

in the base of the Worli Hills, Bombay Island are not new finds but were known for a long time. As far back as Idol, these occurrences were examined by Dr. H. J. Carter whose results were published in Journal, Bombay Branch, Royal Asiatic Society, Vol. IV, P. 161, 1852.

An announcement was made in the Engineering Supplement of the Times of India of July 29th, 1921 (page 4) to the effect that a road-metal quarry at Sewri, had been visited and that petroleum mineral wax and bitumen had been discovered within the municipal limits of Bombay. Following this announcement Dr. C. S. Fox, a former Director of the Geological Survey of India, examined the occurrences in 1921. His conclusion was that although the occurrences are of scientific interest, they hold no potentialities of an important commercial nature. His report is published in Records of the Geological Survey of India, Vol. LIV, pp. 117-128, which is a published document.

The island of Bombay has an area of 30 sq. miles and consists of a low lying plain about 11 miles long by 3 to 4 miles broad flanked by two parallel ridges of low hills. On the west are Malabar point, the Cumballa ridge, and Worli Hill.

Geologically the island consists of conformable series of basaltic lava flows and interbedded sedimentary beds which dip gently 10° to 15° to the West and have a general strike of N. 10° E. to S. 10° W. These rocks are well seen in the hills on each side of the island whereas the central plain is covered with recent alluvial deposits. These are raised terraces of marine sediments 12 ft. above sea level which indicate that large tracts of the Western side of the island have been recently elevated from beneath the sea. In the Western ridge, in the Worli Section a few impressions of fossil frogs and a fossil tortoise were found. Impressions of fossil frogs identified as *Rana pusilla*, are the most common. Fossil tortoise

specimens identified as *Hydraspis leithii* were collected from Worli Hill. A fossil fish-tooth, *Oxyrhina* was also collected from a dark sedimentary bed in Worli. Several more fossils, of both plant and animal life, have also been recorded from this area. All these fossils belong to the Inter-Trappean beds of uppermost Cretaceous or early Eocene age (about 60 to 70 million years!).

STATEMENT RE ARREST OF SHRI M. MANJURAN, M.P.

SHRI M. MANJURAN (Travancore-Cochin): Sir, I was not here yesterday

MR. CHAIRMAN: Oh, you have come!

SHRI M. MANJURAN: I was not here when the Leader of the House made a statement. In his statement the hon. the Law Minister stated that at the time of my arrest, I was accompanied by four hundred persons. I was only accompanied by 5 persons. I do not know how four hundred persons are brought in. Also, he stated that the memorandum contained demands to solve the food problem facing the State. It did not. The memorandum contained certain matters concerning the niggardly treatment accorded to the State in the Five-Year Plan and made certain suggestions for improvement thereupon. I am surprised that the statement is so fundamentally wrong.

THE LEADER OF THE COUNCIL (SHRI C. C. BISWAS): Sir, I made the statement on the authority of the Government of Travancore-Cochin.

STATEMENT ON THE QUESTION OF RENAMING THE DALMIA-PURAM STATION ON THE SOUTHERN RAILWAY.

THE MINISTER FOR RAILWAYS AND TRANSPORT (SHRI LAL BAHADUR): Sir, some representations have recently been received by me in regard to the

Shri Lai Bahadur.] name of Dalmiapuram railway station on the Southern Railway. It is suggested that the original name of the station was Kallagudi but that in 1938 it was changed to 'Dalmiapuram' against the wishes of the inhabitants of the locality. With your permission, Sir, I propose to make a brief statement giving the correct position.

The practice adopted by Railways when selecting a name for a station at the time of its opening is to consult the District Collector or the Deputy Commissioner in whose jurisdiction the proposed station is located. The correct spelling of the name of the station in English and in the principal local language of the district is also obtained from him. Railways have of course to see that the name of the proposed station is not identical in spelling with, or similar in sound to, those of already existing stations. Before finalising the spelling they also consult the Director of Map Publications, Survey of India.

In May 1938, the old South Indian Railway proposed to open a train halt at mile 183/11 between Kallagam and Pullambadi stations on the Villupuram-Trichinopoly Chord line. In pursuance of the usual procedure for naming of stations as already stated, the Railway requested the Collector of Trichinopoly to suggest a name for the station. The Collector suggested that the proposed station may be named either "Dalmiapuram" or "Palanganatham". He also forwarded a petition from the villagers of the area surrounding the proposed site of the station in which a request was made that the station be named "Dalmiapuram". The station thereafter was named "Dalmiapuram", after the Director of Map Publications was duly consulted.

It will be seen, therefore, that the name of the station from its very inception has been "Dalmiapuram" and the allegation that its original name was Kallagudi and that it has subse-

quently been changed to Dalmiapuram is not correct.

KHWAJA INAIT ULLAH (Bihar): How many stations in India are named after Dalmia—"Dalmiapuram", "Dal-mianagar", etc?

SHRI T. V. KAMALASWAMY (Madras): In 1938, Sir, the British were there; but now, after the advent of independence, there is a feeling that the Panchayat Boards and District Boards should be renamed. Among the large masses of people in the south here was a feeling and an agitation that the name "Dalmiapuram" should be changed to the old name of 'Kallagudi'. In the course of this agitation, more than four thousand people courted arrest, several have been shot dead and many suffered three to six months' rigorous imprisonment. Seeing the strength of the feeling in that locality, will the Government of India reconsider their decision, re-open the whole question, and if they desire consult the Government of Madras, find out what their view is and then change the name? The objection is not that it is a Northern Indian name; but because Dalmia is a capitalist and an exploiter, we have Gandhinagars and Nehru Parks everywhere. In fact every extension in the south is named Gandhinagar

SHRI G. RAJAGOPALAN (Madras): Sir, is the hon. Member making a political statement?

MR. CHAIRMAN: No. Mr. Kamal-swamy, you should not say all these things. In 1938, the British were there, in 1947, we came in.

SHRI T. V. KAMALASWAMY: I only want the Central Government to consult the Government of Madras and find out their views.

THE ANDHRA STATE BILL, 1953—continued.

MR. CHAIRMAN: Dr. Katju to resume his speech.

THE MINISTER FOR HOME AFFAIRS AND STATES (DR. K. N. KATJU): Sir, yesterday when the House rose I was dwelling on the question of the location of the temporary capital at Kurnool. I said that the question was entirely within the competence and judgment of the Andhra Government. It was open to them to revise this decision as soon as they thought fit after the appointed day.

In this connection, I was pleading the point that had been raised, *viz.*, the expenditure of public funds. It had been reported that a sum of Rs. 85 lakhs would be required for the purpose of building the accommodation at Kurnool for the Government; and the largeness of this figure was necessarily commented upon. When this question was raised, I had pointed out that it was impossible at the time when the estimate was made even for the authorities who were anxious to do so, to spend this very large sum. But now the position is that care has been taken to provide the minimum accommodation that is necessary, and I imagine that the example of Delhi in olden days when tented accommodation was provided for a large number of offices would be followed and the result would be that by the appointed day, *viz.*, 1st October, the expenses actually incurred would be comparatively very small indeed. When the Andhra Government begins to function it would be open to them, if they think fit, with the advice of their Legislature, to take any decision they like and to make any arrangement they think fit, for the purpose of building the necessary buildings at their temporary capital. So far as this Bill is concerned, there is no provision anywhere for and no town has been named as the temporary capital.

That brings me, Sir, to an extremely important question to which, in my capacity as a lawyer of some standing, I attach the greatest importance.

In this House many hon. Members belong to the legal profession and very likely they would be able to appreciate

what I propose to say. In the Bill, as we drafted it and as it was sent for comments both to the Mysore Legislature and to the Madras Legislature under article 3 of the Constitution, we had provided that the High Court might continue to remain in Madras till such time as the Andhra Government wanted to replace it, to take it away. Now, so far as the Mysore Government is concerned there is no difficulty whatsoever because they have a High Court functioning already, and the addition of a few taluks which will accede to Mysore will not create a problem so far as the High Court is concerned. The question arises only in the Andhra State as to where they shall have a High Court. Mr. Justice Wanchoo had recommended that even the seat of the Executive Government might continue in Madras for a few years. He had gone further and he had said that the High Court should be the Madras High Court for even a longer period. We did not exactly follow that. We did not suggest any name for the new capital or the period for which the new State might make use of the Madras High Court. We simply left it to the discretion of the Andhra Government and said that they might have it whenever they liked. Now, when the Madras Legislature considered this particular question, they thought it fit to put a time limit about the removal, as a sort of dead-line. They said it might go at once but at any rate it must go by the 1st of June 1954. When this recommendation came to us here we thought that this was really setting the pace a bit too fast because, as I said, I know something about High Courts and the functioning of High Courts and how they have to be run and all that and what we have done now in the Bill just before the House today is that while we have left it entirely to the discretion of the Andhra Government to have their High Court whenever they want it— I shall immediately explain what the provision is—the dead-line has been removed to the 1st of January 1956 / from the 1st of June 1954. We have

[Dr. K. N. Katju.] shifted it to a later date, 19 months later.

Now, speaking very generally, it seems to me that there is not sufficient consideration paid to the importance of the High Court in the life of the people. Speaking for myself again, I thought that the common people of the State, whichever State it may be, are much more concerned with the High Court than with the seat of the executive Government. Of course we have a Legislature meeting for two months, three months, four months in any particular State but so far as the executive officers are concerned you have the Ministers and the Secretaries and Parliamentary Secretaries, Deputy Secretaries, heads of departments, etc. always touring and going to the people, enquiring about their needs and ascertaining their wishes and doing the needful. There the officer goes to the village. But so far as the High Court is concerned the High Court is not a mobile institution. The High Court is a fixed one and the common man, be he a resident of the urban area or be he a villager, has every day something or other to do with the High Court, in the matter of criminal cases, civil cases, all sorts of revision, etc. etc., and therefore, it is of the greatest importance to him that the place selected should be an appropriate place and there should be the necessary facilities. It is not only a question of having proper well-ventilated—I will not say imposing—but certainly dignified court-rooms where the judges should dispense justice; but then you should get retiring chamber and big offices for the Registrar and all that. Then there must be a big law library for the use of the judges; another library for the use of the advocates and for the advocates' association there must be an advocates' chamber. If you take it all together, a High Court means a township in itself. It may be that an existing town may supply all the accommodation required, residences for the judges and the Registrar, for the High Court establishment, residences

for the number of advocates who may have to shift themselves and their clerks. Speaking from personal knowledge in Allahabad, anything between 500 to 2,000 people daily come to the Allahabad High Court and to Allahabad for the purpose of transacting their business in the High Court. So we have to take that into consideration. So we thought to ourselves that the Andhra Government would have a lot to do. They will have to make the final arrangements about their own capital—I am referring to the seat of the Executive Government—and then they will have to take a decision about the location of the High Court. They should not be rushed about it. I know that there has been a pact in the past known as the Sri Baug Pact and that one of the conditions mentioned there was that there should be a sort of a division of spoils—I may be pardoned for using that phrase—namely, that if the executive capital goes to Rayala-seema, the High Court should go to the coastal districts, and *vice versa*. Now it is open to the Andhra people to honour that particular Pact, or if they think fit, they may revise the decision.

There is one aspect which I should like to emphasize—and speaking again as a member of the legal profession—and it is this. I notice sometimes that there is a tendency in these democratic days to speak in disparaging terms of the legal profession. I have even heard members of the bar or advocates being called parasites of society.

SHRI H. N. KUNZRU (Uttar Pradesh): You yourself have done so.

DR. K. N. KATJU: Not at all. I always speak the truth about everybody and I would like to do so.

DR. P. C. MITRA (Bihar): Mahatma Gandhi said that.

DR. K. N. KATJU: If you want to have parliamentary institutions I say with all the emphasis that I have that lawyers can make a very great contribution to the success of these institutions. What do we want here?

DR. P. C. MITRA: Litigation.

DR. K. N. KATJU: This is a complete misapprehension on your part. You are a doctor and you have been cutting people for this thing and that tiling whereas we have been building up as I have been doing all my life. I have been trying to compose differences whereas you have been trying to cut \fp a human body for appendicitis and all that sort of thing.

SHRI RAMA RAO (Madras): Lawyers are not wanted in the Sarvodaya State we want to build up in Andhra.

DR. K. N. KATJU: You ate a newspaper man. What is the use of interrupting me? I should not be interrupted.

MR. CHAIRMAN: Order, order.

DR. K. N. KATJU: I was saying. Sir, that members of the Legislature should have complete knowledge of all cross-sections of society and their views must be represented, namely, those of lawyers, doctors, industrialists, common men and uncommon men, and the other classes and groups, in fact, of everybody.

SHRI B. C. GHOSE (West Bengal): May we have a day allotted for the discussion of that?

MR. CHAIRMAN: Mr. Ghose says that for the discussion of common men and uncommon men a day should be allotted.

DR. K. N. KATJU: Have a private resolution brought forward and moved.

Now, Sir, the members, it is desirable, should have some knowledge of law-making and of interpretation of laws, and I tell you from the experience gained both in the United States and more particularly in the House of Commons in England that the country has benefited greatly from the contributions made by senior members of the legal profession in the legislative field.

SHRI B. C. GHOSE: But they always contradict each other here.

DR. K. N. KATJU: To establish some precedents it is necessary.

MR. CHAIRMAN: We are not discussing law.

DR. K. N. KATJU: I wanted to refer to one point. The Business Committee, I take it, has allotted a certain number of hours for this discussion and I want to take as little of it as I can so that a greater portion of it may be left to hon. Members. If you interrupt me like this, I can go on for hours, but that will mean a reduction in the time available to them. Therefore, I submit that it is in the interests of hon. Members themselves not to interrupt me.

SHRI S. N. DWIVEDY (Orissa): But you provoke interruptions.

DR. K. N. KATJU: The very object of the speech is there, that is, we make it very facile. (*Interruption.*)

MR. CHAIRMAN: Order, order.

DR. K. N. KATJU: My argument was that the Andhra Government should consider as to whether it is or it is not desirable to have the same town for the seat of the High Court as well as for the seat of the Government so that senior members of the profession may find it convenient to take part in the Legislature. That is all that I was thinking of. Otherwise there is nothing in it. I have heard that because of the particular situation in Andhradesh, it must be divided. Some people go to one town because it is the seat of the Government. They go to a second town because it is the seat of the High Court; a third town because the Director of Industries is there; a fourth because the Director of Co-operative Projects is there. If you split up in that fashion it may not be good. It is all for the Andhra Government to decide. So far as the Bill is concerned, it provides for the establishment of a High Court

[Dr. K. N. Katju.] and the dead-line is 1st January 1956. But they may have it as early as they can and the Bill provides that if the Andhra Legislature passes a resolution fixing an earlier date, then the President will comply with their wishes and the High Court will be established whenever they want. I am quite aware that from Vizagapatam going down south to Madras is a long journey, but people have been undertaking it for the last 150 years. However, people now may not like to undertake that trouble.

