

14. The Insurance (Amendment) Bill, 1968.
15. The Indian Tariff (Amendment) Bill, 1968.
16. The Punjab Appropriation Bill, 1968.
17. The Pondicherry Appropriation Bill, 1968.
18. The Appropriation (No. 5) Bill, 1968
19. The Bihar Appropriation (No. 2) Bill, 1968.

#### PAPERS LAID ON THE TABLE

##### ORDINANCES UNDER ARTICLE 123 OF

##### THE CONSTITUTION

THE DEPUTY MINISTER  
IN THE MINISTRY OF  
PARLIAMENTARY AFFAIRS, AND  
SHIPPING AND TRANSPORT (SARDAR  
IQBAL SINGH): Sir, I beg to lay on the  
Table, under sub-clause (a) of clause (2) of  
article 123 of the Constitution, a copy each  
of the following Ordinances (in English and  
Hindi) :—

(0) The Limitation (Amendment) Ordinance, 1968 (No. 12 of 1968).

(ii) The Public Wakfs (Extension of  
Limitation) Amendment Ordinance, 1968  
(No. 13 of 1968).

(i/i) The Customs (Amendment) Ordinance, 1969 (No. 1 of 1969).

(iv) The Payment of Bonus (Amendment) Ordinance, 1969 (No. 2 of 1969)

[Placed in Library. *See* No. LT-6/69 for  
(/) to (iv)]

##### REPORT (JANUARY, 1969) OF THE COM- MITTEE ON DEFECTIONS

THE MINISTER OF HOME AFFAIRS  
(SHRI Y. B. CHAVAN) : Sir, I beg to lay  
on the Table a copy of the Report (January,  
1969) of the Committee on Defections.

[Placed in Library. *See* No. LT-5/69]

##### ANNUAL REPORT AND ACCOUNTS (1967-68) OF THE NATIONAL BUILDINGS CONSTRUCTION CORPORATION LIMITED, NEW DELHI AND RELATED PAPERS

THE MINISTER OF STATE IN THE  
MINISTRY OF HEALTH AND FAMILY  
PLANNING, AND WORKS, HOUSING  
AND URBAN DEVELOPMENT (SHRI B.  
S. MURTHY) : Sir, I beg to lay on the  
Table, under sub-section (1) of section 619-  
A of the Companies Act, 1956, a copy each  
of the following papers :—

(i) Annual Report and Accounts of the  
National Buildings Construction Cor-  
poration Limited, New Delhi, for the year  
1967-68, together with the Auditors,  
Report on the Accounts.

(07) Review by Government on the work-  
ing of the Corporation.

[Placed in Library *See* No. LT-83/69 for  
(i) and (ii).]

#### REQUEST FOR DISCUSSION ON THE ACTIVITIES OF SHIV SENA

SHRI BHUPESH GUPTA : Sir, I have a  
submission to make, You have been good  
enough to agree to the proposal that this  
Shiv Sena issue should be debated. I think in  
the interest of the country and also for  
rousing public opinion against the  
development of Shiv Sena, you should  
kindly provide the debate at an early date. It  
should not be delayed.

MR. CHAIRMAN : The House stands  
adjourned till 2-30 P.M.

The House then adjourned for launch at  
thirty-four minutes past one of the clock.

The House reassembled after lunch at  
half-past two of the clock, THE DEPUTY  
CHAIRMAN in the CHAIR.

#### FORTY-FIRST REPORT ON THE PUBLIC ACCOUNTS COMMITTEE (1968-69)

SHRI S. S. MARISWAMY : Madam, I  
beg to lay on the Table a copy of the Forty-  
first Report of the Public Accounts Com-  
mittee (1968-69) on Paragraph 41 of Audit  
Report (Civil), 1968, relating to the Ministry  
of Home Affairs regarding Avoidable  
Expenditure.

#### THE PUBLIC EMPLOYMENT (REQUIREMENT AS TO RESIDENCE) AMENDMENT BILL, 1968

THE MINISTER OF STATE IN THE  
MINISTRY OF HOME AFFAIRS (SHRI  
VIDYA CHARAN SHUKLA) : Madam, I  
beg to move :

"That the Bill further to amend the  
Public Employment (Requirement as to  
Residence) Act, 1957, be taken into  
consideration."

Madam, this is an amending Bill. It seeks  
to amend the original Act for the second

time. As the House will recall, after the States' Reorganisation, in view of certain special conditions prevailing in a few territories of India, this Bill (the original of 1957) was brought forward in terms of Article 16 of the Constitution, and this related to the Telangana region of Andhra Pradesh and the Union Territories of Himachal Pradesh, Manipur and Tripura. This ensures that when persons are appointed to the subordinate services of those States or of that region, or other appointments under the control of the State Government or the Union Territory, the local people's interests would be safeguarded. The purpose of extending the provisions of this Act for a further period of five years is that the special conditions which, we hoped, could be met in the initial period of five years have not actually been met even after this period was extended by 5 years and the need is still felt that such safeguards must continue in the Telangana region of Andhra Pradesh as well as in the three Union Territories. The matters were a little complicated by a recent judgment of the Andhra Pradesh High Court in which they held that the provisions of Section 3 of this Act did not cover employment under such bodies as Electricity Board. So, I will subsequently move a further amendment so that this ambiguity is cleared and those people in the Telangana region would also be entitled to get employment in such bodies as the State Transport Corporation or Electricity Board and this ambiguity, this difficulty, that has been created by the decision of the High Court would be removed. Some other small amendments have also been provided in this Bill. Take, for instance, the definition of Himachal Pradesh. After the division of Punjab a few small areas of the erstwhile Punjab State have gone into Himachal Pradesh and that is also to be included as far as this particular measure is concerned.

Madam, I am not deliberately going into the controversial aspect of this as to who is responsible for not achieving the desired results within five years or ten years and what are the factors, etc. Those are the things which have been debated and a lot can be said on both sides ; but the fact remains that the need for such a provision has been felt and that is why we are obliged to continue this. The Andhra Pradesh Government has very strongly recommended that Section 3 of the original

Act should be further extended. We are not putting it permanently on the Statute Book because we hope that such special provisions for employment, etc. should not be necessary in our country and we hope that we will be able to achieve our aim so that no such special safeguards are needed for any territories in our country. But still, until that stage is reached, I am afraid, we will have to continue with this and see that proper and effective safeguards are given to these territories and to this particular region in Andhra Pradesh to that there is no injustice and no local heart-burning.

Madam, some very condemnable and very sad things happened in Andhra Pradesh when there was a clash between those who were advocating the interests of the Telangana region of the State and those who were advocating the interests of the Andhra region of the State. We know how depressed all those people who love India felt at the turn of events in the State of Andhra Pradesh. But this kind of a measure really helps the people of the backward region to come up on an equal footing with the Andhra region in the State and this will remove part of the grievances at least which the people of the Telangana region had. In view of this, I hope honourable Members will give their full support and pass this measure. I would only request honourable Members not to make the debate on this amending Bill a debate on what happened in Andhra Pradesh. We can definitely get many chances during the Budget debate to refer to those matters. This is a simple-non-controversial measure to help a particular region. And as far as the aims of this amending Bill are concerned, I am sure, Madam, nobody would have any objection to them, looking into the circumstances of the situation. The Constitution itself took into account that such special situations may exist in certain areas of the country and that is why these provisions were made in Article 16 for such matters. After we pass this Bill extending the period of operation of Section 3 of the original Act for a further period of five years, we shall hope that it would not be necessary for us or for the Government of the day to come before this honourable House again for an extension, and within these five years, given the goodwill and necessary cooperation, we

[Shri Vidya Charan Shukla] would be able to achieve the desired results and this should be—this is our hope—the last extension that we ask for.

Madam, with these few words I commend this Bill to the acceptance of this House.

