discussion, out of which we have spent 3 hours. So, 3 hours remain for general discussion. I will request Pandit Thakur Das Bhargava to be as brief as he possibly can.

Pandit Thakur Das Bhargava: I was speaking about the vote of the Andhra Assembly Members, because it has been contended by the other side that since the Legislature has approved of it, there is no question of any other person taking any objection. As I submitted yesterday, they can only express their views and the views of the Chief Minister have got no more weight or value; the vote of the Members of this House has much more value than any other person's view. The Andhra members can only express their views.

As I said, two members of the Council were opposed to it and even some amendments were moved. They wanted some other boundary disputes to be appended and sent for mediation. I was speaking of the Assembly. In the Assembly only ten persons spoke. In the Council only six persons spoke, of which two were against.

Shri Nagi Reddy: People are represented both in the Assembly and in the Council.

Pandit Thakur Das Bhargava: I do not want to be told anything. You will have your say. You are taking my time, which is already restricted. For God's sake, allow me to proceed in my own way. In the Assembly, ten members took part in the debate, and out of ten 8 members objected to the report and criticised very bitterly in the same way as we are doing it here. Perhaps, I am not as bitter as they were, because they were the interested people in that. 8 members protested against the report and said that the Chief Minister has no business to agree to these principles without consulting them, without the consent of the Legislature. He had no right to do that. About the map, it was said that Shri Arputhanathan, an officer appointed for this purpose, did many wonderful things. Many bitter things were said on this matter. In fact, the bitterness

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was so great that about Tiruttani the hon Chief Minister had to say that it is a very sad thing that the bitterness is there 8 persons spoke against the report One member in favour was Mr Ahmad Ali Khan, who did not deal with it in detail but only touched the general points Then Shri Sanjiva Reddi said I am accepting the report, as I have accepted Shri Pataskar as a mediator, and he is a gentleman Who denies that? Then he says that on that ground they have to approve the report But did anybody challenge a division? We also sometimes do not have a division, and the House approves a report in that way without any vote or division Then, as somebody suggested, in the Andhra Assembly it was a party question So, all party members had to vote in favour of it, and that is how this was passed I will not take any more time, but may I respectfully beg of the hon Minister to go through reports and the Assembly debates and find out for himself if any of the points were advanced or not and whether the criticism was bitter or not If he is satisfied that there was no bitter criticism, I have nothing to say on that

I was submitting for your consideration the plans Let us, first of all, consider the Madras plan, which is the most important one The other plans were not called by Shri Pataskar He considered this plan and this plan is the pivot of the whole thing The question is who prepared this plan? This plan is said to have been prepared by Shri Arputhanathan The name, certainly, is an abnormal one,—and he is a Madras civilian—and if translated, it means the doer of wonderful things He is हरम वापुसन्ना

Mr. Deputy-Speaker: Pandit asked a little while ago what is there in a name?

Pandit Thakur Das Bhargava: There is nothing in the name When the name and the work of that man are

consistent, there is something to comment His name is Arputhanathan Arputha in Madras means 'wonder' He did a wonderful thing He is हरम वापुसन्ना What has he done? When there was a census in 1951, the census figures were absolutely wrong, as I will have occasion to show It is wrong, and I will prove it is wrong You know what happened in Punjab I know what happened A man from our district went to a Muslim village and put 400 slips in the census list and that way the Muslim population was inflated and he was informed of this act This was so everywhere So much so, that the SRC stated in one paragraph of their report that the census figures will be found to be inflated, and that is perfectly true

Shri Narasimhan That is so for both sides

Pandit Thakur Das Bhargava: He has no right to interrupt me He should hear when I speak

Shri Narasimhan I was only saying

Mr Deputy-Speaker I request him to resume his seat

Pandit Thakur Das Bhargava Yes today also, I found him sitting with the hon Minister and instructing him I have no objection to that At the same time, I wanted to contradict him when he was not right I, therefore, beg of him to kindly listen and if I do not give full facts then he can raise objection

My hon friend said that some man was appointed from Andhra also Kindly go through the reports and you will find how those persons from Andhra acted, and it was commented in the Legislative debates that action should be taken against the Andhra people and they should be imprisoned It was said in the debates of the Assembly As a matter of fact, after reading the debates, I have become wiser and I know what the Madras people

did in Andhra I am not an enemy of Andhra or Madras, both are my friends, and relations

I was submitting that Shri Arputhanathan was appointed by the Madras Government

Shri N. E. Muniswamy: Both the Governments prevailed over the Central Government to appoint

Pandit Thakur Das Bhargava: The map was prepared by him. He was asked by the Central Government, at the instance of the Madras Government, that the census slips should be taken possession of and that the Tamil-speaking and Telugu-speaking villages should be separately shown. That was his function. Afterwards, the Madras Government

Shri N. E. Muniswamy: Has it been accepted by the Andhra Government as part of the award?

Pandit Thakur Das Bhargava: I will read out that to my hon friend. He was asked to prepare the plan. How did he prepare it? He went to the Collector's office and took possession of slips. How did he prepare it? The necessary information was not there in the slips. Many of the slips do not contain information about the language, the boundaries of the contours. If there is mention of language in one slip, all the slips are taken to refer to the same language. Or, they will take into account the names. The names of the villagers were there. From the names, caste and other particulars he presumed certain things, and with that information he prepared this. There is another difficulty. When the slips were taken possession of in many cases the slips did not contain mention of the mother tongue. As it is a decisive matter, from the slips he had to find out their mother tongue. In some slips that information was wanting. In some cases they were effaced and they were not found. What happened? He says in his report that from the name he came to the conclusion what was his mother

tongue, from the community he came to the conclusion what was the mother tongue. So, these were the things which were employed by him to frame this census report. Then he says

"In some cases the enumerators had omitted to mark against the appropriate question the symbol relating to the mother-tongue language of the individual represented by the slip. In some cases, the symbol marked was either unintelligible or meaningless. For example, the language symbol marked by some enumerators in the case of children was '0'. According to the instructions issued for the original census sorting, the language of the individual in whose case there is no entry in the slip should be taken as the language of the district, unless the entries relating to other members of the same household provided a different indication specifically."

So, this indication was not conclusive. It is very wrong. On the basis of that, the mother tongue of the children was shown as '0'. Then he says

"In the course of the speedy sorting done in 1951 the sorters naturally found little time to look up the slips relating to other members of the household or lost sight of the omission at the initial checking stage and sorted such slips under the language of the district. At the present sorting, I instructed the sorters and Compile-checkers to fix the exact mother tongue in such cases by tracing a slip relating to other members of the same household and whenever this could not be done the slips were examined by me or by my two Deputy Superintendents and we fixed the language with reference to other internal evidence such as the name of the individual, and the community to which he belonged. Only those cases where the language of the individual could not be fixed as

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above were put under 'other languages' "

Now, as regards other things he says

"The percentage figures for Kannada language in Kangundi sub-taluk have been exhibited in the map only in respect of those villages where Kannada is found to be the predominant mother-tongue. Boundaries have also been roughly indicated wherever possible and necessary. In the case of surveyed areas "

13 hrs

May I submit at this stage that so far as Tiruttam Taluk is concerned, it is divided into two areas. One area is said to have been surveyed in 1935 and other area, which is not surveyed, contains many villages which have now been made over from Andhra to Madras. So, this is a case of partial survey of the Tiruttam Taluk and he is speaking of that area. He says

"Boundaries have also been roughly indicated "

Now, in a boundary dispute rough indication or flexible indication is out of the question. It is the worst kind of an offence against those men that there should be roughness and not exactitude. He says

"Boundaries have also been roughly indicated wherever possible and necessary. In the case of surveyed areas, unit boundaries have been indicated in full. But in the case of unsurveyed blocks and areas, boundaries of units have been indicated only in cases where one or more of the adjacent units have a predominance in a different mother-tongue language. Boundaries shown are not to scale "

In the map scales are not there

"Boundaries shown are not to scale and are only approximate

They serve to indicate the location and not the area or contour. All the units in which a language other than the principal language of the State predominates, i.e., where the number of persons speaking that language exceeds 50 per cent have been coloured."