There is another small point of some importance and that is this. When the new High Court begins to function, there must be an apportionment of the business. Today in the Madras High Court you have got cases from the 11 Districts. There will be no difficulty with regard to them. They will go to the new High Court. Cases from Bellary Taluk will go to Mysore. But there may be some cases which may be border-line cases. A question was raised as to who is to decide as to whether those cases should remain on the file of the Madras High Court or whether they should go to the Andhra High Court. I notice that the Madras Legislature and also the Mysore Legislature have recommended a rather complicated procedure. The Madras Legislature said that the wishes of the Chief Justice of the Andhra High Court should also be taken, that he should also be consulted, but there would be no Chief Justice till the High Court is established. So ultimately after due consideration we thought it was a comparatively small matter and the Chief Justice of the Madras High Court should be left to decide this particular matter. Whatever certificate he gives should be final. If he says that this case should go to Andhra, it will go to Andhra. If he says it will remain on the file of the Madras High Court, it should remain there. We have also said that if there is any order delivered by the Madras High Court in any case and then if there is any appeal against that

I order, if there is any application for division of that order, that must be done in Madras by the Madras High Court itself. We do not want that the Andhra High Court or the Mysore High Court should indirectly sit in judgment over the decisions of the Madras High Court. That is a power given only to the Supreme Court and not to a High Court in another State. Then there is a clause in the Bill which provides—and I consider it very important—that it is open, while the seat of the High Court may be at one place, to the Chief Justice, if he so desires, with the approval of the Governor, to appoint another place for a decision on any particular case or class of cases. He may fix a Bench or appoint a Judge there to decide cases, because there may be some cases in which the Judge should go nearer to the seat of occurrence rather than look into the case from a distance. With these remarks I leave this matter of the High Court.

Then comes the very big topic—division of the assets and liabilities. Hon. Members are probably aware that there had been considerable heat generated on this question and there may be some glow of that heat in this House also. I should like, for the information of the House as a whole, to point out one thing. A suggestion has been made very strongly that the Government should leave this question to the recommendations of a Commission; to be appointed by the Government under the chairmanship of a Judge of the Supreme Court or any other Judge and that he should go into all these matters. We have considered that recommendation with the utmost care and after such consideration we thought it would not be desirable—and I say with some confidence that it would not be even in the interest of the new State itself—to appoint such a Commission. The House may note one thing, that it is not as if we had gone by a sort of rule of thumb and decided this matter on any *ad hoc* basis. It is not so. Hon. Members, I suppose, have read with

care the whole of the Seventh Schedule. We have taken the utmost care to divide all kinds of properties—all kinds of assets which may require division—in one way or another and item by item we have devised methods for their division. For instance, population has been taken as a basis. Today the population comes to 36 per cent, in Andhra, 11 per cent, in Bel-lary Taluk and the remaining 62 $\frac{2}{3}$ per cent, in the residuary State of Madras. Now, I do not want to go into details, but hon. Members will see that in regard to many matters we have adopted this population basis—division of assets in the Government Treasury, the income from Excise, Income-tax, that is, the share of the income-tax which may be allotted to the State of Madras by the Central Government, etc. Then there is the question of the division of shares in certain concerns which are held by the Madras Government. Similarly the Madras Government has lent money in certain cases and that is also to be divided on a population basis. So to a very large extent we have gone on that basis

Then comes the question of public loans, the loans taken by the Madras Government for big projects—electricity and other big projects—with which you are familiar. Now we find on an estimate that the total expenditure incurred on those projects has been Rs. 117 crores. Out of that again, by estimate, Rs. 87 crores were taken as a public loan, because it was capital expenditure. Money was either procured by a loan from the Central Government or by public loans. And roughly, Rs. 30 crores were spent on these projects from revenue. Now, so far as the amount of Rs. 87 crores is concerned, the scheme is that you have the project, you have the expenditure certified by the Comptroller-General or the Accountant-General, and the liability for the payment of **that** debt shall be that of the State in which that particular project is located. If it is a scheme to be found

in the residuary Madras State, it goes to the Madras State. And if it is something which is found in Andhradesh, it goes to Andhradesh. There is no question of favouritism there. Supposing, out of Rs. 87 crores Rs. 80 crores were spent on the residuary State, the residuary State will be responsible for that debt.

Then comes, Sir, this question of revenue. Now, over and over again, it has been said—I do not know on what basis—"We in Andhradesh have been kept entirely in the dark; we have no roads etc.; ours is an undeveloped area. And therefore, the question as to how these assets and liabilities should be divided, requires enormous investigation and preliminary discussion, and then you have to see as to who has got the real benefit. Why should the Andhra people pay for something, the benefit of which has gone to the residuary Madras State?" The division of assets and liabilities, as I have already said, will be on the basis of population. And then it has been said, "Just compare the two States. If you go down south, the atmosphere is fine and enchanting, electricity everywhere and fine buildings, fine roads and fine public amenities. In the north, it is all dark, isolated, desolate and undeveloped." Of course, Sir, you are personally familiar with both parts of the State. Now, what strikes me sometimes is this, that you cannot have it both ways. If you want to have an investigation into the revenues and into the contributions made, then the question is: How much was contributed to the public exchequer, in the preceding years, by the two parts of the State? The first question would be: What should be your starting date? Would you take it from the year 1900? Would you take it from the year 1860, or would you go back to the days when the province was constituted by Tippu Sultan, or even to the days of Clive? What is the starting point? That is number one. And if you fix ! some date, then year after year, you will have to see as to how much was

[Dr. K. N. Katju.] the revenue raised in that particular year and how much of that revenue was contributed by Andhradesh. Now, you cannot have it both ways. In one breath we are told that Andhradesh is entirely undeveloped and entirely neglected; it has been the victim of many unfortunate circumstances. If that is so, then the contributions of that undeveloped province to the Government treasury are bound to be small, because poor people cannot contribute very much to the State exchequer. And secondly,—I am speaking subject to correction—I understand that in the south, you have got the ryotwari system, the peasant-proprietary system, whereas in the north, there are big landed proprietors. Now we all know that the big landed proprietors pay, comparatively speaking, small revenues. And under the peasant-proprietary system, the State gets a fair share of contribution out of the produce of the land. So, you will have to see how much it comes to. That will be a very difficult task. And then you come to the expenditure side. Well, you say that the residuary Madras has got fine roads, fine irrigation schemes, etc., and, therefore, such expenditure should be debited to their account. But you have got to see from year to year as to what has been spent on Andhradesh. It may not have been spent on productive schemes, on big projects; it may have been spent on unproductive schemes, on relief measures in the scarcity areas, and so on and so forth. It will be a most difficult job and it will merely excite passions, it will merely excite controversies. For my part, personally I have been most anxious that for God's sake, and in the name of God, the whole chapter should be closed, and as from the appointed day—1st of October—the new Andhra Government should settle down fully and begin to apply their attention, right from the first day, to the business of government. They have got before them a large number of difficulties. My hon. friend Mr. Sundarayya knows that—difficulties

of all kinds including law and order, in Vijayawada, Telengana (*Inter-ruption by Mr. Sundarayya*). All right, I withdraw "Telangana". Vijayawada and Guntur. And then, they have got to develop their natural resources, and solve the unemployment problem. And today, what is there in the Government treasury at Madras? There is nothing. If you divide the assets and liabilities, it is going to be entirely a paper transaction. If there is going to be a division, leaving aside the small cash balances here and there, which are going to be divided on a population basis, it may be a question of zeros—you might get five zeros and I might get two. Otherwise there is nothing. It is only to be debited on paper. I suggested, and I have been suggesting all along, ever since I got into touch with this matter, that the best course would be for the Andhr Government to prepare their own schemes, assess their own requirements, and then come to the Central Government, saying "We are two crores of people, we have not got our share in the past, and now we come to you for help," and I am certain that the Finance Minister would listen to your difficulties with the greatest attention, because, as I said yesterday, in the prosperity of Andhradesh lies our prosperity. It is not only one State which will be going forward, but we will all be going forward with it. So, I think it would be much better to devote your attention in that direction rather than to try and raise the old controversies, because that would be a sheer waste of time. As I said before, I do not want the atmosphere to be poisoned in that State. There are sufficient difficulties ahead of it, and it is from that point of view that we have to adopt the particular method which has been laid down in the Bill.

I should like to draw the attention of the House in this connection to the fact that, apart from the Seventh Schedule, there is a very general overriding power vested in the President by clause 51 of this Bill. He

has got the power to remove all inequities and inequalities. On a reference made to the President by either Government, within three years from the appointed day, the President shall get the matter examined and shall give his decision one way, or the other, and that decision or that order will be binding on the two Governments. I say here to my hon. friends from Andhra that if they have got insufficient information, or if they have not been supplied enough information, then, as soon as they get going, let them appoint one or two or three special officers to examine all these matters and make out a case, and then refer the matter to the President. In the first place, I would suggest that it would be much better to square it among yourselves and if you can settle it by harmonious discussion, well and good; otherwise you should refer the matter to the President and get his decision.

Every paper will be at your disposal. Government documents will be at your disposal, and then you will be able to go into these matters very thoroughly. This is the position about the division of assets and liabilities.

There are some other minor matters to which I need not draw your attention at this moment. If any question is raised about them, I will reply, *e.g.* the division of unused stores. There is almost a comic side about it. I read somewhere that these stores were worth Rs. 24 crores. Naturally, I was astonished and I got naturally interested as to how Rs. 24 crores worth of stores got accumulated. I made enquiries and I was told that there was nothing of the kind. All stores have been indented and are primarily intended for specific projects, for Tungabhadra or Mettur, or whatever it is. You know the indents, you know the cost and the materials indented go to the site of the project. What is indented for general use will go into the general stores; my definite

information is that they are items like iron pipes and stationery, nibs, pens and paper. And the total cost, I was told, would be a few lakhs of rupees, and so far as this is concerned, the Seventh Schedule provides that the division will be on the basis of the indents for the last three years for the areas respectively comprised in the States of Madras and Andhra.

I should like in the end to assure the House that for ourselves we have tried to deal with this matter with the utmost fairness, in the interests of both the States, particularly, I emphasise again and again, of the Andhra State so that they may not have any burden upon them and attention may not be diverted to matters of less importance.

Then, Sir, finally, coming to the Bill, there is just this question of the great Tungabhadra Project. It is a curious thing, Sir, that there has been a dispute about this. If the whole of Bellary District had gone to Andhra-desh, then there would have been no controversy about it, no difficulty at all, because the project, as it stands, was made by the undivided Madras Government, and two Governments were interested in it, Madras and Hyderabad. In Madras, this Tungabhadra Project was meant primarily and in every view intended for the benefit of the Rayalaseema people—irrigation, electricity and what is called high level canal, low level canal and everything else. It is by accident that the head-works are situated in that part of Bellary District which has been allotted to Mysore, and I think that, so far as irrigation is concerned, it is only about 100 miles of canals located in those taluks in Mysore. Now, this difficulty has arisen because of this, and the Mysore Government in a very plausible manner say, "Well, wherever immovable property is situated, it belongs to the State to which that particular territory goes. The buildings in Madras go to the Madras Government and so

[Dr. K. N. Katju.]

on and so forth. Now, these head-works are situated in our territory and they will come to us." Their Legislature suggested that "You may complete the project if you like, but after its completion, its maintenance, its running and its management shall be our concern, undivided.

^{AM}We will not brook any interference from anybody."

They said that so long as it was in their territory, they would do everything, and that the moment the canals entered Andhra territory, they would look after it. This was the claim made by the Mysore Legislature. We thought about it here and we said that this was a wholly incorrect approach. In India, you know, there are many huge projects of inter-State importance. There is the great Bhakra Nangal project. Punjab, PEPSU and Rajasthan are concerned: of course Bilaspur also. The head-works are in Bilaspur. Similarly with regard to Damodar and Kosi, and then in Madhya Bharat the Chambal in which I am rather interested. We said that these inter-State projects were not to be looked at from this point of view of individual property or proprietary rights. The whole nation is interested in them, because in them are concentrated our hopes for future advancement, re-moval of unemployment, irrigation of large tracts of land and so on. Therefore the provision that we have made here in this Bill is that from the appointed date the management shall be subject to such directions as the President may give. As I said, the project is still incomplete. I think it will take about a year or so for its completion. In respect of what is called high level canal or low level canal

SHRI K. S. HEGDE (Madras): Low level canal.

Dn. K. N. KATJU: Thank you very much. The Hyderabad people are doing their bit on their side. Then we say, "Discuss this matter between the two Governments, Andhra and

Mysore Governments", and we hope that they will be able to come to some amicable and harmonious settlement. Of course, this is a matter of national importance. If they do so, well and good. Their management continues in that way, but if they are unable to reach an agreement, then after the termination of two years, it is for the President to give final orders as to how this thing should be managed, run and controlled in future. He may even appoint a joint authority for this particular purpose. I only wanted to see that the House should have a clear picture of the arrangement that we have made in this Bill.

Now, I have practically exhausted the contents of the Bill. I should now like to refer to one or two points which are not touched in the Bill and to which, I have no doubt, reference will be made here. One is the Commission, what is called the Boundary Commission. The usual course, when you divide in this way, is to straighten out the border—very simple, petty matters. We have it for instance in Uttar Pradesh and Bihar almost every year. When the floods subside, and the Ganga changes its course, some portion goes to this side and some portion goes to that side. Then the Deputy Collectors meet and settle the whole thing annually. Similarly here, we may have three villages here on this side or four villages on that side, and an assurance was given that for these matters, what I may call petty straightening out of the boundary line, a Boundary Commission would be appointed by the President by executive order. I am hopeful that that Commission, with the co-operation of both the Governments, will finish its job in a reasonable time. Please remember that it will be limited to the residuary State of Madras, the Andhra-desh and the Bellary people there—nothing else. Demands were made in this connection—enormous demands. I was in Orissa some time and there was Ganjam and Koraput when Orissa was established. Then there were

claims and my Orissa friends said, "Give us some portion from Madhya Pradesh" and Mysore said, "We want this" and others said, "we want that". Then some said, "What about Salem". There is a Telugu speaking area in Salem and Chittoor. Now it is not in our contemplation that this small Boundary Commission will have anything to do with those. So far as the big problem is concerned which has been agitating public opinion and about which it is public knowledge that there must be some early decision, it was said rather by way of a complaint against me that I am a very clever man and in my Statement of Objects and Reasons I have carefully avoided the use of the word 'linguistic' so that nobody may say that the Andhra State was being created on a linguistic basis and you know about Maharashtra and Samyukt Maharashtra and Visala Karnataka; then there is Bengal, Bihar and Punjabi-speaking area and the whole country is interested in that; and the Orissa people say, "We would like to have our boundary shifted here, there and everywhere and so on and so forth." That is a problem for the All India Boundary Commission and it has been announced, the House knows it, that such a Commission will be appointed as early as possible, at any rate before the close of the year, and it will go into all these questions. I am not going to waste or take up the time of this House unnecessarily because really the subject does not arise as to the factors which the All India Boundary Commission should take into consideration. There is the linguistic basis, there is the territorial basis, there is the economic basis. There are a lot of factors to be considered from the national point of view. I am not considering about *one* point of view or another point of view. What has struck me sometimes as an Indian is that in all these discussions we attach insufficient weight to the ties of association, long association, hundreds of years of association. It may be that there may be no ties, it may be all compulsion and it may be 64 CSD.

perfectly sound that both parties are anxious to get away and break out *at* I quickly as possible, but let me tell you one thing and the House may realize that I come, in the Parliamentary sense, from Madhya Bharat.