*The question was proposed.*

SHRI M. V. BHADRAM (Andhra Pradesh) : Madam Deputy Chairman, I rise to support this Bill and also the extension by five years to fulfil the guarantee that has been given to the people of the Telangana area. But the honourable Minister of State has not taken the House into confidence. What was the need for continuing this thing and why has the purpose for which this legislation was enacted in 1967 not been achieved ? What are the reasons for that ? And how can it be achieved ? This he has conveniently escaped. He has not gone into the root cause of the recent happenings that had taken place in Andhra Pradesh—Telangana *versus* Andhra or Andhra *versus* Telangana. Here I would like to mention some of the facts. When Andhra Pradesh was formed on the 1st of November 1956, prior to that there was an agitation in the Telangana region, that is the erstwhile Hyderabad State. The entire Telangana area was under the rule of the Nizam for about 500 years. The Nizam exploited the entire villages and built Hyderabad and Secunderabad cities. The entire peasantry was pauperised. Because of this they had apprehensions that when Andhra Pradesh came into being, the Andhras dominate over them. Basing on this, Dr. Channa Reddy was leading a movement for separate Telangana State. I would mention that Dr. B. Ramakrishna Rao, who was the Chief Minister, could not hold a meeting to advocate the unity of Telugu-speaking people in a State, Andhra Pradesh, and he had to hold meetings with the protection of lathis. Under those conditions the leaders of both the sides entered into an agreement. It was called a gentlemen's agreement and it was signed by Dr. B. Gopala Reddy, Shri N. Sanjiva Reddy, Shri G. Latchanna (now in Swatantra), Shri A. S. Raju—from the Coastal Region— and Dr. B. Ramakrishna Rao, Shri K. V. Ranga Reddy, Dr. M. Chenna Reddy and Shri T. V. Narasingarao on behalf of Telangana. All these gentlemen belonged to the same Congress Party. Fourteen conditions

were laid down in that agreement. I will come to them later. During these 12 years that the Congress ruled the State either from Telangana or Andhra and what happened ? The Chief Minister came from Andhra and there was a Regional Committee to protect the interests of the Telangana area packed mostly by Congressmen. All the Congress leaders joined together and put the agreement in cold storage. The essential parts of this agreement were not implemented during the last 12 years. There was one provision there that the revenue accrued from the Telangana area should be spent only in that area but all the Congress Chief Ministers, Legislators and the Regional Committee did not care to do justice to the Telangana people in this respect. You will see from the Budget figures of these twelve years that the revenues from Telangana area minus the expenditure were Rs. 45 crore!;—which was a surplus—and in the Andhra area there was a deficit of Rs. 39 odd crores. To that extent the funds from the Telangana area have been used in the Andhra areas. This is the essential feature. Particularly from the Telangana area the Congressmen have become slaves to the Chief Ministers of Andhra. They went on begging for posts. They did not care to see that the agreement was implemented in the Telangana area, that the funds that accrue from the Telangana area should be spent only in that area. They have not done that and the Congressmen from the Telangana area were keeping quiet and were only expecting one post or another from the Chief Minister whether it was Mr. Sanjiva Reddy or Mr. Sanjivayya or the present Chief Minister. So all these Congressmen put together have not implemented these assurances.

Secondly there was another clause in the agreement that if there was a Chief Minister from Andhra there should be a Deputy Chief Minister from Telangana or *vice-versa*. This was also not implemented. The Congress that was ruling for 12 years has not implemented this agreement, which was approved by the people in general. Added to this, what has happened ? The development of the Telangana area has not taken place in the way expected. There was only one irrigation project called the pocham-padu Project on Godavari. The State Government has taken it as a medium project and so far they have spent Rs. 10 crores

only. Even the waters have not come to the fields. When there is a surplus of Rs. 45 crores from that region they have not completed that project. That is the only project that would give some relief to the Telangana peasant. That they have not done. About reservation of posts in Government service, there is an agreement that the posts in Telangana should be filled up by people from the Telangana area. That was also not adhered to. About 4,000 people from coastal Andhra have been recruited in the Telangana region to the posts reserved for the Telangana people during the last 12 years. During this period some educated young men have come up and they are looking for employment. So the urge of the Telangana people is not satisfied, the peasantry has not been satisfied. The electrification of the villages has not taken place. Regarding education also, for the 9 districts there is only one University—the Osmania University—whereas there are two in Andhra. This is the position. Regarding emotional integration, that was to be done by a process of implementation of certain projects but they have not done that. They have utterly failed in all these things. Then somebody has started the game. The problem is coming up. Now about 4000 people from Telangana are uprooted and thrown to Andhra. There the students have come to the forefront saying 'If 4000 people come to this area, what will happen to our future employment?' On the 19th January there was a meeting in the Chief Minister's house. All parties were represented in that meeting and they have agreed unanimously to a particular proposal. That is also in writing. The Chief Minister's signature is the last in that document. Forty-five people signed that document, but no Minister worth his name including the Chief Minister has gone to the people to tell them : 'This is the agreement we have come to'. No Minister could go and explain to the people. All the Ministers including the Chief Minister were self-interned in Hyderabad city. Nobody could go out. On the other side there is a wounded tiger Dr. M. Channa Reddy and the Telangana Congressmen are indirectly encouraging the whole thing. They demand that the Chief Minister should go \_\_\_\_\_

SHRI LOKANATH MISRA (Orissa) : Is he a wounded tiger or a tiger already killed ?

SHRI M. V. BHADRAM : Not killed. The tiger is still ferocious. It can kill too many people.

SHRI A. G. KULKARNI (Maharashtra) : He is giving stories.

SHRI M. V. BHADRAM : This is the counterpart of your Shiv Sena. There the Maharashtra Congress is helping the Shiv Sena and here the Telangana Congress is helping this.

SHRI MULKA GOVINDA REDDY (Mysore) : It is the Congress Party involved in Andhra on both the sides.

SHRI M.V. BHADRAM : Therefore the fertile ground was there, the discontent among the peasantry and the educated sections. And particularly the Telangana NGO Association had started giving some figures; of course they were exaggerated figures. But then they caught the imagination of the people and I will give you a few instances in that regard. The Chief Minister is from the Andhra region. The Speaker of the Assembly is from the Andhra region. The Chairman of the Legislative Council is from the Andhra region. The Chief Secretary is from the Andhra region. The leaders of all political parties are from the Andhra region, and all political parties including the CPI, the CPI(M), the Swatantra Praty, the Jana Sangh, the Congress and every other.

SHRI A. G. KULKARNI : Why don't you follow Maharashtra then?

SHRI M. V. BHADRAM : Please save us from Shiv Sena.

SHRI A. G. KULKARNI : It is just a suggestion for integration. You can emulate Maharashtra State where the practice is that if the Chief Minister is chosen from the Vidharba area there is the Deputy Chief Minister from the Marathwada area, and another one from western Maharashtra, so that all round harmony is maintained. And the State is spending more money on the backward areas of Vidharba and Marathwada. You could follow some such formula in Andhra Pradesh.

SHRI M. V. BHADRAM : I am definitely coming to you. Our Congressmen are of a special type. They kill the *HARIJANS* on the one hand and at the *same* time, to

[Shri M. V. Bhadram]

cover it all, they make a *Harijan* the Chief Minister and another *Harijan* a Vice-Chancellor. Do not forget all this. Therefore the entire problem was one of emotional integration. A Telangana man now living in the Telangana area is not feeling that he is an equal citizen in the whole of Andhra Pradesh, that he is one among Andhras, and the Congress Party, for the last twelve years, failed to get this feeling of oneness among the Telangana people as a whole. And the absence of this feeling provided a fertile ground for narrowness of outlook and agitation. Added to it, even the reasonable economic development of the Telangana region has not taken place. Also Telangana funds have been misused. The required educational facilities are not there. Added to it is the absence of employment opportunities legitimately due to them. Posts reserved for Telangana people are filled up by people from Andhra Pradesh. Now what is the problem? Even now Government wants to continue this sort of discrimination against the Telangana people. Of course we are one with this extension by another five years, the extended period of five years for the protection of all safeguards that were given to the Telangana area some ten years ago. Not only that. There is another aspect, which the Government should take note of, which the hon. Mr. Shukla should take note of and convey to the Chief Minister how he should meet the prevailing situation. Now people from the coastal areas living in Hyderabad city, they feel that they are second-grade citizens there, and it is because their sons cannot get seats in the educational institutions in the city of Hyderabad and it is again because the parents have not been domiciled in Hyderabad city for a period of fifteen years. So what happens? All those people who are residing in Hyderabad city either employed in Government service or private business, and those other people, if they go and settle in Hyderabad city, they cannot get seats for their children's education either in the Osmania University or in any medical college or other colleges. Although living in Hyderabad city, yet they have to send their children to the Andhra area to find them the educational facilities. This has been the problem for the last twelve years and yet the Congress Party has not taken care of this problem

SHRI N. PATRA (Orissa) : Your party claims to be the workers' party and the toilers' party and it should have connived at this agitation in the Telangana area.