This is the way in which this map has been prepared, according to the person, Shri Arputhanathan, himself. He has said that. I am reading from his note. It means, if you will kindly have a look at this plan, it would appear that this plan is not a proper plan for the fixation of boundaries. It cannot be a proper plan even by taking this plan because here the boundaries of many villages are not given. How can contiguity be fixed unless the boundary is there? How can you say that they are contiguous? In a petition, No 35, which had been presented to this House and which had been circulated through the kindness of the Petition Committee, 82 wrong locations have been pointed out. They can be verified. That is not all. I have got a paper in my hand which will show that as a matter of fact in regard to many villages the dimensions shown in this *Census Handbook* is quite different from the dimensions given in this book prepared by Shri Arputhanathan.

For instance, the extent of village No 150 is shown as 0.91 square miles whereas the three Telugu villages, Nos 94, 76 and 93 are shown as measuring 4.70 sq miles. Yet, from the plan itself, if you compare that, it will appear that these three villages containing 4.70 sq miles are shown having less dimension than the one village, No 150, which is only 0.91 miles. That means that this plan is entirely undependable so far as contiguity is concerned.

This is not the only one instance. I will refer to the hon. Minister—I will not take his time—some villages which he can verify for himself

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subsequently. I have given 150 as opposed to 94, 76, 93. I may give 69 and 82 as opposed to 183 and 184. I may give 166 and 217 as opposed to 238 and 215. I may give 139 and 182 as opposed to 198; 210 as opposed to 214; 100 as opposed to 86 and 80; 91 and 111 as opposed to 112 and many others. I need not go further. As a matter of fact the number is legion. It is innumerable.

Therefore this plan which is said to be dependable according to Shri Pataskar is a plan which ought not to have been touched even with a pair of tongs. When the boundary is not there, when the acreage is not shown and when the contours are not shown then what have they shown and what have they prepared?

Now, in regard to the villages the agreement was that this thing shall be done village-wise. What is a village? The question arises as to in what sense the Andhra Government understands it and in what sense the other Government understands it. It so happens that many of these villages have got hamlets, even to the extent of three or four hamlets. As a matter of fact the village should have been a revenue village. But the revenue village has not been considered and the census village has been considered.

Even taking the census village Shri Arputhanathan did a very wrong thing. He splitted certain villages, took the hamlets into consideration and gave them census numbers, whereas in the case of Andhrians he did not split those villages into hamlets. Therefore a wrong has been done. I would respectfully submit for the consideration of the hon. Minister two names of such villages where the Andhra villages have not been divided into hamlets, whereas in the case of Madras they have been so divided, so that he might just note and see if I am correct. One is No. 60, Pomin-gradu, where the hamlets were not splitted. Then No. 63, Kodivasla where the hamlets were not splitted. Then

No. 69, Negidala. Similarly, Paliput, No. 7.

Shri D. C. Sharma: Paniput is in Punjab.

Pandit Thakur Das Bhargava: Not Paniput, but Paliput. The hon. Professor should listen. Then No. 45, Nelattur; No. 46, Shivada; No. 82, Keechalam. These are the villages in which the hamlets have not been splitted. They all belong to Andhra.

Now look at the other side. Village Nos. 260, 114, 116 and 117, all these have been splitted into hamlets. On that basis contiguity has been found. So, this is an unfair way of doing this. As a matter of fact this hamlet affair should have been uniformly treated in both the places. So this is not right.

Now let me come to another point. I submit that according to law this plan is one which ought not to have been allowed to be brought into existence. Section 15 of Act XXXVII of 1948 and section 13 of Act XXIV of 1939 say like this:

"No persons shall have a right to inspect any book, register or record made by a Census Officer in the discharge of his duty as such, or any schedule delivered under section 10 and notwithstanding anything to the contrary in the Indian Evidence Act, 1872. (1 of 1872), no entry in any such book, register, record or schedule shall be admissible as evidence in any civil proceeding whatsoever or in any criminal proceeding other than a prosecution under this Act or any other law for any act or omission which constitutes an offence under this Act."

So, according to the provisions of the law these census slips are not to be taken in evidence. They are for a certain purpose and we know with what care they are formed. Therefore the law insists that it will not be utilised for any purpose whatsoever and yet the Madras Government have chosen to get a map prepared on the

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basis of that' The question was very easy Apart from my objection to the acceptance of these four principles, to which I am coming later on, my humble submission is that as a matter of fact this was very easy to find as to what were the villages in which the majority was Madras and what were the villages in which the majority was Andhra Even in Kerala, I think one or two months have been taken to frame a fresh electoral list The whole of Kerala, as a matter of fact, has been taken census of Similarly, in this small area there would have been no difficulty and census could have been taken

But apart from the point of census, to which I am coming now, at least this contiguity is a question of fact which can be seen with eyes with reference to the revenue records of those places But then

वर से आया मोतिबिर नाई

This Shri Arputhanathan has shown the contiguity absolutely wrongly He has shown all these places belonging to Madras They do not belong to Madras They belong to Andhra This is in Andhra Province This is Andhra Taluk This could be seen very easily What I am submitting is a very simple affair and I would feel most disappointed if the Government does not accede to my request, namely, that at least now an inspection is made of the two places, Nos 134 and 135 of Puttur taluk and of the other contiguities It should have been made by Shri Pataskar, by Shri Arputhanathan He sat in a room, in the Collector's room and out of these census slips he framed something He never himself went to the spot, nor did Shri Pataskar My complaint against Shri Pataskar is that as a mediator he ought to have gone to the spot This objection was raised by those people interested as will appear from the award. The people put many written and printed objections before him, some of which I have also got here

with me, that these contours were wrong and that he could see that for himself, but this was not done which even a simple villager would have done had he been appointed a mediator This is the difference between the mediator and the person who has got his head over his shoulders and a conscience in his heart

What did he say? He said There is one plan prepared by the Madras Government the Andhra Government has not got a plan How are we concerned with that? The people of Tiruttani whose fate has been decided gave maps to him, they placed objections before him In one of the rulings of the Punjab High Court I find it said that an officer or an magistrate should not sit looking on when the cocks were fighting he should use his intelligence One map was prepared by the Madras Government and that was the map prepared in this manner All these defects were pointed out and the people protested against it He could have got a new map prepared, this was not difficult because according to my friend even in 1953-54 these survey maps were under preparation Only half of it had been prepared in 1935 and the other half has not been surveyed up to this time In the absence of a survey map, as I have said twice or thrice, it is impossible to fix the boundaries, it is impossible to find out the contiguity between the villages and to find out which people are in a majority or in a minority

What has happened? You can visualise for yourself how the Andhra people in these 318 villages will have to live? They will be transferred to Madras State If I am living in a village in which the Telugu speaking people are in a majority, it must be their village But by the wrong location of even a small village with 12 houses and 90 souls, another village of 3,000 persons with a Telugu majority has been given away to Madras This is the negation of all justice

Now I will place before you the figures of census which will speak for themselves. This Tiruttani area which is the subject of the dispute here is a very important area in Andhra, one of the most important. There is a temple there which is one of the most ancient temples and Andhras worship there.

Shri Ganapathy (Tiruchendur) Madras people are worshipping even in Tirupati.

Pandit Thakur Das Bhargava: But it is a Telugu temple, my friend will concede

This is the bane of India that we are hero worshippers and people of our own States are treated with very great respect and affect on. So far as others are concerned, I treat Shri Rajagopalachari and Dr Radhakrishnan, for instance, with great respect. I almost worship them in my imagination as the leaders of our nation. But if Dr Radhakrishnan is treated as belonging to Madras and not to Andhra, how will the people of Andhra feel? If Shri Rajagopalachari is treated as belonging to Andhra and not to Madras, how will the people of Madras feel? What they feel about Dr Radhakrishnan they feel about their land. The question is very complicated. Even the syllabus of students is changed even the land tenures are changed even the income tax changes, even the per capita income changes everything changes, if you change a man from Andhra to Madras. So it is a very serious matter. Now, the Andhra people have to pay so much money as compensation to those whose lands have been taken away. There are many other questions.

When I read the reports of these proceedings yesterday I came to know what the difficulty was. I read the S.R.C report, and I will also read out some portions from it here. It is a most serious matter. These people living there are very much attached to their land as generally all people are attached. There is nothing wrong

about that. When you are changing it, it really grieves me that it is being hustled in this way and not treated properly.

