

[MR. DEPUTY CHAIRMAN in the Chair.]

*THE CONSTITUTION (THIRTY-THIRD AMENDMENT) BILL, 1973

THE MINISTER OF HOME AFFAIRS (SHRI UMASHANKAR DIKSHIT): Sir, I beg to move:

"That the Bill further to amend the Constitution of India, as passed by the Lok Sabha, be taken into consideration."

Sir, before I go into the provisions . . .

SHRI LOKANATH MISRA (Orissa): One suggestion, Sir. This Bill and the Mulki Rules could be discussed together but voting taken separately.

SHRI BHUPESH GUPTA (West Bengal): No, it cannot be.

SHRI UMASHANKAR DIKSHIT: Sir, before I go into the provisions of the Bill, I would like briefly to narrate the circumstance in which the present Constitution Amendment Bill is brought before the House. The House is aware that the Telugu-speaking people of our country has aspired for years to have a large Telugu-speaking State which they used to call 'Vishal Andhra'. Their demand fructified in 1953 to some extent when the Telugu-speaking areas of the then State of Madras were carved out into a separate State by the name of Andhra. When the States Reorganization Commission considered the question of further reorganization of the States, they suggested the division of the State of Hyderabad. They had some reservations regarding the immediate merger of the Telugu-speaking area of Hyderabad, known as the Telengana area with the State of Andhra Pradesh. And, therefore, they recommended that the areas may remain as a separate

*The Bill was introduced in the House of the People as the Constitution (Thirty-third Amendment) Bill 1973 and its Short Title was amended by that House to read as the Constitution (Thirty-third Amendment) Bill, Act, 1973.

State for some time. However, it goes to the credit of the people that through discussions amongst themselves they succeeded in allaying all doubts that the States Reorganization Commission had expressed. After prolonged discussions, an agreement was reached between the leaders of the public in the Andhra and Telangana areas for safeguarding the legitimate interests of Telengana in the larger Telugu-speaking State. One of the safeguards proposed was the constitution of a Regional Committee for the Telengana area. There was also an assurance that posts in the subordinate services in the Telengana area may be reserved for some time for being filled by persons satisfying domicile condition, that is, Mulki Rules as were in vogue in the erstwhile State of Hyderabad.

There was also an understanding that regulation of admissions to educational institutions in the Telengana areas should be within the purview of the Regional Committee so as to ensure that the educational facilities available to the students of Telengana area are not diminished but are improved further. All these measures were intended for the transitional phase and it was expected that special efforts would be made during this phase to accelerate the development of the Telengana area. For the purpose, there was also an assurance to the people of Telengana that the revenue surpluses of that area would be utilised only for the development of that area. I must say that this agreement was welcomed all over the country as an act of statesmanship and led to the immediate formation of Vishal Andhra and come to be known as Andhra Pradesh. In pursuance of the agreement reached between the leaders of Andhra and Telengana, the Parliament included a special provision in article 371(1) of the Constitution for the constitution of a Regional Committee for Telengana area.

In 1957, a special law known as the Public Employment (Requirement as to Residence) Act was also passed by the House. By section 2 of that Act

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the Mulki Rules were repealed and by section 3 special safeguards in the matter of public employment for Telengana area were provided. These arrangements continued for several years without any complaint from any side.

Difficulties, however, arose when the Supreme Court struck down in 1969, section 3 of the Public Employment (Requirement as to Residence) Act in so far as it related to the Telengana area. At the same time there was a feeling in Telengana that the other safeguards were also not being implemented satisfactorily.

The entire matter was reviewed and the powers and functions of the Regional Committee were reviewed and enlarged; measures were taken for ensuring that adequate development of resources were made available for the Telengana area and steps were also contemplated to secure employment opportunities for the people of this area by localising recruitment. As things were settling down, in October, 1972 the Supreme Court held that section 2 of the Public Employment Act, 1957, which sought to repeal the Mulki Rules could not stand after section 3 of the Act in its application to the Telengana area had been struck down. The result was that Mulki Rules revived and that too with retrospective effect and without any limitation. The House is fully aware of the agitation that followed this judgement. The agitation continued and sometimes in virulent and violent form and finally Andhra Pradesh was brought under President's Rule on the 18th of January, 1973. The situation was rather complex and some time had to be allowed for passions to cool down before a final solution could be found.

I am glad to say that the old spirit, which helped the Telugu speaking people to realise their vision of Vishal Andhra, asserted itself and after a series of discussions the leaders of both the areas were able to identify

the problems which had given rise to the repeated strife and to hammer out a solution which would not only provide answers to the basic problems but also further promote the emotional integration of the people of all the areas of this State.

A basic problem which has been troubling the minds of the people of Telengana was their continued backwardness in spite of the efforts made during the last several years in the field of development. It was realised that backwardness was not a problem peculiar to Telengana. There were other areas in Andhra Pradesh, i.e., in Rayalaseema and even in the coastal districts, which needed accelerated development. Keeping this in view, the State leaders agreed that there should be identification of the backward areas all over the State and a special mechanism should be devised to accelerate the development of all these backward areas.

Secondly, there was a feeling among the people of Andhra Pradesh that such of them as had settled down in the State capital were not getting adequate facilities in the matter of admission to institutions of higher learning. This was attributed to reservation of a large percentage of seats in these institutions or candidates possessing domicile qualifications. On the other hand, there was the fear among the Telengana people that the opportunities available to them would be diminished in case such restrictions were removed. It was in this context that the State leaders came to the conclusion that while adequate preference should be given to local candidates in the matter of admission to educational institutions, this should be done on a uniform basis throughout the State.

They also suggested that a Central University should be established at Hyderabad to augment the existing educational facilities.

The third major issue which agitated the minds of the people of the

Andhra area was the continued operation of the Mul ti Rules in a part of the State only. During the discussions there was appreciation of the fact that a certai i proportion of jobs at the lower leve should be available to the people of the local areas in which these jobs exist and that this principle should apply uniformly throughout the State.

SHRI MAHAV R TYAGI (Uttar Pradesh):
Why iot throughout the country?

SHRI UMASHANKAR DIKSHIT: There was a spec al agreement in case of Andhra Prade sh and it had to do with the earlier i rovisions which were i'n operation in Nizam's Hyderabad and this was the part of the agreement on the basis of v hich Vishal Andhra was formed.

It was also noticed that -many writ petitions had been filed by the employees of the State Government to seek redress to a variety of service grievances on account of seniority, promotion, transfers etc., and often these had led to unsettling several administrative decisions. The State leaders, therefore, suggested the setting up of an Administrative Tribunal to deal with sIK h grievances and also to limits being imposed on recourse to judiciary in matters falling within the purview of the Tribunal.

The four-fold scheme -mentioned above can be put through if there is adequate consti utionai cover. Moreover, a variety of details had to be worked out and reduced to statutory orders.

Thus the Sta<:e leaders came to the conclusion that the Constitution should be suitably amt nded to the extent necessary to con'er on the President enabling powers in this behalf, and that the continuance of the Mulki

Rules and the Regional Committee would be unnecessary. Some of the State leaders finally issued a statement on the 21st September 1973 setting out what has been called the Six-Point Formula. Later some of them: had further discussions among themselves and elaborated the more basic aspects of the Formula in a statement issued on the 22nd October, 1973.

The Formula haa been widely welcomed and has received convincing support in all parts of the State. It is only when we were satisfied that there was genuine support to this Formula frc-m almost aU sections of the people that we decided to revoke the President's Rule. The Ministry which was constituted immediately thereafter has fully endorsed this Formula and has requested the Central Government to under-take necessary constitutional amendment as envisaged in the Formula. Sir, this Bill has been brought, forward in response to that request.

I would now like quickly to run through the provisions of the Bill. As stated earlier, the suggestion is that the Regional Committee need not be continued. Clause 2 of the Bill, therefore, seeks to omit article 371(1) of the Constitution.

Clause 3 of the Bill seeks to insert two new articles, 371D and 371E, which are special to the State of Andhra Pradesh. Clause (1) of article 371D makes a general provision enabling the President to provide by .order equitable opportunities and facilities for the people belonging to different parts of the Svate in the matter of public employment and in the matter of education. Clause (2) of this article spells out the various details which may be provided in the order by way of localising State-wise cadres, where necessary, specifying local areas in respect of different local cadres and educational institutions and prescribing the criteria for determin-i ing local candidates for the purpose

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of giving preference in the matter of recruitment to local cadres or educational institutions in different parts of the State and the extent of such preference. All these details will have to be worked out but the Six-Point Formula and its elaborations already contain several guidelines.

Clause (3) of the proposed new article 371D provides for the constitution of the Administrative Tribunal and also its jurisdiction, power and authority being defined by a Presidential Order. Clause (4) makes some more provisions in respect of the Administrative Tribunal. The Six-Point Formula provides that the decisions of the Administrative Tribunal should ordinarily be binding on the State Government. In other words, in exceptional circumstances where the acceptance of the decision is likely to prejudice the interests of the State it was intended that the State Government should have the authority to modify or cancel the order. We cannot over-look the possibility of such situations arising.

At the same time there has to be a measure of assurance to the employees that the orders of the Tribunal will not be lightly set aside or modified. It has, therefore, been provided that if the State Government consider it necessary to modify or annul the order, they should do so within three months and while doing so the reasons for such action should be recorded in writing. Provision has also been made in clause (6) that the order made by the Tribunal should be laid before the State Legislature.

Clause (7) provides that except the Supreme Court no other court or Tribunal shall have jurisdiction, power or authority in respect of matters falling within the purview of the Tribunal. In other words, the Tribunal will be a high powered forum whose decisions will not be lightly set aside or altered. We also expect that the Tribunal need not be a permanent fea-

ture. When the various problems relating to service matters have been sorted out to the satisfaction of the employees, there may be very few occasions for them to resort to the Tribunal and at such a stage it may be considered unnecessary to continue this body. Clause (8) of article 371D provides for such a contingency.

As I have stated earlier the law relating to requirement as to residence in the Telengana area has undergone repeated changes. Apart from this, the scope of the Mulki Rules has still not been finally settled. According to an interpretation given some time ago by the State High Court persons born in the Telengana area cannot possibly be Mulki. The matter is now sub judice in an appeal but still there is no finality. It is, therefore, desirable that there should be no doubt left regarding the validity of the appointments, postings, promotion or transfers, made in the past on the ground whether such appointments were made in accordance with any law providing for requirement as to residence or not. Clause (9) makes necessary provision in this behalf.

Clause (10) of article 371D naturally has to be there because the special provisions of this article have to override the normal provisions of the Constitution.

Establishment of a University is normally the function of the State Government. However, the Six-Point Formula suggests that there should be a Central University in the State. Article 371E, therefore, seeks to confer on Parliament the necessary legislative competence to establish such a University.

Clause 4 of the Bill makes only a consequential amendment to entry 63 of the Union List so as to make a reference to the university established under the proposed article 371E.

The Bill does not refer to the establishment of the State Planning and Development Board and planning and Development Committees for the backward areas. This is a matter which the State Government can pursue within their powers. I understand that the State Government are seized of this matter ; and I hope this part of the Six-Point Formula will also be implemented soon.

Sir, I am happy to commend this Bill to the House, which seeks to confer the necessary constitutional authority on the Parliament and the President for implementing the consensus arrived at by leaders of Andhra Pradesh for promoting their unity and well-being.

The question was proposed.

MR. DEPUTY CHAIRMAN: Let me make one thing clear. Members will speak on both sides that we will vote on that without any debate, Mr. Nawal Kishore.'

श्री नवल किशोर (उत्तर प्रदेश) : उपसभापति जी, मैं आम तौर पर इस मत का हूँ कि संविधान में आये दिन संशोधन नहीं करना चाहिये। अभी पिछले साल दिसम्बर, 1972 में पांच सूत्री फार्मूले को ले कर संविधान में संशोधन किया गया था और आज एक साल के बाद श्री उमाशंकर दीक्षित आन्ध्र प्रदेश के सम्मन्ध में एक दूसरा संशोधन संविधान में लाये हैं। फिर भी जिस पृष्ठ भूमि में, जिन हालात के तहत यह संशोधन आया है और जिसकी चर्चा दीक्षित जी ने अपने भाषण में की, मैं यह चाहता हूँ कि उस को देखते हुये इस संशोधन को एक फेयर ट्रायल दिया जाये, इसी लिए मैं इसका समर्थन करता हूँ। श्रीमन्, मैं यह जानता हूँ कि यह कोई फाइनल सोल्यूशन नहीं है। मैं यह भी मानता हूँ कि यह कोई आइडियल सोल्यूशन नहीं है और मैं इस बात

में भी निश्चित नहीं हूँ कि इससे जितनी भी आंध्र प्रदेश की समस्याएँ हैं, जितनी भी वहाँ की कठिनाइयाँ हैं, उन सब का समाधान हो जायेगा, लेकिन फिर भी जो एक विषम परिस्थिति वहाँ पैदा हुई थी, जो हालात वहाँ पैदा हुए थे, उन को देखते हुए एक तरीका निकालने की कोशिश की गयी है। मेरी शुभकामना है कि यह तरीका जो निकला है, यह कामयाब हो और सही मायनों में आंध्र प्रदेश में शान्ति स्थापित हो और उसकी प्रगति हो। श्रीमन्, मैं इसका समर्थन जो कर रहा हूँ उसकी दो वजह हैं। एक तो यह है कि मुझे खुशी है कि आंध्र प्रदेश की एकता कायम रही। मैं शुरू से इस बात का हामी था कि उसके टुकड़े न किये जायें और उसकी एकता कायम रखी जाय और मुझे यह भी खुशी है कि राष्ट्रपति शासन जो वहाँ पर थोपा गया था वह समाप्त हो गया और एक मायने में पापुलर गवर्नमेंट, जन प्रतिनिधियों की सरकार वहाँ स्थापित हो गयी। श्रीमन्, इसकी पृष्ठ भूमि में दीक्षित जी ने बहुत अच्छे ढंग से इस को पेश किया है। मेरी दिक्कत यह है कि यह सरकार पहले तो मामलों को गड़बड़ करती है और उस के बाद फिर उस का समाधान ढूँढती है। उमाशंकर जी एक अच्छे कलाकार हैं और वह जिस तरह से चाहें ड्रामे में कामेडी भी पैदा कर सकते हैं और ट्रेजडी भी पैदा कर सकते हैं।

श्री उमाशंकर दीक्षित : जब अच्छी बात करने का सवाल आया है तो उसके लिए आपकी यह अच्छी सलाह कहां हुई कि इस पर पुनर्विचार किया जाये।

श्री नवल किशोर : अब जब मैं अपना बात कह लूंगा तो आप को शिकायत नहीं रहेगी। तो मुझे कुछ ऐसा लगा कि आंध्र प्रदेश के मामले में सरकार की नीतियाँ बहुत अनिश्चित रही,

[श्री: नवल किशोर]

कमजोर नहीं, अवसरवादी नहीं और उन्होंने पार्टिसाइडेडनेस से इस मामले को देखा और लॉग रेंज पालिसी को कभी एडाप्ट नहीं किया। यह बात सही है कि तेलंगाना कुछ पिछड़ा हुआ क्षेत्र है। यह बात भी सही है कि रायल सीमा और जो कोस्टल एरियाज है वह भी पिछड़े हुए हैं और इन 15, 16 सालों में जब से, 1956 से, जब से आंध्र प्रदेश बना उस समय से, जब से तेलंगाना आंध्र स्टेट में शामिल हुआ, तब से जो उन का इम्प्रोवमेंट इन्टिग्रेशन होना चाहिये था वह नहीं हो पाया। तेलंगाना के लोगों ने यह अहसास किया कि जो बायदे उन से किये गये थे आंध्र प्रदेश की तरफ से वह बायदे पूरे तौर से इम्प्लीमेंट नहीं हुए, वे कार्यान्वित नहीं हो पाये। यह बात सही है और यह बात भी सही है कि मुल्की क्लेम मुझे जैसे आदमी को, जो उसे जय देवता था तो ऐसा लगता था कि हिन्दुस्तान के अन्दर जो हमारा संविधान है जिसमें एवरी सिटीजन हैज गाट इक्वल राइट्स थू आउट इंडिया। उस में वह मुल्की क्लेम फिट नहीं बैठते। एक परम्परा थी लोकल फ्यूडल स्टेट की, लेकिन जान बूझ कर आंध्र प्रदेश के नेताओं ने उस को मारना था, इसलिए हमारी मजबूरी थी। श्रीमन्, यह 6 सूत्री फार्मूला हुआ और यह बात सही है कि बड़ी शान्ति के साथ, बड़े सत्र के साथ नेता बैठे तेलंगाना के, और आंध्र प्रदेश के और उन्होंने इसको इक्वाय्ज किया और उसमें सहायता दी थी के० सी० पन्त जी ने और उमाशंकर दक्षित जी ने और कुछ हद तक प्रधान मंत्री जी ने। एक फार्मूला हमारे सामने आया, लेकिन जहाँ मैं इसका स्वागत करता हूँ और अपनी शुभ कामनाएँ जहाँ मैं इसको देता हूँ, वहाँ मुझे एक नुश्किल भी है। इससे पहले आठ प्वाइंट फार्मूला आया, 9 प्वाइंट आया, 5 प्वाइंट आया और फिर 6 प्वाइंट आया, तो मैं नहीं कह सकता कि यह फार्मूला,

जैसा कि मैंने शुरू में कहा कि हर चीज का समाधान कर सकेगा। श्रीमन्, जो हालात हुए आंध्र प्रदेश में 1969 में और 1973 में, उस की एक दर्शनाक कहानी है और मैं उस को दोहराना नहीं चाहता।

दो दफ्ता सुप्रीम कोर्ट ने अपना फैसला दिया। 1969 में पहले सैक्शन दो को काटा। जैसे आपका पब्लिक एम्पलायमेंट (रिक्वायरमेंट एज टु रेजिडेंस ऐक्ट 1957 है, इसके सेक्शन 2 को 1969 में कह दिया कि अल्ट्रावायर्स है। इसके बाद तेलंगाना के लोगों ने एक आन्दोलन खड़ा कर दिया जिसमें करोड़ों रुपये का नुकसान हुआ, लोगों की जानें गयीं, आग लगी। यह सब तमाशा हुआ। 1972 में भी सुप्रीम कोर्ट ने कह दिया सैक्शन 2 खत्म हो जाने पर सेक्शन तीन स्वयं ही खत्म हो जाता है, तब आंध्र प्रदेश के लोगों ने यह सब तमाशा किया, बिल्डिंगें जलीं और सब कुछ हुआ। श्रीमन्, इससे केवल रेलवे को ही 20 करोड़ का नुकसान हुआ। पूरा कैबिनेट डिवाइड हो गया। दो हिस्सों में बंट गया। जो डिप्टी चीफ मिनिस्टर थे आंध्र प्रदेश के, उन्होंने यह कह कि इसका एक अलग स्टेट होना चाहिये। चारों तरफ हिंसा की आग फैल गई।

उन हालात ने इस बात का डर पैदा कर दिया कि कांग्रेस पार्टी भी टूट सकती है। कांग्रेस पार्टी न टूटे उसको बचाने के लिए साथ में जो हिंसा फैली, उसको शांत करने के लिए राष्ट्रपति शासन थोपा गया। फिर भी यह सब जानते हुए हमने उसका समर्थन इसलिए किया ताकि देश के अन्दर शान्ति स्थापित हो और यह हिंसा का आग आंध्र प्रदेश से बाहर किसी और हिस्से में न फैलने पाये।

श्रीमन्, जैसा कि मैंने शुरू में कहा और शिक्षित जी ने मुझे कहा कि आप अपनी बात पर पुनर्विचार कीजिए, मैं यह कहता हूँ कि जो हालात वहाँ पैदा हुए उसकी जिम्मेदारी

कांग्रेस मैन की है। व उसके अंदर शामिल थे। मैंने यह नहीं कहा कि आन्ध्र की जिम्मेदारी है। आज मुझे खुशी है कि 11 महीने कुर्सी से हटने के बाद उनका दिमाग सही हुआ—दोनों तरफ से। तब उन्होंने इसके लिए एक रास्ता निकाला।

श्रीमन्, एक बात मैं कहूँ कि मुझे ऐसा लगता है कि आर्टिकल 14, आर्टिकल 16(1) और आर्टिकल 35 (बी) को देखते नें बारेलेशन सा होता है। लेकिन जब आपने 371 (1) बनाया था और उसके तहत आपने यह जो सोशल लॉ बनाया था एम्प्लायमेंट का, उसके तहत भी फंडमेंटल राइट्स का कुछ न कुछ कम्प्रोमाइज हुआ था। तो वह जो एक गलत प्रथा पहले थी वह आज भी खत्म नहीं हुई है, केवल उसकी शक्ल बदल गई है। बहरहाल, मुझे भी ऐसा लगता है उसका न कुछ बारेलेशन होता है। अब कोई साहब सुप्रीम कोर्ट में आरेंगे तो पता चलेगा कि उसको क्या प्रोविजन है?