SHRI M. V. BHADRAM: Unfortunately we were not in power to set matters right, but I can tell you that the Communist Party was warning the Government from time to time; even in November last the party passed a lengthy resolution and warned the Government of the coming situation. It is the Government that has to implement all these things, not the Communist Party. If the Communist Party is in power, then it is the responsibility of that party, not of other parties. Therefore, now what I would like to suggest is that a certain percentage of seats in all colleges, whether it is 10 per cent, 15 percent or 20 per cent, should be earmarked for people coming from outside that area. It should be so done in the Sri Venkateswara University and in the Osmania University and in all the colleges. Then only this problem can be solved.

And finally I take up the employment problem. Now what is happening? There are cases pending in the Hyderabad High Court, and one case is pending in the Supreme Court here, funny cases. Andhra employees in Hyderabad challenged the Act filing a writ petition in the High Court there, and a single Judge upheld the contention of the Andhra employees and quashed the order and the particular relevant provision of this Act. Then the Government went on appeal and it is now pending before a Division Bench of the High Court there. Then the Telangana NGO Association took the matter to the Supreme Court, filed a writ there, got it admitted and got a stay order on the Division Bench not to proceed further. There is thus the stay order of the Supreme Court on the Division Bench. But the problem cannot be solved by decisions of courts. It is a political problem; it is an economic problem; it is a problem of emotional integration of both the sections; it depends on the behaviour of the people in both the regions, particularly on the Part of the people in the Andhra area. I am familiar with one fact and I would like to mention it. On and up to the 31st of October, 1956, the

official language that was used in Hyderabad State was Urdu. From 1st of November, *i.e.*, the next day it was changed to English. A very efficient advocate of the High Court had been pleading in Urdu all along up to and on the 31st of October, 1956; from 1st of November, he became a tenth-rate or hundredth-rate advocate because he cannot speak and plead in English. Therefore, the people coming from the Andhra area had assumed arrogance, some superiority complex. People from the Andhra area in service in the Secretariat also put on such superior airs. Up to that time the administration was being carried on in Urdu and when there was the sudden switch-over to English, you cannot expect a Telangana man to be so efficient in English as an Andhra. Therefore this feeling was also there and it had been continuing for the last twelve years. And yet the Government in power had never taken care of these things. That is why now the whole thing burst and gave scope to acts of violence and *goonda* elements played their part in them. Andhras who were employed in the Telangana area were physically driven out from there. One Deputy Surveyor in Nalgonda district was burnt alive; kerosene was poured on him and he was burnt in the flames. The situation worsened and the *goondas* took the law into their own hands. In Warangal the *goondas* were going from house to house and telling the people, "If you give me a Rs. 1000 I will give you protection. If you give me a Rs. 500 I will give you protection. And if you do not give me this, I will destroy everything you possess." The *goondas* have looted their properties. Every lawless act has taken place. Now I would like to say an unpleasant thing, unpleasant to Mr. Akbar Ali Khan. In the working class area, *i.e.*, the industrial area in Bala-mpalli, where there were the AITUC and INTUC unions, the INTUC jumped into the fray and started attacking the secretary of the AITUC who happens to come from the Krishna district. He was Mr. Bhaskar Rao; he was beaten and he was driven away from there. He had to flee from there; he could come back only after ten days to that area, to that place. When Mr. Akbar Ali Khan wants us to be fair in judging the issue, he must also be fair to other people. Now this is the problem and we have to face it squarely and boldly also. If the Congressmen in Andhra Pradesh, parti-

cularly the Ministers, have got the guts let them go to the people and pacify them. We are one with them on this issue, in implementing the safeguards to the Telangana people. At the same time there should be one United Andhra Pradesh and no separate Telangana. This is our dear stand. We are one with the Government on this. Let us go and talk to them. Let us try to convince them, and even if they try to beat us in the process, let us face it. But the employment of the military or the police cannot solve this problem in Andhra Pradesh. Mr. Brahmananda Reddy thinks that he can rule Andhra Pradesh with his police and the military. But that cannot solve the problem. Therefore the Minister of State cannot escape all these problems. These problems have arisen on account of the failure of the Government to implement the gentlemen's Agreement of 1956.

3 PM

Now, who are against this Bill? Particularly the N.G.Os coming from that area against this Bill. They ask that the integration is to take place and you go on giving safeguards for five years, ten years, twenty years? What guarantee is there that they will not ask for another five years? It may go on like this for a hundred years. I am not now speculating on the time but till such time as the Telangana man feels that he is one in Andhra Pradesh you have to give this guarantee; that is very clear. The Government as well as those coming from the Andhra side have to tackle this problem very carefully and delicately; they have to win over the hearts of these people and not merely give the guarantees. There was an all-parties agreement and they are asking why it has not been implemented. And what has actually happened? Mr. Sanjiva Reddy is from Andhra area; Mr. Sanjivayya is from Andhra area and Mr. Brahmananda Reddy is also from Andhra area. For the past twelve years the Chief Minister has been only from that area. They say these people have not implemented so far. Let us not trust them. Now, let Mr. Akbar Ali Khan stand up not here but in Hyderabad city—and I will be with him also—and say 'We are against a separate Telangana. Separate Telangana means destruction of Andhra Pradesh and so much trouble.'

[SHRI M. V. BHADRAM]

Now there is a mulki husband. Mulik means from the Telangana area. And the wife is from Andhra area. Both of them are employees. What happens to that family? The mulki remains here; the non-mulki goes to Bezwada. Now, so many people have come and acquired lands, developed agriculture. What happens to that agriculture and to those lands? What about the permanent buildings that have been constructed? What happens to them? And what will happen to the development that has taken place around Hyderabad city? Mr. Ravi Narayana Reddy has said that his village was getting Rs. 2,50,000 for supplying milk to Hyderabad city. That is the extent of prosperity and that is the extent of development that has taken place around Hyderabad city. All this will go. There is no question of a Separate Telangana. Let Mr. Akbar Ali Khan join with me; let us stand in the streets of Hyderabad city and let us say: we want Andhra Pradesh; we are against Telangana. But these Congressmen have not got the guts to say that. We are prepared to face lathis also. We may get beating but let us not mind that. Let it go and tell the people and convince them. They will not do that. Even in Andhra area what is happening to the Congressmen in the other side? They say: for how many years can we go on giving this guarantee? There also the Congressmen are involved. Shri Kakani Venkataratnam, President of the Andhra Pradesh Congress has come out with an open statement which has been criticised by the Minister. Konda Lakshman Babu. (Interruptions) SHRI A. O. KULKARNI: Why not a round table conference in Hyderabad itself?