I may give you some figures. I shall give you the 1951 census figures to which objection was taken by the Telugu people. The population of Tiruttani Taluk, most of which is being transferred to Madras, was 2,32,941 out of which the Tamilians were 1,21,859 and the Telugus 1,02,585 — i.e., the Tamilians were 52.4 per cent and the Telugus 43.5 per cent. These are the figures of 1951 to which the Telugus object, and I will give reasons for that. In making this wonderful map, Shri Arputhanathan in 1955 took the very same material of 1951 census, but what figures did he give? Tamilians instead of being 1,21,859 were shown as 1,40,961 by him in 1955 from the very same material of 1951, so that they increased by 19,000. Wonderful.

Shri Tyagi: They are so prolific

Pandit Thakur Das Bhargava: No question of being prolific. Another census was not taken, but the same material was used. The Telugus were 1,02,585. They were reduced to 87,454 that is they became 15,000 less, on a mere recounting by an officer, so that the ratio of Tamilians rose to 60 per cent from 52.5 and for the Andhras it fell to 37 per cent from 43.5. When the population is treated like this and a difference of 34,000 is made, the Tamilians can be very easily shown as being in a majority. Even if a twin was born, it would affect the merits of the case because if the population of Tamilians is 50.1 per cent it will go to Madras, and if the Telugus are 49.9 per cent, it will not remain in Andhra. When that is the position when the difference is so little if you make the difference 34,000 in the preparation of the census figures, how can justice be done in this case? The proper thing to do was to take a census again. May I ask the hon. Minister why they should have taken the 1951 census. In 1960 you

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are going to have a new census. Why not abide by this census so that there may be perfect satisfaction at least according to the principles to which the Chief Minister of Andhra agreed, those principles which are absolutely wrong, which are not universally applicable to the whole of India and were condemned by the SRC report and other people. Even according to those principles, the people there should feel that they have been done justice, but you are not having that

If you look at the census figures of 1951 you will yourself be convinced that as a matter of fact it was quite wrong. In 1931 in Tiruttani town there were 58 per cent of Telugus and 41 per cent of Tamils. Between 1951 and 1955 a great difference has been made. If you kindly see Petition No 13 all the figures are given there. In 1931 the total population was 1,98,455. There were 99,227 Tamilians and 97,243 Telugus. So, the Tamilians were 51 per cent, and the Telugus were 48 per cent, and the others were one per cent. In 1951, all this changed, and changed for the worse, which means that in 1951, the agitation had begun to grow, and all the enumerators in Tiruttani were Tamilians. It is an admitted fact that they were all Tamilians, and, therefore, the Telugus complained that the population had been inflated. Even here, the inflation in just one village is not very material, but if in ten villages, you inflate the population and increase the Tamil population which is near 50 per cent by even one man, the balance is upset, and those villages go away. This is the absurdity in this case.

Dr. M S Aney (Nagpur): What happened in the census of 1941?

Pandit Thakur Das Bhargava: Those figures are not available. I would have liked to give the 1941 figures also, but they are not available.

As regards the villages, if I read out to you how the populations have

been changed, you will be simply surprised. I would refer the hon. Minister to the speech of Shri Gopala Reddy, M.L.A. in the Legislature. He has given certain instances of this kind of bungling so far as the census is concerned. He has given the names of certain villages to show how those persons who belonged to the Telugu areas were treated differently.

I have got here a statement containing the population according to the 1931 and 1951 census, in regard to twelve villages, and they will show that between 1931 and 1951, such a great and glaring discrepancy was made in regard to the populations that it just takes one's heart away. How was it that these Tamilians were more procreative, while those Telugus perhaps began to practice birth control? These Telugus have not increased in population, they have decreased on the contrary. Whereas others have increased, these people have decreased. They have decreased by 6 per cent while others had increased by 10.5 per cent or so.

For instance, in Ramapuram, in 1931, the figure was 815, while in 1951, it was 1197, as far as the population was concerned. The number of Tamilians which was 424 in 1931 rose to 812 in 1951 whereas the number of Telugus which was 391 in 1931 came down to 380 in 1951. During the same period, the one lost by 11 persons, while the other gained by about four hundred persons. This is the story of many other villages also, of which only twelve examples have been given in this report. I do not want to read the whole of it, because I do not want to waste the time of the House, but it would appear from a perusal of these figures that there is no question that these figures were inflated, and these figures are not right.

Mr. Deputy-Speaker: Is the hon. Member likely to conclude within the next ten minutes?

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Pandit Thakur Das Bhargava: I have already submitted that I shall conclude at any time you may order me to conclude. I want to have my full say, and I am desirous of having my full time, because I have devoted many days to the study of this case as a disinterested person, but if you want to curtail the time, and if the House so agrees, and if the exigencies force you to do so, I am not going to blame you; I am going to blame myself only, and I am going to blame the Parliament which has not provided sufficient time for this, to which I am also a party. But I cannot help. If you would allow me, I shall at least mention the points without expatiating on them.

Mr Deputy-Speaker: Will the hon. Member conclude in another fifteen minutes?

Pandit Thakur Das Bhargava: That will not be enough, but as I have submitted already, I am in your hands. Whatever you order, I shall abide by.

Mr Deputy-Speaker: The hon. Member may try to conclude within the next fifteen minutes.

Pandit Thakur Das Bhargava: You may kindly ring the bell, and I shall sit down, because I shall not be able to see whether it is fifteen minutes or ten minutes which are over.

Now, the question arises as to the principles on which this question should have been decided and should be decided in the whole of India. The States Reorganisation Commission devoted a good length of time to this matter, and the history of the Andhra question also had given us some inclination as to how this question should be decided. In paragraphs 291 and 298 of their report, the States Reorganisation Commission have stated that a district as such should be separated, if necessary, or at the most only taluks could be separated, but not villages. They have also stated that 70 per cent

population should be the basis on which an area could be called unilingual, otherwise, it should be considered as bilingual. These are the two main considerations which they have stated. So far as the question of village as a unit was concerned, they have stated unequivocally and in very strong words that division on the basis of a village would mean 'denationalising of the whole of India' and would not be proper.

Again, I would refer you to paras 154 to 157, 162 to 166 of their report. I shall not read all those paragraphs, but I may just point out that it was stated in those paragraphs that it would be a very great hardship on the village people and it would be an act of denationalising the people, if village were to be regarded as the principal unit for division.

Shri N. R. Muniswamy: They have stated this also in para 298 of their report.

Pandit Thakur Das Bhargava: I have already referred to those paragraphs. In paragraph 298 also, they have stated that 70 per cent should be taken as the basis. The Dar Commission had stated that in their report, and the States Reorganisation Commission have confirmed it.

Shri Nath Pai: It was one of the stupidest things that the Commission had said.

Pandit Thakur Das Bhargava: All right, it may be a stupid thing, according to my hon. friend, but I do not want to argue this point with my hon. friend now. But I am stating the opinions of our leaders on the basis of whose report some things were decided. It is open to my hon. friend to consider them stupid or not. But I should think that ordinarily, these considerations which they thought should have weighed were proper. And it is not they alone who have stated this. There are many other persons who have said like this. Our Prime Minister also had stated that so

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far as the linguistic question was concerned, language should not be the sole criterion, and the States Reorganisation Commission have devoted many paragraphs of their report to prove this. The Dar Commission had stated that there was no basis for linguistic States, they said that it would create disunity; and we have seen what kind of situation it has created. It has created, and my hon. friend will admit that, Bombay, Gujarat and all this kind of trouble for Government and for the people at large. I am at one with the Dar Commission and I should think that there should be no division in the country. But that is quite a separate issue, and I am not going to dilate on that just now. So, my hon. friend will excuse me if I do not reply to him just now; we shall have another occasion, for this, perhaps when the Bombay issue comes up.

Shri N. R. Muniswamy: Such interruptions are spicy and make the debate more lively.

Pandit Thakur Das Bhargava: So far as this question is concerned I would refer you to just one paragraph which is of very great importance, and I shall be failing in my duty if I do not bring it to your notice, and read a few lines from it. At page 29 of their report, in paragraph 106 of their report, the States Reorganisation Commission have stated.