श्रीशक्ति जी ने खुद कहा है कि यह जो सेक्शन 3(बी) है—

"specify any part or parts of the State which shall be regarded as the local areas-----"

इसमें दीक्षित जी मुझे को यह डर है कि पहले तो मुल्की कंस लाई होता था मिर्क तेलंगाना पर, पर अब हर डिस्ट्रिक्ट के अन्दर आप को यह न स्पेसिफाई करना पड़े कि इसमें ये-ये क्षेत्र लोकल लार्रियाज हैं और ये-ये नहीं हैं। हर डिस्ट्रिक्ट का इस तरह डिवाजन हो जाएगा। मुझे अन्देशा है, मगर यदि यह नहीं तो अच्छा ही है वरना इससे सैप्रेटिस्ट टेडेन्सी बन सकती है और इसका असर दूसरी स्टेट्स पर पड़ सकता है। जैसा त्यागी जी ने कहा कि आप यह सारे देश में क्यों नहीं करते। आप जायद

इसलिए नहीं करते, क्योंकि वहाँ तो एक एप्रोमेंट हो चुका है तेलंगाना और आन्ध्र के लोगों के बीच में। पर मैं कहता हूँ कि जब एक जगह ऐसी बात हो जाती है तो दूसरी जगह भी बात आती है।

उत्तर प्रदेश में पहाड़ी क्षेत्र है। दूसरी तरफ पूर्वांचल है, वह काफी पिछड़ा हुआ है तो इससे वहाँ के लोगों को भी कुछ गढ़ मिल सकती है। न मिले तो अच्छी बात है। मैं तो यही चाहूँगा कि न मिले। आपने आर्टिकल 371(1) निकाल कर रोजाल कमिटी खोल कर दी, मगर बदलें में क्या बनाया?

आपने इसमें 6 प्वाइंट प्रोग्राम की बात कही है। इसमें आपने डेवेलपमेंट बोर्ड या प्लानिंग बोर्ड या डेवेलपमेंट कमिटी की बात कही नहीं कही। आप यह बात कह सकते हैं कि हम स्टेट के ऊपर छाड़ देंगे। कुछ मायने में अच्छा भी है और कुछ मायने में बुरा भी। अच्छा इस मायने में है कि अगर स्टेट गवर्नमेंट्स खुद-ब-खुद प्लानिंग बोर्ड बनाएँ, कमिटी बनाएँ तो इससे ज्यादा इंगेजेशन की बात पैदा होगी। लेकिन तेलंगाना के लोगों को इस बात की शिकायत हो सकती है कि जो सोशल राइट उनको दिया गया था उसके सम्बन्ध में कोई स्ट्रेटूटरी प्रोविजन इसमें नहीं है।

इसमें आपने एडमिनिस्ट्रेटिव ट्रिब्यूनल की बात कही है। यह शायद पहला एक्स-पैरीमेंट है। जहाँ तक मुझे याद है इस तरह का एडमिनिस्ट्रेटिव ट्रिब्यूनल नहीं बना है। जैसा मैंने पढ़ा है, उससे ऐसा लगता है कि यह क्वासो-जुडिशियल होगा और इसके अन्दर एपाएंटमेंट्स, प्रमोशन, कंडीशन आफ सर्विस सम्बन्धी यह सब चीजें तय करने का अधिकार होगा और जो भी सैकड़ों, हजारों केसेज पड़े हुए हैं सिन्योरिटी के या और चीजों के जगड़े हैं वह सब ट्रिब्यूनल आपका तय करेगा। अच्छा है, आपने एक तरफ निकाला, लेकिन मुझे इससे ऐसा लगता है दीक्षित जी कि एग्जीक्यूटिव पावर को आप बढ़ाने

[श्री नवल विशोर]

जाते हैं और जूडिशियल पावर को आप घटाते जाते हैं। मैं इसलिए कहता हूँ; क्योंकि आपने इसमें कहा है कि सिवाय सुप्रीम कोर्ट को छोड़ कर किसी भी कोर्ट या ट्राइब्यूनल का जुरिस्डिक्शन एडमिनिस्ट्रेटिव ट्रिब्यूनल पर नहीं होगा। और फिर आपने कहा कि स्टेट गवर्नमेंट को अधिकार होगा कि वह स्पेशल केस में या इन दि पब्लिक इंस्ट्रुमेंट्स इसके एवाइ को, इसके फैसले को न भी माने। इसके मायने यह हुए कि जो क्वासी-जूडिशियल करेक्टर इसका है उसको आप इनडायरेक्ट तरह से एग्जीक्यूटिव करेक्टर बनाने की कोशिश कर रहे हैं। अगर यह एग्जीक्यूटिव बाड़ी बन गई तो, श्रीमन्, तब आपके कानून के बावजूद भी हाई कोर्ट को हक होगा कि इसके खिलाफ रिट पेटिशन को इंटरटेन करे। तो मैं यह कहना चाहता हूँ कि अगर आप एडमिनिस्ट्रेटिव ट्रिब्यूनल बनाते हैं तब चाहे इसके चेयरमैन सुप्रीम कोर्ट के जज या हाई कोर्ट के जज को बना दें, लेकिन इसकी जो फाइनलिटी होनी चाहिये इनके आर्डर को स्टेट्स जो है वह सेट-रमाइंड करने लगी तो मैं चेतावनी देना चाहता हूँ कि वह झगड़े जो पहले पैदा होने लगे थे, वे झगड़े फिर पैदा हो सकते हैं।

श्रीमन्, इनके अन्दर सेंट्रल युनिवर्सिटी की बात कही है, ठीक बात है, क्योंकि अभी तक जो एजुकेशनल इंस्टीट्यूशंस होते थे, उनमें कुछ लोकल आदमियों को प्रिफरेंस देने की बात होती थी और उनको कुछ लोकल होने के नाते दाखला पाने में प्रिफरेंस था और मुझे उम्मीद है कि यह जो सेंट्रल युनिवर्सिटी होगी, इसमें कोई किसी प्रकार की दाखला सम्बन्धी पाबन्दी किसी आदमी पर नहीं होगी।

(Time bell rings)

श्रीमन्, मैं अभी खत्म करता हूँ। तो, श्रीमन्, मैं दीक्षित जी से कहना चाहता

हूँ कि जो आपने सेंट्रल युनिवर्सिटी बनाई है उसमें इस बात की कोशिश करें, क्योंकि हैदराबाद में तेलंगाना के लोग भी हैं और आंध्र के लोग भी हैं और काशी तादाद में ऐसे लोग भी हैं जो कि दूसरे स्टेट के भी हैं जो कि न तो आंध्र के हैं और न तेलंगाना के हैं। तो यह जो सेंट्रल युनिवर्सिटी है इनमें एडमिशन वगैरह सही मायनों में नेशनल तरीके से हो ताकि यह मिश्रित बन जाय नेशनल एण्ड इमोशनल इंटेग्रेशन का।

श्रीमन्, मैं यह बात और अर्ज कर दूँ—इनमें बहुत सी बातें हैं, एक बात इनमें यह भी है कि जो एम्पाइन्टमेंट्स हैं अब तक हुए हैं उनको आपने रेविटेड किया है, वह तो एक जावने की बात है मगर—एक बुनियादी सवाल मैं आपसे करना चाहता हूँ दीक्षित जी कि मुझे डर यह है कि संविधान में तो आप लाये संशोधन, ठीक है, लेकिन आज डर मुझे इस बात का है कि पार्लियामेंटरी डेमोक्रेसी का भविष्य देश में क्या होने वाला है? आपने प्रेसिडेंट रूल खत्म किया, अच्छा किया। पापुलर गवर्नमेंट आई बहुत अच्छा हुआ, उसका हमने स्वागत किया है। लेकिन जिस ढंग से आप वहां मुख्य मंत्री बनाते हैं, उस ढंग से कोई पार्लियामेंटरी डेमोक्रेसी को ताकत नहीं मिलती। आपने आंध्र में जहां कि आपके 217 आदमी थे 287 में, 76 परसेंट थे, वहां आपने श्री नरसिंह राव को मुख्य मंत्री बनाया। यद्यपि, इसका बहुमत नहीं था फिर भी बनाया, बहुत सही है, आपकी पार्टी है आप जो चाहें सो करें लेकिन जैसा कि मैंने आपसे कहा कि आप बड़े कलाकार हैं जिसको बनाते हैं उसका बहुमत खुद बन जाता है, चाहे उसका प्रोजेक्टर और सेकेंडर भी न हो।

जब बन जाते हैं तो उसके बाद हटा दिये जाते हैं। अब बेनेगल राव को चीफ मिनिस्टर बना दिया गया है और उनको चीफ मिनिस्टर बनाने में कितने महीने लगे ? मैं आप से कहता हूँ कि मेरी हार्दिक शुभकामनाएं उनके साथ हैं और मैं चाहता हूँ कि वे मजबूती के साथ टिके रहें। लेकिन मुझे डर है कि वहां पर फिर वही यही झगड़े पैदा न हो जायें। यहां पर की ही बात नहीं है, मैं उत्तर प्रदेश की भी बात कहना चाहता हूँ। श्री कमलापति त्रिपाठी जो यहां पर बैठे हैं। वे हमारे मित्र हैं और दीक्षित जी आपने भी मित्र हैं। यह बात सब जानते हैं कि उत्तर प्रदेश में पंडित कमलापति त्रिपाठी जी का बहुमत था। आज शायद न हो, मैं यह बात नहीं जानता हूँ। लेकिन जिस समय आपने वहां राष्ट्रपति शासन थापा था, उस समय उनका बहुमत था और उन्होंने त्यागपत्र दिया। क्यों दिया, मैं इस कहानी में जाना नहीं चाहता हूँ। वहां पर अब श्री बहुगुणा जी मुख्य मंत्री बन गये हैं। वे भी मेरे मित्र हैं। एक मुख्य मंत्री का बहुमत होते हुए भी वहां पर दूसरा मुख्य मंत्री नियुक्त किया गया है, इस तरह का जो आप नया एक्जपेरिमेंट कर रहे हैं, इससे पार्लियामेंटरी डेमोक्रेसी एक मखोल बनती चली जा रही है। यही नहीं, अभी बिहार में गफूर सरकार की हार हुई जब कि उनका वहां पर बहुमत था। दीक्षित जी का देश में एक अच्छा उदाहरण और ट्रेडिशन स्थापित करना चाहिए था और गफूर जी को सलाह दी जानी चाहिये थी कि वे त्यागपत्र दे दें, चाहें वे एक घंटे के भीतर फिर अपनी दूसरी गवर्नमेंट बना लेते। इस तरह से हमारे देश में एक हैल्दी ट्रेडिशन बनाया जाना चाहिये था। अब मैं आखिरी बात कहना चाहता हूँ। आपने जो यह छः सूत्रीय प्रोग्राम बनाया है, उसकी वजह से श्री दीक्षित जी और सरकार के ऊपर एक बहुत बड़ी जिम्मेदारी आ गई है। सेन्टर को वहां के पिछड़े हुए क्षेत्रों को प्रगति में लाने के लिए काफी पैसा देना पड़ेगा। यही नहीं कि सिर्फ आन्ध्र प्रदेश के लिए है।

MR. DEPUTY CHAIRMAN: Please wind up.

श्री नवल किशोर : श्रीमान, मैं जल्दी खत्म कर रहा हूँ। तो मैं यह कह रहा था कि आपको आन्ध्र प्रदेश के पिछड़ेपन को दूर करने के लिए काफी पैसा खर्च करना पड़ेगा। लेकिन मैं यह भी कहना चाहता हूँ कि देश के अन्दर और भी बहुत से हिस्से ऐसे हैं जो पिछड़े हुए हैं। एक ही जगह नहीं है, बल्कि हर स्टेट में इस तरह के पिछड़े हुए हिस्से हैं। इतिफाक से मैं उस हिस्से से आता हूँ जो इलाहाबाद का है और हमारे बिहार के जो मित्र बैठे हैं, उनका इलाका भी बहुत पिछड़ा हुआ है। आज केन्द्रीय सरकार आन्ध्र प्रदेश के लिए यह कमिटमेंट कर रही है तो उसको दूसरे स्टेटों के लिए भी इस तरह के कमिटमेंट को पूरा करना पड़ेगा।

आज उत्तर प्रदेश के अन्दर मांग है और उसका जो पूर्वी हिस्सा है वह पिछड़ा हुआ है और वहां से मांग आ रही है कि उसके पिछड़ेपन को दूर किया जाय। श्री दीक्षित जी इस बात को अच्छी तरह से जानते हैं और वहां की स्थिति तेलंगाना और रायलसीमा से कम खराब नहीं है। आज होना यह चाहिये था कि कितने भी पिछड़े हुए प्रदेश हैं, उनके इलाके हैं, चाहे वह आन्ध्र प्रदेश में हो या फिर किसी और प्रदेश में हो, उनकी तरक्की होनी चाहिये। आखिरी बात कह कर मैं खत्म करना चाहता हूँ।

MR. DEPUTY CHAIRMAN: Now I will call the next speaker.

SHRI NAWAL KISHORE: I am winding up.

MR. DEPUTY CHAIRMAN: You have been winding up for the last 10 minutes.

SHRI NAWAL KISHORE: One sentence only; that is all.

[श्री नवल किशोर]

आखिरी बात मैं यह कहना चाहता हूँ कि जिस भावना, जिस स्पिरिट के अन्दर यह छः सूत्रीय प्रोग्राम तैयार किया गया है, वह भावना बनी रहेगी और तेलंगाना और आन्ध्र प्रदेश के सम्बन्ध में जो वायदे किये गये हैं, उनको पूरा किया जायेगा ताकि वहाँ पर सहो मानो में प्रगति हो सके ताकि हमारे देश को भावनात्मक एकाता का फायदा हो सके। इन शब्दों के साथ मैं अपनी भाषण समाप्त करता हूँ।

SHRI V. B. RAJU (Andhra Pradesh): Mr. Deputy Chairman, Sir, this amendment to the Constitution was necessitated because of the inadequacy of statute law. At every stage, when a legal shape was sought to be given to a political agreement, the courts came in the way and almost compelled Parliament to amend the Constitution. Sir, this is an experience which very bitterly and at high cost we have learnt. The Home Minister has given a chronological history of the events that took place in that part of the country called Andhra Pradesh. The recent history of Andhra Pradesh or the recent history of Telugu-speaking people can be compartmentalised into four periods: 1952-56 which is called the formative period when Andhra State was carved out of Madras State; the second period was a period of consolidation, between 1956 and 1969 when really the State achieved some progress in the economic field and has seen growth in the economy; then started the trouble and that is the third period, 1969-72, with dissatisfaction in Telengana area; and then the fourth period is that which has just ended, 1972-74, that is, Andhra agitation period. In these four periods, I should say, consistency in the policy has been demonstrated by the Centre. I would not agree with Mr. Nawal Kishore when he says that the Centre has behaved in a very unstable manner or has demonstrated any weakness. On this occasion let me congratulate the Prime Minister, the Home Minister and Shri K. C. Pant who was in the Home Ministry till recently, on their firm-

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ness in not succumbing to violence; at the same time, on their patience in persuading the people and the leadership there to live together. It is not a small matter. The history records this and this needs a lot of wisdom and foresight, and there has been a consistency in the policy of preservation of the integrity of this State. What is the basis of this new State? It was a gentleman's agreement on the basis of which the Employment Act of 1957 was enacted by Parliament. It was in operation from 1957 to 1969 when the Supreme Court struck it down on some technical grounds. I am sure the present amendment would not have been necessary if a simple suggestion for the amendment of the Constitution was accepted at that time in 1969. After the Supreme Court struck down the provisions relating to Telengana in the 1957 Act, a committee of jurists was appointed with Mr. Wanchoo as the Chairman. We represented that Article 16(3) (b) be amended, that the word 'State' mentioned in that Article be explained or be considered to mean a part of the State also. It was a very simple amendment and if it had been accepted there would have been no trouble. But the committee of jurists said it was not possible and it was not desirable, I am more surprised how the legal pundits, the jurists, of this country do not look to the realities, the political realities, of the country. I find a big gap between the approach of the legal luminaries and the approach of the political forces of the country, and that gap has got to be bridged. The country cannot afford the luxury of instability of this nature, instability of law particularly. If that amendment had been accepted at that time, this amendment would not have been necessary now. Anyhow, it has come in this shape today. The Home Minister has given the details of the 6-point formula. The six-point formula, which was evolved by the leadership there with the help of the leadership here, mainly relates to employment opportunities, educational facilities and economic development. Now, the* Andhra Pradesh problem some-

times is misrepresented or misunderstood. It is considered to be a political problem. But it has merely taken a political form eternally. Basically it is an economic problem. It is a problem resulting out of development and growth. Such sort of feelings are evident, are present, in many parts of the country. But unfortunately here it took a political form. And it became difficult to handle and we ourselves could not tackle the problem to our own satisfaction.

What were the forces that were there or what were the ideas that clashed there? One idea was integration with safeguards to Telengana. The other idea was integration without conditions, or unconditional integration. These two conflicting approaches had to be reconciled and some harmony had to be achieved. The six point formula was to harmonise the two. It cuts somewhere in the middle. As a matter of fact we do not live in extreme situations. If anybody takes an extreme position it can either be an ideal or it might be taken as a desperate step. But some compromise is necessary if the people have to live together. The Home Minister has already mentioned that this particular amendment does not cover any provision relating to the economic development, namely constitution of the State Planning and Development Board and also the State Planning and Development Committees for the backward areas. It is left to the State Government. Personally I would have been happy if something had been said in greater detail here about that particular item because having been in the thick of both the situations I know something about the history of the area. I am of the view the basic cause is economic and developmental. The disparity in growth for historical reasons has really been one of the sore points. Therefore, something could have been said in greater detail and as I said personally I would have been happy if these bodies were given a statutory shape. There may be administrative difficulties. I know that. But that would have given a more

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psychological satisfaction to the people of both the areas. Nevertheless constituting these Boards and providing necessary resources for the developmental programmes will go a long way in promoting emotional integration of the area.

One of the important points on which I hope the Home Minister will apply his mind is about the request made to the Centre for financial resources for development of cities and backward areas. This is a missing point. On this some light could have been thrown or a commitment could have been made by the Centre. It is not merely regulatory measures and constituting Boards that would take us far. More important is the implementation of development programmes for the rapid economic growth leading to a solution of unemployment problem there. That alone would create confidence in the establishment. As a matter of fact, the experience in Andhra Pradesh had taught us new lessons and these lessons have to be learnt by the people of the country as a whole. Even though they are local events, they have got greater significance. They teach us how regional feelings could be exploited for political ends and how the roots of an orderly Government established under Constitution with sufficient strength to remain in power could be shaken. Unfortunately in this country the three evils—communalism regionalism and linguism—sometimes work havoc simultaneously. In fact what is happening in the case of Belgaum and what has happened in Meerut and Andhra Pradesh have opened our eyes. We know how these 'isms' and how these sectarian feelings could upset the normal life of the people as a whole. I am happy that the Central leadership has been dealing with these matters with firmness and with the co-operation of the Parliament I am sure our country will be relieved from the evils of these 'isms'.

I do not want to take much time of the House. I would only say a few words about what could be profitably

[Shri V. B. Raju]

done in Andhra Pradesh to remove certain misunderstandings. The 108 days' strike of the NGOs has really been the main cause for creating misunderstanding among the people of the State who really aspired to live together for which they conducted a movement for half a century. The 108 days' strike really affected our politics there. Some sort of satisfaction coupled with discipline must be brought among the services.

I am sure that the Administrative Tribunal which will be constituted, will help in the disposal of the cases that are pending before the courts. But as Mr. Kawal Kishore pointed out the powers of the Tribunal are being questioned. In one of the statements, the employees' leaders have stated that their fundamental rights are sought to be taken away by the constitution of the Tribunal and that the Tribunal is not really a court. Sir, I will not agree with the employees' leaders because the matters relating to dismissal and penal punishments are still within the jurisdiction of the courts and the High Court is in the picture. But the matter relating to appointments, seniority, promotions and such other things are within the jurisdiction of the Tribunal. There is the assurance given by the Home Minister. Normally, the Tribunal's award shall be accepted by the Government. Only a safeguard has been provided just to take care of any decision which may be far from reality. To that extent, the Executive Wing of the State has been given the power to accept the recommendations or not. I hope the Government of Andhra Pradesh would keep this matter in mind and see that the sanctity that is associated with the functioning of the Tribunal is kept up. As far as the employees' problems are concerned, whether it is Andhra Pradesh or Kerala or Karnataka or Maharashtra, I think the problems are the same. They are not peculiar to Andhra Pradesh alone, I am unhappy because they have assumed a political form which they should not have done. I am sure that in future, greater atten-

tion will be paid to the employees' problems.

As I have already said—I am only repeating it—the Government should take care to see at the earliest opportunity that the assurances relating to the economic assistance for the rapid and accelerated development of the area are implemented. I hope that the State Government will take the trouble of announcing the scheme for constituting the Board and the Committees immediately so that any misunderstanding that may arise later on would not be allowed to arise. I hope that hereafter the Government of India will take special care and if necessary, create a cell for Andhra Pradesh here till the people, the leadership and the political forces in Andhra Pradesh are able to stand on their own feet and conduct their affairs in a more harmonious way. Thank you.

श्री न० ६० शतवत्सर (मध्य प्रदेश)

उपसभाध्यक्ष महोदय, मुझे जो वर्तमान संशोधन विधेयक है उस में अनहत्तनि है और इस लिए मैं इसका विरोध करने के लिए तैयार हूँ। मुझे तो इस को देखने में ऐसा प्रतीत होता है कि वास्तव में यह हमारे जनतंत्र के साथ एक मनाक है और संविधान के साथ यह एक तरह से धोखा है।

श्री महावीर प्रसाद शुक्ल : क्या चीज धोखा है ?