SHRI M. V. BHADRAM : Therefore while welcoming the Bill I say the Government should take a serious note of this situation that is prevailing there. This Bill alone will not satisfy both the sections. This Bill will not give satisfaction to all. While giving protection to the safeguards that have already been given steps must also be taken at the same time so that the people coming from the Andhra area have all the facilities that are required. The Pochampadu project should be undertaken and the Kakatia University should also be started immediately from their own

funds, not from the funds of Mr. Brahmananda Reddy who has

SHRI B. K. KAUL (RAJASTHAN) : Is the hon. Member speaking against the Bill or for the Bill ? I have not been able to understand whether he is speaking against the Bill or for the Bill or he is speaking against Mr. Sanjiva Reddy, Mr. Brahmananda Reddy or somebody else.

(Interruptions)

THE DEPUTY CHAIRMAN : You must wind up, Mr. Bhadram.

SHRI M. V. BHADRAM : This Bill is to give protection in employment for five years more to people in the Telangana area.

THE DEPUTY CHAIRMAN : He is welcoming the Bill.

SHRI M. V. BHADRAM : Therefore....

THE DEPUTY CHAIRMAN : You must wind up now.

SHRI M. V. BHADRAM : .....the Government should take a serious note of these things. The Government should not only have this legislation passed but should also take other steps. I would suggest that a meeting of all the M.Ps from Andhra Pradesh should be convened by the Home Minister so that we can discuss what further steps can be taken to safeguard the guarantees that have been given to the Telangana people and also to allay the apprehensions of those people from the Andhra area.

THE DEPUTY CHAIRMAN : You have taken quite a long time, Mr. Bhadram.

SHRI M. V. BHADRAM : Madam, with these words I support the Bill and conclude my speech.

Thank you.

श्री सी०एल० वर्मा० (हिमाचल प्रदेश):

उपसभापति महोदया, मैं इस बिल का स्वागत करते हुये एक दो बातों की तरफ माननीय मंत्री जी का ध्यान खींचना चाहता हूँ। सब से पहले तो यह है कि जिस वक़्त 1957 ई० में यह बिल पास हुआ उसके बाद इसके मातहत कुछ रुल्स बने और मैं नहीं कह सकता कि वह

जो रूल्स बने उनको दोनों हाउसेज की टेबिल पर रखा गया था नहीं क्योंकि रूल्स की कोई कापी अवेलेबिल नहीं है जहां तक कि पालिया-मेंट लाइब्रेरी का सवाल है। मगर जहां तक मुझे मालूम है कुछ रूल्स जरूर बनें और उन रूल्स के अन्दर जो डेफिनिशन रेजिडेंस की या डोमि-साइल की है वह इस तरह से है कि कोई भी आदमी अगर उस प्रदेश के अन्दर तीन साल तक रह जाय तो वह या उसके सबसेसर, लड़के लड़कियां वगैरह, सब इम्प्लायमेंट में लिये जा सकते हैं। अब हिमाचल प्रदेश की मैं मिसाल देता हूं कि वहां हुआ क्या। वहां सब अफसर डेपुटेशन पर जाते हैं चाहे वड पी० डब्लू० डी० हो चाहे दूसरा डिपार्टमेंट हो, जब अफसर यहां से गये और उसके बाद तीन-तीन साल तक डेपुटेशन में रहे तो उन्होंने वह क्वालिफिकेशन हासिल कर ली और उसका नतीजा यह हुआ कि जो इम्प्लायमेंट बेनिफिट्स हिमाचलीज को मिलने थे वे उनको दिये गये। दूसरे यह कि रूल्स के अन्दर एक पावर और दी गई थी, माननीय मंत्री जी मुझे ठीक करेंगे अगर इसमें मेरी कोई गलती हो, रूल्स के अन्दर एक पावर थी कि अगर उस क्वालिफिकेशन का आदमी वहां न मिल सके तो बाहर से भी ला सकते हैं और ऐसी हमारे यहां मिसालें मौजूद हैं कि क्वास फोर के चपरासी वगैरह भी बहुत से लखनऊ से रिक्कूट किये गये। उस वक्त वहां पर पाबुलर गवर्नमेंट नहीं थी, वहां पर एड-मिनिस्ट्रैटर था, सब का सब होम मिनिस्ट्री के हाथ में था या एडमिनिस्ट्रैटर के हाथ में था जिस तरह से रिक्कूटमेंट हुआ उसमें हमारे साथ बिल्कुल ज्यादाती हुई। एक तरफ तो यह कहा जाता है कि हमको प्रोटेक्शन दिया गया मगर वह प्रोटेक्शन जिनको देना था उनको मिल नहीं सका। तो मैं एक प्रार्थना यह करूंगा कि जो भी नये रूल्स बनेंगे उनकी कापी हाउसेज की टेबिल पर रखी जाय ताकि हम देख सके कि वह रूल्स क्या बन रहे हैं क्योंकि इधर तो हमें प्रोटेक्शन दे और उधर वह हमें मिले नहीं, अलबत्ता यह प्रोटेक्शन जो है वह गवर्नमेंट आफ इंडिया के जो बड़े बड़े अफसरान

उनको हैं जिनके लड़के-लड़कियां अपनी स्टेट में इम्प्लायमेंट नहीं ले सकते उनके वास्ते यह यूनियन टैरीटरी एक जगह बनी हुई है, उनको वहां पर रिक्कूट कर के फिर इधर उधर करते रहते हैं।

इसके बाद अब सवाल आता है कि आपने जो अमेडमेंट किया है तो मैं उसका बिल्कुल स्वागत करता हूं मगर उसमें जहां ये लफ्ज "लोकल आर अदर अथारिटी" है यह कुछ जरा साफ हो जाय तो ज्यादा अच्छा है क्योंकि हिमाचल प्रदेश की मिसाल मैं देता हूं कि जितने भी प्राजेक्ट्स हैं वह तो हिमाचल प्रदेश बनाये जाते हैं, जैसे कि भाखड़ा बना, पांग डैम बन रहा है, व्यास लिंक बन रहा है इस तरह से वहां के लोग उठ रहे हैं और जिस वक्त प्राजेक्ट की मीटिंग होती है तो हमें तसल्ली दिलाई जाती है कि जितने आदमी उठायेंगे उनको हम जरूर इम्प्लायमेंट देंगे, लेकिन अगर वह इंजीनियर नहीं बन सकते तो कुली तो बन सकते हैं क्लर्क नहीं बन सकते तो चपरासी तो बन सकते हैं और मैं मंत्री जी से पूछना चाहता हूं कि भाखड़ा का प्राजेक्ट जो बना है उसके अन्दर हिमाचल के कितने आदमियों को लगाया है, वहां हमारे यहां के कोई कुली भी नहीं हैं, चपरासी भी नहीं हैं, क्लर्कों की बात करने का तो कोई सवाल ही पैदा नहीं होता है। तो इसके अन्दर लफ्ज प्राजेक्ट अगर साफ तौर पर आ जाय तब कुछ अच्छा रहेगा क्योंकि यह जो लफ्ज अथारिटी है उससे गड़बड़ है, जैसे कि इलेक्ट्रिसिटी बोर्ड है तो यह प्राजेक्ट में नहीं आता और इसलिये आब्लीगेटरी नहीं है कि हमको वहां सर्विसेज दी जाय। मैं पांग डैम में हो कर आया हूं। कहते हैं कि हम यहां लोगों को रखना चाहते हैं लेकिन क्या करें बहुत कम लोग आते हैं।

इसके अलावा अभी हिमाचल प्रदेश में 6000 ऐसे इम्प्लायीज हैं जो अभी पंजाब एडमिनिस्ट्रेशन की तरफ से वहां ज्यादा चले गये। वह लोग हरियाणा और पंजाब को बिलाए करते हैं। उन्होंने होम मिनिस्ट्री को



[श्री सी० एल० वर्मा]

लिखा है हमें वापस भेज दिया जाय। उनके पास कोई काम नहीं है, तनखाह जरूर ड्रा करते हैं। उनके बारे में होम मिनिस्ट्री का फैसला क्यों नहीं होता है, उनको अपनी जगह वापस क्यों नहीं भेजा जाता है, 2000 आदमी हिमाचल प्रदेश के हैं उनको वापस नहीं आने देते। होम मिनिस्ट्री चुपचाप से पैसा दे रही है। इसमें ऐसी कोई तकलीफ की बात नहीं है, यह भी जल्द तय कर देना चाहिये।