"A preliminary but essential consideration to bear in mind, therefore, is that no change should be made unless it is a distinct improvement in the existing position and unless the advantages which result from it, in terms of the promotion of the welfare of the people of each constituent unit, as well as the nation as a whole—the objectives set before the Commission by the Government of India—are such as to compensate for the heavy burden on the administrative and finan-

cial resources of the country which reorganisation of the existing units must entail. The reorganisation of States has to be regarded as a means to an end and not an end in itself; that being the case, it is quite legitimate to consider whether there is on the whole a balance of advantage in any change."

Yesterday, a remark fell from my lips to the effect that the Chief Minister of Andhra Pradesh was under duress, to which my hon. friend rightly took objection. I told him then and there that as a matter of fact, duress was not of a physical kind. Shri Sanjiva Reddi himself had said in these two arguments—in fact, these were the very terms—that he expected that the boundary question would be settled by mutual consultation, by mutual give-and-take. But this was not done. They had a conference, and he admitted the fact that the Tamilians did not act up to that, they did not agree. He said that he was under the impression that the result of this would be exchange of population. He said that on this basis, he would agree to the original thing, it was under the impression that there would be no exchange and the population would remain as it was that he agreed. I submitted yesterday, that so far as that was concerned, it was certainly wrong for him even to have agreed.

May I humbly refer you in this connection to articles 163 and 167 of our Constitution, which lay down the extent to which the executive power of the State officials or State Ministers extends? According to the provisions of the Constitution, articles 163 and 167, their power only extends to the subjects mentioned in the State List and the Concurrent List. The State Government has got no authority to agree to exchange villages or alter boundaries. It is only the Government of India which under article 248 of the Constitution, is competent

to do so. Therefore, the executive power of the State Chief Ministers did not extend to do this sort of thing. As I submitted yesterday, they had no authority to barter away even a single inch, even if there was agreement among them.

So far as contiguity of the alleged type is concerned, it was a wrong thing that was followed. If that was agreed to, such results will follow as will astound the people who are living there. They will certainly be very much discontented. The villages round about that place are all Telugu-majority villages. They have also been given to Madras.

This is not all. I will submit for your consideration two other principles: the principle of the language of 70 per cent of the population as well as that of taluka or firka. There are other principles also which have been stated in page 29. The SRC had occasion to look into the composition of the Madras State itself. The Madras State was sought to be re-organised. They considered several parts of India and came to the conclusion that on the basis of the language of the majority of the people spoken there, there should be no change. They said this in respect of two places at least—Deviculam and Peermedu, where the figures were 53 and 54. All the same, they were not allowed to be taken away. May I humbly ask one question of the hon. Minister which he will kindly reply? What would happen to article 14 of the Constitution? Is he going to apply different criteria? Is he going to follow different procedures in different places? It is the Government of India which has to decide. It is Parliament which has to decide. If some States agree among themselves to have a different rule, are they going to allow a different rule?

Therefore, my submission is that article 14 of the Constitution is contravened. We should not adopt a procedure which is contrary to it. If Shri Pataskar had his own discretion

in the matter, he would never have done this. I am perfectly sure of that. If Shri Datar had to arbitrate, I am perfectly sure he would have kept only those principles in view which he wants to be applied to the whole of India.

As I submitted yesterday, the Chief Minister of Andhra Pradesh stated several times, 'I am not going to abide by this. It does not bind me. I want to apply the principles of the SRC.' But then, who forced him to agree to mediation? I do not think Pantji did it. I cannot believe that Pantji forced him to do so. Then who did it? It is said the Chief Ministers themselves did it, they agreed to mediation and the report has been accepted. So the whole House is nowhere! We are not bound here by what the two Chief Ministers have agreed to. We are not bound by their views. We do not want that the two Chief Ministers should decide the destiny of the lakhs of people who are living in those places. Also one of them had backed out several times by saying that he does not want to be bound by it. Now, he says as a gentleman 'I have accepted it. I am bound by the act of gentlemanliness.' It may be an act of gentlemanliness for him. But it really destroys the peace of lakhs of people, which is not proper. Then I come to another important point. One of the principles was that if in any State there is an economic advantage, that is to say, if there is an irrigation project in one State, the ayacut and the benefit of it should go to that State. But what do we find? The Araniyar project has been given to Andhra. It had about 33 villages. 20 villages have been allowed to be kept with Madras. Is this the principle? Has this been accepted? These 20 villages should have gone to Andhra Pradesh even on the basis of those principles which they accepted.

So my submission is that contiguity is not accepted, the majority principle is not accepted. Again, the uninhabited villages, by their very

[Pandit Thakur Das Bhargava]

nature, must be regarded as belonging to Andhra Pradesh, because the land is Andhra. But they have been given to Madras. As a matter of fact, there was no decision, there was no agreement about it. When there was no agreement on a certain principle, who was there to make a new principle for them to the detriment of one set of people?

It is said that the Chief Ministers agreed and that the legislatures agreed. In the legislature, the point about this not being accepted and the point regarding uninhabited villages also were brought out. It is very unfortunate that things happened in a certain way. Shri Pataskar came to Hyderabad. He says in his Award that he called many people. Now, what, as a matter of fact, actuated Shri Reddy to accept mediation? When the first award was given, people were in wrath. They even took away one village from Puttur. They were in wrath. They approached their Chief Minister. The Chief Minister in the Congress meeting and at other places always said that would not allow a single inch of Andhra to be taken by Madras. I am saying this on the basis of the speeches he made in the Assembly, copies of which we have got. The gentleman who was in the Chair and who has left us now, also said that they would see that justice was done. He also said to these people that they will not allow a single inch of territory to be taken away.

At the same time, Shri Pataskar says 'because of my review'. He made a review. Review of what? The hon. Minister's speech gave a wrong impression to the effect that the whole award was reviewed. It was not the whole award that was reviewed. The review was only in regard to some villages in the Hosur area which is in Madras. The review application was made only in regard to them. What do we find in the review application? Shri Pataskar stands condemned. Has he accepted the review

application? On what basis did he review? On the very basis which he has not adopted in regard to us—on the basis of contiguity. He said that when there is a village and a forest and then attached to the forest there is another village, then he would accept the contiguity principle. This was on review. First of all, he decided in one way. On review, he decided to give three villages—Krishnagiri and others—to Andhra, and the Andhra people including the Chief Minister, were more than happy over it. The Chief Minister has referred to it in his speech and said: 'When he has given me Krishnagiri, how can I object to his award?' All right, if three villages can satisfy him while 318 villages are taken away from him, if that is his logic, if that is his arithmetic, I have nothing but pity for him. He himself said that the maps on which Shri Pataskar was proceeding were wrong. Others have said that it would work havoc on Andhra. Nobody raised objection.

Shri N. E. Muniswamy: They are not official pronouncements.

Pandit Thakur Das Bhargava: I never said that. They were told by Members of the House. Unfortunately, his pronouncements are also not official.

The question is not whether it is an official pronouncement or not. The fact is there.