श्री न० ६० जेष्ठवत्सर : मैं बताता हूँ।

आपको मैं इस के इतिहास में नहीं ले जाना चाहता, परन्तु इतना ही कहना चाहता हूँ कि आंध्र प्रदेश जब बना था तो आप ही के दल के लोगों ने उस की मांग की थी और बीच में तरह तरह में फार्मूले वहाँ पर प्रस्तुत हुए और उसके बाद रीजनल कमेटीज भी बनीं लेकिन उनसे कोई समाधान नहीं हुआ और लोगों के बीच के अन्तर जो एक प्रकार से क्षेत्रीय असमानता थी, वह बढ़ती गयी। उन के अन्दर जो रीजनल भावनाएँ थीं, जो एक दूसरे का एकसाधारण होना था उन के कारण वह एक दूसरे के निकट नहीं

आ सके और जब इस पंचसूत्री फार्मूले के रूप में यह बात उन के सामने रखी गयी तो उसको भी अमान्य कर दिया गया और उस के बाद बड़ा भारी एजीटेशन वहां हुआ। पहले मुल्की रूलर्स के लिए अपने यहां विधेयक बना, संविधान में संशोधन किया और अब आप फिर उस को वापस ले रहे हैं। पहले तो इस प्रकार से एक सेक्शन अलग-अलग बने, विभिन्न जो मिटींग्स हैं उन को भिन्न भिन्न प्रकार के अधिकार दिये गये और यह स्वयं में एक अलग बात थी और अब आप उसी गलत बात को फिर दोहरा रहे हैं। आज आप उसके द्वारा अपने पृथक क्षेत्र, लोकल एरियाज बना रहे हैं और यह लोकल एरियाज आप की मर्जी के अनुसार ही बनेंगे और उसके लिए सारा अधिकार आप ने ले लिया है और रिक्लूमेंट आफ कोर्स का तरीका, कैंडर किस प्रकार बनाये जायेंगे और एडमिशन इन यूनिवर्सिटीज इन सारी बातों के लिए आप ने एक नया इंडेंट खड़ा कर दिया है। और उस का परिणाम मैं आज ही बतला देता हूं कि यह चलने वाला नहीं है। फिर से आप की समस्याएं बढ़ेंगी और वहां क्षेत्रीयवाद और पनपेगा। इस का आप को ताजा नमूना देखना है तो आज के ही हिन्दुस्तान में एक समाचार प्रकाशित हुआ है मेघालय के बारे में कि वहां पर उन्होंने एक विधेयक पारित किया है जिस का कांग्रेस के लोगों ने विरोध किया और विधेयक यह पारित हुआ है कि कोई भी व्यक्ति सरकार की अनुमति के बिना वहां आ नहीं सकता, ऐसा चाहे तो सरकार कोई नियम बना सकती है और इस का विरोध उन्होंने किया और मैं समझता हूं कि ठीक ही विरोध किया और इस के साथ ही स्थायी आवास की व्यवस्था भी उन्होंने कर दी कि जो 12 वर्ष तक वहां रहा होगा, वही स्थायी वासी वहां का कहलायेगा। तो यह वही चीज है कि जो मुल्की रूलर्स में थी और वही स्थिति आज वहां पैदा हो रही है। मैं आपको आगाह करना चाहता हूं कि आप इस प्रकार का जो संशोधन

ला रहे हैं उस से वहां रीजनलइज्म और बढ़ेगा और आप उस से कोई भले की बात नहीं निकाल सकते। इस से हिन्दुस्तान में जो डिसइंटीग्रेशन है वह और ज्यादा होगा। इस का इलाज दूसरा ही था। जन संघ का एक दल वहां गया था वहां की स्थिति को देखने के लिए और उन्होंने अपने कुछ सुझाव रखे थे कि अगर बैंकवर्ड एरियाज हैं, कुछ पिछड़ी हुई जातियां और क्षेत्र वहां हैं तो उन क्षेत्रों के लिए नहीं, बल्कि पूरे स्टेट के लिए एक बोर्ड बनाया जाये और उस को यह शक्ति दी जाय कि जो पिछड़े हुए भाग हैं या जो पिछड़ी जातियां हैं, उन के लिए वह कोई उपाय निकाले और उन को विशेष प्रायोरिटीज दी जायें। मैं समझता हूं कि उस में कोई विवाद का प्रश्न नहीं पैदा होता था और क्षेत्रों के हिसाब से सारी बात आ सकती थी। और आज जो भिन्न भिन्न क्षेत्रों के आधार पर विवाद उत्पन्न होने वाले हैं उन की गुंजायिश नहीं रहती। लेकिन वह नहीं माना गया। मैं नहीं समझता कि आज हमारे भिन्न इन बात का भी विरोध करने हैं कि दो प्रान्त न बनाये जायें, ऐसा क्यों? वैसे इस की आवश्यकता नहीं थी, किन्तु इस बात को बढ़ाते हुए मैंने जैसे पहले ऐंटी-डेमोक्रेटिक होने की बात कही थी, आज भी आप वहां जनमत लेने के लिए तैयार नहीं है। इतने दिनों तक आप ने वहां राष्ट्रपति शासन रखा, लेकिन आप ने वहां मतदान कराने की बात नहीं सोची। असेंबली का आप चुनाव कराते तो आप को मालूम हो जाता कि वहां के लोग क्या चाहते हैं। आप अनुमान लगायें कि 108 दिन तक कर्मचारियों ने और जनता ने आन्दोलन किया, शान्तिपूर्वक आन्दोलन किया, कहीं-कहीं कुछ जगह वायलेंस हुई, लेकिन ज्यादा नहीं हुई। इसलिए इतने दिनों तक खामोशी रखी गयी। आप मानते ही इसी बात को हैं, जब ज्यादा वायलेंस होता है, जब ज्यादा आगजनी होती है—मैं इसको दुर्भाग्य की बात समझता हूं, मैं इसका विरोधी हूं—तब ही आप बात को

[श्री ना० कृ० शंजवलकर]

मानते हैं। मैं तो आंध्र की जनता को बधाई देता हूँ कि बराबर 108 दिनों तक शान्ति से उन्होंने आन्दोलन किया और उसके बाद वह खामोश हो गया, उस खामोशी को आप गलत समझ रहे हैं कि सरेंडर कर दिया और मनमानी कर के आप इसको प्रेस्टिज का मामला बनायें कि दो प्रदेश नहीं बनने देंगे और जो कुछ लोगों ने मांग की थी उसको न समझते हुये ऐसा यह नया फार्मूला रखा। मैं आपसे निवेदन करता हूँ कि इसमें आप चार-चार प्रदेश बनाने के लिये योजना बना रहे हैं, भिन्न-भिन्न लोकल एरियाज बनाये जायेंगे...

श्री महावीर प्रसाद शुक्ल : गलत चश्मा लगा कर इसको देख रहे हैं।

श्री ना० कृ० शंजवलकर : आपका चश्मा नहीं है, मेरा चश्मा खलल है। आप बुजुर्ग हैं, इतने अनुभवी होते हुये भी आप आगे की बात नहीं देख सकते, यह दुर्भाग्य की बात है।

श्रीमन् मैं तो चाहता हूँ कि मेरी बात असत्य हो, मैं आपको बता रहा हूँ कि मेरा यह डर है, यों मेरी तो यही इच्छा है कि ऐसी स्थिति न बने, डिफरेंट रीजंस न बनें, मेरी यह हार्दिक इच्छा है, लेकिन जो मैं अनुभव कर रहा हूँ, वह मैं बता रहा हूँ। आप विश्वास रखिये कि जिस दल का मैं हूँ, जन संघ का वहाँ पर कोई शासन नहीं बनने वाला है, असल में जो शगड़ा है वह आपके ही लोगों के बीच का है, जो मंत्रिमंडल बनाना चाहते हैं और मंत्रियों की कुर्सियों में बैठना चाहते थे, उन्हीं लोगों के द्वारा वह तमाम सिचुएशन को एक्सप्लायट किया गया, लेकिन मेरा निवेदन है कि जो समस्या थी, जो वास्तविक समस्या थी उसका हल निकालने का प्रयास करते। छोटे-छोटे प्रान्त पंजाब और हिमाचल प्रदेश और इस प्रकार के प्रान्त हरियाणा

और मेघालय बनाने को तैयार हैं, लेकिन आन्ध्र में दो प्रदेश बनाने में आपत्ति हो रही थी। जो कुछ भी हो जब आपने निर्णय कर लिया है, लेकिन मैं आपको अप्रह्न करना चाहता हूँ कि यह जो आपने हल निकाला है यह हल उससे भी खराब है। मुझे आश्चर्य होता है, समझ में नहीं आता कि जो आपका संविधान है उसके अन्दर आर्टिकल 370 से आगे जो आर्टिकल्स चालू होते हैं वे टेम्पोरेरी, ट्रांजीशनल और स्पेशल प्राविजंस हैं और आप संविधान के बनने के 26 वर्ष के बाद भी टेम्पोरेरी फेज में टेम्पोरेरी संशोधनों के आधार पर चल रहे हैं, इससे अधिक दुर्भाग्य की बात और क्या हो सकती है। आज केन्द्रीय कानून के द्वारा संविधान में संशोधन कर के आप यह सारे डिटेल्स उसमें रख रहे हैं कि युनिवर्सिटी में कौन भर्ती होगा, रिक्रूटमेंट का तरीका क्या होगा, क्या किसको करेगा, क्लास आफ पोस्ट्स कौन सी क्या-क्या बनाई जा रही है, ये सारी बात हम संविधान के अन्दर एक विशेष हिस्से के लिये, एक प्रदेश के लिये रख रहे हैं। मैं समझता हूँ कि इसमें अधिक लज्जा की बात और कोई हो नहीं सकती कि हम इन छोटी-छोटी बातों से ज़रूर नहीं उठ सके। मैं यह समझ सकता हूँ कि आप संविधान में इस प्रकार के आमूलचूल परिवर्तन करते और इस बात को अनभव करते कि जो बड़े-बड़े प्रदेश हैं उनके अन्दर एक सनानता लाने के लिये और रीजनल एम्प्लॉयमेंट की समस्या को मुलझाने के लिये एक नया कानून बनाया जाय और उसके लिये संविधान में संशोधन कर के एक फार्मूला बानाते तो वह समझ में आता, लेकिन वैसा कुछ आप करते नहीं। आज मध्य प्रदेश है, उत्तर प्रदेश है, इनमें क्या आप समझते हैं कि ऐसी कोई समस्या नहीं है? वह समस्या वहाँ है लेकिन वहाँ उस समस्या ने जोरों से सिर नहीं उठाया है, इसलिये उसको परवाह नहीं करते और उसके लिये कोई प्रावधान नहीं करते। आपने महाराष्ट्र के सम्बन्ध में तो प्रावधान कर

दिया लेकिन उत्तर प्रदेश के जो तीन भाग हैं, मध्य, पश्चिम और पूर्व, इनके अन्दर कितना अमन्तीप है वह आपको पता है, बहुगुणा जी अभी मेरठ गये हैं उनका कितना स्वागत हुआ था और मध्य प्रदेश में भी इसी प्रकार की स्थिति है। आपने एक रेजिडुअरी स्टेट बनाई। अगर आप रेप्रेजेंटेशन आफ पीपुल्स ऐक्ट को देखें तो यह साफ है। महाराष्ट्र कार्ब-आउट हो गया, गुजरात कार्ब-आउट हो गया और बाकी का जो या वह यह हो गया The residuary State is the Madhya Pradesh State. यह उसमें लिखा है। There is no philosophy behind that. तैलंगुल का कोई सवाल नहीं था, कुछ नहीं था और आज उनके कारण वहां पर खींच-तान हो रही है, कई एक क्षेत्र के लोगों से उनको बढ़ावा मिलता है, दूसरे क्षेत्र के लोगों से उनको बढ़ावा मिलता है? खालियर राज्य का जब इंटरग्रेशन हुआ तो 55 करोड़ रुपया दिया, शायद सारी रियासतों ने इतना रुपया नहीं दिया और मैं देखता हूँ कि खालियर क्षेत्र के जो लोग हैं वह वहां सब से ज्यादा पिछड़े हुए हैं, उनको सारे देश के अन्दर सब से पीछे रखा जाता है, जो क्षेत्रीय काम होते हैं उनमें सब से पीछे रखा जाता है। तो यह जो रोजनल इम्प्लीमेंसेज आप समझते हैं, क्या केवल आन्ध्र प्रदेश में ही है? एक जगह पर नहीं है बल्कि देश के कई हिस्सों में इस तरह के इम्प्लीमेंसेज हैं। अगर आप संविधान में संशोधन करना चाहते हैं तो आपको इस तरह की योजना बनानी चाहिए थी, जिसके द्वारा भारत के अन्दर इस तरह के जो छोटे-छोटे क्षेत्र हैं, उनके लिये कोई नया फामूला रखा जाता। लेकिन वह कार्य तो आपने किया नहीं और न इस प्रकार की कोई चीज यहां पर है।

आपने इसमें यूनिवर्सिटी का प्रावधान कर दिया है, यह अच्छी बात है कि वहां पर यूनिवर्सिटी का प्रावधान हुआ। लेकिन मैं यह जानना चाहता हूँ कि क्या वहां पर पहले से यूनिवर्सिटी नहीं थी? आपके जो नियम

हैं वे भिन्न हैं और जो हैदराबाद में यूनिवर्सिटी है उसके नियम भिन्न हैं। तो वहां पर एडमिनिशन के बारे में क्या होगा; आप जो यूनिवर्सिटी बना रहे हैं उसमें तो कोई भी आजा सकता है, लेकिन जो बाकी यूनिवर्सिटियां हैं उनके बारे में क्या होगा? आज यह स्थिति आ गई है कि दुर्भाग्य से मैं यह निवेदन करना चाहता हूँ कि कामन्व मे वहां पर जितने भी कर्मचारी हैं उन पर आपका अविश्वास पैदा हो गया है और आप स्पष्ट रूप से इसके द्वारा प्रकट कर रहे हैं? जो भी कर्मचारी आपका वहां पर है, वह अपने क्षेत्र के बाहर नहीं जा सकता है।

This is direct implication of yours. बरना इस प्रकार से आप अलग-अलग क्लान, अलग-अलग पोस्टों के लिए और अलग-अलग एरिया के लिए अलग-अलग आफिसर नियुक्त नहीं करते। इसका साफ मतलब यह है कि आपको पूरा विश्वास है कि तैलंगाना के जो अधिकारी होंगे, वे आन्ध्र प्रदेश और दूसरे क्षेत्रों में ईमानदारी से काम नहीं करेंगे, निष्पक्ष रूप से काम नहीं करेंगे। इस तरह की बात कब तक चलेगी और इस तरह से तो आप अविश्वास की नींव को गहरी ही बनाते चले जायेंगे। आप कब तक इस तरह की नीति को चलाने रहेंगे।

आप यह देखें कि आपने इसमें ट्राइब्यूनल कायम किया है: जैसा कि मेरे मित्र ने बतलाया कि यह जो एडमिनिस्ट्रेटिव ट्राइब्यूनल है, उसका क्या स्टेटस होगा? यह बात हमारी समझ में नहीं आई है। आपने इसको इतने पावर दे दिये हैं कि उसके किसी भी निर्णय को हाईकोर्ट में नहीं ले जाया जा सकता है। Only the Government, not even Legislature. अगर स्टेट गवर्नमेंट चाहे तो उसको बदल सकती है। अगर कोई निर्णय ट्राइब्यूनल करता है, कैबिनेट उसको परिवर्तित कर सकती है तो मैं यह जानना चाहता हूँ कि इन तरह की जो आपने व्यवस्था की है वह क्या शुद्ध प्रजातान्त्रिक आधार पर और संवैधानिक आधार पर की है? आपने उसको कंटेम्पट के पावर दिये

"It can try to its own contempt also."

[श्री ना० कृ० शेजवालकर]

उसका दर्जा हाईकोर्ट से भी ऊंचा कर दिया है और हाईकोर्ट में उसके निर्णय के विरुद्ध कुछ नहीं हो सकता है। यह गनीमत है कि आपने यहां पर सुप्रीम कोर्ट की स्थापना की है और यहां सुप्रीम कोर्ट में ही आकर उसके निर्णय के खिलाफ कुछ किया जा सकता है। यह जो एडमिनिस्ट्रटिव नियम होगा, उसका कांस्टीट्यूशन में क्या स्थिति होगी? क्या आप अपने निर्णय को लागू करने के लिए बाहर से अधिकारियों को लायेंगे। रायलसीमा की स्थिति क्या होगी? क्या आप मरीन की तरह और जगहों से आफिमर वहां पर लायेंगे, उत्तर प्रदेश से लायेंगे या दूसरी जगहों से लायेंगे? इसका साफ मतलब यह है कि वहां की जनता पर और वहां के अधिकारियों पर आपका कतई विश्वास नहीं है। इससे तो यही मतलब निकलता है। मैं समझता हूं यह बहुत बड़ा अन्याय है। यह तो केवल एक जिद है और वह जिद यह है कि आपकी वहां पर कुर्सी बनी रहे और आप वहां पर जमे रहें? यही इसका मूल आधार है और इसी जिद की वजह से आप वहां पर चुनाव नहीं कराना चाहते हैं और उस प्रदेश का विभाजन करना नहीं चाहते हैं। वहां पर लोगों ने इतनी हिंसा नहीं अस्त्रियार की जिससे कि सरकार उनकी मांग को मंजूर करने के लिए मजबूर हो जाती, यही आज दुर्भाग्य की स्थिति है। इसलिए मैंने कहा कि मेरी नजर में तो यह एक बड़ी विडम्बना है हमारे प्रजातंत्र में और हमारे संविधान के लिए भी। इसी वजह से मैं इसका विरोध कर रहा हूं और आपसे निवेदन करना चाहता हूं कि आप इस पर फिर से पुनर्विचार करें:

MR. DEPUTY CHAIRMAN: There are a number of speakers. Today, we will have to curtail the lunch hour. Shri Sardesai.

SHRI S. G. SARDESAI (Maharashtra); Mr. Deputy Chairman, Sir, this Bill is welcome. It has already se-

cured a near unanimous support- in the other House and I have no doubt in my mind that all people in India who cherish the ideals of national integration, national unity and strive for such national unity will welcome this Bill. It is a step in the correct direction. The preceding speech which I listened to I must say with a lot of sorrow, actually amounts to keeping the fires burning in Andhra. Instead of trying to quench the fire, instead of trying to bring people closer together, it may arouse precisely those sentiments which led to the fratricidal conflict in Andhra last year. We do not want balkanization; we want unification of this country. So far as the immediate aspect is concerned, what is it that gives a sense of relief when we think of this Six-Point Formula, when we think of the Bill which is before us? Sir, it is not a question of being perfect. The question is whether it is in the correct direction or not in the given conditions in which we are in this country today. The sense of relief comes to us because there are indications, very good indications, that the 6-point formula and the Bill will drop a curtain on the extremely dark and harmful developments which took place in Andhra earlier this year and in the concluding parts of the last year. So, that nightmare is now left behind. We have now got some breathing time. We have got an agreement on the basis of which step by step we can move further. That kind of a feeling and that kind of an assurance is created by this Bill. Much more than that, I would say that it is already known that the evolution of the 6-point formula and the bill have had a pretty long process behind them. It is not as if something has suddenly developed or something has been worked out by the Government of India or by the Centre which is being imposed on the people of Andhra. Such kinds of decisions have been taken earlier and as the Home Minister himself knows, they could not work. On issues like this, which are very delicate issues, very explosive issues like that of education, employment and regional disparities the

most vital thing", which is needed is a common agreement among the concerned people. A certain amount of spirit of give and take and a certain amount of mutual accommodation is necessary to solve these problems. This 6-point formula was worked out after prolonged consultations and on the basis of free will and consent of a great majority of the parties and elements which were concerned. That is what, I think gives it strength and creates a certain amount of confidence and for which it should definitely welcome. Our task naturally today is to strengthen the hands of the people who are endeavouring to solve this problem and help them to carry the process forward and not put spokes in the wheel which will make their task much more difficult. Having stated this, I want to make certain points which, I hope the hon. Home Minister will take seriously and give consideration to them.