In Madhya Bharat it is all one language and one area. We have got two big States, the Holkar State and the Scindia State, and we have got about 23 or 26 small States and you have only to go to Madhya Bharat or Rajasthan—Mr. Mathur is not here—and to Saurashtra and then see that the tie of language has insufficient force there. The people require other bonds. There is a feeling of unhappiness. They feel, "We are not getting our due. we were living happily before and we have to go to Gwalior now for the High Court", and so on. I do not wish to take the time of the House on this.

Lastly, there is one matter to which I should like to make very pointed reference and it is a pointer also and illustrative of what I was saying. In the press, on the platforms and in the I telegrams which I am receiving very frequently, there is a demand on the part of the Rayalaseema people. It has nothing to do with the residuary State of Madras. Up till now everybody was united against the residuary State of Madras. Now it comes to themselves. A great anxiety has been expressed in the other House by means of amendments, requests for directives in the Bill, in the Constitution, requests going so far that the President should have power reserved to himself—for what purpose? That the interests of Rayalaseema may be neglected, that Rayalaseema may not be properly looked after, that it will not have a majority in the new House of the Andhra Legislature; and it is a famine-stricken area, it requires great help, great sympathy, great affection and that will not be forthcoming. I say that is a point. The tie of language is there but the feeling of suspicion is also there that our richer neighbour may not be kind to us.

[Dr. K. N. Katju.] Now I said there—I do not think I need repeat it in this House—that I fervently believed and I have every confidence that the new Government in Andhradesh would make no distinction whatsoever between the different parts of the State. If anything, they would devote the greatest attention, large funds, to bring the backward area on an equal footing with the coastal area.

Now, Sir, I have practically concluded. As I said, ~I should like to send our greetings to the people of Andhra. There is this great birth of a new State in India, and every birth is preceded by birth pangs.

KHWAJA INAIT ULLAH (Bihar): We should have birth control in the future.

DR. K. N. KATJU: There are the difficulties of 40 years. There has been agitation and all that and I was thinking last night and yesterday also I thought to myself of the very great birth that we have been celebrating for the last 2 days, the great momentous birth in our history and it so struck me that that birth also came along with the high flood in the Jamuna and here today this birth is also coming with very high floods in the Godavari. We have got no information as to what happened in the Jamuna on that day and in the pictures and sculptures it was also very high flood indeed but today what does the flood in the Godavari mean to the common people? Over thousands of square miles of area are in difficulty. I should like, with your permission, to send out to these brave people our admiration for the way in which they have behaved. It has been splendid. Everyone, the common villager and the townsman, the non-official and the official—it has been a wonderful feat of how people should stand forth to face struggle and difficulties—has co-operated. Adversity really is a great binder. It binds people together and it strikes me that this new Govern-

ment is entitled to our special sympathy, special co-operation, because they start their career with this great work upon them. I do not know how much is the extent of the losses, how much relief will have to be provided, what operations will have to be performed, but I do hope that they will be co-operating with the people and with the fine men and women that they have got in the Godavari area and they will be able to surmount all their difficulties—these temporary passing difficulties—and this birth of a new State will usher in an era of great prosperity, of great welfare for the people in Andhradesh and it will redound to the national prosperity of India as a whole. Sir, I move.

MB. CHAIRMAN: Motion moved:

"That the Bill to provide for the formation of the State of Andhra, the increasing of the area of the State of Mysore and the diminishing of the area of the State of Madras, and for matter connected therewith, as passed by the House of the People, be taken into consideration."

DR. B. R. AMBEDKAR (Bombay)-Mr. Chairman, this is a Bill the object of which is to create a new State for the Andhras. As such it is the subject matter of the Andhras themselves. Others who are not Andhras can only take part in it in a general way, and solely because this new Province is a portent of probably some other linguistic provinces to come into existence.— It is only because of the feeling of the latter kind that I have stood up today to say a few words.

Sir, when one goes into the Bill, one is very much puzzled as to whether one should congratulate the Government on the Bill such as has been brought forward before this House, or whether one should congratulate the Andhras who are clamouring for a separate Province. As anyone in this House knows, as soon as the Congress

Party was organised and had a constitution in the year 1921, the first thing it did was to incorporate the principle of linguistic provinces. I have no idea that at any time from the year 1921 up to the year 1949 or thereabout, the Congress either ever withdrew that principle from its constitution, or regretted having entered that principle in its constitution. In 1949 I believe—if I am wrong my friends will correct me—but I think that is about the year, when the Drafting Committee was sitting, and one Member of the then Assembly tabled a Resolution for the formation of the linguistic provinces. I was in charge of the Law Department and as such *the* Resolution fell within my portfolio. I had to consult my cabinet colleagues in order to know what sort of reply I should give to this Resolution. They said that the better thing would be for me to transfer the Resolution either to the Prime Minister or to the late Sardar Vallabhbhai Patel, which I very gladly did, because I did not want the responsibility to fall upon my shoulder for the answer that might be given to that Resolution. It was then arranged between the mover of the Resolution and the Members of the high command of the Congress, that although they were not prepared to accept the Resolution in all its generality so as to apply to all the multi-lingual provinces then existing, they were prepared to consider the question of creating an Andhra Province. The members of the Drafting Committee were waiting to know what exactly they should do, whether they should enter Andhra as a separate province in the Schedule of the States. Hon. Members who are particular to know about this will find in a foot-note to the first draft of the Drafting Committee's Report that I referred to the Prime Minister in order to let me know whether Andhra should be entered in the Scheduled to the Constitution. I got no reply, with the result that Andhra then did not become a separate province. It was a great surprise to me that when practically for

twenty years, a party had stood by the principle of linguistic provinces, it should have developed cold feet after twenty years. Surely, 20 years was a long period for even the greatest dullard to think over the matter and come to a clear conclusion as to whether the principle that was adopted in 1921 was a mistaken principle and ought completely to be withdrawn, or whether it was a principle which should be pursued with certain modifications. The result has been that from 1949 up to this period, there has been a vacillating attitude on the part of the Government, once saying that there shall be no linguistic provinces, at another time saying, "Yes, we shall create an Andhra Province". And unless and until one honourable gentleman had sacrificed his life for the sake of creating an Andhra Province, the Government did not think it fit to move in the matter. I have no idea and I do not wish to be harsh on the Government; but I am dead certain in my mind that if in any other country a person had to die in order to invoke a principle which had already been accepted, what would have happened to the government. It is quite possible that the government might have been lynched. But here nothing has happened. The Government isj playing with the proposition.

The argument that has been brought forth by the Government is that if you create linguistic provinces, you will break up the unity of India. That has been the argument which one heard time and again from every member of the Government. Sir, I am surprised that such an argument should have been used. If anyone were to look up the Schedule of States attached to the Constitution, he would find that there are altogether 27 States filling up different parts—Part A, Part B and Part C. I am not taking into account Part D. Now, if you take up these 27 States, you will find that 23 States are linguistic States. Only 4 are multi-lingual. I should like to ask my hon. friend, the Home Minister,

[Dr. B. R. Ambedkar.] whether he thinks that the 23 linguistic States which have existed from the very beginning of the Constitution have in any way done anything in order to disrupt the unity of this country. I would like him to answer that question. These 23 linguistic states have not been able to disrupt the unity of India. I am as keen as he is on maintaining the unity of India and I shall not support any step which will bring about the break-up of this country.

We have, by God's grace, achieved not only independence but also unity, and it is our bounden duty, no matter to what party we belong, to see that this independence and this unity is retained. But, to say, in the face of this fact, with 23 linguistic States, that linguistic States would break up the unity of India is to say something which is puerile. They must produce some very weighty arguments in support of their contention that they cannot pursue a policy of creating linguistic States.

Now, Sir, coming to the Andhras on whom this blessing is showered by the Government after such a long delay, what do they get by it? First of all, as I look at the Bill, I do not find anywhere mention about the capital of this new State of Andhra. The capital is the very life source of a State. I cannot understand how one can imagine a State without its capital. In fact, it is the capital that gives life to the State. There is no mention of it at all. Who is to create this capital? Is it the Legislature of the new Andhra State which is to meet and decide what is to be its capital? Is it the Executive Government of the new State which is to sit at some place and decide that the capital of the new Andhra State will be this? There is no indication at all in the Bill, as to which is the authority which is to create this capital. Reading from the newspapers it does appear that there is no unanimity among the Andhras on the question of the capital. There

is a section which wants Vijayawada; there is a section which wants Kurnool and those in favour of Kurnool, I think, won by one vote or so. In a situation of this kind, I think the Government would not have fallen—I am sure about it; they have an enormous majority to beat down any opposition—if they had taken courage in both hands and said that "in our judgment this should be the capital," leaving liberty to the Andhras at a later stage to change it if they so liked. Sir, in connection with this question of the capital, there is one point which I would like to mention. I do not know what is the town that is going to be selected as the capital of the Andhra State, but, anyhow, everybody seems to be talking that whatever town is selected for the purpose of a capital, it shall be a temporary capital. That is what I hear. Now, Sir, it strikes me—whether they select a town which is Vijayawada or Kurnool or some other place—that they may be spending a certain amount of money for the construction of the necessary buildings for the housing of the capital. Surely, there must be the Secretariat: surely, there must be the houses for the Ministers

SHRI C. G. K. REDDY (Mysore): That is very important.

DR. B. R. AMBEDKAR: and various other things in order that the capital may come into existence. I have no idea of the amount of money the new Andhra Government proposes to spend on the creation of this temporary capital. After what is being said that this will only be a temporary capital and that the permanent capital will be selected at a later stage, what would happen? In my judgment, what would happen is this: the five crores of rupees or so that might be spent initially on the construction of a temporary capital would all be a waste and another five or ten crores of rupees will have to be spent on what the Andhras might regard as the permanent capital for their new State. I do not know whether the

hon. the Home Minister or the hon. the Finance Minister who, I believe, in his most charitable way gives grants to anybody who wants to come and ask for a grant, is prepared to give five crores of rupees for a temporary capital and another five or ten crores for a permanent capital. That would certainly be a wonderful way of managing the finances of this country.

Then, Sir, looking at the financial position of the *new* State, it has been shown that the new State will begin with a deficit of Rs. 5] crores. Many optimistic Andhras who are more keen on having an Andhra State than on stability told the investigator—Mr. Justice Wanchoo—that, in their judgment, there were a variety of means whereby they could bridge the gap and make the State self-sufficient.

Mr. Justice Wanchoo examined every one of the suggestions that were made to him by the various parties of the Andhra people; and he has, in unmistakable terms, said that all these are fertile imagination and that it is neither possible to increase the revenues of the new State, nor is it possible to reduce the expenditure; at the most, anything may happen either by the way of increasing the revenue or by the way of reducing the expenditure. Nonetheless, the new Andhra State will begin with a deficit of Rs. 2J crores. That is the least that the Andhras will have to face, to begin with. Well, it is the concern of the Andhras whether they could make good this deficit which may be Rs. 5] crores or which may be Rs. 2i crores; we have not much to say about it; it is for them.

Then there is a third point which I would like to put to my hon. friend the Home Minister. It seems to me that my hon. friend has not considered what I might call the demographic picture of the Andhra State. What is the social composition of this State? When I am dealing with the social composition of Andhra, I beg of my Andhra friends not to mistake me. It is not that I am making the

statement, which I am about to make, by way of accusation against the Andhras, but it is a general proposition which I am enunciating and which I shall develop at the conclusion of my speech.

Sir, as I said, I am not an Andhra. But I belong to what might be called a political group—I shall not give it the honorific name of a 'Party'— which is called the Scheduled Caste Federation. As the Leader of that group, I had the occasion to move round in the Andhra country in order to see what the condition of the Scheduled Castes there is. My picture is this that, in this Andhra country, there are, as everywhere else, as I am going to show, some big communities and some very small communities. Of the big communities, the biggest, I believe, is the Reddy community; below the Reddys come the Kammas; below the Kammas come the Kapu; and below them come the unfortunate Scheduled Castes people working as landless labourers. That is primarily the picture of this area. As I said, this is not a lonely case. There are many other areas of the same pattern.

The second thing I noticed is this that all the lands practically are in possession of the Reddys. The Reddys are the biggest landlords there. Next, probably, come, the Kammas, to which my friend Professor Ranga belongs. I was told very recently how great is this evil; I was told in a very vivid way by one of the Congressmen himself. I do not know whether he would feel offended if I mention his name. It would lend great authority to the statement that I am making, but I shall not mention his name as I have not asked him.

AN HON. MEMBER: Is he a Member of this House?

DR. B. R. AMBEDKAR: He is a Member of the Lower House.

DR. K. N. KATJU: I do not like i! to be called the Lower House.

DR. B. R. AMBEDKAR: When we were discussing this question, my friend told me that that was by no means peculiar. There was a certain village in the Andhra area. The entire land of the village measured 1,400 acres. Out of that, only 14 acres were owned by private individuals; the rest of it was owned by a single Reddy. One has just to imagine the picture.....

SHRI P. SUNDARAYYA (Madras): Let us confiscate it.

DR. B. R. AMBEDKAR: I have no idea what they have done. The third fact he told me was that all trade in the village was in the hands of the Reddys.....

AN HON. MEMBER: What is wrong?

DR. B. R. AMBEDKAR: The lowest village officer is also a Reddy; the 'mulki' is also a Reddy. Well, Sir, I want to know for myself, especially in view of the fact whether the reservation, which was so blissfully granted to us by the Congress Party for ten years, is going to disappear.

AN HON. MEMBER: You accepted it.

DR. B. R. AMBEDKAR: Yes. what else can one do; if you can't get *puri* you must get *roti*. Sir. in view of the situation that is obtaining there, you can imagine what is likely to be the position of the Scheduled Castes. What provision has my hon. friend made for the purpose of granting protection against tyranny, against oppression, against communalism, that is sure to be rampant not only in the Andhradesh but everywhere in the States similarly situated. One of the greatest regrets that I have is that the Home Member, whose duty it is to see that every citizen is well protected against the tyranny of the majority, has come here with a Bill with no idea, with no conception as to what the State is likely to be and what is likely to happen to millions

of people. I know, Sir, he is a highborn person.

DR. K. N. KATJU: Who? I? I started life in a normal manner.....

DR. B. R. AMBEDKAR: But the fact is that he is a Kashmiri Pandit. Even if he takes to the profession of a Bhangi he will still remain a Kashmiri Pandit. He may never suffer. All people may respect him for his ancestry, for his noble birth, for his learning. What about us who have been tyrannised for the last 2,000 years?