I was submitting one more point which is very important. The Prime Minister has said times without number that administrative convenience is one of the very important things which must be considered in the reorganisation of States. In 1911 this question was gone into. Telugus and Tamilians were living there for many years and they were rather intermingled. So, this Chittoor district should be looked into from the point of view of language, of administrative convenience, etc. In 1911, out of Cuddappah in North Arcot they took this out and made Chittoor a separate

district on the basis of language, and administrative convenience (*Inter-ruptions.*) I do not follow what has been said

Shri N. R. Munlawamy: At those times the Chief Ministers were Andhras—that is what he says

Pandit Thakur Das Bhargava: So far as the Chief Ministers are concerned fortunately or unfortunately those persons belong to a category of leaders I am not going to criticise any of the Chief Minister's work They may have done wonderful things for Andhras What I am submitting here is that Chittoor was made into a separate district on the basis of administrative convenience For hundreds of years all these documents were registered in the Telugu The number of Presidents who speak Telugu and who belong to the Telugu area is much more than the Tamilians This census is given on the first page of appendix D to the Memorandum of the Tiruttani Committee The number of students, the number of schools are all given I wish I could read them but there is no time It appears from all these that the Taluk in which all the documents were registered in Telugu language is essentially a Telugu area It was the Telugu kings who reigned there For hundreds of years the Telugus ruled there Tiruttani taluk is a very prosperous place People from the south and north go there In the 1931 census, 58 per cent of the population were Telugu

In the 1947 and 1951 famines many people went to Tiruttani taluk and there was an influx of Tamilian population which went there for livelihood Many pilgrims are there There are many barbar shops There is a floating population You will be astonished to hear that 90 per cent of the properties in these areas belong to Telugu people They are rooted in that place To ask them to go away to some other State is not good and I cannot think of the absurdity of such an order They have to obey but that is a different thing But should they be treated as foreigners in their own

land In the whole of Chittoor district it is the Telugu environment that prevails Our Prime Minister has said that only the undisputed Telugu districts must form part of Andhra The Partition Committee believed and the Ministers also believed that it was undisputed place How is it that it has become disputed after Andhra has been separated? *Bhagthe Chor Ki Langoti hi Sahi!* What is the boundary question? In all boundary areas, there are bound to be mixed people and they must live amicably together like the people belonging to one country It is entirely wrong to uproot them You are bringing such chaos and rum to the whole country which you cannot dream of I beg to warn the Government of India (*Inter-ruptions.*)

Mr Deputy-Speaker: Order, order Hon Member may continue

Shri Nath Pai: Continue?

Mr Deputy-Speaker: He is going to finish within a few minutes, I suppose

Pandit Thakur Das Bhargava: I will finish as soon as you order me I have already submitted and I shall finish after stating my points

Mr. Deputy-Speaker: He has said that he had two or three points and he would finish them within ten minutes

Pandit Thakur Das Bhargava: In the absence of your permission

Mr. Deputy-Speaker My permission is there

Pandit Thakur Das Bhargava: There is no other course for me I have only to abide by your order as a Member of this House I will certainly sit down the very minute you want me to sit down

Mr. Deputy-Speaker: There are so many other hon Members and it is rather unfair to them if I do not allow them sufficient time

(Alteration of
Boundaries) Bill

Pandit Thakur Das Bhargava: I wanted 20 hours and I wanted that all of them should speak. I will not take up the time of any other hon. Member. You may order me to sit or allow me to finish my speech after stating all my points.

Shri N. R. Muniswamy: He may sum up all the points.

Pandit Thakur Das Bhargava: I respect my friend very much and if it is his wish that I must sit down and say only the last word . . .

Shri N. R. Muniswamy: I never meant that.

Pandit Thakur Das Bhargava: It is a question of crucial importance to these lakhs of people. I want not a single Madras to be asked to go to Andhra leaving his home where he may have lived hundreds of years and to which he may have affection and attachment. If I am asked to leave Punjab I will feel strongly about it. But ultimately I may have to move but that is a different question. I love the trees of Punjab, the people of Punjab, the stones of Punjab. So, these people will love theirs. Why should they be asked to leave in such a large number? Yesterday, our hon. Minister was telling us, reading from the award, that 326 square miles of land have been given away to Andhra whereas 405 square miles have been given away to Madras. But what is the other picture? They care more about lands, stones and trees than about human beings. 2,40,000 people from this area have been given away and 99,000 from that area. It is a strong wrench for them. This should be looked from a human point of view. Instead of weighing one against the other, if we add them on, it comes to 3,30,000 people. They are being uprooted from these places. This is not the right way. That shows that Shri Pataskar did not realise what things are behind this. I beg the hon. Minister to look at it from the human point of view. First things must come first. I am quoting this from the hon.

Prime Minister when I say so. The first thing about reorganisation is that you must look to the wishes of the people. In the SRC report they have given an idea of the wishes of the people. What do the people say there? What did the Chief Minister say? He said that he would not exchange population. The Chief Minister said when he and his colleagues went there the Madrasis only wanted to take and not to give and so they said that they could not give and Andhra Minister departed. I know that in Madras also there is a feeling—that is also there in Andhra—that there should be the *status quo*. I beg the hon. Minister to see that the *status quo* is restored. I would like him to see that these persons are not uprooted and treated in the way in which we will not treat even those who do not belong to our country. So many lakhs of people have come from outside, so many refugees have come; we have tried to be humane to them. Here we are dealing with our own people, our own flesh and blood. Why should we be so harsh to them? Why should people who have been living in a particular place for hundreds of years be expelled from that place and sent to other places.

My humble submission is that this matter should be looked at from this standpoint. You will find that the people of Chittoor and Tiruttani have been speaking Telugu for hundreds of years. In fact, their customs, their habits, their mode of living, even their clothes are absolutely different from the Tamilians. Of course, I believe that India's culture is one but, at the same, these things are there in the S.R.C. Report itself.

In view of all this, if you want to go by the principles you have accepted, if you want to do justice, I would request the hon. Minister to send at least one man from here to find out whether the details which have been adumbrated in this plan are correct or not. Sir, according to Section 35 of the Evidence Act these two plans are of no value. After the report they asked both the Governments to send two officers. We do not know who

they were. Certainly this House can look better into these things. Are you going to be bound by the decision of two officers to which the two governments have blindly put their signatures? These are things which we can see for ourselves. We can see for ourselves that the contiguity is not there. Therefore, you are duty-bound to see that so far as these principles are concerned at least you observe them. According to me, you should accept these principles. The Government of India and Parliament cannot do their duty to the people if they do not accept principles which are universally correct, even if they want majority by sending people from a particular village to another state. Even if you want 50 per cent majority, even the birth of twins can change the fate of thousands of people according to this arrangement. As I have submitted there was one village No. 90, consisting of 3000 people. The contiguity of that was with a small village in which there were 12 families and 58 human beings, changed its fate and the fate of forty six other villages because there was a majority there in that small village. Is this the way to do things? Will my fate be changed by a village which is 50 miles away from me? Is it your principle that the majority of that village will change my fate?

Sir, I have submitted all these things for your consideration. I would beg of you kindly to use such influence as you possess in the interest of humanity. You were pleased to say that you have no vote. You have heard my arguments. If I am correct in this, if what I have said is correct—I know that you can exert great influence on the hon. Minister and other Ministers—I would beg of you to see that injustice is not done. I would also beg of this House and those hon. friends who agree with me and accept the principles that I have adumbrated to see that we in this House do our duty and bring all the pressure that we are capable of on the hon. Minister either to see that the *status quo* is restored and there is no exchange of population or, if he does

not agree to that, at least let the people know that the principles by which their fate was to be decided have at least been observed in practice and they have not been given a go-by by people who ought to know better.

Sir, as I have already submitted, I do not want to say anything against Shri Pataskar. He has not been partial, but, at the same time, he has done something very wrong. He was not an arbitrator. He was only a mediator. Who is a mediator? My humble submission is that he is only just like a *dalal* who hears one thing here and another thing there. He did not personally look into contiguities or cases, nor did he appoint any responsible person. If one person could not decide it, the whole House could have decided. Even if you appoint one person, appoint a person with full powers, Shri Pataskar had no powers. His hands and feet were tied by these principles and plans.

Considering all these facts my humble submission is that the Home Minister should at least accept the proposal to refer this Bill to a select Committee which can go through the whole question and do things rightly.

Mr. Deputy-Speaker: Now, the original motion for consideration as well as the other two motions, one for reference of the Bill to a select committee and the other for circulation of the Bill for eliciting public opinion, are before the House. I will now call upon some hon. Member from Madras.

Shri Narasimhan (Krishnagiri): Mr. Deputy-Speaker, Sir, I would not take much time of the House. Although our revered friend Thakur-dasji took a long time in explaining his standpoint, I am sorry the advisability of accepting his advice, his failed to convince, at any rate, me. Of course, a man of his *experience*, erudition and even energy can certainly succeed in picking holes in anything. He has tried to pick holes in the very valuable solution that Shri Pataskar has placed before the House and the country. This solution

[Shri Narasimhan]

was accepted by the two respective legislatures, and it was also mentioned and discussed in the Zonal Council which, I might say, has a statutory responsibility in all these matters. Under the States Reorganisation Act the zonal councils also come in the picture, their advice is also sought. Therefore, many competent people, legally and statutorily, have entered the picture and this solution has come before us. After all, it is not to be forgotten as to what type of controversies these linguistic issues are capable of taking, have taken and are likely to take in the near future. Under these circumstances, at least in the case of Madras it became necessary to put an end to all these, if necessary, through mediation or a sort of compromise.