The first point which I want to make is this. This Bill is good. The agreement is good. We welcome it. But, one thing must be guarded against and that is complacency. There should be no feeling that now that these points have been agreed and that the Bill is going to be passed, the matter can be allowed to drift and the things will gradually go on improving. To be precise, according to me, the various aspects of the agreement should not be left for implementation to the Government or to the bureaucracy. I will positively explain my point further. If we think that the agreement is there, the State Government is there, the officials are there, the concerned parties are there, the matter can be left to them and things will work out gradually and in a better way automatically, I say that is sheer complacency. I want to be a little frank today not because I want to hurt anybody's feelings or sentiments or that I want to complicate the matters but because having seen the ordeal of fire during the course of the last year through which we have passed, I want that the matter should

now be effectively dealt with. Certain clear conclusions have now emerged and the question which we have to pose before us frankly is to find out who was it that whipped up the tempo which led to this separatist frenzy in Telengana and Andhra—whether Telengana side or the other side. It is not for finding fault. It is for drawing certain conclusions in order to find out what are the forces which have to be mobilised in future so that this agreement is carried out in letter and spirit and even improved upon. When we come to these things, it becomes pretty clear and it was known last year also which were the elements which were in the forefront of these parties. Here, I should like to mention, in passing, a thing which all of us know and which is extremely significant. On the face of it it appears funny but deep down it is very sinister and that is that the leaders of the separatist movement in Telengana and on the other side have no quarrel among themselves. In fact, as the movement advanced, they became very friendly. The leaders on one side, whose grudge was against the leaders on the other side and that is why they wanted separation; similarly, the leaders of the other side had a grudge against the leaders of this side and that is why they wanted separation. But there was no quarrel among them. They came together, and both of them declared the integrationists to be their enemy. It is an amazing kind of thing. But why does this happen, how does this happen? There are deeper reasons connected with social classes which lie beneath the whole conflict which took place. The spear-head of the movement was precisely the new rich farmers, the new rich peasantry born out of the green revolution on both sides of the barricade. I am sorry to say that precisely the new rich peasantry, many turning into businessmen, they wanted to invest their monies into cinemas, into trucks, buses and all these things. All sorts of new traders and nouveau rich elements had come in. It was these elements on both the sides that poured oil into

[Shri S. G. Sardesai]

the fire, they were the people who were trying to deepen the crisis. And why is that? We know that just a year before last in Andhra and in so many other States in India certain issues were coming up very sharply. One of the most important issues which was on the agenda, which the State Governments had to implement, was the question of land ceiling. That was coming up sharply in Andhra and so many other States. The second was the takeover of foodgrains trade. The third was the question of nationalisation, 'State-ownership of bus transport and everywhere we find, precisely those who were opposed to the ceilings, precisely those who were opposed to the bus transport nationalisation, precisely those who were opposed to the takeover of the grain trade, they took the lead on both the sides and came forward with these fantastic solutions. What kind of solutions were they? Just to keep on provoking the people. It is not at all difficult to come out with the solutions which appear to be simple on the face of it but it is still easier to mislead the people with the slogans like 'sons of the soil' and so on. It really creates a fantastic impression that if the State is divided then everybody on this and on that side will get employment, regional disparities will be removed, education will be there. How does it come? Just by dividing the State. How can it be solved? All these kinds of sentiments and slogans were given and we were landed in the most tragic situation which all of us saw the last year. If these problems of regional disparity, better educational facilities, employment, etc., are to be solved, what will be the main force in solving them? There I do want to point out that the agricultural labourers both in Telengana and on this side said that they did not want separation. It is a recorded fact. Bulk of the industrial workers stood solidly on this and said that they did not want it. Unfortunately many of the students were misled because the question of unemployment

and all these factors were there. But these are the facts and in all humility I can say it is our Party which was the least affected and which stood firm on the question of integration— if you take the Party as a whole. How does it come about? Because we lied on those very forces who knew that the whole slogan of separation was being given exactly by those vested interests who in their narrow interests wanted to split the State and harm the common people on both the sides. I do not want to rake up all the issues and I do not want to go deeper into them but I was in a way pleasantly surprised when I read in the papers about what the Home Minister said in the other House the other day. The Home Minister will clarify it. He said that there were no separatists on either side but there were angry people. If that is so, we have to see why they are angry. The problems of integration, economy, education, culture have to be solved. Therefore, I have certain suggestions to make. We will pass this Bill. This 6-point formula has been accepted. It will be there. My point is, for God's sake do not leave it to the Government or to the bureaucrats to implement. Let there be first and foremost a powerful mass educative campaign all over Andhra. All those who believe in integration must go from city to city, town to town and village to village, hold public rallies and get the people to accept this thing. It is not just for the Government and the ruling party at the top alone. Let there be a mass educative campaign. Now, how are you going to overcome the regional difficulties? In the process of overcoming regional difficulties reference was made that the Central Government should give financial resources. The State Government also will have to give it. But we know that unless the problem of removing disparities and securing employment is backed up by a powerful movement of the local peasantry, the poor peasants and the workers, the resources that are given will once again be swallowed by those who

are at the top of the zilla parishads, by those who are at the top of the co-operative societies and the benefits do not reach the common people in those regions which are backward. This is our experience. So the point that I am making is that some kind of a campaign is needed. We should mobilise all the forces—which are genuinely interested and which stand for integration; and nobody really stands for integration unless he stands for democracy in the fullest sense of the word—and let there be committees at every place and in these committees all political parties, all independent people, all good citizens should be brought in and associated with the whole process of implementation. Then only what has been done will be consolidated and we shall be able to go further. If that is not done if we say that for the moment the last year's problem is gone and there is no more violence and agitation and if we think that in due course of time things will be all right, I must say that that is not our past experience. The same forces which created this crisis last year are lying low and they will try to become active once again. So it is up to us to carry the whole thing forward. So while welcoming this Bill and while fully supporting the Constitutional amendment, my point is we must mobilise the masses; we must organise the forces which basically stand for integration through thick and thin and we must carry forward the battle not only with this formula or that formula but also through economic transformation which is needed in Andhra as everywhere else. We really greet the people of Andhra who have realised the value of unity far more than we outside Andhra do, because they have paid the price, they have passed through the fire. Now they understand what unity means and they will stand for it more solidly. As a citizen of this country coming from Maharashtra I remember last year what the position was in my State. You know there is the question of Vidarbha. So we were campaigning there and explaining the need for

unity. I would congratulate the people of Andhra they have not only stopped the process of separation among themselves but they have helped so many other States in the country which would have faced the same danger. As the previous speaker pointed out, the solution is not splitting up of the State but the solution is to go more or less on the lines visualised in this Bill. We should carry the message all over the country and I have no doubt the people will really be behind us. Let it become a mass issue; let us all go to the people mobilise the people, and put on the shoulders the basic task of implementing this and not just leave it to the bureaucracy of the people who will not do that.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2.00 P.M.

The House then adjourned for lunch at twenty-four minutes past one of the clock.

The House reassembled after lunch at two of the clock, the Vice-chairman (Shri V. B. Raju) in the Chair.

SHRI M. ANANDAM (Andhra Pradesh): Mr. Vice-Chairman, Sir, I welcome this Bill and commend it for the consideration of the House. It is not necessary for me to trace the history of the events which have led to the amendment to the Constitution of India being moved. Our revered Home Minister has in great detail, dealt with the history of the Telugu-speaking people and the desire they have for an integrated State of Andhra Pradesh. Mr. Vice-Chairman, Sir, you too, in a very eloquent manner, have placed the entire position relating to Andhra Pradesh in your speech this morning. I would only very briefly deal with some of the aspects which have got a bearing on the present Constitution Amendment Bill. You are very well aware that we had two agitations during the last four years one by the Telanganites and the other by the Andhras, both for the bifurcation of the State and on both occasions

[Shri M. Anandam] sions, I must say the Central Government made a very sincere effort to see that the problem was solved amicably. Unfortunately events have led to such a great catastrophe that we have seen, at least on the second occasion, there was a very violent agitation in the Andhra region. We should really be grateful to Shrimati Indira Gandhi, Shri Umashankar Dikshit and Shri K. C. Pant, who not only exercised great tact in dealing with the situation, but also allowed emotions to cool down, so that they could have discussions with the leaders of both regions and come out with a formula. We are indeed grateful to them for this. The emergence of these discussions is the present six-point formula.

I do not wish to go into the details of this formula. But I would only state that one of the greatest achievements that this formula has brought is the removal of the irritants which have been responsible for the second agitation—that is, the formula has removed the Mulki Rules and has completely scrapped the Telengana Regional Committee. But instead they have brought in various other types of protection so far as the services are concerned. The formula has also brought in a certain amount of developmental activities by constituting a State Planning Advisory Board and by having sub-Committees for the development of the backward regions. While I agree that all the aspects of the Six-point Formula cannot be brought under the Constitution, it was felt that some of the things brought in the formula needed an amendment of the Constitution, and today what we are discussing is a Bill which has been brought forward to bring an amendment to the Constitution for the purpose of some of these things.

One is a matter relating to the services. The other is with regard to the Administrative Tribunal and the third is the constitution of a Central University in Andhra Pradesh. I agree that »ii «*ort has been made to preserve the integrity of the State but it is not

just enough; it is necessary that we strengthen this integrity. There is a very heavy responsibility cast on the present popular Ministry headed by a very able administrator, Mr. Vengal Rao, to see that the entire Ministry will drive home the details of this Six-point Formula to every nook and corner of Andhra Pradesh and see that they convince the people about the benefits of the Six-point Formula. That is the first and the foremost task that has fallen on the present popular Ministry. This has got to be done immediately if you want to strengthen the integrity of Andhra Pradesh; I would only deal with one or two aspects of the Bill which I find need some mention at this juncture. One of the provisions deal with the constitution of the Administrative Tribunal'. It is stated that the decisions of the Administrative Tribunal will be ordinarily accepted by the Government but there is an over-riding provision there to say that where the State Government feels that acceptance of a decision of the Administrative Tribunal is not in the interests of the State, then the State Government can modify it. This on the face of it, may look all right. But once you look to the type of disputes that are taken to the Administrative Tribunal, its overriding authority looks a bit peculiar or strange. After all, for a Government servant the dispute is with the Government and there are two parties to the disputes—the employee on the one side and the Government on the other. If you take such a dispute to the Administrative Tribunal and if the decision of the Tribunal is modified by the Government—though it may be a case wherein exceptional circumstances the State Government might interfere—it looks prima facie that it is a case of interference of the executive with the judicial authority of the Administrative Tribunal. I need not mention here that our system of federal Government contains very clear separation of powers as between the legislature, the executive and the judiciary. And this type of interference by the State Government for modifying the deci-

sion of the Administrative Tribunal may not look very wise, as I could see it. As it is, this I institution Amendment Bill has already been passed by the Lok Sabha and it has come to Rajya Sabha now, and I cannot ask for any amendment in it further. But I would only suggest that where there is a difference of opinion, where the State Government does not want to accept a decision at the Administrative Tribunal, the State Government may modify it in concurrence with the Central Government. Some provision like that may be made so that the State Government may not misuse the power that is given to it by this clause.

There is another thing which has been agitating my mind, that is, the composition of the Administrative Tribunal. There is nothing mentioned about it in the Bill. Probably it is left to the President of India to decide the composition of the Administrative Tribunal. But as I find from the Bill the High Court has no jurisdiction over matters decided by the Administrative Tribunal. The Tribunal must be not just a quasi-judicial authority. It must be given complete judicial authority having as wide powers as a High Court. It may be necessary that when we constitute the Tribunal it should take such people who are competent to hold the position of High Court Judge as members of the Tribunal. This must also be noted as a suggestion from me.

Then, as somebody has already pointed out, article 371, in Part XXI, deals with Temporary, Transitional and Special Provisions. Therefore, these must be considered purely as transitory provisions. While so far as the Administrative Tribunal is concerned there is a provision made in clause 8 that it can be removed when it has outlived its utility, there is no similar provision with regard to service matters when once it is felt that the State Government has made adequate arrangement; for recruitment to services, I think this must also be noted that whatever provisions have

to be made under article 371 about Transitional and Special Provisions, they do not have any permanence in matters relating to the various provisions of the Bill.

(Time bell rings)

Sir, I would now say only one thing before I conclude. One thing which I could not understand is the need for circulating the Bill to the various States. I have had occasion to go through article 368. I find that in so far as this amendment is concerned, there is no need for circulating it to the various States. There is only one minor thing which probably needed the States' resolution. That was with regard to the Central University of Delhi which necessitated a change in the Seventh Schedule. It needs ratification by at least 50 per cent, of the States. It would have been all right so far as the Central University is concerned if a separate Constitution (Amendment) Bill is moved and it would have been speeded up with regard to other aspects of the Bill, by passing the bill in the Parliament straightway.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): Kindly complete.

SHRI M. ANANDAM: Mr. Vice-Chairman, you rightly pointed out that the malady of this agitation lies in the non-development of these backward areas. If the backward areas had been properly developed, possibly all these things would not have arisen. It is for this purpose that I suggest that there should be a proper development policy and the State Planning Board should be given full authority for that purpose. It is not enough if just authority is given to them without proper resources as you pointed out earlier. I suggest that the Central Government make adequate provision for resources to be given not only to the State Planning advisory body but also to the various sub-committees, that are being constituted for purposes of developing the backward areas in Andhra Pradesh. Unless this is done, unless pro-

[Shri M. Anandam] per employment potential is created, I am afraid that people will not forget the entire episode and whatever amount of effort you may put in to strengthen the integrity the entire thing might be weakened.

Therefore, I suggest that the Government should see that very soon they implement the State Planning Advisory Body's activities by providing adequate resources. With these few words, I support this Bill and Commend it for the consideration of the House.

SHRI THILLAI VILLALAN (Tamil Nadu): Mr. Vice-Chairman, Sir, by way of participating in the discussion and also supporting and welcoming the Thirty-third Constitution Amendment Bill, I would like to make one or two submissions regarding the provisions of this Bill. Andhra Pradesh is our neighbouring State. Tamilians and Andhras were one for a long time. Then they separated. They were and are and will be good neighbours. Mr. Vice-Chairman, Sir, during the period of agitation it was said, it is not Andhra Pradesh, it is only "Athra" Pradesh, that is, place of anger.

I would submit that the Andhras, our neighbours, are having a real problem. Therefore, they demanded a solution by way of agitation. During that period, we wanted a peaceful and, at the same time, complete and permanent solution for this problem. Now the present measure is a peaceful and permanent solution for the problem. We welcome it, Sir. By "permanent solution", we mean a solution for the people not for the ruling party in the State. Further, Sir, we want a State only on the basis of language, not on the basis of backwardness or undeveloped areas. If we divide the States into bits on the basis of development, on the basis of other considerations it will disintegrate the whole country.

Sir, I will now make my next submission. I hope and I wish that this would be the precedent for solving the problems of States. Suppose in our State, we are agitating and we are

demanding more powers, that is, in the name of State autonomy for developing our own State, in such circumstances also the very same method of solving problems by discussions and deliberations should be followed by (his Government. Therefore, I welcome this Bill on this ground also. Further, so far as the Six-point formula is concerned, it has been stated that all the contents of the formula are now put in the Constitution itself by this amendment. I have gone through the provisions. I want to make one or two submissions regarding the provisions themselves because we have started from confusion and chaos and come to a peaceful solution. There should be clarity in the provisions also.

There should not be a repetition of the confusion once again. Started with a storm, then a null; now we feel there is a breeze. But this breeze should not be followed by storm by once again creating confusion by the undefined words or unclarified words in the Bill. I would request you to turn to sub-section (2) of Clause 3 on page 2 of the Bill. I do not want to read the whole Clause. I will only quote the relevant words. On page 2, line 4 there is a mention about "different local cadres"; then line 9 "regarded as the local area"; then line 14, "any local authority"; then in line 28, "local area". I would request the honourable Home Minister to define clearly what is meant by "local" because already there is a dispute who is a Mulki and who is not, who is a local man and who is not, and who is the outsider in the State. In the Bill also you have the word, local, local, local everywhere. What you mean by "local" must be defined in the Constitution; otherwise, it will create another confusion and lead to another agitation by the people. This became a problem ever since Visalandhra was formed. They demanded Visalandhra and they got it But now they want Telengana and Andhra. Now we have not convinced the people; we have only compromised with them in this Bill. Therefore, I want a clarification or

definition to be put in the Constitution itself as to what you mean by "local area".

Then I go to sub-clause (3). There I find "The President may, by order, provide for the constitution of an Administrative Tribunal for the State of Andhra Pradesh to exercise such jurisdiction, powers and authority (including any jurisdiction, power and authority..." Now we have already got a committee called regional committee and in its place now we are constituting another committee, calling it an Administrative Tribunal. From a reading of the words I think it is an alternative High Court because it has been vested with the powers of a High Court, and the High Court has been forbidden from exercising authority over this Tribunal by sub-clause (7). I will read it; "The High Court of the State shall not have any powers of superintendence over the Administrative Tribunal and no court (other than the Supreme Court) or tribunal shall exercise any jurisdiction, power or authority in respect of any matter subject to the jurisdiction, power or authority of, or in relation to, the Administrative Tribunal." That means, you have given it judicial powers of the High Court so far as items or subjects which are given to the Tribunal are concerned, and more or less you have abolished the High Court of Andhra Pradesh in this process. Therefore, I would like to ask: What is the composition of the Tribunal? I say it must be a judicial body. It must be truly a judicial body. It should not be left to the executive to appoint any member on the Tribunal. How the Tribunal should be constituted, who its Members should be, whether it is a judicial matter or whether it is an administrative matter, all these things should be clarified. Also it must be in the Bill itself. It is now left to the Executive. Now you are taking the powers of the judiciary and giving them to the Executive. Thus more or less it is an executive tribunal, not a judicial tribunal empowered with all the judicial powers. Therefore, my submission would be that the composition of the tribunal should be defined, the qualifications of the members who are going to be the members of the tribunal must be given in the amendment Bill itself.

My third submission is about the establishment of the Central University. This is more or less erosion of the powers of the State because education is a State subject. In the other House as well as in the House, while piloting this Bill the hon. Minister said that the formation of the State Planning Commission and State Development Board is left to the State Government because it is a State subject. Why don't you apply the same principle in regard to education also which is again a State subject. In one place on the ground that State planning is a State subject, you have not touched it. You have left it to the State Government. But education is also a State subject. Still, you are going to establish a Central University in Andhra Pradesh.

These are my submissions and I hope the hon. Minister will consider them favourably. With these words, I welcome this Bill.

SHRI CHANDRAMOULI JAGARLAMUDI (Andhra Pradesh): Mr. Vice-Chairman, at the time of the Introduction of the Mulki Rule Bill, 1972, I said that it would not satisfy either the people of Andhra or the people of Telengana. The Andhra by their unprecedented agitation of 1972 showed that they wanted nothing less than separation. The Telengana people also did not like the five-point formula for the reason that the safeguards given to them by the Gentleman's Agreement of 1956 would be given a go-by. Therefore they were against it. Now you are introducing this six-point formula by way of this Amendment Bill. In the Statement of Objects and Reasons it is said about the six-point formula;

"...the formula has received wide support in Andhra Pradesh and it has been endorsed by the State Government".

SHRI CHANDRAMOULI (Jagarlamudi): May I know from the Government by what method and how they came to the conclusion that it has received wide support? Has any ex-Minister or present Minister gone round the State and explained to the people what the formula is and how both Andhras and Telengana people would be benefited by it? None of the ex-Ministers has gone there and it is only the All India Radio's propaganda and I suppose the Government assumes that All India Radio's propaganda is sufficient evidence of support by the people of Andhra. Then the Government says that it is endorsed by the Government of Andhra Pradesh. Was not the five-point formula endorsed by the Government of Andhra Pradesh? And what fate did it meet with? 'Where is the guarantee that!', the six-point formula also would not meet with the same fate? Just because Andhra is quiet, you assume 'that the people are for the six-point formula. I say it is merely a lull before the storm.

How can the people who have totally rejected the five-point formula be expected to accept the six-point formula? In the five-point formula, there was at least a definite promise of doing away with the Mulki Rules by the end of 1980, whereas this new formula creates 21 mulki districts in Andhra Pradesh instead of doing away with the mulki rules completely. There was only one mulki region previously. Local people from one district are prohibited any educational facilities in the other district. This is against the fundamental law laid down in the Constitution. Whereas the people from both the Telengana and Andhra regions sought peaceful separation, the Government, under this new formula, creates 21 new regions instead of the 'tu'o that existed.

The agitation in Telengana region in 1969 and in Andhra region in 1972 started because the people in both the regions thought that emotional integration between the two regions was impossible. The Telengana people, thought that they were being exploit-

ed by the Andhra people and that they would be under the perpetual slavery of the Andhra People. The people from Andhra region did not like the idea of being permanently treated as second class citizens in their capital and in title other parts of the State. So, the people of both the regions wanted friendly separation and thought that friendly separation was the only solution to the problem.

Even at the time of the formation of the State of Andhra Pradesh, the late Pandit Jawaharlal Nehru, after providing certain safeguards to the Telengana people, said that, if after five years, Telengana region wanted to be separated, they could do so if two-thirds of the members of the Assembly from Telengana passed a resolution to that effect. But some of the Ministers and some of the leaders prevented the Telengana people from achieving their aspirations. Could there be any more proof of the desire of the people of Telengana when under the banner of Telengana Praja Samithi, they defeated the official Congress candidate in the bye-election to the Assembly and again in the 1971 Parliamentary election, when the whole country was swept under the Indira wave, 10 of the 14 Parliamentary seats in Telengana were won by the T.P.S. whose call was for separation?

Coming to the six-point formula, I would say that Point 1 of the six-point formula envisages planned development of backward areas and planned development of the capital with specific resources. The State Planning Board and its sub-committees are another version of the Regional Committee and the Regional Budget. Why should there be the mischievous assumption that bifurcation of the State will mean neglect of backward areas and that integration will hereafter mean, special attention to them? Can the Government tell us what special attention had been paid to the backward areas during the last 16 years of integration?

The second point deals with preference to local candidates for admission to educational institutions and the establishment of a central university to arrange educational facilities. This is a camouflage. It is the Mulki Rule written in a different language and in that context, preference will, in fact, be interpreted to exclude the Andhras from educational institutions in Telengana just as in the past. The third point is \ reference to local candidates in recruitment to posts of NGO, corresponding posts in local bodies and junior engineers and Civil Asstt. Surgeon after organising service cadres on local basis.

This is the same as the five-point formula. By using the term 'local' instead of the word 'Mulki', its equivalent, the framers of six-point formula are trying to deceive the Andhras under the rule. Just as in the past, the Andhras cannot get employment in Telengana on the ground that they are not local. The Andhras demand equal opportunities in all the districts. But this rule denies them everywhere, except in the district of birth.

The fourth point concerns the setting up of a high-power tribunal imposing limits on the Powers of Judiciary. This plays havoc with the rightful interests of the aggrieved and would lead to costly litigation.

The fifth point is amendment to the Constitution putting limits on the power of Judicial review. Does the Government think that the servicemen who obtained some bargaining rights, after a hard struggle, of protection would readily yield to their threat?

The sixth point says, "The above approach stated i.e., the five points would render the continuance of Mulki Rules and Regional Committees unnecessary". In name only, the Mulki Rules and Regional Committees are dissolved, whereas the term 'Local' is nothing else but 'Mulki' and in the place of Regional Committees and Regional Committees the Planning Boards and its Hub-Committees are constituted.

Therefore, the six-point formula is in no way better than the five-point formula, and, on the other hand, it is worse than that as it confirms the old Mulki Rules. It is in favour of the Telengana people, as it does not, take away any of their rights they had previously. The people of Andhra would never agree to its imposition and would fight against its imposition with much more vigour than in 1972. Therefore, I say that by all means do away with the, Mulki Rules of 1972 but for God's sake do not impose the six-point formula. The only solution is friendly separation. Thank you.