SHRI H. P. SAKSENA (Uttar Pradesh): But we all respect you.

DR. B. R. AMBEDKAR: I may die in ten years time. Now, Sir, these are the three considerations which I thought I should urge before my hon. friend, the Home Minister, for his consideration. There is still time even in this House, if he likes.

SHRI K. S. HEGDE: Is it the suggestion that Andhra should have a different tradition altogether?

DR. B. R. AMBEDKAR: I am going to suggest that. That is what I am going to tell him, that he has not applied his mind to this subject.

SHRI K. S. HEGDE: That will be applicable to all the States.

DR. B. R. AMBEDKAR: I have said so.

SHRI K. S. HEGDE: It is a general proposition.

DR. B. R. AMBEDKAR: Wait a minute now, please. Mr. Chairman, we are not going to finish our troubles with the creation of the Andhra State. There are plenty of other States which are making a similar demand and I think it is therefore necessary for the Government to find out whether there are any other ways and means whereby we could keep the multi-lingual provinces as they are, and remove the feelings and the

lots of blemishes that arise therefrom and only in excusable cases resort to the creation of a linguistic State. I have been devoting a certain amount of attention to this question because I know that this is going to be one of our most crucial questions. Sir, my suggestions are two-fold. Where-ever I find a multi-lingual State I would vest the Governor there with certain special powers to protect the minorities in that State. That is one proposition that I would place before the Government for its consideration. I shall presently cite some authority in order that they may not think that this is my imagination. I am going to cite some constitutional precedents. And the second thing that I would like to be done would be that in all such States where there are multilingual people you should establish by law committees of members belonging to different linguistic sections which would have the right to hear and the right to ask the Ministry whether they are doing justice to their problems. Also they should have the right to appeal to the Governor to set aside any act of injustice that might have been done to any one section. I think, if these three things are done, we should be able to keep the States as they are, at any rate in the first stage. If ultimately we find that we do not succeed even with these measures, then fate may take us to the logical extreme end, namely, to have a linguistic State.

Sir, in the case of creation of linguistic States, in my judgment there appear to me to be two considerations. One is that the linguistic State must be a viable State. It may be that this is a small State which has got a culture and which has got a language and which has got a separate feeling and an entity. Yet it is so small that it cannot find the means of carrying on its Administration. People do not live on culture. People do not live on language. People live on the resources that they possess. But if God has given them culture and God has given them language but God has not given them

the resources, I am afraid they cannot have the luxury of having a separate linguistic State. The second thing is this. It is only in our country that we find that linguistic provinces create difficulty. I would like to ask the question as to why there are no difficulties in Switzerland although Switzerland itself is a multilingual unit. The Cantons have French, German and Italian. Yet they are a very happy nation and they are the most prosperous nation today. Why is it that Switzerland has no provinces although it is a multi-lingual unit? The answer which I can give is this that linguism in Switzerland is not loaded with communalism. But in our country linguism is only another name for communalism. What happens when you create a linguistic province is that you hand over the strings of Administration to one single community which happens to be the majority community and I can cite many provinces where this is likely to happen. That community charged with a feeling of its own sacred existence begins to practise the worst kind of communalism which otherwise is called discrimination. Discrimination creates injustice and injustice creates ill-feeling. If our linguism was not charged with communalism our linguism would not be a danger to us at all; but the fact is that it is. But it seems to me that in order to do away with the community practising communalism being in office these two remedies are worth while, namely, to give the power to the Governor to override and, secondly, to appoint small committees who can make representations either to the Ministry or to the Governor.

Now, Sir, we have inherited a tradition. People always keep on saying to me: "Oh, you are the maker of the Constitution." My answer is I was a hack. What I was asked to do, I did much against my will.

SHRI P. SUNDARAYYA: Why did you serve your masters then like that?

MR. CHAIRMAN: Order, order.

DR. B. R. AMBEDKAR: But, Sir, we have inherited, on account of our hatred of the British, certain ideas about democracy which, it seems to me, are not universally accepted. We inherited the idea that the Governor must have no power at all, that he must only be a rubber stamp. If a Minister, however scoundrelly he may be, however corrupt he may be, if he puts up a proposal before the Governor, he has to ditto it. That is the kind of conception about democracy which we have developed in this country.

SHRI M. S. RANAWAT . (Rajas-than): But you defended it.

DR. B. R. AMBEDKAR: We lawyers defend many things. (*Interruptions.*) You should listen seriously to what I am saying, because this is an important problem.

Sir, as I said, we happened to develop a theory of democracy, simply because of our opposition to the British. The British must go and the British must have no power. A Governor must have no power. Let me cite two cases.

One case which I propose to cite is about the Constitution of Canada and I refer to section 93 of that Constitution. As everyone in this House knows, Canada, like ourselves, is a bilingual place. A part of it speaks English; a part of it speaks French. And what is worse still is that the English-speaking people are Protestants; the French are Roman Catholics. In 1864, when the Constitution of Canada was made, the Catholics were very much afraid as to what might happen to them under the English Protestant majority and they were not prepared to come into the Constitution of a united Canada. Therefore the Parliament enacted section 93 in the Canadian Constitution. That section does two things. It says that if any province—naturally the reference was to provinces in Protestant areas—where Roman Catholics lived passed any law with regard to certain matters which the Roman Catholics

regarded as their special privilege based upon religion, they had the right to appeal to the Governor General that a wrong was done to them, and the Governor General by section 93 had the right to look into their complaint. It was a statutory right of complaint. Not only did section 93 give the Catholics a statutory right of appeal against the decision of the majority to have a certain measure annulled, but it goes much further and says that the Governor General shall have the right to enact a positive measure in protection of the Catholic minority. I would like to ask my friend, the Home Member, whether, with the inclusion of section 93 in the Canadian Constitution, he regards the Canadian Constitution to be democratic or undemocratic. What is his answer?

11 A.M.

DR. K. N. KATJU: My answer is that you had drafted this Constitution.

DR. B. R. AMBEDKAR: You want to accuse me for your blemishes?

MR. CHAIRMAN: He has said that he defended the present Constitution because it was the majority decision. Get along.

DR. B. R. AMBEDKAR: Sir, therefore, my submission is this that no harm can be done to democracy and to democratic Constitution if our Constitution was amended and powers similar to those given to the Governor General under section 93 were given to the Governor. At any rate, that would be some kind of a safeguard to certain small linguistic areas or linguistic groups who find that the majority in the State are not doing justice to them.

The second suggestion that I would like to make is from the English Constitution. My hon. friend must be aware of the position of Scotland in the British Constitution and therefore I would not go into greater details. But he will remember two

things. One is this that although Scotland and England are one—nobody can say that they are two separate countries—still there is a special Secretary of State for Scotland under the British Constitution to look after the interests of the Scottish people. He must have gone to London, I think, various times. (*The Hon. Minister indicated by signs—three*) Three times. Surely, he must have passed by the Parliament Street and just by the side of 10, Downing Street, there is a big brass board 'Scottish Office' which is the place where the Secretary of State for Scotland sits. That is the one provision which the British have made. They have not argued, as my friends have argued, that this is a recognition of communalism. Have they? Scotland came and joined England some hundreds of years ago and yet the British people, in order to recognise the sentiments of the Scots, in order to respect their feelings, have created statutorily an office called the Secretary of State for Scotland.

The second thing to which I would like to refer is this that in the British Parliament there are two Committees. One is a Committee for Wales and Monmouthshire and there is another Committee for Scotland consisting of Scottish members. All Bills referring to Scotland have to be sent to the Scottish Committee so that the Scottish members may have their full say in the matter. In the same way the members of Wales and Monmouthshire are also brought on committees connected with their affairs. It is by placating the sentiments of smaller communities and smaller people who are afraid that the majority may do wrong, that the British Parliament works. Sir, my friends tell me that I have made the Constitution. But I am quite prepared to say that I shall be the first person to burn it out. I do not want it. It does not suit anybody. But whatever that may be, if our people want to carry on, they must not forget that there are majorities and there are minorities, and they simply cannot ignore the minorities

by saying, "Oh, no. To recognise you is to harm democracy." I should say that the greatest harm will come by injuring the minorities. I fear sometimes that if the minorities are treated in the way in which they are being treated in our Bombay State—I do not want to be parochial, but my friends have been telling me, as I am not there and I do not take any interest in my State, as you know, and I do not even like to call myself a Maharashtrian—I do not know what will ultimately happen. I am fond of Hindi, but the only trouble is that the Hindi-speaking people are the greatest enemies of Hindi.

MR. CHAIRMAN: Dr. Ambedkar, it is an aside.

DR. B. R. AMBEDKAR: It is an aside.

Now, Sir, I am told that the Ministers are drawn from the two provinces. The clever members of the Ministry draw all the funds for developing the resources in that particular area, and the other area gets nothing. The same is being said about the Rayalaseema area, that the coastal people are generally able to get larger funds for their area and the Rayalaseema people get nothing. If my friend could make a provision in the Constitution that there shall be constituted lawfully under this very Bill a committee consisting of the members belonging to Rayalaseema, who will have the right to represent to the Governor and to the members of the Ministry that their part is to be included, I think a large part of the grievance would disappear. Similarly, Sir, I find that our Bengali Members are considerably agitated over the fact that part of Bihar—they say—is Bengal. I do not know; it may be, because originally Bengal spread over everywhere. The Governor General had a very large area, and wherever the Governor General went, the Bengalis also went with him.

MR. CHAIRMAN: Go on with the Andhra Bill.

DR. B. R. AMBEDKAR: Yes. I am only giving an illustration. My illustration is this, that supposing such was the case that the Biharis were not treating the Bengalis well. Well, the only way open for solving this problem would be that there should be a committee of the Legislature consisting of the Members who are Bengalis and who would have the right to represent their grievances to the Ministry as well as to the Governor or to the President. When all these things fail, then I suppose we shall have to go to the naked proposition that we shall be linguists first and linguists last, and that we shall not recognise India. If that is to be our ultimate aim, well, God save us. But, Sir, my submission to my hon. friend is this that he should examine carefully some of the points I have made, particularly in the last part of my speech, and see whether he can find any solution to the problem of linguistic provinces, based on the suggestions that I have made, in the new measure that he may have to bring—he may not be very willing to bring a new measure, but he may have to bring it.

SHRI P. SUNDARAYYA: Mr. Chairman, we welcome the Andhra State Bill which at last has come before this House. In spite of the delays, in spite of the many defects in the Bill and in spite of the halting nature of the Bill, I welcome it.

[MR. DEPUTY CHAIRMAN in the Chair.]

Mr. Deputy Chairman, before we go to the various aspects of the Andhra Bill and the Home Minister's speech, I would like to deal with Dr. Ambedkar's speech made in this House just now. He has advocated against the formation of linguistic provinces, and his argument is that same old argument based on communalism and division. He brings the question of Andhra to illustrate how, if linguistic provinces are formed, one community or another will dominate, and as such he is opposed to the formation of linguistic provinces. He said that Reddys, Kammas and Kapus

are the dominating communities in Andhra. All the land is owned by these communities, whereas the Scheduled Castes or untouchables do not own any land and they suffer from many handicaps. Sir, we, coming from Andhra, know more about the situation in Andhra than what Dr. Ambedkar knows. It is true that the Scheduled Caste masses suffer from innumerable difficulties, not only in Andhra, but in other parts of the country as well, but the way to solve their difficulties is not to pose one community against another community. Dr. Ambedkar must know that all Reddys do not own lands; all Kammas do not own lands; all Kapus do not own lands. There are Reddys and Reddys, Kammas and Kammas and Kapus and Kapus. We have been working in Andhra for the last 20 years or even more, working amidst the Scheduled Castes, working amidst the poor masses belonging to the Reddy, Kamma and various other communities, and we have been able to unite the exploited masses belonging to various communities. It is this work of ours that made the people vote for us and that is why we are here. It is not because we preached communalism; it is not that we put one community against the other.

Sir, he says today that he speaks in the name of the scheduled caste masses. From 1947 up till 1951 he was there in the Cabinet itself, and it was the same Cabinet of which he was a Member, that went on shooting the people in Andhra and in Telangana, the people who were fighting for the confiscation of land belonging to the big land-owners for the purpose of redistribution. He said that in one particular village one particular Reddy had got 1,400 acres of land. Well, I am asking him whether he and his followers would join us and agitate to confiscate that land and distribute it among the landless labourers and poor peasants belonging to any community. No, Sir. He would not do it. He did not do it when he was a member of the Cabinet itself. Today he comes and

says he had been a hack and he is no more.

SHRI P. V. NARAYANA (Madras): Tomorrow he will say something else.

SHRI P. SUNDARAYYA: Sir, I would like the House to consider his words seriously. Today he comes and says he was a hack.

SHRI P. V. NARAYANA: Because he is not in the Cabinet now.

SHRI P. SUNDARAYYA: Apart from this diversion, linguistic provinces have come to stay. I would even appeal to Dr. Ambedkar, if it is not too late for him to change—because he has all his life been indulging in this communal politics; he has been putting one community against another, taking advantage of the wretched conditions of the Scheduled Castes for which we are not responsible and for which the whole system of society is responsible—to join us in reconstructing society on a new basis so that all people who are suffering from exploitation can lead a new and decent life. He harps on these differences, on these divisions between communities. He comes here as a spokesman of united India, a person who has always been putting one community against the other communities. He comes and says here that he was a hack for all the reactionary articles in the Constitution which guarantee vested interests. He comes and says that one Reddy has got about 1,400 acres. I do not want to go further into this communal politics. To say that the demand for linguistic provinces is another form of communal politics is an argument advanced by the reactionaries; nothing more than that.

Coming to the Andhra Bill itself, we welcome the Andhra Bill. Dr. Katju in his speech said that he carefully avoided the use of the word 'linguistic' in the Bill. But let me tell him that the Andhra State has come because the Andhra people wanted that State to be formed so that they may administer their own affairs in their

own language—in the language which-, they know and in which they can conduct their own affairs. There are people in the Congress leadership as well as in other parties who, after 30 years of experience, still think that the wheel of history can be set back by preventing the creation of linguistic provinces. If they want to live in their own imagination, let them, but history will not stop, people will not stop, and they will achieve linguistic provinces. It would have been gracious on the part of this Congress Government, after its thirty years' advocacy of linguistic provinces and after the death of Sriramulu and the great agitation that has been there for the formation of an Andhra State, to have come forward and said, "We are going to reorganise India mainly on the basis of language," because language cannot be ignored as it is the most important factor which cements the relation between people and is the source of communication between people.