There have been claims and counter claims. They might be raised even now. Some people chose to do so. Pandit Thakur Das Bhargava took the trouble of quoting the deliberations in the Andhra Assembly, but he did not quote a single report from the Madras Assembly. There have been many speeches there and counter claims have been made, and ultimately a solution was found. About territorial claims one can make any kind of claim and also take the support of history. We have also sought to take the support of history in our claims, the recent claims against China. The Tamilians, for instance, thought that they could claim Tirupathi. According to ancient people Thiruvencatagiri was our territory, but the Tamilians' claim for Tirupathi was given up by accepting Shri Pataskar's report. By accepting Shri Pataskar's report through their legislature and in the Zonal Council which is statutorily responsible as far as these border problems are concerned, they gave up their claim for Tirupathi, not so gladly but willingly. Under these circumstances, if you start picking holes in a solution which is essentially a compromise—it is well known compromise are displeasing to all concerned, there will be no end to

this story. I would, therefore, recommend to this House one paragraph from Shri Pataskar's report while considering this Bill and also while considering the two dilatory amendments sought to be accepted by us. He says

"I commend this report for the acceptance of the Governments and people of the States of Andhra and Madras. If they do so, a long chapter of linguistic controversy in the South of India will have been closed and these States in the South will be better able to attend to the more urgent task of development of their respective regions and the solution of their problems of social, educational and economic progress."

14 hrs.

This is the advice which I would request this House to remember while giving finality to this controversy. There is no use prolonging the agony. Only the masses on both sides of the border will suffer by any delay. I say this with a full sense of feeling and responsibility. As I said on an earlier occasion, three or four villages from my constituency in Madras have been taken away and have been transferred to the Andhra State. It is not a serious thing. Those villages are not going to any other country. After all, they are transferred from one area to another area.

Even now, I can, if I had the strength, the energy and the erudition of Pandit Thakur Das Bhargava, bring out the various claims in favour of these villages being transferred from one place or the other. The question can be reopened again, but it is no use. We have to have a final decision. In fact, I did not even care to remember the exact number of these villages. That is not a folly. I will treat it as a virtue.

Pandit Thakur Das Bhargava: He has remembered the fact all right.

Shri Narasimhan: I can tell all the names, but it is immaterial. These

villages are really, in my humble opinion, the scapegoats, or sacrifices, for the linguistic passion that was dominant at that particular period, but such things are inevitable. Certain unpleasant things do happen. Even if there be irregularities, they have to be condoned. A final solution has to be evolved and the controversy has to be ended.

In any area or field—politics of administration—we are accustomed to delegated legislation. Laws are made and even sometimes offences are created through delegated legislation. So, there is absolutely no harm in leaving some aspects of particular administrative or social matters, to be decided by leaders, to be decided by arbitrators, by rough and ready methods, if necessary, and having only large policies before them. If they cannot stand the scrutiny of the detailed examination, if every yardstick is applied, and if the decisions are expected to fulfil all yardsticks—administrative, social and other matters—then, it is not easy to bring forth a solution. They are solutions, and we have to accept them at some stage or other.

I appeal to the House not to accept the dilatory motions. That will raise a fresh controversy and fresh troubles which is not at all the intention of anyone of us here. It was not the intention of Shri Pataskar either. Shri Pataskar has done a good job of it. Our congratulations should go to him. Our congratulations should also go to the two respective Chief Ministers who were willing to accept the award. Of course, on this matter, even at that time there was difference of opinion and even today the public opinion is divided there. The opinion of Madras is of one particular shape and the opinion of Andhra Pradesh is another particular shape. They were pitted against one another and it really needed courage on the part of the respective leaders of the two States to abide by the arbitration of Shri Pataskar.

After all, they would again be subjected to the scrutiny of the local people. It was open to other parties to get it thrown out by the respective people. But the leaders there took a risk and they became responsible. They said: "We will allow this matter to be mediated. We will accept the mediator's award and we will take the risk by persuading the people to accept it". In that way, the two States by accepting the award have set a model for other States to follow, and if other disputes are settled in a similar manner it would be happy day, indeed, for India, I therefore, do not want anyone here to rake up matters. These things are of course easily raked up, because there are grievances and grievances and there are mistakes and mistakes, and there are probably claims and counter-claims. Let us not do that. Let us not spoil the atmosphere. Let us accept the example given by the two Chief Ministers and accept the examples given by the two legislatures and let us place this Bill on the Statute Book.

Moreover, I would request the hon. Home Minister to bring this measure, when it is passed into an Act, into operation as soon as possible so that normalcy can be restored. That is what I say.

Some of the things that have been said in the course of this debate may look disparaging to Shri Pataskar. I do not think that such things should be said. Shri Pataskar has taken the trouble of doing the job, and if necessity had arisen for him to go to a particular place he would certainly have gone. Therefore, any criticism of the mediator by people who did not know the actual difficulties and the passions that arose out of this case should not merit our attention.

I once again appeal to the House to accept this measure. I appeal to the hon. Minister and I repeat my request to him, to see that the "appointed day" is brought into operation as soon as possible. I request the House to throw out the dilatory motions.

Dr. M. S. Aney: Before you call upon the next speaker, I want to ask one question, with your permission. My friend, in his speech appealed to the House and asked us that we should follow the example set by the two Chief Ministers in accepting the compromise made by what he has called the "arbitrator". It is a very good piece of advice. But does he want to accept the line the Chief Minister of Andhra took in refusing to give such help as the arbitrator wanted at the time of investigation? The arbitrator wanted the Chief Minister of Andhra to supply him with the correct map and the correct figure and that Chief Minister did not do it. Is it not the line of non-co-operation and what is the use of taking him as a model by other people to follow?

Shri Narsimhan: It is a great privilege to be put a question by such an eminent person, and I hope the Deputy-Speaker will not deny my having the pleasure of answering him. This advice will have to be accepted by other areas with such modifications as they need. An advice is an advice and such things stand modified as necessary, it is not as if they are on a permanent footing.

Pandit Thakur Das Bhargava: He went along with the ministers to the Members of the Madras State and asked them to agree and not to disturb the population. The only thing is, Madras did not accept it.

Mr. Deputy-Speaker: Order, order Shri N. R. Muniswamy

Shri N. R. Muniswamy: Mr Deputy-Speaker, Sir, I also join Shri Narsimhan in appealing to the Members of the House to put an end to this long-drawn controversy as regards this boundary. I have been patiently following the two-hour speech delivered by Pandit Thakur Das Bhargava on the various aspects of this question. Many of the points raised by him apparently seem to be tenable and presentable, but it will be so only for a small section of the people. But, if you are making it applicable to two

huge States of India—Madras as well as Andhra, though they have conceded and accepted the recommendations given by Shri Pataskar, I do not find any useful purpose will be served in going to the details of the principles enunciated by Shri Pataskar.

The four points, if I remember aright, on which Shri Bhargava concentrated his attention were, contiguity, majority of the population, the location and the map that has been prepared. He has also quoted the SRC observations in support of his principles. I only beg to state that so far as the contiguity and the wrong location of some villages that have been put in one State or the other, is concerned, he gave a good deal of reason. One of the petitions presented before this House referred to 82 villages, the names of which were given. Now, I may be pardoned if I draw an analogy. By seeing a man's face and seeing his dress and his language and his habits and manners, we can generally say whether the man belongs to Madras or Bengal or Punjab. Even by the intonation that he has and by his pronunciation we could make out, to some extent, approximately, where he belongs to. Similarly, the villages mentioned here number about 82, excepting the 12 villages of which I am not quite sure as to whether they belong to Madras or Andhra, all the other villages, barring these 12 villages of which I have my own doubts, refer to Tamilian villages. The moment any village ends with the name "puram", it indicates that it is a Tamil village and nothing else. When I was pointing out an isolated village, namely, Gopalapuram, I only brought to the notice of Pandit Thakur Das Bhargava that the name itself indicated that it belongs to Tamilnad. But he gave an illustration to say that it need not necessarily be so.