SHRI M. R. VENKATARAMAN (Tamil Nadu): Mr. Vice-Chairman, Sir, my Party will support this measure brought by the Government. But I also want to go on record with some criticisms, which, I hope the hon. Minister will be good enough to listen to and see if this measure can in any way be either improved upon or added or corrected.

After a long delay of nearly a year, after so much damage to life and property and so much delay on the issue of development of Andhra Pradesh, we have to come to a stage fortunately when some useful proposal is before the House for settling the matter. But I will be failing in my duty if I do not say that the ruling Congress Party and the Government have been responsible for the present state of affairs as well as what has obtained during the last six months or one or two years before that. Last year, there were alternate points of view. In fact, I also moved several amendments to the Mulki Rules Bill. With the majority that the ruling party had, they got the Bill passed into an Act. It was said that it embodied certain important provisions of the five-point formula put forward by our Prime Minister. Now, a measure has been brought forward by the same Government to scrap that Act. The basis for this Act is stated to be the six-point formula. Last year, it was the five-point formula.

[Shri M. R. Venkataraman] which gave rise to an Act which we are finishing by this measure and today this six-point formula is getting statutory recognition. Let us hope at any rate that it will meet a better fate. One cannot forget the enormous injury done. When I say that the ruling Congress Party is primarily responsible for this state of affairs and this measure passed in haste last year and now sought to be cancelled, I do not speak lightly. Friends will remember that even by 1969, the movement had started in Telengana for a separate State. As another friend has already pointed out, there was a compromise for the sake of the 1971 elections. Let us not forget it. We cannot call it by any other name. Friends of the Telengana Praja Sami-thi all over the country became congressmen and added to the Congress strength, I suppose, in the Lok Sabha. But then the movement had its echo again when the Andhra side also began to demand separation and it reached a bitter stage, a very unfortunate stage, by 1972. I cannot forget the 21st of November, 1972 when 17 people were shot dead in the three towns of Andhra nor that firing of the 23rd of November in Hyderabad and the people's upsurge as such. The Government foolishly thought, as Government very often foolishly think, that repression was an answer to the urges of the people. But what was peculiar there was that this agitation from both the regions of Andhra—Telengana region as well as Andhra region—which attracted, in its wake students, non-gazetted officers and Government servants in its ranks which had a wide impact in both the regions. And this upsurge of that particular period was tackled by the Congress leaders of both sides and let us not forget that. It is really a tragedy, but it is a fact that the ruling Congress was driven into three groups, each fighting for its own position. One group stood for a separate Telengana, another for a separate Andhra; and we can call the third group as an integrationist group. And all within the same Party, mind

you. And when this position was there, before the Prime Minister came forward with the 5-point formula, my party, through its Secretary, Mr. Sundarayya, wrote a letter to the Central Government suggesting the following solutions, which I will briefly indicate, for solving the problem. Mr. Sundarayya had suggested to the Central Government—(1) scrapping of the Mulki Rules and the abolition of Regional Committees; (2) rejection of all demands for a separate budget; (3) special efforts to develop backward areas in the State; (4) no regional reservations or conditions for employment; (5) for employment as well as for public expenditure, it should be on the population basis in the ratio of 2:1 between Andhra and Telengana. Sir, It is unfortunate that even today, the Bill which we are considering, which I am supporting notwithstanding my criticism of it, does not take into account such thing like the 2:1 ratio on the population basis. If Andhra has got about three crores of people about half of that is the population of Telengana.

Sir, if the 2:1 formula does not become the actuality either as regards resources or jobs or admission to educational institutions or expenditure of the resources whether they are Central loans or revenues raised locally, there is no easy method of satisfying the people. Mere jugglery with formulae will not do. Of course, after a time, people got tired. They thought, "the separatist movements are futile and let us have some solution." Now they think What they have found a solution.

Again, Sir, I would like to read with your permission a short para from last year's proceedings to show that men like me have not failed to bring home to the Government a way out, a solution for the problem also. Mr. Vice-Chairman, Sir, when the Mulki Rules Act was passed a year ago, this is what I spoke:

"My Party is of the considered view that a just and reasonable solution is possible for this problem pro-

vided the Central Government acts in time and enacts suitable legislation, and not this Bill, ensuring the legitimate rights and demands of the people of Telengana region, while annulling the outdated Mulki Rules which, if it persists in implementing, would surely pave the way for disunity of the people and the disintegration of Andhra Pradesh."

"... The Central Government must enact legislation firstly to ensure employment in State Government services at all levels in the ratio of 2:1 for Andhra and Telengana regions respectively" and they may be posted in any part of the State and not confined to each region."

Sir, it will be observed from the present legislation, the Constitution Amendment Bill and the Mulki Rules (Repeal) Bill that they lack in all the features which I have suggested.

"... This reflects the real strength of the population in the two regions. This principle may be extended to all public corporations or semi-Government concerns.

"Secondly, the allocation of all the State resources including that of Hyderabad city and Central loans and grants for regular administrative and developmental activities in the State including the Five Year Plans should be in the ratio of 2:1. While, special attention is to be paid and special allocations made to develop backward tracts and areas in both the regions. Similarly, the seats in colleges and professional schools and institutions can be reserved in the same ratio.

"Thirdly, the time-limit for the two above stated provisions should not be mechanically fixed. They should continue until such time when mutual understanding and confidence develops between the two regions

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and the people living there and until the existing imbalance in the development between the two regions gets progressively reduced and eliminated. This alone can ensure the unity of the people of the two regions and the integration of the State of Andhra Pradesh. This alone can rescue the State from the recurring agitations and strife over the Mulki Rules, some upholding them while others opposing them."

(Time bell rings)

I am only sorry that when men like me come forward with such suggestions, they are not taken seriously. The Prime Minister in her reply to this debate did not answer these questions. I hope and trust our esteemed Home Minister will at least tell me what the difficulty is in disregarding suggestions such as those that have been put forward by my Party.

Sir, now, so far as the present Bill is concerned, as I have already said, despite my strong criticism of the drift and the acts of commission and omission on the part of the ruling Congress Party, I am still supporting this Bill. In the Statement of Objects and Reasons attached to the Bill it is stated that the idea is to give shape to the 6-point formula. The approach is to give expression to the 6-point formula.

Sir, I feel that the 6-point formula is a welcome feature for the following reasons: Firstly, it rejects the bifurcation of the State. We are not where we were one year ago. Fortunately, there is no question of two Andhras hereafter. I am labouring this point a little because some friends here have said that there is a need for separation also. It is not a question of the same language speaking people constituting different States. The Hindi speaking region has got several States. For e.g. Hindi speaking people are in

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(.Shri M. R. Venkataraman] many States. Hindi speaking people are in many States. That is not the point. Nor, is it a question of the size of the State. It is asked "Isn't Nagaland a State? Cannot Telengana be a State?" It is not a question of size either. People forget that the British kept the Andhra people divided and a great national patriotic movement of the Andhra people rose for unification. Potti Sriramulu laid down his precious life and throughout the length and breadth of Andhra there was a huge upsurge, mass upsurge, unprecedented in its kind after which Vishal Andhra came into existence satisfying the aspirations of the Telugu people. The British kept them divided. Now that we are in free India the Telugu people were one and they looked forward to being a great big State, the pride of India in its own way but for these unfortunate happenings of the last two or three years. Now, the Mulki Rules was itself the creation of the Nizam 55 years ago in 1918. The princess have gone, the privy purses have gone, but why this relic of the Nizam? These Mulki Rules should have been done away with of course without prejudice to the difficulties of the Telengana region, to the backwardness of the Telengana region and to the aspirations of the people of Telengana. The Mulki Rules should have been done away with long ago but that was not done. So I would appeal to the friends who still talk of the need for two States that they should not ignore the sentiments of the common people of Andhra who really want to live together, who have made many sacrifices for that and got their Vishal Andhra. I welcome this Six-Point Formula also for the reason that the Mulki Rules and the Regional Committees are gone. Thirdly the Formula opposes a separate Budget and a separate Secretariat. Fourthly the separate Committees proposed to develop backward areas are a feature of the new Formula. This I consider to be a correct step forward but even so I want to point out by way of illustration one big defect and that is

the failure to tackle the issue of employment of public servants on a proper basis. Now the regional reservation is not between two provinces but the regional reservation is confined to districts. The Mulki Rules are gone but its spirit is not gone yet; it is alive. Now junior engineers, civil assistant surgeons, tehsildars and others below that rank are to be recruited from the district level. They must be men of the districts. I must say that this contains the seeds of further disruption. There are seeds in this reservation for separatist tendencies and disruptive tendencies. So I would conclude by saying that it should not and a place here.

Then I do not know what this Administrative Tribunal business is. There is no control of the High Court over it and the State Government has got the right to override it and take its own decision. Again how is that going to be constituted? The President will nominate it. Every aspect of it is strengthening the hands of the Executive and one is not clear what it is eventually going to be with the district as the unit for reservation of jobs up to the level of junior

engineers and tehsildars. The 3 P.M. Andhra people again have to

fight, unfortunately, among themselves because a person of one district cannot get a job in another district. Till now the problem was Telengana for Telengana people and Andhra for Andhra people.

If integration has to be strengthened, the Government should think very seriously about this provision relating to districts and see what can be done about it. I would say we are against the separatist slogan. We are for scrapping the Mulki rules, for abolishing the Regional Committees the two is to one formula are all things which I would again bring to the notice of the hon. Home Minister.

PROF. RASH, EDUDDIN KHAN (Nominated): I tr. Vice-Chairman, Sir, I would like to speak, so to say, as a post-script o the Constitution (Thirty-third An endment) Bill and the Mulki Rules Repeal) Bill. As a citizen of India, i /ho happens to come from Andhra Pra lesh, I am naturally concerned wit) the fate of the Indian people in th »t part of the country who, for the past four years and more, have been passing through one ad hocism to another. Therefore, I would crave the indulgence of the House if I spea.t not specifically on the amendment Bill and the repeal Bill as such, but on the larger issues which impinge o l the very survival of India as a ecular, democratic polity. I would ubmit at the outset what are the major aspects which are essential for wh it can very rightly be called federal nation-building. In the twenty-six y ars of independence a fundamental p roblem which faces us is the problem of how to stabilise our polity on t) e well-known principles of democracy, secuarlism and socialism, which indeed have acquired national consciousness in a very large proportion of the population as reflected in the mandate of the Congress Party, botl in the 1971 Parliamentary election,' and the Assembly elections of 1971. The basic aspects which impinge on federal nation-building, I subn it for the consideration of the hon. Home Minister and other members o." the higher echelons of his party, are four. First is the problem of poli ical integration followed, secondly, by a stable and efficient administration. Third is the secularisation and democratisation of polity. The fou th, which is linked up with the problem of Andhra Pradesh is the prob] ;m of mass mobilisation for econom c development. Yesterday we accepted the Fifth Plan as a draft for discussion. How do we implement the Fifth Plan targets? I submit that for the fulfilment of the Fifth Plan target | not only an efficient and responsive bureaucracy is needed. It is important that the party which has been ruling in more than

half the total number of States of India and almost continuously at the Centre must also mobilise itself and the people as such should be moblis-ed. For the mobilisation of the people we will have to evolve structures and institutions which are capable of activising them. Even if I am trying to sound a discordant note, I would nevertheless most respectfully try to sound that large States are no answer. India, as the second most populous State with 356 districts, might as well afford about fifty or sixty administrative units, and these administrative units may or may not be States because the experience is that the Soviet federal structure is based not only on the 16 Republics of it but also it has other two categories of Autonomous Regions and Autonomous Nationalities. And in the last four years the struggle, whether justifiable or not, has been going on between the people of Telengana and Andhra Pradesh. I underline the fact that the people are not satisfied with the employment position, they are suffering, and demands have been made; the people are not satisfied because of lack of a stable Government to which responsibility can be given.

(Mr. Deputy Chairman in the Chair.)

Therefore I say, whether you repeal the Mulki Rules or not whether you bring about the Thirty Third Amendment or not, what you have to look into is how to solve effectively the problem of the people in terms of mass mobilisation. I would say that the assumption that all demands for sub-regional identities, all demands for regional identities are against the national interest, they are against the basic impulses of building up a united India, is an erroneous assumption. It is also based on an erroneous assumption that all language groups are nationalities in India. My own study of the problem would suggest that the language communities might have as-

[PROF. RASHEEDUDDIN KHAN] r pects of nationalities but they are not nationalities in the sense in which the Armenian and Azerbaidjan people are nationalities. Therefore, a radical compromise is to be built. We have to understand that what is going on in Telegana and Andhra Pradesh is only an activity of a few self-interested groups. It has also something to do with the fundamental problem that the structure in which the problem is sought to be solved is the structure which is not relevant to the challenges. Therefore, I submit that a re-examination of the issue is called for particularly for two reasons. The 1971-72 mandate to the Congress Party on the one side has proved, all things said and done, that the people are, by and large, with the party. Secondly, the perspective and the target of the Fifth Five Year Plan I submit with all responsibility, would never be met. As a matter of fact, a continuous series of agitation will go on unless the political structuring is in consonance with the mass mobilisation and economic development.

श्रीभूपेन्द्र नारायण मंडल (बिहार) :
उपसभापति जी, जो यह विधेयक आज सदन के सामने विचारार्थ पेश है उसका मैं विरोध करता हूँ। मेरी समझ से आज जो शासक पार्टी है इसकी स्वेच्छाचारिता जरम सीमा पर पहुंच चुकी है और उसी का प्रतीक यह विधेयक है। मैं ऐसा क्यों कहता हूँ उसके कई कारण हैं। जनतंत्र में अनेक मर्यादायें निमाने की जरूरत पड़ती है? एक तरफ तो हम लोगों का संविधान है, दूसरी तरफ जनतंत्र की कुछ मान्यतायें हुआ करती हैं जो संविधान में नहीं भी रहती है फिर भी लोग उनको मानते हैं। उन सारी बातों की रक्षा करते हुए जनतंत्र को चलाना पड़ता है। लेकिन विधेयक को लाने के सिलसिले में इन सारी बातों को ताक पर रख कर इस विधेयक को यहां पर लाया गया है इस लिए मैं समझता हूँ कि यह जो बिल है यह ठीक है कि इस का

मंशा देश को इकट्ठा करने का है, अगर ऐसा होता तो सही था, लेकिन जिस ढंग से यह बिल लाया गया है वह ढंग भी गलत है और इस लिए मैं इस ढंग का विरोध करता हूँ। एक तो बिल का जिस तरह का स्ट्रक्चर है उससे ऐसा मालूम पड़ता है कि वह आंध्र प्रदेश को एक करने वाले हैं। उसमें बतलाया गया है कि आंध्र प्रदेश को इकट्ठा करने के लिए उन्होंने यह उपाय निकाले हैं और उन उपायों को कानून के रूप में परिणत करने के लिए सरकार यह बिल लायी है, यह बताया गया, लेकिन दूसरी तरफ इस विधेयक में जो प्रोविजन्स हैं वह जिस ढंग से रखे गये हैं उससे मालूम पड़ता है कि आंध्र प्रदेश की एंटिटी, जो एकता है यह कायम रहनी रह सकती, वह एक इकाई के रूप में न रह कर अनेक इकाइयों के रूप में रहेगा और इसका भी प्रोविजन इसी में है। इस बीच में जो वहां पर चुनाव हुआ और चुनाव के बाद जो वहां की सरकार वहां का लेजिस्लेचर जनता की इच्छा के मुताबिक काम नहीं कर सका इसका नतीजा हुआ कि वहां उपद्रव शुरू हुआ उस उपद्रव को सम्हालने में वहां की सरकार या केन्द्रीय सरकार सफल नहीं हो सकी और राष्ट्रपति का शासन वहां पर लागू हुआ। राष्ट्रपति शासन के बाद चाहिये यह था कि जनता की इच्छा क्या है इस बात को एसर्टन करना था या सरकार जो कहती है कि इन बातों के ऊपर हमने लोगों को सहमत किया है तो उन बातों के ऊपर जो शासन पार्टी के लोग हैं वे सहमत हुए होंगे लेकिन वहां की जनता सहमत हुई है या नहीं हुई है इसके लिये वहां पर चुनाव करवाना था लेकिन चुनाव से उन लोगों की इच्छा को जानने की कोई कोशिश नहीं हुई इसलिए मैं समझता हूँ कि जनता की इच्छा के मुताबिक यह कानून नहीं आया है और इसको मैं बुरा समझता हूँ, जनतंत्र के खिलाफ इसको समझता हूँ और जिस ढंग से अनेक एनटिटीज में वह राज्य बटने वाला है राष्ट्रपति की इच्छा के ऊपर में इसको

भी मैं बुरा समझता हूँ। ऐसा ही नहीं है कि तेलंगाना का जो रीजन है वही बैकवर्ड है बल्कि हिन्दुस्तान की दूसरी जगह में भी बैकवर्ड रीजंस हैं, हमारे बिहार में भी जो झारखंड का पोशन है वह बहुत बैकवर्ड है और दूसरे रीजंस भी बैकवर्ड हैं और इस तरह से समूचे हिन्दुस्तान में अनेक स्थान हैं जहाँ कि बैकवर्ड रीजंस हैं। सरकार को इस सारी जगहों को दिमांग में रख कर के इस एक कामन समस्या को सामने रख कर के उपाय निकालना चाहिये था और किसी तरह से समूचे हिन्दुस्तान के लिये एक कामन उपाय निकाला जाना चाहिये था और उसी फ्रेम में इस कानून को लाया जाना चाहिये था लेकिन वह न ला कर के खस कर के एक राज्य को सामने रख करके यह कानून बनाया जा रहा है। यह कानून उस राज्य के लिये रहता और उसी राज्य के द्वारा बनाया जाता तो दूसरी बात थी लेकिन हिन्दुस्तान का जो संविधान है उस संविधान की मरम्मत करने की कोशिश हो रही है, इसका मतलब है कि जो शासक पार्टी है वह जब किसी बात को नहीं चला पाती है तो अपनी इच्छा को कैरी-आउट करने के लिये वह यकायक देश के कांस्टीट्यूशन को बदलने का रास्ता निकालती है यह हम समझते हैं कि देश के लिये अच्छा नहीं है और हिन्दुस्तान के संविधान के लिये भी अच्छा नहीं है।

दूसरी बात यह है कि जिस तरह से राष्ट्रपति को यह अधिकार दिया गया है उससे मालूम पड़ता है कि वहाँ का जो लेजिस्लेचर है वह हमेशा इनअफेक्टिव रहेगा। वहाँ के लेजिस्लेचर के ऊपर राष्ट्रपति का शासन जो होगा उसका मतलब है कि प्राइम मिनिस्टर का शासन, केन्द्र का शासन, केन्द्र की होम मिनिस्ट्री का शासन वहाँ पर लागू रहेगा इस तरह से द्वैध शासन वहाँ पर हमेशा बना रहेगा और वहाँ पर जो एक्सपेरिमेंट किया जायगा शायद वही एक्सपेरिमेंट हिन्दुस्तान के दूसरे हिस्सों में भी अगर ऐसे दंगे बगैरह खड़े होंगे तो वहाँ पर भी कायम किया जायगा ? तो हिन्दुस्तान में यह द्वैध

शासन बराबर चलता रहेगा और हर एक प्रान्त में चलता रहेगा और हम लोगों का संविधान जो है यह एक मजाक बनकर रह जायगा। (*Time bellings*)

इसलिए मैं समझता हूँ कि जो यह स्टेप सरकार ले रही है वह जनतंत्र के खिलाफ है, संविधान के खिलाफ है और इसको उसे वापस कर लेना चाहिये, इस बिल को वापस कर लेना चाहिये और कोई ऐसा बिल लाना चाहिये जो कि समूचे हिन्दुस्तान पर लागू हो जिसमें कि राष्ट्रपति का शासन न हो, जो केन्द्र की होम मिनिस्ट्री है उसका प्राविसेज के ऊपर इतना शासन नहीं हो, इस तरह से कोई कानून सरकार को लाना चाहिये।

MR. DEPUTY CHAIRMAN: Mr. Chinai. Only five minutes. ,

SHRI BABUBHAI M. CHINAI (Maharashtra): Mr. Deputy Chairman, Sir, the agreement between Telengana and Andhra Pradesh people and the six-point formula are welcome in as much as they have led to the termination of the President's Rule and brought in once again a democratic government formed by the representatives of the State. It maintains the unity of the State and helps accelerate the development of backward areas. Everyone should lend his moral and material support to make a success of this efforts.

The six point formula had not been super-imposed; it had rather come as a result of consensus arrived at with various sections of our people who were very much involved. This Bill envisages the giving of a statutory status to the decisions arrived at by the people who are virtually concerned with this problem in Andhra Pradesh. It also envisages the abolition of Regional Committees, the abolition of Mulki Rules and the location of a Centra] University at Hyderabad and also giving of opportunities, as much as possible, to the local people.

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[Shri Babubhai M. Chinai] I am, however, afraid whether this might ultimately lead to employment being reserved for the people belonging to a district. The Constitution has provided that an Indian might move from one part of the country to another and be eligible for employment, for pursuing business, in any part of the country. Now that is going to be replaced by saying that employment in each district would be open only to the residents of that district. This particular point in the six-point formula is a potentially dangerous point that has been agreed upon. This is likely to create precisely the same difficulties because of which trouble arose under the five-point formula.

That apart, the bifurcation of Andhra Pradesh could have triggered off similar demands in different parts of the country, and other States could also have become embroiled in the same kind of agitations, demands and counter-demands for bifurcation. At a time when all our energies are to be devoted to getting over our immediate economic or social problems, whether it would be a wise thing to allow many States to get embroiled in disputes of this kind is a point to ponder over. This is not the time when our energies should be diverted from the main task of economic growth and development. Then, if something has got to be done which is right and which is in the interests of the people of Andhra Pradesh and the country, regardless of the repercussions, the Government has to go ahead with it.