Now, this Congress Government says that they are going to appoint a high-power Commission to go into the question of the reorganisation of States. We are fed up with these Commissions after Commissions, Committees after Committees, and thirty-years are more than enough for the Congress Government or for anybody to have a definite idea as to how India should be reorganised in consonance with the wishes of the people. There is no necessity for a Commission to go into the question of reorganisation. There was the Dhar Commission. Starting with the Pandit Motilal Nehru Committee down to the J.V.P. Report, there have been so many Committees and reports, and there is no need to enquire into the principles of reorganisation. The principles are quite clear. What we want the Government to do is to make a declaration on the 1st October itself, when the Andhra State is going to come into existence, that they have decided to have the linguistic States of Andhra, Karnataka, Kerala, Maharashtra and a Punjabi-speaking State as well. After making this

[Shri P. Sundarayya.] declaration on the 1st October 1953 they should appoint Boundary Com-missions to readjust the boundaries of these various linguistic States on the basis of language. This is a simple process. Travancore-Cochin is already there. You attach the Malabar District to this, and detach the Tamil-speaking areas of Travancore-Cochin and attach them to Tamil Nad, and Kerala will be formed. Attach to Mysore the Kanarese-speaking areas of Hyderabad and Bombay after taking away the Telugu-speaking areas, then you will have the Karnataka State. Attach to Bombay the Maharashtra-speaking areas of Hyderabad and Madhya Pradesh, after separating the Gujarati areas, you will have a Maharashtra State. It is not a difficult process. Only the Government must make up its mind. It should not dilly-dally with the situation. To say that linguistic provinces are going to disturb the unity of India is a canard, it is an excuse. I would like to say in this connection to these champions of Indian unity, if they are really interested in Indian unity, in the security of India, that they should first bring about the disintegration of Hyderabad, that Hyderabad State which has been the source of Indian disunity, which has been the prison house of the Telugu people, the Maharashtra people and the Kanarese people for the last two centuries and more. I would recall to the House that it was the Nizam of Hyderabad that carried on negotiations with the British imperialists for the constitution of Hyderabad into a Dominion; it was the Nizam of Hyderabad who carried on negotiations with the Pakistan Government and had his agents there as a mark of his sovereignty. Let us not forget that the question of Hyderabad is still on the agenda of the U.N. Let us not forget these things. Let the people who talk about the unity and security of India first disintegrate the Hyderabad State into its natural units, into its linguistic units, so that a full Andhra State, 1 full Karnataka State, a full Maharashtra State can come into existence.

All those who support the unity and security of India must support the immediate disintegration of Hyderabad. Without the disintegration of Hyderabad, neither a full Karnataka State, nor a full Andhra State nor a full Maharashtra State can be formed. All lovers of democracy must demand the dissolution of Hyderabad State because the Hyderabad State has been the prison house of the people for so many years.

Sir, this Bill is being ushered in under various handicaps. In fact, Dr. Katju, the Home Minister, who is the Member in charge of this Bill, spoke in a light vein about this Andhra State. It looks to me as though he was trying to harp on the differences on the question of the boundary between the Karnataka people and the Andhra people and between the Tamil people and the Telugu people. He made light of even the High Court. This is not the way in which a responsible Minister in charge of an important Bill like this should make his speech. It looks as if he wants to take advantage of these differences and thus discredit the very idea of linguistic provinces. He said that the question of the capital is for the Andhra people to decide, that they can have it in place A or place B or place C or place D as they like. I would seriously contend that this question of the capital has become such a problem because the Government wanted it to be such a problem. Otherwise it would have disintegrated Hyderabad and Hyderabad could have been our capital. Either temporary or permanent, it would have been our capital. But the Government did not do it. Government was not prepared to do it and they were harping on the Deccanese culture which does not exist. Not only that they did not disintegrate Hyderabad and give Hyderabad as our natural capital for the whole Vishal Andhra but they did not allow us to have it even as our temporary capital. If they stand by their own declarations, Hyderabad is to be dissolved sooner or later and the Andhra State will have its natural

capital at Hyderabad. How did Kurnool come to be fixed as the capital? No doubt, Kurnool is an Andhra town and we like that as much as any other town, but in regard to the capital the whole of Andhra people demanded—not only the Communist Party but also the K.L.P. and others and even a large number of Congress people demanded that the capital should be Vijayawada-Guntur. It is the people's desire that prompted us to make that demand. It is a centrally located place and it is within easy reach of all parts of the Andhra State. But who was responsible for this decision? Instead of selecting Vijayawada-Guntur, the centrally located place, the commercially central place, the economically central place, the political centre of Andhra, the granary of Andhra, an cut of the way place, a corner place like Kurnool has been selected. The entire responsibility lies with the Congress Party and nobody else

(Interruptions.)

SHRI G. RAJAGOPALAN: What did Mr. Negi Reddy say in Kurnool?

SHRI P. SUNDARAYYA: It is the Congress that is responsible for the selection of Kurnool.

(Interruptions.)

MR. DEPUTY CHAIRMAN: Let there be no interruptions.

SHRI P. SUNDARAYYA: Because they don't want the unity of Andhras. They want to see the Andhra people quarrel. Let the Congress take full responsibility for the dissensions that have come. Let Mr. Sanjeeva Reddy who goes on harping day in and day out on the so-called differences between the Rayalseema and the Coastal districts take up full responsibility for this. The people know it and they will judge it. He will have to answer. *(Interruption.)*

SHRI B. RATH (Orissa): We have seen the vote.

SHRI P. SUNDARAYYA: It is the Congress Party that has to take the responsibility for this choice which is most unpopular.

Now Government says that the Andhra legislators can certainly have their capital wherever they liked. Because of the Congress Party's mandate, some of the Andhra legislators, voted for Kurnool, but when they found that people are against it, on July 25th in the Madras Assembly they decided against Kurnool and they wanted Vijayawada-Guntur as their capital. Sixty-two Andhra M.L.As. voted for Vijayawada and 58 against and because of the Congress mandate 12 Congressmen who were there did not vote for Vijayawada-Guntur but kept neutral because in their conscience they know the people's feeling that they did not want Kurnool as the capital and 8 of them have written to the Prime Minister saying that Vijayawada-Guntur should be the-capital. Out of 138 members, 72 have expressed their views, either by writing to the Prime Minister or by actually voting that the natural capital should be Vijayawada-Guntur. Then I would like again to ask why the Government should say 'temporary capital'. If you mean that you are going to dissolve Hyderabad within a year or two and then our capital will be Hyderabad and till then you have Kurnool as a temporary capital, or any other place, then I can understand it, but I cannot understand the word 'temporary' that you have used here, and saying that later on you can have a permanent capital. If Government: was anxious to see our capital located properly after leaving Madras, then you could as well have chosen the permanent capital.

SHRI GOVINDA REDDY: The question is left to you.

SHRI P. SUNDARAYYA: My point is this. Yes, it is left to us. But by putting this word 'temporary' it is a mischief of the Government to play on the differences arising on the basis of temporary and permanent. It is: the Government that has posed this-

[Shri P. Sundarayya.] problem like this and now it is not for Dr. Katju to come and try to make a laughing stock of us and take it so lightly and say that the Andhra legislators can change the capital. We have been demanding it again and again. You are not prepared to accept the vote of the 72 legislators to fix the capital at Vijayawada-Guntur and you refuse to do it and you take the decision of June but not the July decision of the same 72 members and fix the Vijayawada-Guntur nor are you prepared to call the Andhra Legislature once again to meet and decide this. Now they have said 'temporary capital' and later on when the Andhra Legislature decides to shift it to some other place till they get their own Hyderabad the Government will be going on laughing and making a parade that the Andhras are quarrelling about their capital, that they are shifting one day to Kurnool and another day to Vijayawada-Guntur. For all this the responsibility lies with the rulers of the Congress and nobody else.

Now the question of the boundaries has been brought in. When we demanded the linguistic province, we stood by the linguistic principle. Our principle is that only those areas, where predominantly Telugu people live, must form the Andhra State and nothing else because for administrative purposes, for educational purposes, the less you have a minority of other languages the better for the functioning of the State. Our whole principle is dependent on that, and that is why our Party from the beginning said in connection with Madras that since the majority of the people in Madras, 75 per cent., of them, are non-Andhras, mostly Tamilians, therefore Madras should not come to the Andhra State and that it should go to the Tamil Nad. It was the Congress Party that was quarrelling that Madras should come to Andhra. It is not the Communist Party that was responsible for the divisions among the people on the

boundary question. Similarly, the question of Bellary arises. We do not want to quarrel with the Kannadigas. They too have to achieve the Karna-taka State in spite of the Government of India's hesitation and other obstacles; but when the boundary questions come up, when the people of both Kannada and Telugu-speaking areas are so intermixed in this area, as the Minister himself said, he gives the census of the Taluka. Andhras never claimed the whole Taluka. A few said that the three *firkas* of the Bellary Taluk where Telugus are in majority should come to the Andhra area. Whether the claim is justified or not, as the census figures show that in these three *firka* the two *firkas* and the Bellary town—this is the only demand which other parties in Andhra are making—the Telugu-speaking and the Kannada-speaking population is equally divided.....

SHRI K. S. HEGDE: NO. Neither at Moka nor at Rupangudy are you in majority.

SHRI P. SUNDARAYYA: I did not say that. What I said was in Moka, Rupangudy and Bellary town, if you take all these figures, then the Telugus and Kannadigas are more or less balanced. This is the figure which the Government of India itself has published and besides there is a population of 30,000 or 40,000 there of Muslims—Hindustani-speaking people and they are not a negligible minority and so let there be a plebiscite. If one is at all to support a plebiscite, and we support it so that the will of the people in that locality may be known, so that the reactionaries on both sides may not utilize the opportunity and rouse the feelings of one linguistic people against the other. After all, however carefully we may adjust, there will be a linguistic minority on the border between one State and another. I want the hon. Minister to note and the Congress Benches to note that these boundary areas should become the areas of unity between these various people speaking different languages. The people living in

these boundary areas should feel assured that their education will be in their own languages, that the administration too will be in their own languages. If they get this kind of assurance, then they will feel confident and these questions, instead of becoming bones of contention, would become bonds of unity. Why have these become bones of contention? That is the question I ask the hon. Home Minister. They have become bones of contention because this right to be educated in their own language, to have the Administration run in their own language, has not been implemented by the Congress Government. I do not want to enter into the causes, for this is not the time for the apportioning of blame, I only want to tell the Kannada-speaking people and the Telugu-speaking people that if today they cannot get their education in their own language, if Administration is not through their own language, the fault is that of the Congress Government and of nobody else. Let us not be the victims of the policy of the Congress Government. If this is right that I have referred to is conceded, then there would not be these differences. People coming from Hasur and Krishnagiri, people in far-off places are agitating that they should be attached to the Andhra people, because of the denial of this right. Similarly Kannada-speaking people and Tamil-speaking people living in Andhra say that they must be attached to Mysore or Madras you must understand the intensity of this feeling and find out why people, who are far away from the real political and economic centre, still demand that they should be attached to the Andhra State or the Karnataka State, rather than be left to live in a province where the administrative headquarters may be nearer to them. It is because they have an intense feeling to have education in their own language, the administration to be in their own language. This feeling is so intense that no Government can neglect it for long. So we stand by the boundary commission. The Communist Party wants to settle the boundary question

by actually ascertaining the preponderance of the people who speak the particular language and they want the linguistic minorities to be assured of their just rights and demands.

The question of the High Court has been brought in. The lawyer Home Minister has explained to us how in his opinion the question of the High Court is even more important than the question of the capital. This I say is fantastic nonsense. I know I am using strong language, but I cannot help it.

SHRI K. S. HEGDE: Has the hon. member ever used mild language?

SHRI C. G. K. REDDY: It is, after all, the Prime Minister's phrase.

SHRI P. SUNDARAYYA: But we want the High Court as soon as possible so that the administration of justice may go on properly and may be done in the language of the people concerned. That is why we want the Andhra High Court to be brought into being immediately. But though the Madras Assembly passed a unanimous Resolution that the High Court should be formed not later than June 1954, the Congress Government has come forward with the decision that it should be postponed to the 1st of January 1956.

SHRI K. S. HEGDE: It is still open to you to have it.

SHRI P. SUNDARAYYA: No, it is not open to us, for there is a fallacy there also. In the first draft sent to the Madras Assembly the words were that the President, on a Resolution passed by the Andhra Assembly "shall" immediately pass an order that the Andhra High Court be established. But in the latest draft the word "shall" has been replaced by the word "may" and the hon. Minister in charge of this Bill knows fully the difference between the word "shall" and the word "may" occurring in this context. As it now stands, the President may pass the order or he may not. So the binding compulsion that was there previously has now been removed and the President, even after the Andhra

[Shri P. Sundarayya.] Assembly passes a Resolution that the High Court should be established by June 1954 need not pass the order till 1st January 1956. If that is not the intention, then I challenge the Government to change the word "may" into "shall". They should not plead the excuse that a change would mean sending the Bill back. Let us not forget that when Mr. Justice Wanchoo went to Andhra to discuss matters, various Judges, especially the Chief Justice of the Madras High Court, were not in favour of transferring the Andhra High Court immediately; they wanted to postpone it. The Andhra people naturally are suspicious and think there is something behind the scenes because in spite of their repeated demands that the Andhra High Court should be brought in at the earliest possible date the Government of India are refusing to accede to it. That much about the High Court.

Then there is the question of assets and liabilities and the question of the officers comes next. I will make only a few general observations on these matters, leaving it to my other colleagues here to go into more details. As regards the division of assets and liabilities, it is not the Communist Party that has been quarrelling and raking up past issues or past negligence on the part of the British imperialist or other capitalist elements, demanding that the Tamil people should pay compensation, etc. The Communist Party says that that is not fair, but that the division of assets and liabilities should be done according to certain basic principles. We have always taken the stand that as far as the assets and liabilities are concerned, these buildings, these roads, these hospitals, these colleges, etc., which exist in the different parts should go to either side without their valuation being taken into consideration. Let each State have and enjoy whatever things it is having now. And as regards the projects, both electrical and irrigation projects and also industrial concerns, let them also stay where they are.

But, we only want the assets and liabilities to be divided on the basis of population. That is all that we say. The Minister may come here and say that we have adopted the principle of the population in certain cases but have left it out in others. Why is it that this basis should be adopted only in certain cases and not in others? It creates unnecessary suspicion and gives scope for the reactionaries to take advantage of it and arouse ill-feelings between the Tamilians and the Andhras. I have tried to calculate from the figures supplied in Mr. Justice Wanchoo's report and the different budget memoranda; unless new facts and figures are given if the assets and liabilities are divided on the basis of the population—leaving the educational and medical institutions and also roads, etc.—the difference comes to only Rs. 2 crores or even less. Sir, for the sake of Rs. 2 crores, why is it that the Congress Government is sticking to this different formula, thus creating suspicion in the minds of Andhras thus, creating division between the Andhras and the Tamilians? I want also to appeal to the Tamilians and even to Members coming from Tamil Nad to leave their anti-Communist views and prejudices—we can fight on that, we are fighting and we will have a number of occasions in future too—and I want to ask them to see whether it is worth their while to insist on not accepting the principle of the population when it is a matter of only Rs. 2 crores or less. You can say that after all it is only a matter of 2 crores—it may be given or may not be given. Instead of that, the Congress Government sticks to its decision and says that they are not going to accept the population basis in all cases, that they will accept it only in certain cases. This sort of argument gives rise to suspicion; this gives rise to mutual accusations.