Pandit Thakur Das Bhargava: It has been given to Madras and nobody is objecting to it. The only objection is about contiguity and it has been accepted that it belongs to Madras.

It has been transferred to Madras. (Interruptions).

Mr. Deputy-Speaker: Order, order. Even if it has been given to Madras, then too, he can argue that it belongs to the other side. How can I stop him?

Shri N. E. Maniswamy: I am only making up a case. It is not a question of taking up an isolated village, the name of which *prima facie* indicates it is a Tamil village even though the substantial population happens to be Andhras, because contiguity as well as majority of population are the two things which have been taken into consideration. Out of four boundaries to a village, if three are correct and one is wrong, it does not necessarily mean it is wrongly located. This is decided by census slips and linguistic data.

There are certain data by which we can decide whether a village is to be assigned to Madras or to Andhra. I quite agree Shri Pataskar may not have gone to all the villages; many of the Members also could not have gone. But when the two Chief Ministers enunciated certain principles according to which this could be decided, there is no meaning in our going back on it.

So far as the maps are concerned, the latest map according to the Ministry is the 1935 map. But the map which our hon. friend brought to our notice is the 1951 map. That map might have come into existence when everything has been done. According to that map, if there are certain villages which should be shifted this way or that way, it is going to reopen so many other things and we may not be able to solve them. As a matter of fact, we will be deferring the issue. So, delay will defeat equity and may even be dangerous, because by adjusting a few villages in this State or that, the whole scheme might crumble down. Contiguity and majority of population have been taken into account in 99 cases

out of 100, except in one or two cases, as Gopalapuram.

I quite appreciate the point made by the hon. Minister when he referred to the Prime Minister's announcement here. When the Prime Minister informed the House that the Government decided to establish an Andhra State consisting of undisputed areas, it was agreed that certain disputes relating to boundaries might be settled later by a boundary commission or something like that. The House will be pleased to see that it was decided that census slips of the disputed areas in the border districts should be sorted out and village-wise linguistic data prepared before the question was pursued further. That was decided by the two States. Subsequently, at the instance of the two Governments, the Central Government appointed Shri Arputhanathan. The hon. Member said that his name was Arputhanathan and he has done "wonderful" work. The name was given to him by his parents and he cannot be responsible for his name, if the work done by him according to Shri Bhargava happens to be wonderful. The two States approached the Central Government and the Central Government appointed Shri Arputhanathan, Deputy Secretary to the Government of Madras as the Superintendent of Census Operations and Shri G. Bhimasankaran, a Deputy Collector of the Andhra State, as the Deputy Superintendent of Census Operations, for the collection of census particulars of the border villages. They were directed to sort out the 1951 census slips of all the villages in sixteen taluk and compile the village-wise language data. So, according to an agreement entered into by the two Governments, both of them started functioning.

In this report of Shri Pataskar, it is said on page 8:

"The Andhra Government has also conceded in the memorandum presented to us that the claims of the Tamilians to areas in the Puttur, Chittoor and Tiruttani

[Shri N. R. Muniswamy]

taluks of Chittoor district may be considered after the census slips have been sorted and village-wise language figures are available."

The same memorandum has been submitted also when the SRC toured the country. So, when the two State Governments have agreed to a certain formula to be adopted to a certain conclusion, there should not be much point in our reopening the subject, asking them to prepare a map according to the Survey and Boundary Act. I agree it is an important map, which can be acted upon, but so far as the agreement of villages and boundaries are concerned, it is very difficult to ask for the survey of 400 or 500 villages. So, they agreed on certain principles to be adopted. I will only read the last one:

"Due consideration may be given to 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."

This is a very salient principle, from which so many other things have come to limelight. Out of 35 villages which have been getting the benefit of the Araniar project, 21 villages go to Madras and 14 to Andhra. Bhargavaji pleaded that since this project has gone to Andhra, naturally the ayacut also must be given to Andhra. But he does not realise that he cuts the throat with a double-edged weapon. I can pay him back in his own coin and say, since the ayacut is in Madras State, the project also should be in the Madras State. Of course, I am not putting that forward as an argument, but I can say that. Though he has put his arguments in an impartial way, ultimately he is more sympathetic to the Andhra State than to Madras.

Pandit Thakur Das Bhargava: You are mistaken. I am sympathetic to both.

Shri N. R. Muniswamy: He argued as if Madras has manipulated it. If there has been any manipulation, I cannot be held responsible nor any of us here. But we cannot cast aspersions or insinuations against those who are not before us to defend themselves.

Regarding 3 villages in Krishnagiri taluk, a subsequent reference was made by the Home Ministry to Mr. Pataskar to reconsider his own award and to see whether those 3 villages might be given to Andhra, because they will serve as a springboard to jump to Hosur, where there happen to be Telugu people, so that contiguity will be established, if that jump is given. Unfortunately, the reason was not accepted by him, because the other areas happen to be Kannada area and they have their own objection. They are trying to get it on their own side. So, these are the arguments put forward by Bhargavaji. When the argument recoils on himself, it is better to leave it and not to press it. These three villages in Krishnagiri taluk are surrounded by huge forests. It is stated that geographic features might be taken as a boundary line. If that is to be taken into account, then the huge forest is to be taken into account, as a geographical feature in favour of Andhra. Then why these villages have been given to us. As these villages are really predominantly populated by the Andhras, they should have gone to them. It was done because there is administrative difficulty and, at the same time, they have to traverse a long way. They do not understand that by arguing in such a fashion they will get extra responsibility. There will be no revenues accruing from those villages. They will have to travel 4 or 5 miles in the forest, who will travel in the forest where there are only wild animals? So, no kar-

nam or village officer would like to go there So, it will be of absolutely no use to them. At the same time, it will be an extra responsibility. By this demand for a spring board they would actually be wedded with extra responsibilities I am only saying that they are putting forth their argument without knowing their repercussions for the very same arguments can be used against them

As regards Tiruppattur, there are two tanks in that taluk Those two tanks are stated to be in Andhra The ayacut is in Madras State So, what happened was that Shri Pataskar thought over the matter in the case of the villages Javadramasamudram and Golapalle These names are neither pronouncable nor familiar though I belong to Madras, because such are the names of the people and places there So, I am amazed how my friend, who comes from the north of India, has amassed so much of knowledge, and also read so much that he can present his case so marvellously in favour of Andhra I am very happy to find that, although his sympathies are with Andhra, I wish that he equally shares the feelings of Madras also in this matter Now, those two tanks have been transferred to Madras State because the ayacuts are to be enjoyed only by the Madras State So, the little tanks also came to us That is a good decision The same principle was not accepted in the case of Aranivar project for which huge amounts were spent by the Madras Government Even the members of the Madras Legislative Assembly objected to the spending of money on the Aranivar project for this reason that it is a doubtful area and it might possibly be claimed by Andhra and therefore it is better to wait for some time They said "No, we shall spend the money" They went on spending the money, thinking that if they spend the money they would get the sympathy of the arbitrator, or the Government of Andhra, and that it would be allotted to them. Evidently, they thought so.

They never knew the game that is going to be played on them. After that, what happened was that they spent the money and now they have enacted a special provision in this Act—section 41 There was no need for this section 41 in this Act This section is intended to prescribe certain principles for the administration of the assets and liabilities in respect of the administration of the project and the construction, maintenance and operation, but at the same time, it states "but shall not include the rights and liabilities under any contract entered into before the appointed day by the Government of Madras" That is clearly stated in section 41 If they have not enacted that, I would have been much happier

At the time when the Bill was sponsored by the hon. Minister, he was able to give us some idea about the villages going from and coming to Madras State He has given them very clearly But I will add a little more of information The total population that has come to Madras is 2,40,357, out of which 2,03,689 from Tiruttani, 142 from Puttur and 36,526 from Chittoor The total area is 405.15 sq miles out of which 358.70 sq miles is from Tiruttani, 10.26 sq miles from Puttur and 46.19 sq miles from Chittoor Likewise, Andhra gets from Madras 151 villages, of which 76 villages are in Tiruvallur 72 in Ponneri and 3 in Krishnagiri The total population is 95,546 as follows Tiruvallur 49,709; Ponneri 45,035 and Krishnagiri 802. The area given to Andhra comes to 326.39 sq miles as follows Tiruvallur 123.23 sq miles, Ponneri 199.01 sq miles and Krishnagiri 5.15 sq miles Madras gets an excess population of 1½ lakhs, and that means additional responsibility So far as Madras is concerned, 1,58,048 people are coming here and 77,274 Andhras are migrating into Madras Therefore, you will be pleased to find that by this boundary dispute Madras is enjoined with the extra responsibility of looking after all these people

[Shri N R Muniswamy]

who come to this area. They will have to be provided with all the amenities to which they are entitled to.