“जहां तक सर्विसेज की बात है, बैकवर्ड्स के खातिर बिल पास हुआ था और उसके लिये प्रोटेक्शन दी गई थी।” मैं बहुत अदब के साथ कहना चाहता हूं, हमारे यहां एक धनी सर्विस है जिस सर्विस ने हिमाचल प्रदेश में एक एजिटेशन इस वक्त ऐसा खड़ा कर रखा है कि वहां का नौजवान कभी भी मीजो बन सकता है जिस चीज को अगर होम मिनिस्ट्री आज नहीं महसूस करती तो पांच साल बाद वह हालत आयेगी। धनी सर्विस ऐसा कौन सा जानवर है? वहां पर जो यू०पी०एस०सी का सेलेक्शन होता है वह इस तरह से होता है कि पी०सी० एस० वर्ग के लिये उनका कोई इम्तिहान नहीं होता है, बल्कि होता यह है कि जो आई०ए०एस में फेल हो जाते हैं या कम नम्बर में पास होते हैं उनको फेंक दिया जाता है इसलिये हिमाचल के नौजवान के लिये कोई चान्स नहीं है यू०पी०एस०सी के इम्तिहान में शामिल हो सकें और पास हो सकें और इसलिये वहां का कोई आदमी अभी तक नहीं आया है। पहले ऐसा हुआ है कि तीस तीस ऐसे आदमी हैं जो आई०ए०एस होने वाले हैं, वह सब के सब नान हिमाचलीय हैं जहां हिमाचल मणिपुर, त्रिपुरा का नाम भी नहीं है। खाली वहां के लोगों को, रहने वालों को, कोई फायदा नहीं है बल्कि फायदा बाहर वालों को ज्यादा है खास तौर पर जो यहां पर दिल्ली में जिनके लड़के कहीं नहीं लग सकते हैं उनको यूनियन टेरीटरी में रेक्यूट करवा लेते हैं। इसलिये मैं बहुत अदब के साथ दरखास्त करूंगा कि इस ऐक्ट में यह तीन साल वाली बात

नहीं होनी चाहिये। नौकरी के मुताबिक जो उनके हकूक हैं उनको फुल्लो इम्प्लीमेंट किया जाय और रूल्स बने। बात यह है कि पहले भी यह हुआ और अब भी यही होने का खतरा है। तो वह धनी सर्विस जितनी जल्दी सके, इसको खत्म किया जाय (*Interruption*) हमारे यहां इसको धनी सर्विस कहते हैं, उस धनी सर्विस को जितनी जल्दी हो खत्म किया जाय। हिमाचल के लोगों का अपना इम्तिहान हो और जो लायक हो उसको लिया जाय। धनी सर्विस में जितने लोग आते हैं बाहर के आते हैं। उनका इम्तिहान कोई नहीं होता है बल्कि होता यह है कि जो आई०ए०एस० में कम नम्बर में पास होते हैं उनको रख दिया जाता है। मेरी आपसे प्रार्थना है कि एक तो धनी सर्विस को आप खत्म करें और दूसरे नये रूल्स की कापी टेबल पर रख दी जाय ताकि हमें पता चले वे रूल्स क्या हैं।

SHRI K. CHANDRASEKHARAN (Kerala) : Madam Deputy Chairman, although the purpose of this Bill and the parent enactment is to make reservations for persons who are residing in backward areas, looking at the provisions of this Bill, the purpose which it is likely to achieve and the way it has been implemented, and the purpose it has achieved in certain areas, I do not think that there is any necessity, as such, to continue this legislation and pass this measure. I may not be misunderstood as saying that reservations are not necessary. Reservations are necessary and for that purpose laws of a reasonable nature would have to be enacted, but the question is whether the parent enactment had achieved and this Bill would achieve the purpose for which it is being enacted. Under article 16 (2) of the Constitution, there cannot be any discrimination on grounds only of residence for the purpose of office under the State, but under article 16 (3) Parliament is competent to make regulations. Apart from this principle as an exception, the States Reorganisation Commission had looked into this aspect and had recommended to the Government of India that, by and large, there should not be any residential qualifications at all for the purpose of employment in the reorganised states.

At the same time, the States Reorganisations Commission had recommended that in extreme cases where Government find that a certain measure of exception would be needed, for a transitional period, a law may be enacted. This was, at that stage, accepted by the Government of India in a memorandum submitted to Parliament in September, 1956 and this law was specifically enacted for a transitional period. The Act, as it originally stood, was intended only for a period of five years. The Act came into force on the 21st March, 1959. On the expiry of five years in 1964 the Government brought forward another Bill to continue the enactment for a further period of five years. It is surprising that the provisions of this Bill and the parent enactment had not been challenged before the High Courts or the Supreme Court till very recently.

The hon. Minister referred to a case in the Andhra Pradesh High Court. The provisions of the Act were challenged in the Andhra Pradesh High Court by school teachers. A single Judge of the High Court has struck down section 3 of the Act and an appeal, as the hon. Minister has stated, is pending before a Division Bench of the Andhra Pradesh High Court. Arguments have been heard and it would appear that the judgment is awaited. The clear result of the Andhra Pradesh High Court's ruling is that so far as the State of Andhra Pradesh is concerned at present, so long as the judgment of the single Judge stands, there is no law like the present law, particularly because section 3 has been struck down. It is in respect of a law which is no longer in operation in Andhra Pradesh and cannot be in operation, according to the decision of the High Court, that Parliament is now attempting to amend. Then what happened yesterday in the Supreme Court was not stated by the hon. Minister. A set of persons, 54 employees of the Andhra Pradesh Secretariat Services were being employed in the Telangana area on a deputation basis. They are non-Mulkis. According to the notification, only Mulkis can be employed in the Telangana area.

These non-Mulkis have been ordered to be relieved by the Andhra Pradesh Government before the 28th of February. These

Secretariat employees have filed a writ petition under article 32 of the Constitution in the Supreme Court, and the Supreme Court has yesterday stayed the operation of the orders of the Andhra Pradesh Government directing their relief on the basis of the notification that has been issued under this enactment. May I state, Madam, that the cumulative effect of the Andhra Pradesh order and the interim order of stay that has been passed yesterday by the Supreme Court is that in law, so far as Parliament is concerned, it should be deemed that there is no parent enactment at all for the purposes of an amendment, and I would submit that proceeding with this amending Bill, the consideration of this amending Bill and the request for it that has come from the Government are against all canons of constitutional propriety and constitute, if I may say so, the greatest disrespect to the High Courts of this country and the Supreme Court of this country. I would therefore appeal to the Government to stop consideration of this Bill, halt the passage of this Bill or reject this Bill altogether till the matter is settled in the courts of law where the matter is under challenge. In view of the judgment of the Andhra Pradesh High Court and in view of the interim order of the Supreme Court, my submission is that there is no law at all like a parent enactment so far as our purposes are concerned for the purpose of amendment.

Then, Madam, as I stated earlier, this law as it was originally placed before Parliament on the basis of a memorandum submitted by the Government of India on the safeguards for Linguistic minorities, in September 1966, and that again on the basis of a specific recommendation made by the States Reorganisation Commission in that regard, was only to be for a transitional period. This transitional period was then fixed by Government in its wisdom at that time as a period of five years. In 1964 it has been extended to another five years. Now, Madam, the Bill that has been brought before this House is not only a Bill for the extension of time but is a Bill for territorial extension also. No reasons are given as to why this enactment should be extended. No reasons are at all given, except certain administrative exigencies, if at all there are any, and they can be called

[Shri K. Chandrasekharan] administrative exigencies, as to why this Bill should extend the provisions of the parent enactment to that part of the Punjab where the parent enactment was not in force all these years. It was never considered that the provisions of this enactment should be applied to the Punjab. Just because a part of Punjab is now included in the State of Himachal Pradesh the entire State of Himachal Pradesh has got to be legislated upon so far as this law is concerned, it would appear, and as a result it is wrongly approached and thought that the provisions of the parent enactment should be extended to that part of the Punjab which is now included in Himachal Pradesh. I submit that without any reasons whatsoever given in the Statement of Objects and Reasons appended to this Bill, without any substantial reasons at all being given on the floor of the House by the hon. Minister, it is not possible for this House to come to any reasonable conclusion as to how it is necessary at all that the parent enactment should be extended both in regard to time and also in regard to fresh territories.