I am in agreement with the Government that the unity of the States should be preserved. But there is no provision in the Constitution guaranteeing development of backward regions. Therefore, any number of six-point formulae cannot solve the problem.

It has been argued that even if the Government felt that the so-called six-point formula would work towards the emotional integration of the people of Telengana and Andhra, there was no urgency for this amendment. Let us watch what happens for a year or even two and, if events prove that the Government was right and the six-point formula was moving in the direction of emotional integration, we could at that stage amend the Constitution. If we amended the Constitution in haste, what reactions it would have and what consequences it would lead to, no one can foresee. I do not agree with this point. How can the six-point formula be worked when from one end to another it is based on the need for social, legal and Constitutional change?

With these words, I support the Bill.

SHRI UMASHANKAR DIKSHIT: Mr. Deputy Chairman, Sir, I must begin by expressing my appreciation of the very constructive approach that most, if not all, of the speakers have adopted in discussing and sometimes criticising the Bill before the House. Except for two hon. Members who have in words said something which might be tantamount to opposition, all the other hon. Members have fully and full-throatedly supported this Bill. Of course, as Members of Opposition Parties, they have to point out some loopholes here or there. Our friend, Shri Nawal Kishore, began by saying that although this is not a perfect or an ideal Bill, yet he welcomes it. Somehow he also said certain other things. But one important point which he has made and which others also have made similarly, with greater or more or less emphasis, is the interpretation put upon that part of the six-point formula, that is to say, 371D, which includes provision for employment of locals. And from that everybody has tried to argue or has jumped to the conclusion that this would lead to similar demands elsewhere,

that this would divide the country into districts, and what not. I would like to submit with great respect that the provision has been completely misunderstood. We must first try to understand the background against which this whole agitation arose and why finally this compromise, this amicable settlement, has been accepted by an overwhelming majority of the elected representatives and the people of Andhra Pradesh. And this formula has been hammered out by the very people who created, who raised, a rising position, State-wide protest against the earlier legislation. And they have not done this overnight or suddenly in a flash of enthusiasm or in a sudden flash of mind. They have taken at least six months. Various groups in Andhra Pradesh, both from Andhra and Telangana regions, from the coastal districts, from Rayalaseema, all have gone into its details from week to week, from month to month.

[Mr. Chairman in the Chair].

It was only when they all agreed to all the aspects of this proposal, of the six-point formula that we agreed to put it up to the Cabinet and then got this Bill framed and we have submitted the Bill to the two Houses of Parliament for acceptance. Now, as I pointed out in the other House, there have been circulars issued; instructions have gone down from the Government of India to all public sector undertakings in which emphasis has been laid on the need and propriety of giving employment, up to posts carrying Rs. 500 or less, to the local people only; in fact, up to 80 per cent. Why has this been done?

SHRI MAHAVIR TYAGI (Uttar Pradesh): It is a very good idea.

SHRI UMASHANKAR DIKSHIT: Why has this been done? Not to divide the country. There is a real problem which is creating a lot of misunderstanding and also a misgiving and a

feeling of discrimination in the country. The backward districts, people belonging to backward districts, usually do not get employment even in public or private sector undertakings that are established there, because more advanced, educated, young men from the other districts come and get their names included in the employment exchanges there and therefore, the people of the local area, the people of that district, do not get any advantage. There are complaints, and I have been told myself, that in some cases not only the chairman or the Managing Director or the General Manager, but lower division clerks, peons, cooks, and employees engaged in such activities have been called from distant States. And there is a genuine grievance being felt all over the country. Therefore, this is a measure which will work for integration of the country; it will afford satisfaction to the poorer sections of the society...

SHRI MAHAVIR TYAGI: It is a good measure. But why limit it to Andhra Pradesh alone? Why not apply it to the whole of India?

SHRI UMASHANKAR DIKSHIT: Because, the problem with which we are dealing and which arose, was related to Andhra Pradesh. We cannot at this time apply it to the country as a whole. What did my friend Shri Mandal say? What he said really amounted to support. He said this is a good Bill. This is a good idea.

उन्होंने कहा—आपने ठीक ढंग से नहीं किया, आपका विचार तो ठीक है, लेकिन जिस ढंग से किया है उसका मैं विरोध करता हूँ। उसका कारण उन्होंने बताया कि आपको समूचे हिन्दुस्तान का नक्सा खींचना चाहिए और उसके अन्दर आन्ध्र प्रदेश को फिर रखिये तो हमको स्वीकार हो जाता।

third

[Shri Umashankar Dikshit]

श्रीमन्, आप विचार करिये और नदन के मदस्य विचार करें, आंध्र प्रदेश में जो आग लग रही है, दादा-भैया करके महीनों उनको समझकर हमने एक प्रस्ताव रखा है और उसके लिए हम सन्तुष्ट हिन्दुस्तान का नक्का खींचने जायेंगे तो हम को लोग पागल कहेंगे।

तो मेरा निवेदन है, जैसा कि नवल किशोर जी ने कहा—

These provisions are enabling provisions. The President has to issue certain orders. In those orders which he will issue on the advice of the State Government and the Central Government, proper and appropriate instructions, definitions and indications will be given according to which the provisions of this Constitutional Amendment Bill will be implemented. Take for instance the question of giving employment to the local people. Shri Venkataraman said that the appointment of Asstt. Civil Surgeons and Junior Engineers and such other employees will be confined to district level only. That is not correct. The President has to spell out these things in his order which will be according to the discussions held and understanding reached. The agreement is that only upto the lower division clerk level, employment will be restricted to the District Employment Exchanges. But so far as Asstt. Civil Surgeons and Junior Engineers are concerned, the employment will be spreadable over a group of districts or division. What exactly should be the area to which these classes should be assigned has to be considered. The Government of Andhra Pradesh will have to work out and according to that we will see what further measures have to be taken. Therefore, on this point I want to assure the House that so far as this provision relating to local employment is concerned, there should be no apprehension of any kind that this can lead to disintegration. In fact what is it that it has done? So long as the provisions of the Mulki Rules relating to

appointment of regional committees, separate budgets and surplus being spent only in one area or other area continued, the seeds of separation remained permanently embedded in the Constitution and in the laws of Andhra Pradesh. The remarkable achievement of this formula is that the seed of separation, that founding mischief, has been done away with, with the full consent and amicable approval of the people concerned, of course, with the exception of some friends from the Swatantra Party who have been dragging their feet. The fact that my friend Shri Ranga has been wishing to come and hold discussions with me gives me an indication that possibly even people of the former Swatantra Party...

AN HON. MEMBER: Shri Ranga is with you now.

SHRI UMASHANKAR DIKSHIT: He has held a position between the Swatantra Party and the Congress Party up till now. Apart from that, on this point misgivings are really misplaced.

श्री जगदम्बी प्रसाद यादव : रंगा जी के बारे में आपको मिसगिफिंग हो गया है।

श्री उमाशंकर दीक्षित : उनके बारे में मिसगिफिंग हो या न हो, आपसे तो बहुत दूर रहने वाले हैं ?

Shri V. B. Raju has paid a tribute to the work that has been done by the representatives of Telengana and Andhra regions. And, Sir, he has said that there is consistency in the Centre's policy in favour of the integrity of the State of Andhra Pradesh. The only point that he has made, which really deserves mention here, is that according to him some mention should have been made, probably he feels I should have mentioned, about the allocation of resources for ensuring the accelerated economic development of all the regions, particularly the backward regions in Telengana, in the coastal districts and Rayalaseema.

Sir, I am not in a position just now to mention or specify 11 out of the figures and I will be exceeding my brief if I do so. But I would like to make a general assurance that this entire scheme is based on the assurance from the Government of India that the Government of India are going to take special care and make special efforts and make special allocations so that the economic development and social development of this region can be accelerated to the satisfaction, as far as possible, of all the backward areas of the State.

Sir, Shri Shejalkar, is one of the honourable Members who are excitable and I still do not know what he wanted to say. He started by saying "Mazak hoi, chhoka hai" and so on and I do not know whether he was cheated somewhere on his way to Parliament. But, Sir, so far as this Bill is concerned, everything is on board, open and free. He was harp-

ing on the same theme. पहले अलग क्षेत्रीय समिति को दिया था अब क्षेत्रीय भावना सब जगह जिले-जिले में बढ़ रही है उसमें उनका दोष नहीं है। ध्यान से उन्होंने समझने की कोशिश नहीं की है। इसलिए जिले के नाम से ही वे भड़क गये हैं। जिले में किसी को सुविधा देने से कोई हानि नहीं होती। जो महत्वपूर्ण सिद्धांत इस नये कानून में आया है उसके बारे में मैं निवेदन करूंगा कि जो पहले एक विशेष क्षेत्र पर विशेष अधिकार मिलते थे अब वही विशेष अधिकार सारे क्षेत्रों को मिलने वाले हैं। जो पहले केवल तेलंगाना के लिए था वह रायलसीमा के लिए कोस्टल डिस्ट्रिक्ट्स के लिए, सारे आंध्र प्रदेश में एक लेवल तक नौकरियों के लिए और उसके ऊपर उससे कुछ अधिक कीमत की नौकरियों के लिए और उसके अलावा कालेजों में, युनिवर्सिटीयों में, विश्वविद्यालयों में और तकनीकी संस्थाओं में प्रवेश करने के लिए जो भी सुविधा किसी एक वर्ग को दी गई है एक क्षेत्र में, वही सुविधा दूसरे

क्षेत्रों में पूरे तौर से दी गई है। इसमें तो ऐसा मानना चाहिये कि जो डिस्ट्रिक्मिनेशन या अन्तर था या किया जा सकता था वह इस से दूर हो गया है। इससे बढ़ कर और सन्तोष की व्यवस्था आंध्र प्रदेश के संदर्भ में मेरे विचार से कोई दूसरी हो नहीं सकती है। इन्होंने शायद कहा कि पिछड़े लोगों के विकास की व्यवस्था की जाय, पिछड़े क्षेत्र मानने की क्या आवश्यकता है? इससे मालूम होता है कि शेजवलकर जी को पंचवर्षीय योजना की जो परिधि है, उसके जो आधार है उसके जो कार्यक्रम हैं, उनका उनको रचनात्मक भी परिचय नहीं है। (Interruptions) आप बात सुन लीजिये आप कोई गलती कर गये हों तो उसमें मुझे कोई आपत्ति नहीं है।

श्री ना० कृ० शेजवलकर (मध्य प्रदेश): आप समझने की कोशिश कीजिये। मैंने यह कहा कि अलग अलग क्षेत्र बनाने के स्थान पर क्षेत्रीय बोर्ड बनाइये।

श्री उमाशंकर दीक्षित : वही बताया है। श्रीमान उन्होंने यह कहा कि बजाय इसके कि पिछड़े लोगों का अलग अलग विकास करें पिछड़े क्षेत्रों का विकास कर सकते हैं। श्रीमान पिछड़े लोगों का विकास करने के लिए पिछड़े क्षेत्रों का हमने अलग-अलग चयन किया है और उनके हिसाब से विशेष वहां पर आयोजन करना चाहते हैं। यह पंचवर्षीय योजना का मुख्य सिद्धान्त है। शेजवलकर जी को इस पर ध्यान देना चाहिये।

श्री पीताम्बर दास : वह योजना की किताब आज ही मिली है। अभी बढ़ने का समय नहीं मिला।

श्री उमाशंकर दीक्षित : मुझे इस बात का दुःख है कि शेजवलकर जी ने यहां तक कह दिया कि आंध्र प्रदेश का बंटवारा क्यों नहीं कर रहे हैं। जनसंघ के बहुत से निद्धान्तों से मेरा मतभेद रहा है, लेकिन एक विषय में हमारा और जनसंघ का सदा मतैक्य रहा है

[श्री उमाशंकर दाक्षित]

और वह इस विषय में है कि वह देश की अखंडता और देश की एकता के हामी हैं और उस के समर्थक हैं। जब जनसंघ का एक अधिकृत वक्ता यह कहता है कि आप उसका बंटवारा क्यों नहीं करते, तो यह बात उस समय कहते तो वह बात कही जा सकती थी, लेकिन अगर अब कहते हैं कि जब यह मिल गये हैं अर्थात् आप फिर चाहते हैं कि वहां आग लगे तो इस अवसर पर यह बात जनसंघ की ओर से कही जाय कि उस का बंटवारा कर देना चाहिए मेरे विचार से शोभा नहीं देता। यह विचार उन्हीं को सुझाए हो। हम तो इसी दिशा में काम करते रहेंगे जहां तक हमारी शक्ति चलेगी और जो हमारे प्रदेश है, जो भू-भाग हैं उन की अखंडता की रक्षा करने की हम कोशिश करते रहेंगे, लेकिन करेंगे जनमत के विचार के अनुसार एक बात इसमें यह कही गयी है कि यह आप कैसे कहते हैं कि जनता की मदद से हम न बनाया है।

How have you come to the conclusion that this enjoys the support of the people? You would have been in a position to say so only if you had held a plebiscite over this issue. Two or three people have referred to this suggestion as if a plebiscite is something so simple or something so common, that on any point just before we want to start anything we should have a plebiscite. It is a big country. It means a great deal of unnecessary expenditure. What will be a plebiscite or reference to the people when all the accredited representatives of the largest party have unanimously accepted the provision? Then, Sir, at this time to have a wild cat scheme of referring to people asking whether what we have agreed to is good or not, I don't think, Sir, is really a serious (proposition and deserves serious consideration.

Sir, Mr. Sardesai made a very straight fighting and a whole-heartedly supporting speech. I must say that the measure of his support is so genuine and sincere that I could not fail

being impressed by the strength with which he has accorded the support, of his party.

Sir, in this context it is said sometimes that the Congress Party is listening to the CPI or that we have gone over to them or they have come over to us and things of that kind. Sir, this is a State where so much of violence had taken place, where arson had taken place, where lives had been lost and, unfortunately, the use of force had occurred. In that situation the CPI is the one party—though its earliest slogan was that this was an international party and that they did not believe in local things—according to a spokesman of the CPI, an authoritative limb of the Party, which consistently supported the idea of integration of Andhra Pradesh. Not only that, they have exposed themselves to misunderstandings in the State. And at a time when the Congress people by and large were in two minds or were openly against maintaining the integrity of the State, even at that time these people did not speak in any equivocal language. And, therefore, I want to take this opportunity of expressing my appreciation of so much understanding and support that has been signified by the CPT. The one idea which he has suggested for our consideration is that we should not take this matter complacently, we should not start now with the idea that the problem has been solved or we should go and sleep over it. He says that the forces of progress should be activated and mobilised so that the integrity that has been achieved at the leadership level should spread throughout the State and development of the State on progressive lines can be assured. Sir, I want to assure him and all other friends of his way of thinking—I think there is no Member on this side who does not hold the same or similar views and, therefore, I can say without fear of contradiction—that it shall be our endeavour consistently to mobilise support

for the ideas which this House, I am sure, will be accepting after a few minutes.

Sir, Mr. Venkataraman, was somewhat double-minded. At one stage, he supported it ; and at another stage, he became lukewarm.

SHRI N. G. JORAY (Maharashtra) : Perhaps you wanted to say that he was in two minds.

SHRI UMASHANKAR DIKSHIT: He was in two minds. I think that would be a more correct expression. English is a foreign language and I do not claim any particular monopoly or special knowledge of it. Mr. Venkataraman said that it would be all right if his pet formula—He has got a pet formula which evidently he and his leadership jointly evolved—of 2:1 had been accepted. With all respect to him, I would say that his controversy in this House has always been very helpful. Today also, he has in principle and substance supported the Bill. But I do want to submit that if we introduce this old formula of 2:1, 3:2 or 5:5 or any other formula in the body of this Amendment Bill, we will be treading on a very dangerous ground. This District level, in my opinion, is no problem compared to the problem which will be created if in some foolishness we happen to accept the suggestion that he has made. Of course, he means well and his idea evidently is that if this 2:1 formula is there, then everything will be all right. I would say that it is the most impracticable formula because how you will satisfy the aspirations or grievances or complaints of people in the Rayalseema region or coastal areas. I am only referring to the backward areas. 2:2 stands for the whole of the Andhra region. If he applies his mind, I hope that sooner or later he will agree with me that this would not have been a really practicable suggestion.

Mr. Thillai, Vallabhan—I am not able to pronounce his name correctly; I hope he will forgive me—referred to

the way of life of the Andhra people. I want to take this opportunity to say that in history the Andhras have been and are a highly self-respecting, emotional and dynamic people. Even at the time of Gandhiji's movement, it was in the two centres of Andhra region of Madras Presidency that the no-tax campaign was carried out successfully. If they are shown due respect and reasonable accommodation, they are, in my opinion, the most practical people. I, therefore, feel that while he may have some grievance over the earlier historical developments when the Telengana-speaking people separated from Madras Presidency, today it has been proved that the Andhra people react powerfully if something goes wrong within them. And that was why, Sir, it will be remembered that in elections, they all voted for Communism; a large proportion voted. And after this matter was settled they came back home and they were quite normal again; they had forgotten the mistake that they unknowingly committed. Sir, there is a simple Hindi saying that: if a person loses his way in the morning and comes back in the evening, we do not regard him as lost.

SHRI PITAMBER DAS: It is the return of the prodigal, according to English saying.

SHRI UMASHANKAR DIKSHIT: You have a more literary and poetic manner of description and I will yield to your description in the matter.

Sir, several suggestions have been made which really do not touch either the principle or the main body of the Bill. There are some good suggestions, suggestions like the one of not taking the passage of the Bill as a consummation or an end of the journey. They have all warned us, given us a friendly warning that they should regard this decision as a matter of great responsibility for the Government of India and the Government of Andhra Pradesh. And I agree with them. And I want to assure them that

(Shri Umashankar Dikshit) it is with a deep sense of responsibility and a certain measure of trepidation that we are approaching this heavy task that is before us. I agree with them that the problems there were—the problem of fair employment opportunities, the problem of fair educational facilities, and the problem of maintenance of self-respect inter se. These were the main problems. We have tried, I hope, with a certain measure of success to solve those problems and to meet those grievances. And the proof of the pudding is in the eating in the sense that the active responsible elements of Andhra Pradesh have blessed this formula and the Bill based on it, which I have had the privilege to place before the hon. House.

With these words, I commend the measure for your unanimous acceptance.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Constitution of India as passed by Lok Sabha be taken into consideration."

The House divided.

MR. CHAIRMAN: Ayes—174; Noes—8.

AYES—174

Abdul Samad, Shri A. K. A. Abid, Shri Qasim Ali Abu Abraham, Shri Ahmed, Shri Syed Amla, Shri Tirath Ram Anandam, Shri M. Anandan, Shri T. V. Arif, Shri Mohammed Usman Arya, Shri Kumbha Ram Aziza Imam, Shrimati Basar, Shri Todak Berwa, Shri Jamna Lai Bhagwati, Shri B. C. Bhardwaj, Shri Jagan Nath Bhatt, Shri Nand Kishore Bisi, Shri P. N. Bobdey, Shri S. B. B'orooh, Shri D. K.

Buragohain, Shri Nabin Chandra
Chakrabarti, Dr. R. K.
Chandra Shekhar, Shri
Chattopadhyaya, Prof. D. P.
Chaudhari, Shri N. P.
Chettri, Shri K. B.
Chinai, Shri Babubhai M.
Choudhury, Shri N. R.
Dephtary, Shri C. K.
Das, Shri Balram
Das, Shri Bipinpal
Dass, Shri Mahabir
Deshmukh, Shri T. G.
Dhar, Shri D. P.
Dikshit, Shri Umashankar
Dutt, Dr. Vidya Prakash
Gadgil, Shri Vithal
Ghosh Shri Niren
Goray, Shri N. G.
Gowda, Shri K. S. Malle
Gowda, Shri U. K. Lakshmana
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hathi, Shri Jaisukhlal
Himmat Singh, Shri
Hussain, Shri Syed
Jahanara Jaipal Singh, Shrimati
Jain, Shri A. P.
Jain, Shri Dharamchand
Jha, Shri Kamalnath
Joseph, Shri N.
Joshi, Shri Umashankar
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kamalanathan, Shri M.
Kapur, Shri Yashpal
Kaul, Shri B. K.
Kemparaj, Shri B. T.
Khan, Shri Maqsood Ali
Khan, Prof. Rasheeduddin
Kollur, Shri M. L.
Krishan Kant, Shri
Krishna, Shri M. R.
Krishnan, Shri N. K.
Kulkarni, Shri A. G.
Kulkarni, Shri B. T.
Kumaran, Shri S.
Kumbhare, Shri N. H.
Kumudben Manishanker Joshi,
Shrimati

Lakshmi Kumari Chundawat,
Shrimati
Lalbuaia, Shri
Madani, Shri M. Asad

Mahanti, Shri B. :
 Makwana, Shri Y. : gendra
 Maiaviya, Shri H. : sh Deo
 Mali, Shri Ganesh Lai
 Margatham Chand : asekhar, Shrimati
 Mariswamy, Shri 9. S.
 Mehta, Shri Om
 Menon, Shri K. P. Subramania
 Mirdha, Shri Ram Niwas
 Misra, Shri S. D.
 Mohideen, Shri S. A. Khaja
 Mukherjee, Shri Kali
 Mukherjee, Shri I. ranab
 Mulla, Shri A. N.
 Mullick, Choudhury, Shri Suhrud
 Munda, Shri B. R.
 Murahari, Shri Gcdey
 Musafir, Shri Gur nukh Singh
 Nair, Shri G. Gopinathan
 Narasiah, Shri H. 3.
 Narayanappa, Shri Sanda
 Narayam Devi Vianaklal Varma,
 Shrimati Nawal Kishore, Shri Nurul
 Hasan, Prof. S. Oberoi, Shri M. S. Pai,
 Shri T. A. Panda, Shri Brahmananda
 Pande, Shri C. D.
 Parashar, Shri V. K.
 Patel, Shri T. K.
 Patil, Shri G. R.
 Patil, Shri P. S.
 Pawar, Shri D. Y.
 Por"dar, Shri R. K.
 Prasad, Shri Bholi.
 Prasad, Shri K. L. N.
 Pratibha Singh, Shrimati
 Prithwi Nath, Shri
 Punnaiah, Shri K. : ta
 Purabi Mukhopadhyay, Shrimati
 Puri, Shri D. D.
 Raha, Shri Sanat Kumar
 Raju, Shri V. B.
 Ramaswamy, Shri K. S.
 Rathnabhai Sreenivasa Rao, Shrimati
 Reddy, Shri Jansrdhana
 Reddy, Shri K. V. Raghunatha Reddy,
 Shri M. Srinivasa
 Reddy, Shri Mulk i Govinda Roshan
 Lai, Shri Ray, Shri Kalyan Roy, Shri
 Monon njan Ruthnaswamy, Shri M.