Now, from 1953 onwards up till now this area covering 450 sq miles has never seen any development. There are no schools or roads there, not even kutchra roads. That was a discarded area, because both the Governments never knew to which side that area would go. That is the reason why these people have been suffering all these years to such an extent. So, it is high time that we push through this Bill to see that those people are satisfied, instead of going on delaying it.

The last point raised by Pandit Thakur Das Bhargava was about the SRC. I am not going to take a long time on it except to make a slight reference. He says that the SRC have definitely stated that they are not going to accept the census. At that time, this subject had already reached a certain stage. It is true that the SRC has stated that district should be the basis and 70 per cent of the population should be taken into account and villages should not be considered as units. But so far as boundary disputes are concerned, they were very definite that they are not going to accept it because this has reached a definite stage. They have stated in paragraph 395 as follows:

"The boundary of the Andhra State in the south has already been the subject matter of discussion and the Prime Minister's statement in Parliament, dated March 25, 1953, made it clear that a boundary commission would in due course demarcate the southern and south western boundaries of the Andhra State. The Andhra Government has also conceded in the memorandum presented to us that the claims of the Tamilians to areas in the Puttur, Chittoor, and Tiruttani taluks of the Chittoor district may

be considered after the census slips have been sorted and village-wise language figures are available."

It further says:

"Some progress has now been made in this direction and the Madras-Andhra border disputes may be settled satisfactorily by negotiation between the two governments. We do not feel called upon in these circumstances to make any particular recommendation."

It will, thus, be clearly seen that even the SRC has deliberately left it out of their purview. The question of the border dispute between Andhra and Madras was already undergoing a different process of settlement and some definite principles have already been agreed to between the two States. Therefore they too when they have been approached have negatived their contention saying that since it has reached a certain stage of settlement they do not want to disturb the entire set up so that the whole thing is given a clean go-by. That was the reason on which the States' Re-organisation Commission refused to consider this. As regards the other points:

Mr Deputy-Speaker: He might conclude now within a minute.

Shri N R Muniswamy: I may be given five minutes more. I will abide by your decision, but I may be given five or six minutes.

Mr Deputy-Speaker: He might take five minutes and finish now.

Shri N. R. Muniswamy: What Pandit Bhargava is asking us to do really is to re-open the entire thing. I would respectfully state that by so doing we would be giving a fresh lease of life to other people who are only waiting to create some trouble. As a result of this there will be some

(Alteration of
Boundaries) Bill

Other new points and new developments will come to limelight and we will not be able to arrest them. Therefore it is right that we push it.

The other point is that the Madras people have been creating their boundaries not today but they have been stated to be existing before 1900. Before 1911 Chittoor and North Arcot happened to be in the same district. It is also true that there have been two sections in the Registrar's office at Ranipet or Wallajah—I do not remember whether it is at Wallajah or at Ranipet. There have been two sections—Telugu section and Tamil section—where documents are registered. Chandragiri and Tirupati is said to be the northern boundary of the Tamils. The southern boundary happens to be Kanya Kumari. We all know that the two taluks Kanya Kumari and Tirupati have never been in one and the same State. Kanya Kumari was in Travancore and Tirupati, at one stage, was in the combined Madras State. Subsequently when it was divided into two halves North Arcot and Chittoor and Tirupati and Chandragiri went the other way about. Therefore, I would say that according to what is stated 5,000 years back in Tamil literature the northern boundary is Tirupati and the southern boundary is Kanya Kumari. People have given up their rights. Rightly speaking, in Tirupati I find a large number of Telugu speaking people residing. But I will never concede for a moment, as he has said, that in Tiruttani Taluk a large number of Telugu people reside. It is not right, physically and even on facts because I go there more often and I see every third or fifth house happens to be of a Tamil even in Tirupati. But even that has been eliminated during the last ten or fifteen years. I find everyone of them is speaking only Telugu and they are all Telugu-speaking people. To say that Tiruttani is a Telugu town, I dare say, it is not right for him to say that because I

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know it is not. Even in Tiruttani Taluk so many villages have been given to Madras. But one thing I would like to press before you and that is that in the north-western portion of Tiruttani Taluk there are about 11 or 12 villages which have been given to Andhra. I quite appreciate that these people speak only Telugu and they must be in a Telugu area. They are separated by hills. It is full of hills. The north-western portion of the Taluk is full of hills and to the south of those hills there are 11 or 12 villages. Those villages are Telugu-speaking villages and those Telugu-speaking villages have been given to Andhra rightly.

Now the point they are pressing is that some other villages also, that is, villages to the south of those eleven villages—there is a Tamil pocket—are Telugu. They again want to have a spring board. If those pockets are handed over to the Andhras these villages will certainly go to them and Tiruttani, in fact, would go to Andhra. I would respectfully state that if you want to adopt principle No. 4, that is, geographical features to be taken as a boundary of a State, then the hills being the boundary on the north-western portion of the Tiruttani Taluk, those 7 or 8 villages which are included in Andhra must necessarily go to the Tamil area. For the reason that it is being divided by hills and because of the geographical features and the principle which has been enunciated only by the Pataskar Award, I am only insisting that that should be applied. I do understand that I am pressing for a case which will not be accepted. But still it is better that I put forward the views of some of the hon. Members of our area.

The other point which I wish to say is with regard to the amendments notice of which I have given. But I do not think I can press the amendment.

Mr. Deputy-Speaker: We will come to the amendments later on. He might conclude now.

Shri N. R. Muniswamy: On the whole I commend this Bill. I congratulate the Ministry also. They did not spend even a minute longer than was necessary to see that it is pushed through inspite of the several hurdles which have been met with. Moreover, I have seen that other hon. Members are very much anxious to see that these are pushed through. The two Chief Ministers have accepted these. Pandit Bhargava, who had much sympathy with them, unfortunately has not been able to convince us and give reasons for us to accept. I request him to accept this Bill and vote for the passing of this Bill.

Mr. Deputy-Speaker: This discussion would continue on Monday.

14.35 hrs.

PRIVATE MEMBERS' BILLS AND RESOLUTIONS COMMITTEE

FIFTY-FIRST REPORT

Sardar A. S. Saigal (Janjgir): Sir, I beg to move:

"That this House agrees with the Fifty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 19th November, 1959."

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Fifty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 19th November, 1959."

Shri D. C. Sharma: I have to submit that the time allotted for my Resolution on administrative reforms is not

adequate. It is a very vast subject and a big subject. Almost every hon. Member of the House is interested in that subject. I would therefore request you to increase the time allotted for this Resolution to 4½ hours.

Sardar A. S. Saigal: Previously also on other resolutions we have done like this that if the House has agreed we have extended the time. In the case of his Resolution also on the day he starts his speech we can consider this and extend the time.

Mr. Deputy-Speaker: I hope Shri Sharma would agree to that proposal. The Chair has always got one hour in its hands and if it is desired that further extension is needed, we will see to that.

The question is:

"That this House agrees with the Fifty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 19th November, 1959."

The motion was adopted.

14.37 hrs.

RESOLUTION RE: SESSION OF LOK SABHA AT HYDERABAD OR BANGALORE—con.d.

Mr. Deputy-Speaker: The House will now resume further discussion of the Resolution moved by Shri Prakash Vir Shastri on the 4th September, 1959, regarding Session of Lok Sabha at Hyderabad or Bangalore.

Out of 2½ hours allotted for the discussion of the Resolution, 1 minute has already been taken and 2 hours and 29 minutes are left for its further discussion today

Shri Prakash Vir Shastri may continue his speech.

Shri D. C. Sharma (Gurdaspur): I hope I will have one minute to propose my Resolution today.