Now, the Congress Government comes and says that there should be no quarrel with the Tamilians for past negligence of the British imperialists or the past Ministry. They ask us to come prepared with our own schemes;

which they have promised to consider very sympathetically. Sir, it is a very good assurance and I would test that assurance in good time before the Bill before the House is passed and see whether it is worth while or not. There is no cash, we agree; but nobody wants a zero, neither the Tamilians nor the Andhras. What we want is: will the Congress Government at the Centre take the responsibility for all the liabilities and leave the Tamilians and the Andhras to build their own future? If they can do that then the whole quarrel will vanish. That is the question. True, it is not a question of dividing the assets; it is a question of how much liability each must bear. Now, why the Congress Party does not say, why the Central Government do not say, "Why are you quarrelling about who is to take more liability? Come to us; we will be prepared to take it".

SHRI K. S. HEGDE: You may say we are prepared to examine it and, if it is proper, it can be done.

SHRI P. SUNDARAYYA: Sir, I do not want to go into more details. The assets and liabilities question will be taken up by other colleagues in much more detail.

Sir, there is one point about the officers which the Minister has not dealt with. Sir, the Madras Assembly, led by Rajaji himself, passed an unanimous resolution on the allocation of the officers. It is not a division between the Andhras and the Tamilians. Both the Tamilians and the Andhras have agreed on a certain principle with regard to the allocation of officers, but what has Government of India done? They have come with an entirely different set of proposals. They say that those principles which we consider just shall be applicable for the Provincial Services, but for All-India Services they do not accept that but want to go on their own. That is not the way to create harmony; that is not the way to remove suspicion against the bona fides of the Congress Government.

Sir, I shall finish in a minute. The Andhra State is coming; we do not
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want any delay in spite of all defects, in spite of the unsatisfactory nature of these provisions, and we want the State to be inaugurated on the 1st of October. If there is no stable Government, the responsibility shall be again on the Congress because it is the Congress that wants to stick to power by hook or crook and the way that the Centre and the Special Officer, Mr. Trivedi, are behaving is nothing but partial. Sir, the Andhra Government has not yet been formed. To carry on the preliminaries in the Andhra State with regard to the capital, with regard to the division of officers and in regard to so many of the preliminaries, the Special Officer has constituted an Advisory Committee in which he has given representation to the P. S. P., the K. L. P. and the Congress but he has not considered it necessary to include a representative of the Communist Party which has got 50 Members including associate independents. I only want to show the way that the Congress wants to rule; this shows the way in which the Congress wants to deal with the affairs of the Andhra State. They are prepared to suspend the Constitution and let the Governor rule rather than have a stable Government, till they can order fresh elections. That is the thing which is happening and that is why they ignored the Communist Party which is the biggest party in Andhra.

SHRI K. S. HEGDE: You are only 42; your figure is wrong.

SHRI P. SUNDARAYYA: The people have noted it and they will note it. Let me tell the House that by these methods the Congress cannot be rehabilitated in Andhra. It is already a dying body. Whatever there is will soon die out. By these means, the Congress cannot continue its rule, cannot establish a stable Government. They might later on say that no stable Government is possible in Andhra, which is the result of linguistic division of provinces. It will be totally false argument; it is nothing but sheer bankruptcy of Congress Party at the Centre and its men in Andhra.

[Shri P. Sundarayya.]

Sir, with these words. I conclude my speech.

SHRI RAMA RAO: Mr. Deputy Chairman, this is a solemn occasion in the history of modern India and democratic progress. The Indian National Congress, the ruling party, is at last redeeming its pledges and is preparing a new map of this country. That, at any rate, is my hope and my expectation; therefore, this is the beginning of an altogether new dispensation.

This is the great day in the history of the Andhras, a race whose history goes back to antiquity, and which looks forward to a brilliant future in the national set up. Personally, Mr. Deputy Chairman, it is an occasion which brings me joyful memories. I was a volunteer at the first session of the Andhra Maha-sabha held in 1913 in my home town of Bapatla. Fondly did we hope, and fervently did we pray then that soon the time would be coming when we would have a province of our own for the mere asking. What has happened since? The British would not give us a province because we were too loyal to the Congress, and the Congress would not give us a province out of a feeling of panic that the making of new states might mean disunity. The locusts have eaten forty years, and yet we are not sorry. We have at last got a province in free India, where we can function with greater powers and greater confidence.

On this occasion, Sir, it is necessary for us to recall the good and great men that worked for the Andhra movement and particularly for an Andhra province. I remember that ancient man, Shri Konda Venkatappaiah, who just saw freedom achieved and passed away. I remember Dr. Pattabhi Sitaramayya giving this country a national philosophy on the question of language and government. The revered Shri Prakasam is still fortunately with us, tough and fighting. Though he is eighty-three, of him Andhra expects much, very much by way of sober guidance, correct advice and energetic leadership. Last of all,

I remember that noble man who laid down his life for the fructification of our movement as it is embodied in this Bill, Shri Potti Sriramulu. We would surely have got an Andhra province one day, but it would have taken years to achieve. By his sacrifice he made its coming easy and early. I thank Dr. Ambedkar for putting that point about Sriramulu more forcefully than I can expect to do from these benches.

Sir, if I support this Bill, it is not because I am satisfied with it, but because it gives an opening on a new vista, the vista of Visala Andhra, which is the dream of our nights and the vision of our days. Last year, speaking on the resolution of my friend, Shri P. Venkata Narayana, I predicted that we would soon be in Hyderabad in three years. One year has gone; two more remain. Before this period is gone, we will be there.

What do you see in Hyderabad today? Hyderabad culture, Hyderabad civilisation and all that, they say. I think, it is a bastard culture, a hybrid civilisation, and we will not have it. We want the plain and simple culture and civilisation of Andhra, Karnataka and Maharashtra. What is our plan of action? It is this—Destination: Hyderabad; Time: two years; Route: *via* Kurnool. I thank Kaka Sahib Gadgil for having given us this formula.

Dr. Katju was in a slightly poetic mood today. He was no doubt sympathetic to the Andhra cause, but I hoped as I heard him that his great power and skilful advocacy had been more liberally employed on the side of the Andhras. Surely the Central Government might have been more generous [in the formulation of the proposals I which are embodied in this Bill. Nevertheless, we are glad that Pandit Jawaharlal Nehru and the Indian National Congress are once again on the side of the angels. As the successor of Mahatma Gandhi he is now performing 'pithru vakya paripalana'. 12 NOON

Sir, Dr. Ambedkar has made an excellent speech, but it has made me completely confounded. I am reminded of

a Telugu saying: "Ramayamu lopidakalu" (dung-cakes in the Rama-yana). How does his drawing of a red herring across the path help his argument? We all know what a vital contribution he has made to our Constitution, but he has repudiated it! He has repudiated nationalism and democracy. It is perhaps his view that nationalism is not functioning properly. It is, however, too late now to stem the torrent of democracy and he will not succeed. I remember to have read a Press report of Dr. Ambedkar supporting linguistic provinces and giving his opinion that there might be Maha Vidharba, if not a Maha Mahaashtra.

AN HON. MEMBER: He began like that.

SHRI RAMA RAO: He began like that today, but went off at a tangent. He is a political puzzle, a psychological conundrum, a pathological problem. I refuse to take his arguments seriously, though I was overwhelmed by his scholarship and learning. What does it matter if we continue the present multi-lingual provinces, he asks. But according to him we have already twenty unilingual provinces and if that is not bad, the addition of two or three ought not to make much of a difference. You see the obvious self-contradiction. He added that there should be safeguards in multi-lingual states for the minorities; for this he quoted the examples of Scotland and Switzerland. I am not a bad student of history myself. One thing is certain, the more we borrow from the West the greater is the danger. The other day I was with that savant, Dr. Bhagwandas of Banaras. He was condemning our Constitution wholesale as alien to our culture. Are we again and again going to borrow from the West? We shall adopt our own methods and if and when we fail, we shall accordingly amend the Constitution. If then Dr. Ambedkar's services are not available, the services of some other able man like him will be available. Does he think that the Scheduled Castes in the Andhra area will secure a better deal in a composite province like the present one? I remember, in this connection,

the argument put to the Sikhs by Mr. Mohammad Ali Jinnah: "If you are in Pakistan, you will be 17 per cent., if you are in India, you will be 3 per cent. Join us". Of course, the Sikhs preferred India because they did not think in communal terms. We must nevertheless realise that the minorities must be saved from every sort of exploitation, and it is possible that in the new Andhra State we shall be running the administration in a manner to avoid exploitation.

Sir, Dr. Ambedkar raised next the question of land. But what has land reform got to do with linguistic provinces? The Indian National Congress is trying to attack that question in its own way and certainly Mr. Sundarayya's party has been very energetically tackling it. Who keeps up the race and who goes forward is a matter for speculation. I do sincerely hope that the Congress will provide a rapid, extensive and satisfactory solution of this great problem. It is possible that this question can be solved better on a provincial basis and Andhra will do it. We had the zamindari in our coastal districts. In the south, where there is ryotwari the land problem could have been solved much easier. A linguistic State would tackle the land problems much better than a multi-lingual province with its variety of problems. Dr. Ambedkar stressed the argument of viability. Mr. Deputy Chairman, it is a fantastic argument. The main question before this country is the working of democratic institutions. We have come solemnly to the conclusion that such institutions cannot be worked unless there is Janata Raj, and* Janata Raj would be possible only when the Government and the administration are run on linguistic lines, that is to say, if linguistic provinces are created. In this scheme, therefore, the question of viability ought to take a minor place. When the British created the North West Frontier Province, Assam and Orissa, predominantly for political purposes and empire-building reasons, did they bother about viability? No. They gave subsidies to maintain those

[Shri Rama Rao.] States. If the Central Government is called upon to subsidise some States even if they are not viable after having been made into linguistic States, it will have to do it.

Sir, great as this opportunity is before Andhra whose transformation is going to take place, we have to take into account certain difficulties which will have to be faced by the people. First, the Godavari floods. Some Andhra friends have begun to think whether it is possible or desirable for us to have the new State ushered in on October 1st. I am not giving any opinion of my own on this matter, but if it comes to the question of the new State coming into existence on the appointed date and of its having to tackle the work of flood relief immediately, let it be so. The Andhra State should be able to do this relief work very well indeed. The Madras Government has been doing extremely well in regard to affording relief to the flood-affected victims. Nothing pleased me more, Mr. Deputy Chairman, than to read a letter the other day written by a very distinguished non-Andhra political leader, to a friend of mine in Delhi, praising the magnificent fortitude and the superb courage of the people of the Godavari district and admiring how they are standing up to the calamity, how they are retrieving their lost fortunes, how, in spite of the appalling disaster, they are fighting back and looking forward to better times and happier conditions. We Andhras are not a small people. We have bred a breed of noble bloods. We have built great kingdoms and empires in the past and it would not be difficult for us not only to build a State, small as the present one may be, but to contribute grandly to the building up of the future polity of India.

Sir, there are many other difficulties with which the new State of Andhra will be faced, the most difficult of them relates to political instability. So long as the present position resulting from the last elections continues, we must be prepared for certain up-

sets. Take next, the new administrative set up. And what a set up! Capital in Kurnool, which will not be able to accommodate all the offices, and so we shall have the High Court at one place, the Revenue Department at another place, the Police Department at a third place, so on and so forth. If Dr. Katju's department does not get its letters answered promptly by the Andhra Government's departments, his department will have to thank itself. I have lived in big cities as a journalist. I once settled down in Nagpur for some time on professional work but that place proved so unsuitable that no journalist could function—a journalist who wants to work on modern lines. In the same manner you cannot possibly have your modern administrative department, flung so far wide and apart in Andhra and at the same time expect efficiency.

On the question of the capital again it will be a capital of tents. Is there at least a possibility that the capital will develop in the same manner as Delhi did? New Delhi was a city of tents in the beginning and gradually it developed into a city on the present grand scale. Twenty-five crores of good rupees we've spent on its development. What do you expect us to do with our capital? You made up your mind to throw us out of Madras. You made up your mind to keep us out of Hyderabad. We have to go to Kurnool, a common district town. I would ask Dr. Katju to pay the contribution of his Government towards the building of an Andhra capital even if it be temporary. Money will have to be found by this Government because of the arbitrary decision of the Government of India on this issue.

SHRI RAJAGOPAL NAIDU (Madras):
Why not choose Vijayawada?

SHRI RAMA RAO: Why should I go to Vijayawada, though I come from the coastal districts?

There is then the question of the financial condition of the State. Dr. Ambedkar was emphasising that the deficit of the new State would be of

the order of Rs. 2i crores. Yet some of my friends want to go on with prohibition, on which I do not want to offer an opinion at the moment. Next, we have the General Secretary of the Congress, Mr. Agarwal, exhorting us to build up a Sarvodaya State. I like it, provided between Dr. Katju and Mr. Deshmukh the money is found. It is certain that with the financial dispositions that are being made it would be impossible for the State to be self-supporting in any case and therefore I would warn the Government of India to be ready to support it as long as such support will be needed and not expect the Andhra State to foot the whole bill. I would therefore suggest that if the responsibility of the Andhras to make their State useful to themselves and to the country is great, greater is the responsibility of the Government of India, a responsibility which their own derisions devolve on them.

Sir, at a later stage we shall have to discuss the question of Bellary, but for the present I want to make it clear that the present decision is the decision of the Government of India, inspite of two judges having gone into it. I am not parochial, in the sense that I have lived all over India but I cannot be a party to an act of injustice. Where injustice is done. I have the right to protest. I am referring to the claim of the Andhras to Bellary and in this matter I agree with the opinion contained in the Appeal of Madras legislators.....

SHRI K. S. HEGDE: Say 'Andhra legislators'; do not say 'Madras legislators'.

SHRI RAMA RAO: I do not bother about it. Still we are there; don't forget it.

Here is an extract from that Appeal .

"Our claim is that Justice Misra's report did not make a complete or just appraisal of all the relevant facts. His study of the census slips, etc., to ascertain the language I

alignment was entirely dependent, not only on his inexpert knowledge of census operations but also upon the cooperation of many other officials who are all subject to the impact of this separation issue. Though he felt that he did his best under the circumstances to reach the truth he had to confess repeatedly that a plebiscite alone could satisfactorily and accurately indicate the true state of things."

SHRI K. S. HEGDE: False reading of the report.

SHRI RAMA RAO: My friend says "false reading of the report". He knows such things better because he is a lawyer. I am a journalist. ,

DR. K. N. KATJU: What has lawyer got to do with it?

SHRI K. S. HEGDE: The report is written in plain language.

SHRI RAMA RAO: I do not understand it to be so plain. (*Interruptions*).

MR. DEPUTY CHAIRMAN: • Order, order.