Then, Madam, by and large the scheme of the parent enactment was meant only for a transitional period, which is being extended for periods further and further, which is being extended to further territories. This approach is totally oppos to the scheme of national integration, emotional integration and physical integration of this country. We have seen that during the years past independence, far from unity in this country growing and cementing the nation as a whole, there have been widespread and rampant growth of fissiparous tendencies. We have discussed about the Shiv Sena only just this morning. This House or the other House has got a Bill on its legislative business to come up in due course regarding the reorganisation of the Assam State. It has been proposed that there should be an autonomous State within the State of Assam. We have seen boundary questions being resolved on the basis of administrative exigencies and expedencies. We have seen that when a matter has got to be solved on a political basis, for instance the vital boundary issue between Maharashtra and Mysore, the Government evaded the problem and the question, and appointed a former Chief Justice of the Supreme Court to consider the matter.

when the matter has got to be decided not merely judiciously or judicially but by and large on a political basis with the concurrence of the border peoples concerned in both the States. This wrong approach is being taken by Government continuously and incessantly, and this Bill, I submit, is a supreme example of the continuous wrong practices of Government, the wrong approach of Government, in solving the problems of this country. I submit, Madam, that half a per cent or one per cent of the population of the areas in Himachal Pradesh, Tripura, Manipur and Telangana may at all be affected by the provisions of this Bill. The backwardness of Himachal Pradesh, Tripura and Manipur, the backwardness of Telangana, can it be tackled, can it be solved by the provisions of this Bill? If the provisions of this Bill cannot tackle those problems or anywhere touch those problems, may I submit that the problems have got to be touched in their core on a more vital basis, and provisions like this being continuously legislated upon will lead only to the ultimate disruption and disintegration of this country.

Thank you, Madam.

SHRI AKBAR ALI KHAN (Andhra Pradesh) : Madam, as this was a Bill which was moved by the Minister of State of Home Affairs on the representation not only of the Government but all the people of Andhra Pradesh, Telanganas as well as Andhras, I thought it was a matter which should have received the approval without going into it. If I may be permitted to say so, criticism is on the basis of ignorance of the facts existing there or the previous history of Telangana and Andhra. I wish my learned friend, Mr. Chandrasekharan, had contacted or informally discussed with some of us, in which case a knowledgeable person and an eminent advocate of good causes as he is would not have fallen into the trap and opposed this Bill.

Madam, the States Reorganisation Commission had given enough opportunity that Telangana should be a separate area for five years, and it was left to the people of Telangana to decide after five years whether they should join or they should not join. I was one of those who advocated separate Telangana under the leadership of Mr. K. V. Ranga Reddy. It was at the persuasion of the late Prime Minister, Pandit Jawahar-

lal Nehru, it was at the persuasion of Pandit Gobind Ballabh Pant, that we agreed, and in the Hyderabad House, all these people sat down. I was also there; we all discussed about it. And we said, all right. If it is in the interests of all the Telugu-speaking people, the people of Telangana will not stand in the way, subject to certain factors and they were that they were educationally backward, they were economically backward. And in view of these things, certain safeguards should be provided. And with the approval and the signatures of all concerned, this gentlemen's agreement was entered into which was brought to the notice of the Prime Minister, the Home Minister and the other authorities concerned.

So, Mr. Chandrasekharan should appreciate that the basis of the integration is the gentlemen's agreement. But if you want to throw it to the winds, you are creating difficulty, you are creating troubles, you are inviting all sorts of difficulties. Let me tell him that on the basis of that agreement this integration was made. Then things started working.

As I would say, it is not only the mistake of the Government or the people of Andhra or the people of Telangana; even the Government of India, to a certain extent, is responsible for it, and I would like the Home Minister to make a note of it. In matters of service equation and in other such matters, whenever the matter was brought here, undue delay was taken, and then a decision was given. Afterwards, some Secretary or Chief Secretary—I do not attach any motive—wrote back, "No, no, no. What we wrote was right." Then again the decision from the Home Ministry was changed in favour of the other side. So, I think, it is time that the Government of India and the Home Minister realised their responsibility and immediately sent some senior officer and a Public Service Commission member to see whether under the provisions of the States Reorganisation Commission Act and the Rules made thereunder justice has been done in these two areas or not. That is my demand from the Government of India. Mr. Bhadram made an appeal and supported me, for which I am grateful to him. But he took this opportunity to bring in his party affiliations and tried to condemn the Congress, as if every other

party is exonerated and it is only the Congress Government which is the worst Government, and he has condemned it.

SHRI YELLA REDDY (Andhra Pradesh) : That is responsible there.

SHRI AKBAR ALI KHAN : Mr. Yella Reddy, let me tell you : Not only the Government, but all the Telangana public workers including myself are responsible. My senior colleague, Mr. Ranga Reddy, has fallen ill. I do not agree with what Mr. Bhadram has said about Dr. Chenna Reddy. I think it is not right when a man is in difficulties, to bring in his name. I absolutely dissociate myself from the observations that Mr. Bhadram has made about Dr. Chenna Reddy or this man or that man. But what I say is this. In a democracy, you have to be active and alert yourself. If for some reason, the Government was not active, it was the duty of the Telangana public workers to be alert and bring it to notice. We have failed, and I plead guilty for it. And shall I tell you, Madam ? When this movement was going on and when I intervened, the students came and I said, no question of separate Telangana. Once the integration has been achieved, I do not want any slogan of separate Telangana. But I do want safeguards. I will see to it. You know what the representative of the students, a fourth-year medical student, said? "Sir, you were all sleeping. What were you doing for the last 10 or 12 years? Now, when we start the movement, when we bring tempo into the people, you—Government and some people—want to say, you stop it and we will see to it." I had no other alternative but to say, "I plead guilty. I accept that we have been indifferent, we have been inactive, that we have not been alert." And that changed the tempo. And that is why you are able to control students and the other people.

Now, there are many things to be done at this stage. I will pay compliments to my Andhra friends. I will pay compliments to all the Opposition parties. And I will pay compliments to Mr. Brahmananda Reddy. When this matter came up, he sat down really like a statesman, like a wise man, like a man with a liberal heart. You cannot govern unless you have a large heart, and you can

[Shri Akbar AU Khan] see things ahead. He said, "Yes, I accept, wrong things have occurred." As was pointed out, I do not want to go into the large amount spent on Andhra after deducting expenses.

SHRI A. D. MANI (Madhya Pradesh): Squandered.

SHRI AKBAR ALI KHAN : I will not say, squandered. It was spent on Andhra. It may not be with any motive. But the fact is that it has been done so. On the other hand, it is admitted on all hands that the Telangana areas are backward areas.

SHRI A. D. MANI : Who told you?

SHRI AKBAR ALI KHAN : We want more schools. We want more colleges. We want more universities. We want more irrigation. We want many other facilities. Instead of spending Rs. 30 crores or Rs. 50 crores from Andhra Pradesh as elder brother on these poor brothers, our amount was spent on Andhra. I do not blame anybody on that score. This amount accumulated during the last 12 years. It was not in a day or two. As I said, again, the Telangana public workers including myself are responsible for it. Now, we sat down, came to some agreement.