Sangma, Shri E. M.
 Saraswati Pradhan, Shrimati
 Sardar Amjad Ali, Shri
 Sardesai, Shri S. G.
 Saroj Purushottam Khaparde, Miss
 Sarojini Kirshnarao Babar, Dr.
 Kumari Satyavati Dang; Shrimati
 Savita Behen, Shrimati Sen, Dr. Triguna
 San Gupta, Shri Dwijendralal Seyid
 Muhammad, Dr. V. A. Shah, Shri
 Manubhai Sharma, Shri Yogendra
 Shastri; Shri Bhola Paswan Shilla, Shri
 Showale K. Shishir Kumar, Shri
 Shukla, Shri M. P. Shyamkumari Devi,
 Shrimati Singh, Shri Bindeshwari Prasad
 Singh, Shri D. P.
 Singh, Shri M. B.
 Singh, Shri Mohan
 Singh, Shri Ranbir
 Singh, Shri Sultan
 Singh, Shri T. N.
 Singh, Shri Triloki
 Singh, Dr. V. B.
 Sinha, Shri Awadheshwar Prasad
 Sinha, Shri Ganga Sharan
 Sisodia, Shri Sawaisingh
 Sita Devi, Shrimati —
 Sivaprakasam, Shri S.
 Sukhdev Prasad, Shri
 Sumitra G. Kulkarni, Shrimati
 Suraj Prasad, Shri
 Sushila Shankar Adivarekar, Shrimati
 Swaminathan, Shri V. V.
 Tanvir, Shri Habib
 Thakur, Shri Gunanand
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Tambi, Shri Salam
 Tripathi, Shri Kamalapati
 Trivedi, Shri H. M.
 Tyagi, Shri Mahavir
 Venigalla Satyanarayana, Shri
 Venkataraman, Shri M. R.
 Vidyawati Chaturvedi, Shrimati
 Villalan, Shri Thillai
 Vyas, Dr. M. R.
 Wajd, Shri Sikanda*- Ali

NOES—8

Jagarlamudi, Shri Chandramouli Mathur,
Shri Jagdish Prasad Patel. Shri D. K.
Pitamber Das, Shri Sakhlecha, Shri V. K.
Shejwalkar, Shri N. K. Varma, Shri Man
Singh Yadav. Shri J. P.

The motion was carried by a majority of
the total membership of the House and by a
majority of not less than two-thirds of the
Members present and voting.

MR. CHAIRMAN: We shall now take up
clause by clause consideration of the Bill.

Clause 2 {Amendment of Article 371}

MR. CHAIRMAN: The question is :

"That clause 2 . stand part of the Bill."

The House divided.

MR. CHAIRMAN: Ayes—173; Noes— 8.

AYES—173

Abdul Samad, Shri A. K. A. Abid, Shri
Qasim Ali Abdul Abraham. Shri Ahmad,
Shri Syed Ahmad. Dr. Z. A. Amla, Shri
Tirath Ram Anandam, Shri M. Anandan,
Shri T. V. Arif, Shri Mohammed Usman
Arya, Shri .Kumbha Ram Aziza Imam,
Shrimati Basar, Shri Todak Berwa, Shri
Jamna Lai Bhagwati, Shri B. C.
Bhardwaj, Shri Jauan Nath Bhatt, Shri
Nand Kishore Bisi. Shri P. N. Bobdey,
Shri S. B. Borooah, Shri D. K.
Buragohain, Shri Nabin Chandra
Chakrabarti, Dr. R. K.

Chandra Shekhar, Shri
Chattopadhyaya, Prof. D. P.
Chaudhari, Shri N. P.
Chettri, Shri K. B.
Chinai, Shri Babubhaj M.
Choudhury, Shri N. R.
Daphtary, Shri C. K.
Das Shri Balram
Das. Shri Bipinpal
Dass, Shri Mahabir
Deshmukh, Shri T. G.
Dhar, Shri D. P.
Dikshit, Shri Umashankar
Dutt, Dr. Vidya Prakash
Gadgil, Shri Vithal
Ghosh, Shri Njren
Goray, Shri N. G.
Gowda, Shri K. S. Malle
Gowda, Shri U. K. Lakshmana
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hathi, Shri Jaisukhlal
Himmat Singh, Shri
Hussain, Shri Syed
Jahanara Jaipal Singh, Shrimati
Jain, Shri A. P.
Jain, Shri Dharamchand
Jha, Shri Kamalnath
Joseph, Shri N.
Joshi, Shri Umashankar
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kamalanathan, Shri M.
Kapur, Shri Yashpal
Kemparaj, Shri B. T.
Khan, Shri Maqsood Ali
Khan. Prof. Rasheeduddin
Kollur, Shri M. L.
Krishan Kant, Shri
Krishna, Shri M. R.
Krishnan, Shri N. K.
Kulkarni, Shri A. G.
Kulkarni, Shri B. T.
Kumaran, Shri S. Kumbhare,
Shri N. H.
Kumudben Manishanker Joshi, Shrimati
Lakshmi Kumari Chundawat,
Shrimati Lalbuaia. Shri Madani.
Shri M. Asad Mahanti, Shri B. K.
Makwana, Shri Yoeendra
Malaviya, Shri Harsh Deo Mali,
Shri Ganesh Lai

Maragatham Clu ndrasekhar,
Shrimati Mariswamy,
Shri 3. S. Mehta,
Shri Om Menon,
Shri K. P. Subramania Mirdha,
Shri Ram Niwas Misra
Shri S. D. Mohideen,
Shri S. A. Khaja Mukherjee,
Shri ; a i Mukherjee,
Shri 'ranab Mulla,
Shri A. N. Mullick Choudhur /,
Shri Suhrid Munda,
Shri B. R Murahari,
Shri Godey Musafir,
Shri Gurmukh Singh Nair,
Shri G. Gojinathan Narasiah,
Shri H. S. Narayanappa,
Shri Sanda Narayan Devi vlnaklal
Varma,
Shrimati Nawal Kishore,
Siri Nurul Hasan, Pro . S. Oberoi,
Shri M. i , Pai,
Shri T. A. Panda,
Shri Brahmananda Pande, Shri C. D. Parashar,
Shri V. R. Patel,
Shri T. K. Patil, Shri G R. Patil,
Shri P. S. Pawar, Shri D. Y Poddar,
Shri R. I . Prasad, Shri Bho a Prasad,
Shri K. I N. Pratibha Singh, £ hrimati
Prithwi Nath, Sh i Punnaiah,
Shri Kota Purabi Mukhopad hyay, Shrimati
Puri, Shri D. D. Raha,
Shri Sanat Kumar Raju, Shri V. B.
Ramaswamy,
Shri K. S. Rathnabai Sreenivasa Rao, Shrimati
Reddy,
Shri Jana-dhana Reddy, Shri K. V
Raghunatha Reddy,
Shri M. Srinivasa Reddy,
Shri Mulka Govinda Roshan Lai,
Shri Roy, Shri Kalyan Roy,
Shri Monora ljan Sangma.
Shri E. vl. Saraswati Pradha,
Shrimati Sardar Amiad Ali Shri Sardesai,
Shri S. 5.
Saroj Purushotta-r i Khaparde, Miss

Sarojmi Krishnarao Babar, Dr.
Kumari
Satyavati Dang, Shrimati
Savita Behen, Shrimati
Sen, Dr. Triguna
Sen Gupta, Shri Dwijendralal
Seyid Muhammad, Dr. V. A.
Shahj Shri Manubhai
Sbarma, Shri Yogendra
Shastri, Shri Bhola Paswan
Shilla, Shri Showaless K.
Shishir Kumar, Shri
Shukla, Shri M. P.
Shyamkumari Devi, Shrimati
Singh, Shri Bindeshwari Prasad
Singh, Shri D. P.
Singh, Shri M. B.
Singh, Shri Mohan
Singh, Shri Ranbir
Singh, Shri Sultan
Singh, Shri T. N.
Singh, Shri Triloki
Singh, Dr. V. B.
Sinha, Shri Awadheshwar Prasad
Sinha, Shri Ganga Sharan
Sisodia, Shri Sawaisingh
Sita Devi, Shrimati
Sivaprakasam, Shri S.
Sukhdev Prasad, Shri
Sumitra G. Kulkarni, Shrimati
Sushila Shankar Adivarekar, Shrrmati
Swaminathan, Shri V. V.
Tanvir, Shri Habib
Thakur, Shri Gunanand
Tilak. Shri J. S
Tiwari, Shri Shankarlal
Tiwary, Pt. Bhawaniprasad
Tombi. Shri Salam
Tripathi, Shri Kamlapati
Trivedi, Shri H. M.
Tyagi, Shri Mahavir
Venigalla Satyanarayana, Shri
Venkataraman, Shri M. R.
Vidyawati Chaturvedi, Shrimati
Villalan. Shri Thillai
Vyas. Dr. M. R.
Wajd, Shri Sikandar Ali

NOES—8

Jagarlamudi, Shri Chandramouli Mathur,
Shri Jagdish Prasad Patel. Shri D. K.
Pitamber Das. Shri Sakhlecha. Shri V. K.
Sheiwalkar Sbri N. K. Varma. Shri Man
Sin'gh Yadav, Shri J. P.

The motion was carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

Clause 2 was added to the Bill.

Clause 3 (Insertion of new articles 371D and 371E)

MR. CHAIRMAN: The question is:

"That clause 3 stand part of the Bill.

The Rouse divided.

MR. CHAIRMAN: Ayes—173; Noes— 8.

AYES—173

Abdul Samad, Shri A. K. A.
Abid, Shri Qasim Ali
Abu Abraham, Shri
Ahmad, Shri Syed
Ahmad, Dr. Z. A.
Amla, Shri Tirath Ram
Anandam, Shri M.
Anandan, Shri T. V.
Arif, Shri Mohammed Usman
Arya, Shri Kumbha Ram
Aziza Imam, Shrimati
Basar, Shri Todak
Berwa, Shri Jamna Lai
Bhagwati, Shri B. C.
Bhardwaj, Shri Jag&n Nath
Bhatt, Shri Nand Kishore
Bisi, Shri P. N.
Bobdey, Shri S. B.
Borooah, Shri D. K.
Buragohain, Shri Nabin Chandra
Chakrabarti, Dr. R. K.
Chandra Shekhar, Shri Chattopadhyaya,
Prof. D. P. Chaudhari, Shri N. P.
Chettri, Shri K. B. Chinai, Shri
Babubhai M. Choudhury, Shri N.
R. Daphatary, Shri C. X. Das, Shri
Balram JDas, Shri Bipinpal Dass,
Shri Mahabir Deshmukh, Shri T.
G. Dhar, Shri D. P.

Dikshit, Shri Umashankar
Dutt, Dr. Vidya Prakash
Gadgil, Shri Vithal
Ghosh, Shri Niren
Goray, Shri N. G.
Gowda, Shri K. S. Malle
Gowda, Shri U. K. Lakshmana
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hathi, Shri Jaisukhlal
Himmat Singh, Shri
Hussain, Shri Syed
Jahanara Jaipal Singh, Shrimati
Jain, Siiri A. P.
Jain, Shri Dharamchand
Jha, Shri Kamalnath
Joseph, Shri N.
Joshi, Shri Umashankar
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kamalanathan, Shri M.
Kapur, Shri Yashpal
Kemparaj, Shri B. T.
Khan, Shri Maqsood Ali
Khan, Prof. Rasheeduddin
Kollur, Shri M. L.
Krishan Kant, Shri
Krishna, Shri M. R.
Krishnan, Shri N. K.
Kulkarni, Shri A. G.
Kulkarni, Shri B. T.
Kumaran, Shri S.
Kuvnbhare, Shri N. H.
Kumudben Manishanker Joshi, Shrimati
Lakshmi Kumari Chundawat,
Shrimati
Lalbuaia, Shri
Madani, Shri M. Asad
Mahanti, Shri B. K.
Makwana, Shri Yogendra
Malaviya, Shri Harsh Deo
Mali, Shri Ganesh Lai
Maragatham Chandrasekhar, Shrimati
Mariswamy, Shri S. S.
Mehta, Shri Om
Menon, Shri K. P. Subramania
Mirdha, Shri Ram Niwas
Misra, Shri S. D. Mohideen, Shri S.
A. Khaja Mukherjee, Shri Kali
Mukherjee, Shri Pranab Mulla,
Shri A. N.

Munick Chouan aj, aan Suhrid
Munaa, ami a. n. -
Muranan, citiri iodey Musaiir, sinri U
u'itiuKh Singh Nair, Shri G. bopmathan
Narasiah, Shri H. S. Narayanappa, Suri Sanda
Narayani Devi Manaklal Varma,
Shrimati
Nawai Kishore, Shri
Nurul Hasan, Pi of. S.
Oberoi, Shri M. S.
Pai, Shri T. A. -
Panda, Shri Bratimananda Pande,
Shri C. 1. Parashar, Shri V. R.
Patel, Shri T. K. Patil, Shri G. I.
Patil, Shri P. S. Pawar, Shri D. I.
Poddar, Shri R. K. Prasad, Shri Bl
ola Prasad, Shri K. L. N. Pratibha
Singh, Shrimati Prithwi Nath, Shri
Punnaiah, Shri Kota
Purabi Mukhop »dhyay, Shrimati Puri,
Shri D. D
Raha, Shri San it Kumar
Raju, Shri V. I
Ramswamy, Shri K. S.
Rathnabai Sreerivasa Rao, Shrimati
Reddy, Shri ja lardhana
Reddy, Shri K. V. Raghunatha
Reddy, Shri M. Srinivasa
Reddy, Shri Mi lka Govinda
Roshan Lai, Sh i
Roy, Shri Kaly n
Roy, Shri Monc ranjan
Sangma, Shri E. M.
Saraswati Pradian, Shrimati
Sardar Amjad Vli, Shri
Sardesai, Shri 3. G.
Saroj Purushotam Khaparde, Miss
Sarojini Krif inarao Babar, Dr.
Kumari
Satyavati Danf, Shrimati
Savita Behen, Shrimati
Sen, Dr. Trigur a
Sen Gupta, Shii Dwijendralal
Seyid Muhammad, Dr. V. A.
Shah. Shri Manubhai
Sharma, Shri Yogendra
Shastri, Shri B iola Paswan
Shilla, Shri Showaless K.
1541 RS—8.

Shishir Kumar, Shri
Shukla, Shri M. P.
Shyamkumari Devi, Shrimati
Singh, Shri Bindeshwari Prasad
Singh, Shri D. P.
Singh, Shri M. B.
Singh, Shri Mohan
Singh, Shri Ranbir
Singh, Shri Sultan
Singh, Shri T. N.
Singh, Shri Triloki
Singh, Dr. V. B.
Sinha, Shri Awadheshwar Prasad
Sinha, Shri Ganga Sharan
Sisodia, Shri Sawaisingh
Sita Devi, Shrimati
Sivaprakasam, Shri S.
Sukhdev Prasad, Shri
Sumitra G. Kulkarni, Shrimati
Suraj Prasad, Shri
Sushila Shankar Adivarekar, Shrimati
Swaminathan, Shri V. V.
Tanvir, Shri Habib
Thakur, Shri Gunanand
Tilak, Shri J. S.
Tiwari, Shri Shankarlal
Tiwary, Pt. Bhawaniprasad
Tombi, Shri Salam
Tripathi, Shri Kamlapati
Trivedi, Shri H. M.
Tyagi, Shri Mahavir
Venigalla Satyanarayana, Shri
Venkataraman, Shri M. R.
Vidyawati Chaturvedi, Shrimati
Villalan, Shri Thillai
Vyas, Dr. M. R.
Wajd, Shri Sikandar Ali

NOES—8

Jagarlamudi, v Shri Chandramouli
Mathur, Shri Jagdish Prasad Patel, Shri
D. K. Pitamber Das, Shri Sakhlecha, Shri
V. K. Shejwalkar, Shri N. K. Varma,
Shri Man Singh Yadav, Shri J. P.

The motion was carried by a majority of the
total membership of the House and by a
majority of not less than two-thirds of the
Members present and voting.

Clause 3 uvt* added to the Bill.

Clause 4 (Amendment of Seventh
Schedule)

MR. CHAIRMAN: The question is :

"That Clause 4 stand part of the
Bill."

The House divided. MR. CHAIRMAN:

Ayes—173; Noes— 8.

AYES—173

Abdul Samad, Shri A. K. A.

Abid, Shri Qasim Ali

Abu Abraham, Shri

Ahmad, Shri Syed

Amla, Shri Tirath Ram

Anandam, Shri M-

Anandan, Shri T. V.

Arif, Shri Mohammed Usman

Arya, Shri Kumbha Ram

Aziza Imam, Shrimati

Basar, Shri Todak

Berwa, Shri Jamna Lai

Bhagwati, Shri B. C.

Bhardwaj, Shri Jagan Nath

Bhatt, Shri Nand Kishore

Bisi, Shri P. N.

Bobdey, Shri S. B.

Borooah, Shri D. K.

Buragohain, Shri Nabin Chandra

Chakrabarti, Dr. R. K.

Chandra Shekhar, Shri

Chattopadhyaya, Prof. D. P.

Chaudhari, Shri N. P.

Chettri, Shri K. B.

Chinai, Shri Babubhai M.

Choudhury, Shri N. R.

Daphtary, Shri C. K.

Das, Shri Balraan

Das, Shri Bipinpal

Dass, Shri Mahabir

Deshmukh, Shri T. G.

Dhar, Shri D. P.

Dikshit, Shri Umashankar

Dutt, Dr. Vidya Prakash

Gadgil, Shri Vithal

Ghosh, Shri Niren

Goray, Shri N. G.

Gowda, Shri K. S. Malle

Gowda, Shri U. K. Lakshmana

Gujral, Shri I. K.

Gupta, Shri Bhupesh

Hathi, Shri Jaisukhlal

Himmat Singh, Shri

Hussain, Shri Syed

Jahanara Jaipal Singh, Shrimati

Jain, Shri A. P.

Jain, Shri Dharamchand

Jha, Shri Kamalnath

Joseph, Shri N.

Joshi, Shri Umashanker

Kalaniya, Shri Ibrahim

Kalyan Chand, Shri

Kamalanathan, Shri M,

Kapur, Shri Yashpal

Kaul, Shri B. K

Kemparaj, Shri B. T.

Khan, Shri Maqsood Ali

Khan, Prof. Rasheeduddin

Kollur, Shri M. L.

Krishan Kant, Shri

Krishna, Shri M. R.

Krishnan, Shri N. K-

Kulkarni, Shri A. G.

Kulkarni, Shri B. T.

Ku'maran, Shri S.

Kumbhare, Shri N. H.

Kumudbtein. Manishanker Joshi,
Shrimati

Lakshmi Kumari Chundawat, Shrimati

Prasad, Shri K. L. N.

Madani, Shri M. Asad

Mahanti, Shri B. K.

Makwana, Shri Yogendra

Malaviya, Shri Harsh Deo

Mali, Shri Ganesh Lai

Maragatham Chandrasekhar, Shrimati

Mariswamy, Shri S. S.

Mehta, Shri Om

Menon, Shri K. P. Subramania

Mirdha, Shri Ram Niwas

Misra, Shri S. D.

Mohideen, Shri S. A. Khaja

Mukherjee, Shri Kali

Mukherjee, Shri Pranab

Mulla, Shri A. N.

Mullick Choudhury, Shri Suhridd

Munda, Shri B. R.

Murahari, Shri Godey

Musafir, Shri Gurmukh Singh

Nair, Shri G. Gopinathan

Narasiah, Shri H. S.

Narayanappa, Shri Sanda

Narayani Devi Manaklal Varma, Shrimati

Nawal Kishore. Shri

Nurul Hasan, Prof. S-

Oberoi, Shri M. S.

Pai, Shri T. A.