SHRI P. V. NARAYANA: Is 'false-parliamentary'?

SHRI K. S. HEGDE: I said "false reading".

SHRI RAMA RAO: Sir, there are some important and happy features of this Bill which I would proceed to discuss. The announcement that a Boundary Commission would be appointed fills me with great hope, because having got our own province, we are anxious that the Kannadigas -should get their own Karnataka and that there should be Aikya Kerala, and Samyukta Maharashtra.

SHRI T. V. KAMALASWAMY (Madras): What about Tamil Nad?

SHRI RAMA RAO: I trust that Dr. Katju will continue for a year or tw

[Shri Rama Rao.] as our Home Minister and pilot a Bill for the complete redistribution of the provinces on a linguistic basis. For the present, we are happy to note that there has been a shift in the opinion of the Congress. From the Hyderabad session to the last speech of Dr. Katju it has been indeed a very rapid march. We expect that this Commission, to begin with, would let us have the un-disputedly Telugu-speaking tracts in Tamil Nad and Mysore. I would, for my part, make a gift of the non-Telugu speaking territories which may still be with us in the new Andhra Province, for instance, in Chittoor. If Mysore has the "right" to get Bellary, Andhra has the right to get Kolar from Mysore.

Sir, I do not take the same view as my friend, Mr. Sundarayya, about the High Court. I know that there is a difference of opinion on the subject but I agree with Dr. Katju that it is a matter for the Andhras to decide the date on which they want the Court in their territory. It appears to me from my contacts with some lawyer friends of Madras—some of them are leading lawyers—that they would rather go to Guntur or some other place and sit under the shade of a tree, than remain in Madras from where they are being driven out.

SHRI GOVINDA REDDY (Mysore): That is really like an Andhra.

SHRI RAMA RAO: If we are not to live in Madras, we do not want the High Court there for a single minute. It must, moreover, be admitted that it is an attribute of a State to have the highest judiciary of its own subject, of course, to the Supreme Court of India.

On the question of the Services, I find that more or less justice has been done and if still we have to go on with non-Andhra talent, it is a thing for which we have to blame ourselves. At any rate, I agree with the proposition, so eloquently laid down by the Rt. Hon'ble V. S. Srinivasa Sastri some years ago, that the I.C.S.— and now the I. A. S.— gives this country a sort of unity which it would

not be possible for us to preserve if we went on having our small provincial Services.

As regards the Upper House, it has been left to the Andhra Legislature to make commendations. I am more or less satisfied with what has been said about the arrangements for the Tungabhadra project. I am glad the avarice and ambition of Mr. Hanuman-thayya has been defeated. I am also glad that Dr. Katju has once again made it clear that the original arrangements connected with the Tungabhadra project would be intact and that Rayalaseema would be the first beneficiary of this tremendous irrigation project. Sir, if there is one thing which pleases me more than another, it is the river policy of the Government of India. Rivers cross states and provinces, and it is necessary that they should be treated on a national level.

I must now proceed, Sir, to offer a few general observations about the manner in which the Government of India have been tackling this question of linguistic redistribution, because it impinges very vitally on the Andhra issue. Everything is *ad hoc*; everything is perfunctory; everything is haphazard. There is no rationale. There is no philosophy. The question of Andhra arises—well, do something about it. A similar question arises somewhere else—well, do something about it. Surely, there ought to be some science and some system in handling such questions. Otherwise, you will be creating difficult situations. I would be the last man to quarrel with my Tamilian friends, but everything that the Government of India have been doing in regard to the question for forming an Andhra State has complicated issues and brought about estrangement—estrangement which, I trust, will not last long.

Sir, examine any major issue that is being taken into consideration. You will find that, in every vital matter, it is the President who is to decide. It is like saying: "You fellows are quarrelling. If you cannot settle the

issues yourselves, come to us." It is, on the other hand, your first business to appoint a commission which carries political experience and judicial authority; settle all disputed questions of principle through it once and for all, and then implement its recommendations in the right and proper manner. But, this is not being done. And it is not being done with regard to the Tungabhadra project, the assets and liabilities and the boundary disputes. I prefer a judicial process to a process which implies authority and authoritarianism.

SHRI K. S. HEGDE: So long as the decision is favourable to you.

SHRI RAMA RAO: Not so long as the decision is favourable to me.

SHRI K. S. HEGDE: Past experience is that.

SHRI RAMA RAO: Past experience is not enough for you. Sir, the Boundary Commission will go into the question of provincial rearrangements but with what will it be specifically charged? Dr. Katju cannot prevent my saying that the omission to mention that the map of India would be arranged on linguistic lines is a deliberate omission. Why does not the Congress, in fulfilment of its pledges, come out openly and say, "We shall divide India on the linguistic basis, and where it is impossible, we shall place the matter before Parliament. In the meantime, we shall do our best to promote that cause."

What will be the composition of the Commission? How will legislation based on the Commission's report be passed? How long will it take? Mr. Hukhekar, Chairman of the Bombay Legislative Council, speaking the other day, demanded that a Commission should be appointed for the re-arrangement of India's boundaries definitely charged with the observance of certain fundamental principles to be laid at the very beginning, but I found nothing like this in the speech of Dr. Katju. It may be that this Commission will go round like the Dhar

Committee or some other committee and make a report unacceptable to the country. I do not feel that this Commission is going to make us happy.

In this connection, we must clearly understand what a "residuary State" is. Are we dealing with chemistry? Are we dealing with law? This is a fantastic mis-application of the phrase in the present context. If I divide from my Tamil friends, does it mean that I am to be sent into exile with nothing more on me except my dhoti. No. When a father dies and the children divide, they divide equally. I am not talking about Tamil Nad and Andhradesh. I am talking of the general principle. Here the general approach is totally wrong.

SHRI RAJAGOPAL NAIDU: It is not a question of partition. It is a question of release.

SHRI RAMA RAO: It is a question of the partition of State. It is not a question of secession. This is not Pakistan. Even in the case of Pakistan, you decided certain things at round table conferences. We have got to do it in the present instance in a judicial manner.

As regards the question of assets and liabilities, I want to ask: "Where do you stand? What law do you apply. Personal law? National law? International law?" I find nothing about it in this Bill. What are the principles you are applying? Expenditure? Value of assets? Population? Contributions? I think the framers of the Bill are rather confused about this. Let them make up their mind and lay down certain general principles. Consult the various parties at a conference, and appoint a Commission. Let that Commission go into the questions most impartially and most strenuously, and let us agree in advance that whatever the Commission will have to say it should not be for responsible people to repudiate.

DR. K. N. KATJU: I am afraid the report of the Commission will be acceptable only to those people who favour that particular point of view.

SHRI RAMA RAO: The majority- of the people of this country have voted the Indian National Congress into office. Is it now the idea of the Indian National Congress that the people are not behind it, that the Congress Government-appointed Commission will not be trusted, or that the Commission will be so deplorably one-sided? I am unable to follow Dr. Katju's reasoning.

OR. K. N. KATJU: My observation was quite clear. I said that in the beginning everybody says, "Leave it to a Commission and whatever the Commission recommends, we will accept". But experience shows that when the Commission has reported u* its report falls short of their wishes, they will demand a plebiscite or another Commission or another enquiry. That attitude of mind, I suggest to you, is not desirable.

SHRI RAMA RAO: Sir, I am willing to agree with Dr. Katju's view. (*Interruption from Mr. Hegde.*) Why do you go on interrupting me all the way? Dr. Katju's reasoning would provide an excellent argument for having no Commission at all. Is it not so? He must accept the pains and penalties of democracy

DR. K. N. KATJU: Yes, certainly.

SHRI RAMA RAO: It is unfortunate that Commissions are appointed very often without proper terms of reference and without their being given guidance as to how they should proceed. But I believe that any Commission appointed by the Congress Government will be satisfactory and helpful and that its opinions will be generally acceptable to the country, unless they are too palpably bad.

I will now proceed to discuss the reasons for linguistic provinces in general. If Dr. Ambedkar's opinion is to be accepted, the Congress must go back on what it is doing now. Yet he was delving into ancient history and charging the Congress with having forgotten what it promised to do as early as 1921. What was happening to that promise he asked. It

is all time, but that question should be more appropriately put by me and not by Dr. Ambedkar, because if he, in his present mood, is in favour of multi-lingual provinces obviously linguistic provinces don't concern him, and so why should he worry about the Congress Government not creating linguistic provinces, which are a matter for Congressmen? We have heard much about the danger of fissiparous tendencies. Now, Uttar Pradesh is a unilingual province and so is Bihar. If then South India is reformed on the principle of language, will it suddenly become dangerous to this country? How? Be consistent, be intellectually honest, you cannot have it both ways. If there are twenty States already unilingual, have three or four more.

Mr. Nanda was saying some time ago, 'Oh, the Five Year Plan will be blasted if linguistic provinces are created or if the linguistic tempo rises.' Well, some people don't like the Five Year Plan. I too don't like it very, very much, but what on earth has the Five Year Plan got to do with linguistic provinces? On the other hand, I would say if linguistic provinces are formed, they would be helpful to the Plan. So long as I sit in Kakinada or Rajahmundry and think that a composite and heterogeneous Government far away is administering the funds and that one part of the State is having a better deal than the other, I shall be unduly suspicious and therefore I shall not have the heart to work for prosperity as laid down in the Plan. On the other hand, if a Minister whom I have elected to office looks after the Plan, in my territory, it will flourish better. Sir, I have no doubt that if linguistic provinces are created, they would sound the death-knell of the Rajpramukhs. They will be squeezed out. I sincerely hope that the Nizam, who is 70 years old, will soon oblige us.

What of the future set up of Andhra? Recently a symposium

was held at Constitution Club, New Delhi. It was a splendid performance, for which my friend who organised it must be thanked. Enormous are the resources of our State and if only we put our shoulder to the wheel, Andhra will be one of the most prosperous States. Dr. Ambedkar took up the question of Rayalaseema in pursuance of his philosophy of safeguards. Switzerland, Scotland, Canada—I don't think he quoted Iceland, Finland or Denmark. But the fact remains that Rayalaseema is an essential part of Andhra. Remember we are living in free India and not in the British days when the British were willing to exploit any section of the country for their nefarious purposes. Rayalaseema carries 30 to 40 per cent, of the seats in the Andhra Legislature. Am I to understand that it would be ever possible for an Andhra Government to function for a single day if 40 per cent, of the legislators, that is, those from Rayalaseema are opposed to it when the Government is doing them injustice? Could you believe it? What is the percentage of votes or seats that Scotland gets in the House of Commons compared to the enormous number of seats England has in the House of Commons? it is a wrong analogy altogether. Canada—there is the religious and racial question of Catholics and Protestants, French and English. Its Constitution was devised years ago but the English are the predominant majority. Let us not forget the Englishman's supreme commonsense. "When I was in Canada I was talking to a French-Canadian journalist about ■ their racial questions, as we are too full of them in this country. He had nothing to say against the working of the Constitution of their country. It protects them well. Dr. Ambedkar unduly minimises the possibility of our developing the mentality of democracy and egalitarianism, a sense of social equality and justice. It may be that communalism has been too much with us and we have not grown out of it. But why do you deny us the opportunity and the chance of developing out of it in future? When freedom

comes, it comes in glorious plumage, with tremendous inspirations with wonderful urges, and it is possible that in a free country, we shall shed the (mentality of slavery and shall think in terms of equality, if not today, some time in the future. The Reddys, the Kammams and others—they are there, thanks to our social system— but as radicalism develops, and as we come to worship the religion of citizenship, it would not at all be difficult for us to get over the present communal differences and make it impossible for any one to think in terms other than those of India and Indians.

Sir, the question of the economic development of Andhra has been discussed; but if I were a Minister in Andhra—I see absolutely no hope of it

SHRI K. S. HEGDE: It is your luck!

SHRI RAMA RAO:I would say: turn your attention to Rayalaseema. Have a Dhanbad, have a Jamshedpur, develop the mineral resources there. Develop the Nallamala forest that would be enough to put us foremost in the race for national prosperity.

What is going to be the future picture of the politics of Andhra? Are we going to have political stability? Or shall we hold fresh elections? Mr. Sundarayya was complaining that a good deal of gerrymandering and manipulation according to him is going on and an infernal conspiracy against the non-Congress parties is being presided over by Mr. Trivedi. Sir, it is not my habit to anticipate political developments when they are just in the making. It is possible that the commonsense of my people will assert itself and that there will be a new mentality altogether among the Andhras. In recent years they have shown great unity and good leadership. In my opinion, the Andhras should have a cabinet of national concentration, containing those elements which are willing to work constitutionally for the good of the State. Above everything else, let us remember—Mr.

[Shri Rama Rao.] Sundarayya would agree with me in that—tha,t it is our duty to build up the Andhra State and I expect that, with their advanced ideology, the Communists also would be making a substantial contribution to the building up of that State.

SHRI P. SUNDARAYYA: But the Congress does not want it.

SHRI RAMA RAO: Ydu rush in and do your job. You are not prevented.

One word to my Tamil friends. We are parting. It may be that the mistakes committed at the Centre have brought about a situation where we could not part with that feeling of fundamental goodness and fraternity which ought to be expected in regard to internal division of a country. How can any Andhra forget the good services that the Tamils have rendered to his part of the province? Sir, one of my best teachers was a Tamilian, and if I am able to speak a few words of English in this House, I owe very much to my great headmaster who came from Tanjore.

It is an accident that the Tamilians learnt English first like the Bengalis in Northern India and • they came to occupy posts which were denied to others. After the Andhra movement began, we have been doing well with the result that today but for a few higher posts we are able to get enough personnel for our new State's work.

Dr. Katju was saying in the Lower House that he was sorry that as a result of this Bill the great and glorious State of Madras would be broken up and the beautiful and lovely word "Madrasi" would disappear from our political vocabulary and national diction. I am, on the other hand, happy that that word is going out for ever. Pattabiraman is a Tamilian. I am Andhra. Why call us Madrasis? I do not like the word. It is one of the minor benefits, of this Bill that I can go out saying—as I have been in fact doing these thirty-five years—that I am

an Andhra and not that monstrous hybrid known as "Madrasi."

Sir, finally, a word to those who are saying that these linguistic provinces will make for disunity. No, they will not. In Indian history you will find throughout that forces have been working in opposite directions. At one time you will find fissiparous tendencies working and at another time strong unifying forces. Today, the most unifying forces are our freedom, our patriotism, our nationalism and, above all, the political set up which we have created, the Constitution we have given unto ourselves. It is a noble and splendid Constitution. It gives us the strength of unity and the vigour of nationalism. It is an embodiment of our patriotism and a concrete manifestation of our revolutionary idealism. I have no doubt that it will be a great unifying force even as our great religion has been a unifying force, even as our culture and civilisation have been a unifying force, even as the common economic background and need is a unifying force. This linguistic division is really, psychologically and practically a reintegration of this country. Looking confidently forward, I would say that if we Andhras have played a great part in the revolutionary struggle, we shall play a no less powerful part in shaping the future of this country. We have done great things in the past. We are a people who refuse to die, we shall go forward and onward achieving our best, making a vital contribution to the rebuilding of this country, and, above all, building up in the best way that mighty and powerful force of Indian nationalism—the Indian National Congress.