SHRI MULKA GOVINDA REDDY : There was a Regional Committee presided over by Mr. Vengal Rao. Did they not make a representation to the Government that you are misusing the funds, that you are not adhering to the safeguard clause and that you are responsible for it? What did the Chief Minister do?

SHRI AKBAR ALI KHAN : Mr. Reddy, I know it, I come from that region. You see. There have been mistakes. The Telangana Committee for some time did not make representations. When it made the representation, it was not properly heeded. All these things have happened. But now, when all of us, the Andhra people, the Telangana people, all Opposition parties and the Congress Party, are trying to settle the affair amicably, you want to come in and say, "No, do not settle it."

SHRI MULKA GOVINDA REDDY : Who said it ?

SHRI AKBAR ALI KHAN : Mr. Chandrasekharan's speech was \_\_\_\_\_

AN HON. MEMBER : No, no.

SHRI AKBAR ALI KHAN: ...that the amendment should not be moved. What does he mean ?

SHRI MULKA GOVINDA REDDY : He has his own legal point. The legal point that he has raised is that the p Act was invalidated. You cannot bring in an amendment. He is perfectly right and we have got the ruling of the Chair. He has raised a constitutional and legal point. What Mr. Chandrasekharan has said is that it has been invalidated by the High Court.

THE DEPUTY CHAIRMAN : We shall consider it when it comes up. Mr. Akbar Ali Khan, please cany on.

SHRI AKBAR ALI KHAN : Mr. Reddy, I know that that matter is still pending. It is pending. It was first one Judge who gave the judgment. The appeal has gone to the Divisional Bench. And so far as I know, the Divisional Bench has not given any judgment. I hear that some adverse judgment may be given. Some stay order has been taken from the Supreme Coun. But all this is in a very confused state. Unless I see all the orders, I am not able to say anything. But I want to impress upon this House. It is not the legal quibbling that will settle the matter. A wise, statesmanlike decision wiH have to be taken, and a feeling should be created among the people, especially those who are weaker, that justice and fairplay is done to them. That is the thing that we want here. And as a first step, as I told you, on the 19th January an agreement was drawn. I would say, let us not be indifferent about that adjustment. Let us only carry it out and implement that adjustment. That is the first thing that I would ask my own Government. And so far as the Government of India is concerned, I would ask them to see that injustice is undone if it has been done.

Madam, when we are coming to thts adjustment and agreement and trying to improve things, Mr. Bhadram takes up some old things. That is not fair. It pained me when he made it a party issue as if the Communist Party is doing all good things and the Congress is the only party which

is doing bad things. That is not the question. Here is a serious problem.

SHRI YELLA REDDY : Here it is the question of the Government which is dealing with the thing and incidentally it is the Congress Government there.

SHRI AKBAR ALI KHAN : I agree that some mistakes have been committed, W.Tien we are all trying to undo those mistakes to create a better environment, a cordial atmosphere, is it right that all sorts of technical things, the party and the Government and Mr. Brahmananda Reddy or Mr. Sanjiva Reddy should be brought in. That is not the right way to deal with it. I would say, let this Bill be passed unanimously. And if there are any constitutional difficulties, I would appeal to the Government to amend the Constitution, if necessary; they will have to do it. For bringing harmony, fairplay and justice let us not refer to some simple technical thing, this rule or that rule. Do not forget that you have to deal with the people there, people who feel aggrieved, who feel that injustice has been done to them, who feel that fair-play has not been done to them. What we are trying to do is to find an amicable solution. It is not a question of party discussion when the question of Andhra and Telangana is concerned. If you do not help us or if the Government of India does not take it up seriously, I am sorry to say, things will go very much worse. Therefore, I say if there is constitutional or legal difficulty, consult the Attorney-General and the Advocate-General and bring in measures to see that this gentlemen's agreement, the basis of integration as between Telangana and Andhra, stands as an honourable pact between the two peoples. If you do not do this and if you want to go on with this quibbling, I am afraid you will feel sorry. As I said, the Government of India should see to it that the equation of services and other matters are properly brought about, that justice and fairplay is done to them.

Madam Deputy Chairman, I feel we are in the midst of great dangers. As I said, I will never ask for a separate Telangana. You know people were angry with me. They even threatened me. I said whatever they might do I would never say "hon" to this

demand for separation. What I want is implementation of the gentlemen's agreement, that safeguards promised are implemented and that justice and fairplay are given to the people of that area. And I want the House to help us in this respect. We want to remain one. We want to remain integrated. It is in the interest of all concerned. It is in the interest of Andhra. It is in the interest of Telangana and it is in the interest of my great country Bharat. It is in view of that that I have during all these troubled days opposed the demand for a separate Telangana. At the same time I have asked the Government, I have asked the people, I have asked the Andhra friends and my Opposition friends to support the safeguards, that gentlemen's agreement. I feel, Madam, this is the least that can be done.

As pointed out by the hon. Minister, there was the question of the Electricity Department which had been converted into a Corporation. It was interpreted that this gentlemen's agreement does not relate to electricity Board. There are any number of Corporations. The real question, Madam, is psychological and economical. Dr. K. L. Rao also supports me in my view. Thousands of engineers, technocrats and diploma-holders there are without jobs in the whole of the State, and more so probably in Telangana. If anybody thinks that he would stabilise the situation by using his big stick, he is very much mistaken. And I hope everybody will appreciate that that is not the way. The human feeling is there. You must make us feel that we are the younger brother, one-third of the State while the Andhras are two-thirds. We appeal to our elder brother to be considerate to us, to be affectionate to us, to see to our difficulties and other problems. It is in that spirit that we have to approach and we have succeeded to some extent. We want to go on in the same spirit. I assure the House there is no question of the demand for two separate States. But certainly the safeguards should be fully adhered to. I support the Bill.

THE DEPUTY CHAIRMAN : Mr. Mani.

SHRI AKBAR ALI KHAN : Why should Mr. Mani speak on this ?

SHRI A. D. MANI : You cannot question the Chair. The Chair has got the right to call me.

SHRI AKBAR ALI KHAN : Mr. Mani always wants to fish in troubled waters.

SHRI A. D. MANI : Madam Deputy Chairman, I would like to be very brief in my observations on this Bill. I hope the day is not coming when Karolbagh and Faridabad would make a request to the Government for the application of the Public Employment (Requirement as to Residence) Act to safeguard the rights of the residents of the two areas.

Madam, I have not been in favour of article 16(3) of the Constitution which sayt:—

"Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office under the Government of, or any local or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory prior to such employment or appointment."

It is by virtue of the power derived under this article that the Public Employment Act was passed in 1957. I feel very strongly about this matter because by passing a legislation of this kind we are indirectly placing organisations like Shiv Sena on a premium. The Shiv Sena also says that it is only the local people who shall be employed in a place and that others are all outsiders.

SHRI AKBAR ALI KHAN : It is absolutely irrelevant.

SHRI A. D. MANI : You are supporting Shiv Sena.

SHRI AKBAR ALI KHAN : I am not. Then in the case of Harijans you will call it Shiv Sena and in the case of backward classes you will call it Shiv Sena.

SHRI A. D. MANI : I shall deal with it. I am in favour of section (4) of article 16 which says that in regard to backward classes reservations of posts can be made. I

am in favour of that. But to say that an area is backward, an area which throws up people of astonishing ability like Mr Chenna Reddy about whom I have got a different opinion from that expressed by other speakers, or an area which can throw up men of great calibre like Nawab Akbar Ali Khan, I cannot say that it is a backward area.

When my friend Mr. Akbar Ali Khan was speaking he spoke about Andhra\*. Madam, the Andhra State was created for safeguarding the people who spoke Telugu. Now here is a Telugu-speaking person coming and saying that these are two Andhras.

SHRI AKBAR ALI KHAN : Madam again he is misleading the House. I said that that was the position. Then we both sat down and entered into an agreement and on the basis of that gentlemen's agreement we have integrated and we shall stand integrated. What is it that you are talking of ? There were differences and difficulties for which your leader. Pandit Kunzru, laid down that we can be a separate State.