Panda, Shri Brahmananda

Pande, Shri C. D Parashar,
 Shri V. R. Patel,
 Shri T. K Patil,
 Shri G. R. Patil,
 Shri P. S. Pawar,
 Shri D. I. Poddar,
 Shri R. K. Prasad,
 Shri Bh< la Prasad,
 Shri K. L N. Pratibha Singh,
 Shrimati Prithwi Nath
 Shri. Punnaiah,
 Shri rCota Purabi Mukhopadhyay.
 Shrimati Puri, Shri D. D Raha,
 Shri SanaI Kumar Raju,
 Shri V. I. Ramaswamy,
 Si ri K. S. Rathnabai Sreenivasa Rao,
 Shrimati Reddy,
 Shri Janardhana Reddy, Shri K. V.
 Raghunatha Reddy
 Shri M. Srinivasa Reddy
 Shri Mu ka Govinda Roshan Lai, Shr Roy,
 Shri Kalyt D Roy, Shri Monoi mjan
 Ruthnaswami, S iri M. Sangma, Shri E. M.
 Saraswati Pradh m, Shrimati Sardar Amjad
 Ali,
 Shri Sardesai, Shri S. G. Saroj Purushott; m
 Khaparade, Miss Sarojini Krishna ran
 Bahar, Dr. Kumar i Satyavati Dang, Shrimati
 Savita Behen, S irimati Sen, Dr. Trigum. Sen
 Gupta,
 Shri Dwijendralal Seyid Muhammad, Dr. V.
 A. Shah, Shri Mamibhai Sharma, Shri
 Ycgendra Shastri,
 Shri Bh >la Paswan Shila, Shri Shov aless K.
 Shishir Kumar,
 Shri Shukla, Shri M. P. Shyamkumari D :vi,
 Shrimati Singh,
 Shri Bhuleshwari Prasad Singh, Shri D. P
 Singh, Shri M. I Singh, Shri Mohan Singh,
 Shri Ran >ir Singh,
 Shri Sullan Shri,
 Shri T. N. Singh,
 Shri Trilt ki Singh, Dr. V. B.
 Sinha, Shri Awadheshwar Prasad Sinha,
 Shri Gan ;a Sharan

Sisodia, Shri Sawaisingh
 Sita Devi, Shrimati
 Sivaprakasam, Shri S.
 Sukhdev Prasad. Shri
 Sumitra G. Kulkarni, Shrimati
 Suraj Pradsad, Shri.
 Sushila Shankar Adivarekar, Shrimati
 Swaminathan, Shri V. V.
 Tanvir, Shri Habib
 Thakur, Shri Gunanand
 Tilak, Shri J.: S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Tombi, Shri Salam
 Tripathi, Kamalapati Shri
 Trivedi, Shri H. M.
 Tyagi, Shri Mahavir
 Venigalla Satyanarayana, Shri
 Venkataraman, Shri M. R.
 Vidyawati Chaturvedi, Shrimati
 Villalan, Shri Thillai
 Vyas, Dr. M. R.
 Wajd, Shri Sikandar Ali

NOES—8

Jagarlamudi, Shri Chandramouli
 Mathur, Shri Jagdish Prasad Patel, Shri
 D. K. Pitamber Das, Shri Sakhlecha,
 Shri V. K. Shejwalkar, Shri N. K.
 Varma, Shri Man Singh Yadav, Shri J.
 P.

The motion was carried by a majority of
 the total membership of the House and by a
 majority of not less than two-thirds of the
 Members present and voting.

Clause 4 was added to the Bill. Clause 1,
 Enacting Formula and Title

MR. CHAIRMAN: The question is:

"That clause 1, the Enacting Formula
 and the Title stand part of the Bill."

The House divided.

MR. CHIRMAN- Ayes—172; Noes— 8.

AYES—173

Abdul Samad, Shri A. K. A. Abid,
 Shri Qasim Ali Abu Abraham, Shri
 Ahmad, Shri Syed Amla, Shri
 Tirath Ram

Anandam, Shri M.
Anandan, Shri T. V.
Arif, Shri Mohammed Uaman
Arya, Shri Kumbha Ram
Aziza Imam, Shrimati
Basar, Shri Todak
Berwa, Shri Jamna Lai
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kishore
Bisi, Shri P. N.
Bobby, Shri S. B.
Borooh, Shri D. K.
Buragohain, Shri Nahin Chandra
Chakrabarti, Dr. R. K.
Chandra, Shekhar, Shri
Chattopadhyaya, Prof. "D. P.
Chaudhari, Shri N. P.
Chettri, Shri K. B.
Chinai, Shri Babubhai M.
Choudhury, Shri N. R.
Daphtary, Shri C. K.
Das, Shri Balram
Das, Shri Bipinpal
Dass, Shri Mahabir
Deshmukh, Shri T. G.
Dhar, Shri D. P.
Dikshit, Shri Umashankar
Dutt, Dr. Vidya Prakash
Gadgil, Shri Vithal
Ghosh, Shri Niren
Goray, Shri N. G.
Gowda, Shri K. S. Malle
Gowda, Shri U. K. Lakshmana
Gujaral, Shri I. K.
Gupta, Shri Bhupesh
Hathi, Shri Jaisukhlal
Himmaf Singh, Shri
Hussain; Shri Syed
Jahanara Jaipal Singh, Shrimati
Jain, Shri A. P.
Jain, Shri Dharamchand
Jha, Shri Kamalnath
Joseph, Shri N.
Joshi, Shri Umashanker
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kamalanathan, Shri M.
Kapur, Shri Yashpal
Kaul, Shri B. K.
Kemparaj, Shri B. T.
Khan, Shri Maqsood Ali
Khan, Prof. Rasheeduddin
Kollur, Shri M. L.
Krishan Kant, Shri
Krishna, Shri M. R.

Krishnan, Shri N. K.
Kulkarni, Shri A. G.
Kulkarni, Shri B. T.
Kumaran, Shri S.
Kumbhare, Shri N. H.
Kumudben Manishanker Joshi»
Shrimati Lakshmi Kumari Chundawat,
Shrimati Madani, Shri M. Asad Mahanti, Shri
B. K. Makwana, Shri Yogendra Malaviya,
Shri Harsh Deo Mali, Shri Ganesh Lai
Maragatham Chandrasekhar, Shrimati
Mariswamy, Shri S. S. Mehta, Shri Om
Menon, Shri K. P. Subramania Mirdha, Shri
Ram Niwas Misra, Shri S. D. Mohideen, Shri
S. A. Khaja Mukherjee, Shri Kali. Mukherjee,
Shri Pranab; Mulla, Shri A. N. Mullick
Choudhury, Shri Suhrid. Munda, Shri B. R.
Murahari, Shri Godey. Musafir, Shri
Gurmukh Singh. Nair. Shri G. Gopinathan
Narasiah, Shri H. S.
Narayanappa, Shri Sanda
Narayani Devi Manaklal Varma, Shrimati
Nawal Kishore, Shri
Nurul Hasan, Prof. S.
Oberoi, Shri M. S.
Pai, Shri T. A.
Panda, Shri Brahmananda
Parashar, Shri V. R.
Patel, Shri T. K.
Patil, Shri G. R.
Patil, Shri P. S.
Pawar, Shri D. Y.
Poddar, Shri R. K.
Prasad, Shri Bhola
Prasad, Shri K. L. N.
Pratibha Singh, Shrimati
Prithwi Nath, Shri
Punnaiah, Shri Kota
PuraJbi Mukhopadhyay, Shrimati
Puri, Shri D. D.
Raha, Shri Sanat Kumar
Raju, Shri V. B.
Ramaswamy, Shri K. S.
Rathnabai Sreenivasa Rao, Shrimati

Reddy, Shri Ja tardhana Reddy,
Shri K. V. Raghunatha Reddy,
Shri M Srinivasa Reddy,
Shri M lka Govinda Roshan Lai, St ri Roy,
Shri Kaly n Roy,
Shri Mon >ranjan Ruthnaswamy
>hri M. Sangma,
Shri i M. Saraswati Prad nan,
Shrimati. Sardar Amjad , vli,
Shri. Sardeaai, Shri S. G. Saroj Purushot am
Khaparde, Miss. Saroj ini Krishna rao Babar, Dr.
Kumari Satyavati Dang
Shrimati Savita Behen,
[Shrimati. Sen, Dr. Trigui i. Sen Gupta,
Shi. Dwijendralal Seyid Muhamm id, Dr. V. A.
Shah, Shri Marubhai. Sharma,
Shri "V oendra. Shastri,
Shri B tola Paswan. Shill
Shri Sh waless K. Shishir Kumar,
Shri Shukla, Shri M P. Shyamkirmari] ievi, Shrimati
Singh,
Shri Bii deshware Prasad Singh,
Shri L\ f. Singh, Shri M. B. Singh,
Shri Mohan Singh, Shri Rai bir Singh,
Shri Sultan Singh, Shri T. N. Singh,
Shri Tr ldk Singh, Dr. V. I
Sinha, Shri A /adheshwar Prasad Sinha,
Shri Ga iga Sharan Sisodia,
Shri S; waisingh Sita Devi,
Shrii lati Sivaprakasam, Shri S. Sukhdev Prasac,
Shri Sumitra G. Ku karni, Shrimati Sushila Shankav
Adivarekar, Shrimati Swaminathan,
Shri V. V. Tanvir, Shri Ha bib Thakur, Shri G
unanand Tilak, Shri J. S Tiwari,
Shri Sh inkarlal Tiwary, Pt. Bhf waniprasad Tombi,
Shri Sal am Trivedi, Shri H M. Tyagi,
Shri Maravir "Tripathi,
Shri I amlapati Venigalla Satya larayana,
Shri "Venkataraman,
Shri M. R. VidyawSti Chat trvedi, Shrimati

Villalan, Shri Thillai
Vyas, Dr. M. R.
Wajd, Shri Sikandar Ali

NOES—8

Jagarlamudi, Shri Chandramouli
Mathur, Shri Jagdish Prasad Patel, Shri
D. K. Pitamber Das, Shri Sakhlecha,
Shri V. K. Shejwalkar, Shri N. K.
Varma, Shri Man Singh Yadav, Shri J.
P.

The motion was carried by a majority of
the total membership of the House and by a
majority of not less than two-thirds of the
Members present and voting.

Clause 1, the Enacting Formula and the
Title were added to the Bill.

SHRI UMASHANKAR DIKSHIT: Sir, I
move:

"That the Bill be passed." The

question was proposed.

श्री पीताम्बर दास : (उत्तर प्रदेश):
जनाब चेयरमैन साहब ।

है वो बेजायका शर्त,

न तुर्शी जिसमें हो शामिल ।

विसाले यार में भी चाहिए,

तकरार थोड़ी सी ॥

श्रीमान, मैं इस प्रस्ताव का विरोध करता
हूँ ।

श्री जगदम्बी प्रसाद यादव (बिहार) :
श्रीमान, मुझे एक बात का अपने गृह मंत्री
जी से एतराज है कि हमारे गृह मंत्री वृद्ध और
इस सदन के नेता हैं लेकिन उन्हें देश की
अखंडता शब्द का और देश के विभाजन शब्द
के अर्थ का ज्ञान हो तो ठीक है लेकिन यदि
वह जान कर भी अनजान बने रहें हों और
फिर बोल रहे हों तो बात दूसरी है । देश में
अगर कोई प्रदेश या जिला बनता है तो यह
शायद देश की अखंडता या एकता पर आघात
नहीं होता । मैं इस सिलसिले में आप को याद
दिलाना चाहता हूँ कि पंजाब और हरयाणा

जब अलग अलग हुआ था तो उस से देश का कोई विभाजन नहीं हुआ। यह तो वहाँ की जनता की आकांक्षा और उस की इच्छाओं की पूर्ति थी। आपने मेघालय बनाया, नागालैंड बनाया, केरल में एक मुस्लिम बहुल जिला बना तब उस से भी देश का विभाजन नहीं हुआ। लेकिन आज जब वहाँ के लोगों ने अलग होने की आकांक्षा प्रकट की तो उसके लिए आप ने जनसंघ की नीतियों की दुहाई दी। इसलिए मैं निवेदन करूँगा कि आप जनसंघ की नीतियों के बारे में कोई भ्रम मत लाइये।

एक बात यह भी कहना चाहूँगा कि आज सचमुच देश को और देश की जनता को इस बात का पता होना चाहिए कि इस कांग्रेस दल के एक मात्र विरोधी दल के रूप में अगर कोई दल बढ़ कर आ सकता है और जो उन का विरोध करके उन को हटा सकता है तो इस देश में वह एकमात्र जनसंघ ही है।

श्री उमाशंकर दीक्षित : मान्यवर, जो तर्क मैंने उपस्थित किये थे उन में कोई अन्तर जगदम्बी जी के भाषण से नहीं पड़ा है। केवल इतना निवेदन करूँगा कि जिस योग्यता की उन्होंने चर्चा की उस को ध्यान में रखते हुए यही कहूँगा कि उन के साहस की प्रशंसा तो हम कर सकते हैं लेकिन उन की बुद्धि की प्रशंसा नहीं कर सकते।

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The House divided. MR.

CHAIRMAN; Ayes—174; Noes—7.

AYES—174

Abdul Samad, Shri A. K. A.
Abid, Shri Qasim Ali
Abu Abraham, Shri
Ahmed, Shri Syed
Alva, Shri Joachim
Amla, Shri Tirath Ram
Anandam, Shri M
Anandan, Shri T. V.
Arif, Shri Mohammed Usman
Arya, Shri Kumbha Ram

Aziza Imam, Shrimati
Basar, Shri Todak
Berwa, Shri Jamna Lai
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kishore
Bisi, Shri P. N.
Boddey, Shri S. B.
Borroah, Shri D. K.
Buragohain, Shri Nabin Chandra
Chakrabarti, Dr. R. K.
Chandra Shekhar, Shri
Chattopadhyaya, Prof. D. P.
Chaudhari, Shri N. P.
Chettri, Shri K. B.
Chinai, Shri Babubhai M.
Choudhury, Shri N. R.
Daphtary, Shri C. K.
Das, Shri Balram
Das, Shri Bipinpal
Dass, Shri Mahabir
Deshmukh, Shri T. G.
Dhar, Shri D. P.
Dikshit, Shri Umashankar
Dutt. Dr. Vidya Prakash
Gadgil, Shri Vithal
Ghosh, Shri Niren
Goray Shri N. G.
Gowda, Shri K. S. Malle
Gowda, Shri U. K. Laskhmana
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hathi, Shri Jaisukhlal
Himmat Sinh, Shri
Hussain, Shri Syed
Jahanara Jaipal Singh, Shrimati
Jain, Shri A. P.
Jain, Shri Dharmchand
Jha, Shri Kamalnath
Joseph, Shri N.
Joshi, Shri Umashanker.
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kapur, Shri Yashpal
Kaul, Shri B. K.
Kemparaj, Shri B. T.
Khan, Shri Maqsood Ali
Khan, Prof. Rasheeduddin
Kollur, Shri M. L.
Krishan Kant, Shri
Krishna, Shri M. R.
Krishnan, Shri N. K.
Krishnaswamy, Shri K. A.
Kulkarni, Shri A. G.
Kulkarni, Shri B. T.
Kumaran, Shri S.
Kumbhare, Shri N. H.

Kumudben Ms nishanker Joshi, Shri
mati I
Lakshmi Kur mri Chundawat, Shrimati
Madani, Shri <T. Asad
Mahanti, Shri B. K.
Mahida, Shri J. N.
Makwana, Shii. Yogendra
Malaviya, Shr: Harsh Deo
Mali, Shri Ga lesh Lai
Maragatliah C handrasekhar, Shrimati
Mariswamy, fari S. S.
Mehta, Shri O i
Menon, Shri K. P. Subramania
Mirdha, Shri I ,am Niwas
Misra, Shri S. D.
Mohindeen, SI ri S. A. Khaja
Mukherjee, Si ri Kali
Mukherjee, Shri Pranab
Mulla, Shri A N.
Mullick Chouc hury, Shri Suhrid
Munda, Shri I J. R.
Murahari, Shr Godey
Musafir, Shri lurmukh Singh
Nair, Shri G. Jopinathan
Narasiah, Shr H. S.
Narayanappa, Shri Sanda
Narayani Devi Manaklal Varma, Shrimati
Nawal Kishore, Shri
Nurul Hasan, Prof. S.
Oberoi, Shri ft . S.
Pai, Shri T. i
Panda, Shri E rahmananda
Pande, Shri C D.
parasfriar, Shri V R.
Patel, Shri T K.
Patil, Shri G. R.
Patil, Shri P. V
Powar, Shri I >. Y.
Poddar, Shri "I. K.
Prasad, Shri < Ihola.
Prasad, Shri K. L. N.
Pratibha Sing l, Shrimati
Prithwi Nath, Shri
Punnaiah, Sh i Kota
Purabi Mukh padhyay, Shrimati
Puri, Shri D. D.
Raha, Shri S;mat Kumar
Raju, Shri V. B.
Ramaswamy, Shri K. S.
Rathnabai Sreenivasa Rao, Shrimati
Reddy, Shri . anardhana
Reddy, Shri K. V. Raghunatha
Reddy, Shri ML. Srinivasa
Reddy, Shri Mulka Govinda

Roshan Lai, Shri
Roy, Shri Kalyan
Roy, Shri Monoranjan
Ruthnaswamy, Shri M.
Sangma, Shri E. M.
Saraswati Pradhan, Shrimati
Sadar Amj'ad AH, Shri
Sardesai, Shri S. G.
Saroj Purushottam Khaparde, Miss
Sarojni Krishnarao Babar, Dr. Ku-
mati Satyavati Dang, Shrimati Savlta
Bohen, Shrimati Sen, Dr. Triguna Sen
Gupta, Shri Dwijendralal Seyid
Muhammad, Dr. V. A . Shah, Shri
Manubhai. Sharma, Shri Yogendra
Shastri, Shri Bhola Paswan Shilla, Shri
Showaless K. Shishir Kumar, Shri
Shukla, Shri M. P. Shyamkumari Devi,
Shrimati Singh, Shri Bindeshwari
Prasad Singh, Shri D. P. Singh, Shri M.
B. Singh, Shri Mohan Singh, Shri
Ranbir Singh, Shri Sultan Singh, Shri T.
N. Singh, Shri Triloki Singh, Dr. V. B.
Sinha, Shri Awadheshwar Prasad Sinha,
Shri Ganga Sharan Sisodia, Shri Sawaising
Sita Devi, Shrimati Sivaprakasam, Shri, S.
Sukhdev Prasad, Shri Sumitra G. Kulkarni,
Shrimati Sushila Shankar Adivarekar,
Shrimati Swaminathan, Shri V. V. Tanvir,
Shri Habib Thakur, Shri Gunanand Tilak,
Shri J. S. Tiwari, Shri Shankarlal Tiwary, Pt.
Bhawaniprasad Tombi, Shri Salam Trivedi,
Shri H. M. Tyagi, Shri Mahavir Tripathi, Shri
Kamlapati Venigalla Satyanarayana, Shri
Venkataraman, Shri M. R. Vidyawati
Chaturvedi, Shrimati Villalan, Shri Thillai
Vyas, Dr. M. R. "Wajid, Shri Sikandar Ali

NOES-7

Mathur, Shri Jagdish Prasad Patel,
Shri D. K. Pitamber Das, Shri
Sakhlecha, Shri V. K. Shejwalkar,
Shri N. K. Varma, Shri Man Singh
Yadav, Shri J. P.

The motion was carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

THE MULKI RULES (REPEAL) BILL, 1973

THE MINISTER OF HOME AFFAIRS
(SHRI UMASHANKAR DIKSHIT): Sir, I move:

'That the Bill to provide for the repeal of Mulki Rules, as passed by the Lok Sabha, be taken into consideration.'

The question was put and the motion was adopted.

MR. CHAIRMAN: Let us now take up the clause by clause consideration of the Bill.

Clauses 2 and 3 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI UMASHANKAR DIKSHIT: Sir, I move:

'That the Bill be passed.'

The question was put and the motion was adopted.

I. STATUTORY RESOLUTION SEEKING DISAPPROVAL OF THE KONKAN PASSENGER SHIPS (ACQUISITION) ORDINANCE, 1973

H. THE KONKAN PASSENGER SHIPS (ACQUISITION) BILL, 1973.

MR. CHAIRMAN: Let us take up first the Statutory Resolution of Mr. Mathur. Yes, Mr. Mathur.

[Mr. Deputy Chairman in the Chair]

श्री जगदीश प्रसाद साधु (राजस्थान) :
श्रीमान् मैं प्रस्ताव करता हूँ ।

“यह सभा राष्ट्रपति द्वारा 7 नवम्बर, 1973 को प्रख्यापित कोंकण यात्रीपोत (अर्जन) अध्यादेश, 1973 (1973 का संख्या 4) का निरनुमोदन करती है।”

RE. EXTENSION OF SESSION

MR. DEPUTY CHAIRMAN: I would like to inform the Members that the House will sit on the 22nd and the 24th for transacting Government Business. It was requested by the Government and the Chairman has agreed that we will sit on those days.

Yes, Mr. Mathur.

I. STATUTORY RESOLUTION SEEKING DISAPPROVAL OF THE KONKAN PASSENGER SHIPS (ACQUISITION) ORDINANCE, 1973—contd.

II. PASSENGER SHIPS (ACQUISITION) BILL, 1973—contd.

श्री जगदीश प्रसाद साधु : उप महापति महोदय, मुख्य रूप से जो मेरी प्रमुख बात है वह यह है कि इस कार्य को करने की दृष्टि से सरकार जो अध्यादेश ले कर आई है इस अध्यादेश को लाने की दृष्टि से क्या आवश्यकता थी। क्यों यह अध्यादेश लाया गया। मुझे लगता है कि माननीय मंत्री महोदय श्री त्रिपाठी जी क्योंकि नये-नये इस विभाग में आवे हैं और क्या कुछ इस विभाग में पहले हो चुका है उसकी शायद उनको पूरी जानकारी भी नहीं होगी और इस कारण से जल्दबाजी में कोई काम हो जाय तो शायद त्रिपाठी जी को इसकी पूरी जानकारी नहीं होगी। तो मैं चाहूंगा कि वह संतोष दिलायें यह जो कार्य अध्यादेश लाने का हुआ है वह क्यों हुआ है। यह मैं मान कर चलता हूँ कि माननीय मंत्री जी कहेंगे कि परिस्थिति इस प्रकार की उत्पन्न हो गई थी कि इसके अलावा कोई चारा नहीं था। तो मैं यह मानने के लिये तैयार नहीं हूँ क्योंकि स्वयं इस विधेयक के अन्दर जो कुछ भी