SHRI S. N. DWIVEDY: Mr. Deputy Chairman, I welcome this measure because at long last a long-standing demand of the Andhra people is going to be met partly. But, the Government does not deserve any credit for this measure.

Sir, the House would remember that on the 16th of July last year, a non-official resolution was brought before

the House by my friend, Shri Pydah Venkat Narayana. In that resolution. If we were to go through the proceedings we would find demands made for the constitution of an Andhra State mainly composed of those districts which are now proposed to be included in the proposed Andhra State. Sir, the Government had no foresight. It delayed matters as it does in everything. Government raised the bogey of disagreement over that issue and over this issue and, with the brute majority at their command, voted down that resolution. They did not accept the proposition. In reply, it was stated that the country would be disrupted, disintegrating forces would raise their heads and so on, and that Government was not in a position, with the Five Year Plan and other economic measures before them, to come forward with the formation of this Andhra State at that time. But now, just after a year and a few months,* what has happened? There is a regrettable history behind it. There has been bloodshed, a patriot has died, there has been loss of property,* violence and what not. And the Government was compelled to accept the same demand. The people of Andhra have practically been able to snatch this demand from the hands of the unwilling Government. Sir, this clearly shows that this Government is not prepared to do anything which is for the good of the country which the people demand. Otherwise, I do not think there is any reason behind this when you talk of unity and integrity.

I venture to ask: Did you take the wishes of the people when you partitioned this country? No Sir, if today, demands for more provinces are coming one after the other, it is because of the dilly-dallying policy of the Government. I am perfectly convinced that not only this issue but any other economic issue that is so very urgent before us is not going to be solved by this Government because it is a Government of the *status quo*: it is the Government of a party that does not want to move. If we want to change the face of the country, the

people will have to raise a mighty movement. Sir, we cannot concede that after the formation of this province, the entire question of the formation of linguistic provinces will be solved. I would say that that is just* the beginning; the trouble is still ahead. We cannot consider this problem as an isolated matter. The entire people of India are seized of the formation of linguistic provinces; they want it. here and now the demand is increasing; it is not confined to the Congress Party or any other party, the entire people are behind this movement. And why is it so? Who has created the atmosphere in the country? Primarily the party in power today is responsible. The demand has been put forward in this country for long long years. You cannot sit silent when people after freedom want to have their wishes fulfilled. That is how this movement is going on. Nor is it a new demand which you can reject. Nor would you say that we must fix priorities for this and priorities for that. What is that priority you are speaking of? I do not say nor do I believe that linguistic division will be the only consideration. While carving on provinces, administrative convenience and economic self-sufficiency have also to be taken into consideration. But what is the position today? In the entire country there is no, rational thinking. People are so obsessed with this idea of linguistic formation of provinces that they refuse to think in national terms. There is suspicion all round. One community begins to doubt the *bona fides* of the other although we belong to the same country. We are citizens of the same one nation. But this is a position which I do not think is conducive to the growth of our nation. My complaint is—perhaps there is a sinister motive behind it— that while you do one thing, while you accept the principle of formation of the Andhra State you do not make a specific declaration that it is the first step towards the re-division of the country on linguistic basis. Even while Dr. Katju was making a declaration that an all India Boundary Commission would be formed before the

[Shri S. N. Dwivedy.] •end of this year he did not specifically state what would be the terms of reference of that Commission and i whether that Commission is going to settle all these linguistic problems for all time to come. Nothing like that. •Perhaps this Government which is res-ponsible for this idea of linguistic provinces all the same wants to delay (matters and wants that the people in the different provinces should quarrel amongst themselves. They will forget the urgent economic issues before them so that this Government may carry on as it is doing today. I do not think the people are going to tolerate this sort of situation. This Divide-and-Rule policy the British Government introduced in this country and this Government has inherited it, but this Government also will be driven out like the Britishers if it pursues this policy for long.

Sir, a people's cry for a State on a linguistic basis is just like a man's desire for a home. It gives one a feeling of oneness. Therefore before we proceed to more serious things it is desirable that the elementary aspirations of the people are to be satisfied. Unless that is done. I am afraid no beneficial measure, no development plan in this country is going to succeed.

This movement for linguistic provinces is of three types. There are people speaking different languages and distributed in different provinces who want a State for themselves like the Maharashtrians and others. There is also the problem of other people living in different areas. That means people who are already in a province want certain other persons lying in certain other neighbouring States to be included in their area and if the Boundary Commission is not going to decide these two problems this movement would go on. There are also horrible stories of oppression of minorities in some States. Even before the Boundary Commission has come into being fight over the possession of border lands has begun. The quarrel is

who would get what, what portion of it or how much of it. These things are going on. Also reports are there of horrible stories of oppression, of attempts to see that the language of a particular community is removed from the schools so that the pupils whose language is that particular language do not get the opportunity to know and to read and write their own language in particular States. Such things are bound to occur and they are bound to increase. If the Government of India declares here and now that on such and such a date the Boundary Commission would come out with its report and if they decide these things once and for all, people will have to accept the Commission's award as final. If there is any movement against this Commission's award, it should be put down with a heavy hand. That is what I want this Government to do immediately, if it is serious that our country should prosper on proper lines.

There is another question which will not be solved even if the Boundary Commission decides these two problems. In spite of the linguistic division, in spite of the recommendations of the Boundary Commission, I am perfectly sure that there will be tracts, there will be areas in some provinces where people speaking a different language would naturally reside. The question will arise—what would be their fate? Would they not have the same suspicion and the same doubts towards the majority community that may be ruling over that particular State? Therefore, Sir, this question has also to be dealt with and decided by the Boundary Commission or some such authority that may speak on this problem with a final say in the matter. Our Constitution no doubt provides sufficient guarantee but in our enthusiasm to own, in our enthusiasm for a false culture or something like that, often we do not look at the problem with proper care and justice. Therefore it is highly necessary that this question should also be looked into. Although this Andhra State which is going to be created at long last is a

good thing—the people of Andhra welcome it; they will have a new State of their own; everybody in this country likes it—at the same time I would warn this Government that unless, as I have stated already, it also decides the question of linguistic formation of States at the same time, even the people of Andhra would not, after getting this province, keep silent over it.

SHRI S. MAHANTY (Orissa): Mr. Deputy Chairman, Sir, at the outset I must record my sincerest appreciations of the hon. the Home Minister who at last has presented us with a Bill for the creation of the Andhra State. At the same time I cannot also refrain from saying that the Andhra State has come late, too late in the day, and the concession also has lacked conspicuous grace. When I say, Sir, that it lacks conspicuous grace, I make a pointed reference to the delay, undue delay, that has accompanied the creation of the Andhra State. The demand for the creation of an Andhra State is not new. Since 1913 the Andhras have been crying for a separate state. I think it will be beside the point if I go into all the demands that were being made by the Andhras prior to 15th August 1947, the day on which we attained independence. After we attained independence, in the Madras Assembly, I think on 18th April 1948, the then Home Minister of Madras moved a resolution for the creation not only of an Andhra State but also of other States in South India on linguistic basis. Thereafter the matter was referred to the Constituent Assembly. Then the Drafting Committee of the Constituent Assembly also recommended to the Government for the creation of an Andhra State. As early as 1947 the Prime Minister conceded, on the floor of the Constituent Assembly, the demand for the immediate creation of an Andhra State.

1 P.M.

But the country had to wait, the Andhras had to wait, for a long years till the martyrdom of Potti Sriramulu. Sir, as it has been said by

an eminent poet, martyrs do not come to this earth for once only. Martyrs' blood has flowed and it is bound to flow so long as inequity persists. Therefore, in order that we may receive the blood of the martyrs the altars must be ready. And therefore, in fitness of things, while the hon. Home Minister was rising to flights of sentimentalism, he ought to have made a reference to the martyr, Sriramulu, to whom the Andhras today owe their State.

Having said that much, Sir, I will draw the attention of the House to one aspect of Andhra Bill. All along, I have been a consistent advocate of linguistic States. Therefore, I do not take exception to the principle which underlies the Bill, namely, the creation of an Andhra State on a linguistic basis. But I have great opposition to an issue of considerable inequity, which has been introduced into the Bill as a secondary issue, namely, the rendition of seven taluks of Bellary District to Mysore. As will be apparent from the hon. the Prime Minister's statement on the 9th December 1952, it was decided that an Andhra State should be formed forthwith consisting of the Telugu-speaking areas of the present Madras State. Therefore, the issue was quite clear. Instead of going into the larger question of rectification of the linguistic frontiers of other States, or instead of going into the larger question of bringing about other linguistic States into existence specifically, an Andhra State would be formed consisting of such Telugu-speaking areas as were lying in the Madras State. But what happened thereafter? Thereafter, the hon. Mr. Justice Wanchoo was entrusted with the task of reporting on the formation of an Andhra State. He submitted his report and it was found that a considerable portion of the Bellary District was Kannada-speaking. I have no quarrel, Sir, on that point; in the fitness of things, the Kannada-speaking taluks—the seven taluks of Bellary District—should go to Mysore. But this has to be borne in mind that when we are speaking".

[Shri S. Mahanty.] about the linguistic formation of States, the Government are trying to modify that by saying that only linguistic considerations should not be the overriding considerations for creation of a State. There should be other considerations as well. And they further qualify those other considerations—like considerations of Administration, considerations of working out of the Five Year Plan, and so on and so forth. So, what do we find? We find here that the Tungabhadra project, on which so much of the prosperity, not only of Andhra but of Mysore as well, depends, and on which so much of our national prosperity depends, is being worked out with its head works in a taluk which has now been transferred to Mysore. If the project would have remained under unitary control, under unitary management, under an unitary accounting system, then, it would have certainly facilitated the expeditious execution of the project.

I have got considerable acquaintance with many river valley projects. Even under the unitary Administration . we already know what a crop of corruptions and inefficiency has resulted. Now I most respectfully ask the House to consider how far the delegation of the execution of the Tungabhadra project to dual control, dual accounting system and dual management is desirable.

SHRI K. S. HEGDE: Even as it is, it is dual control between Hyderabad and Madras.

SHRI S. MAHANTY: But consider the psychological hostility it has engendered, for which we find a provision made in section 66. Sir, I was also looking through the Journal of Industry and Trade where they have provided for a Board for the execution of the Tungabhadra project. I invite the attention of the House to a relevant paragraph therein:

"In the event of disagreement among the members of the Board on any issue, the Chairman will resolve the differences and his de-

cision will normally be final. Should, however, a State feel aggrieved at the Chairman's decision on a major question of rights or policy, it will have the option to refer the matter to the Central Government for decision."

They are going to set up a Board. The Board will have a Chairman and that Chairman will adjudicate on such quarrels or such differences as may arise between the new State of Andhra and Mysore, but then they anticipate that the Chairman's findings or decisions might not be satisfactory to either parties. If so, they will refer the matter to the President, and the President is being armed with certain powers so "that his decision will be binding. If we analyse this particular proposition, we will find that this is a retrograde step in itself as it over-rides provincial autonomy. I am quite sure, the House will also learn from its own experience, that this project will never be completed within the time schedule, and the House will again be attributing the delay to this dual management. But that is not my point. What I have been saying here all along is this: The Government has always been saying that linguistic considerations are not the only overriding considerations, that there might be other considerations as well. Therefore, in order to show the country that the Government stand by their professions, they should have given weight to the other considerations also in the formation of provinces on a linguistic basis and therefore they ought to have placed the seven taluks of Bellary District or the Bellary District as a whole in the new State of Andhra until the Boundary Commission had had an opportunity to go into the whole question of the creation of linguistic States and also the rectification of the boundaries of other linguistic States. You know, Sir, that the quarrel or difference between Mysore and Andhra does not relate to the seven taluks of Bellary only. Mysore is also claiming certain portions of Anantapur. The residuary State is also claiming cer-

tain areas which are now in Andhra Similarly the Andhras are also claiming certain areas in the residuary State of Madras. Orissa is also claiming some portions of Vizagapatam and Srikakulam Districts. Similarly the Andhras are also claiming certain portions of Gunjam and Koraput Districts. I am not going into the merits of the respective demands. I am not going into the multifarious aspects of this issue. What I mean to say is that by transferring the 7 taluks of Bellary District to Mysore you are not going to solve the question once for all. You are still leaving a major chunk of the question to be decided hereafter. Therefore, my conclusion is this. This Andhra Bill has been a child of political pressure and in its presentation also it has been child of another political pressure. For, we read last year in the press that two hon. Ministers of the Council of Ministers in the Centre gave their ultimatum to the Prime Minister that they would have to resign unless Bellary is integrated with Andhra. Therefore when the party in power sets such an example, when in one breath it says that linguistic considerations should not be the only considerations and there should be other considerations as well and then when it comes to certain areas, probably with their greater pull with the Union Government, they calmly swallow those professions and they enunciate another proposition to suit their needs.

SHRI K. S. HEGDE: Obviously you have not read the terms of reference. The division is only in regard to the undisputed portions of the Telugu area. This is not a Telugu area. That is the difference

SHRI S. MAHANTY: In that case may I ask Mr. Hegde if Anantapur is a non-controversial area?

SHRI K. S. HEGDE: It is not. But the point is, according to the census Anantapur has a majority of Telugu population. Now Bellary is admittedly a Kannada area leaving Bellary Taluk.

SHRI S. MAHANTY: My dear Sir, I know that you are an eminent advocate and I know you will advocate your case but you are only negating yourself. Is Anantapur a non-controversial area? Is Chittoor a non-controversial area? Certainly not, because the Kannadigas are staking their claims on certain portions of this district. Therefore it cannot be construed as a non-controversial area. It is not a purely Telugu speaking area, nor is the district of Chittoor. Therefore, when you are including controversial areas like Chittoor and Anantapur in the proposed Andhra State, why could you not include Bellary until the completion of the Tungabhadra project or the awards of a Boundary Commission whichever is earlier. The transference of Bellary to Mysore on linguistic grounds at this stage cannot be severed from the bigger question viz., rectification of the linguistic frontiers of existing States and creation of new States on linguistic basis.

Another question emerges. The people of Bellary District have been so far in a Part A State and now we are going to relegate them to a Part B State with all the constitutional limitations that might be there.

SHRI K. S. HEGDE: Leave it to them.

SHRI S. MAHANTY: As will be evident from the report of Mr. Justice Misra, this has satisfied neither Kar-natak nor the Andhras nor will it satisfy us, those who have been clamouring that there should be one principle and one principle alone, so that we might not be coming every time and making a profession and swallowing it when it suits

DR. K. N. KATJU: How do you come into the picture at all?

SHRI S. MAHANTY: Sir, you were not present when I was in the picture. Therefore with a sense of profound regret, I might be excused if I say that this

Bill has given the lie