SHRI A. D. MANI : Madam, on an innocuous Bill so much partisan feelings are being aroused. As far as Telangana is concerned I want to point out that they have nine Ministers, one for each district, and yet during the recent disturbances so much of bad blood was created. Even trains containing the Andhra carriages were stopped and burnt down. They do not even want to name "Andhra" in Telangana. This is what a Bill of this kind has produced in Telangana

SHRI AKBAR ALI KHAN : We have unequivocally condemned all violence whether on the Telangana side or the Andhra side. Nobody is for that thing. You are trying to bring in these things and create that feeling.

SHRI A. D. MANI: I do not want to create any bad feeling.

SHRI YELLA REDDY : What do you know about Telangana ?

SHRI A. D. MANI: I know much more about Telangana than you know about India.

SHRI AKBAR ALI KHAN : He wants to prepare a case for Vidarbha indirectly.

SHRI A. D. MANI: My hon. friend referred to the region of Vidarbha. I was one of those who fought for a separate State for Vidarbha. But after Vidarbha was integrated with Maharashtra, I have always called it as Maharashtra, not as Vidarbha. Why should we try to create these sub-regional feelings by bringing in Bills of this kind ?

My friend, Mr. Chandrasekharan has made a very valid point, that after the High Court has given a judgment and a stay order has been given by the Supreme Court, it is contempt of the judiciary to bring forward a Bill of this kind. That matter is now before the highest court of the land. I feel, Madam, that in a matter of this kind, by allowing such pleas to be accepted by the Government of India, namely, that posts should be reserved for the people in certain regions, we are working against Indian national unity. I may mention here also that matters have gone

to this extent — (*Interruption*) Madam, I would like to have some order on this side of the House. Mr. Kulkarni is a well known Member of the House and he should help the Chairman in maintaining order. I should like to mention here that in the State of Bihar, the Reserve Bank of India wanted to open an office and an announcement was inserted in the papers asking for applications from persons for appointment in the Reserve Bank. A good deal of agitation was started and they said that nobody outside Bihar should be recruited to the Reserve Bank. And I am sorry, I am ashamed, to say that the Reserve Bank accepted that demand and no outsider was appointed to the Reserve Bank office in Bihar. This is not fair. Are we not Indian citizens ? Why hon. friend, Mr. Chandrasekharan, referred to the Bill on the reorganisation of Assam which is coming up in the form of an amendment of the Constitution. We are trying to create autonomous States within the State of Assam. You will have to bring also a Bill to safeguard the rights of employment of those areas which will be autonomous States in Assam, which will be part of the State of Assam of the future, at least on paper. I think that the time has come for the Government of India

and for the parties in Parliament to reconsider article 16 of the Constitution in respect of sub-clause 3. We should not have any residential qualifications for appointment. If the grains of Haryana can be sold in Madras, persons from Madras also can come and settle down in Haryana. There should be no difficulty whatever placed in the way of those persons getting jobs. I quite understand that since there are linguistic States, we might insist that the language of the region must be known to the person before he is appointed. That is a very understandable position. But to say that a person should be appointed because he is a backward citizen is not proper. I do not know how this Telangana region can be called backward. There are so many talented persons there. And quite a large number of persons in India are backward. We do not represent all the people of India. People outside India may not be as qualified as Mr. Rajnarain. Persons like him do not represent India in the wide sense of the term. Therefore, Madam, I feel that this is an unfortunate Bill which the Government is bringing forward. (*Interrupt'ori*) I thought you were an educated person. Therefore, Madam, I feel that this Bill should not have been brought forward by the Government of India. But as the people of Andhra Pradesh and Himachal Pradesh have requested that such a Bill should be passed, I am not recording my opposition to the Bill. But I record my abstention because I am not at all in favour of such Bills being brought to stipulate residential qualifications for appointment.

SHRIMATI YASHODA REDDY (Andhra Pradesh) : Madam, there are two aspects to this Bill. The first is the legal aspect raised by my friend, Mr. Chandrasekharan, and the other is the political argument which was put forward by my friend, Mr. Akbar Ali Khan. Madam, I must confess that it is very delicate for me to speak on this Bill, but I would like to express my opinion and I hope I will be able to express my opinion clearly and not confuse the issue. Madam, as a parliamentarian, as an Indian and also as an advocate, I do have a doubt whether we should bring in such a Bill because we should know that we think of India as one



[Shrimati Yashoda Reddy]

I have always felt that the day India was divided into linguistic States—maybe I would not be here as a Member of Parliament but for the linguistic State of Andhra Pradesh—it was the beginning of the end of integration. I must also confess that fortunately or unfortunately, I come from that State of Andhra Pradesh which made linguistic States a physical fact. I am not going into it now, Madam. We see today what is happening in India. We saw recently what was happening in Telangana, in Bombay or in Bengal. The image of India has been tarnished. We are quarrelling State *versus* State, language *versus* language. We Indians are quarrelling amongst ourselves as if we belong to two different or alien countries. And the most unfortunate thing is that in my State of Andhra Pradesh where they all belong to one State and are all the sons of Andhra Pradesh, and where they all speak one language, they have started quarrelling amongst themselves, not because of language but because of the question of "haves" and "have-nots". Madam, if you look into the so many things that are happening, political and other things—I am sorry if I am choked with emotion, but it does upset me—you will see that it is mainly based on the economic question. Whether, it is unemployment, under-production, high prices or poverty, they are all based on the same thing. Maybe had these things been cleared, India would have been a different place, and maybe we have to share the blame more as the ruling party. Now my friend from Andhra Pradesh spoke more as a Telangana person than as an Andhra person. Madam, this aspect of it has been decided by the High Court of Andhra Pradesh by a single judge, and they have gone in appeal to the Division Bench; and the Supreme Court has given a stay order. Legal opinions have been expressed and the Law Minister seems to have given the opinion that this amendment can be brought whatever may be the High Court decision later. Then, I suppose it is for the Parliament to remove it, or the Act itself will become *ultra vires*. But the fundamental point is that under article 16(3) of the Constitution, posts can be reserved for residents of particular areas. Because a person is not a resident of that particular area, he does not get the job—

somehow this does not appeal to me. But I would not like to say much on this point. I would like to go to the political aspect of this. Madam, at first I was not prepared to speak, but two or three of my friends referred to the Andhra-Telangana issue. I would like to humbly place before you my feelings on this issue. As has been correctly pointed out by Mr. Akbar Ali Khan, whether the court holds it *ultra vires* or not, whether the Government can do this or not, there are certain things which the people of Telangana need. In 1956 when Andhra Pradesh was formed with the best motives—

4 P.M.

THE DEPUTY CHAIRMAN : You might continue a little later. There is a statement to be made at 4 o'clock.

#### STATEMENT BY MINISTER RE BIRLA GROUP OF COMPANIES

THE MINISTER OF INDUSTRIES, INTERNAL TRADE AND COMPANY AFFAIRS (SHRI FAKHRUDDIN ALI AHMED) : Madam, in July 1967, Shri Chandra Shekhar, Member, Rajya Sabha, submitted a Memorandum to the Prime Minister followed by another in September, 1967 and a third to me containing a number of allegations against the Birla Group of Companies.

On 23rd December, 1967, I had occasion to make an earlier statement on this subject in this House giving a gist of some of the allegations and the action being taken thereon by the concerned Ministries of Government.

On 22nd July, 1968, in answer to supplementaries to a Starred Question I informed the House regarding the further action taken by Government. Taking into account sub-allegations also, there were 56 allegations in the first Memorandum, 19 in the second and 13 in the third, all-told 88. They related to subjects like Income-tax, Central Excise, Customs, Foreign Exchange Regulations, Insurance, Capital issues, manufacture of sub-standard products, profiteering, favours shown by State Governments to some Companies of the Birla Group and so on. These allegations fell within the purview of several Ministries and some of them