

Sir, I also beg to lay on the Table, under sub-section (2) of section 7 of the Employees' Provident Funds Act, 1952, a copy of the Ministry of Labour and Employment Notification G.S.R. No. 362, dated the 16th March, 1960 publishing an amendment in the Employees' Provident Funds Scheme, 1952. [Placed in Library. See No. LT-2063/60.]

ANNUAL REPORT (1958-59) OF THE NATIONAL PROJECTS CONSTRUCTION CORPORATION LIMITED, NEW DELHI AND RELATED PAPERS

THE DEPUTY MINISTER OF IRRIGATION AND POWER (SHRI J. S. L. HATHI): Sir, I beg to lay on the Table, under sub-section (1) of section 639 of the Companies Act, 1956, a copy each of the following papers:—

(i) Second Annual Report of the National Projects Construction Corporation Limited, New Delhi, for the year 1958-59, together with the Auditors' Report and the comments of the Comptroller and Auditor-General of India thereon.

(ii) Review by Government on the working of the National Projects Construction Corporation Limited for the year 1958-59. [Placed in Library. See No. LT-2067/60 for (i) and (ii).]

THE BOMBAY REORGANISATION BILL, 1960—*continued*

MR. CHAIRMAN: We shall now resume the discussion on the Bombay Reorganisation Bill. The Minister will answer at half past two. All the discussions should be over before lunch.

DR. H. N. KUNZRU (Uttar Pradesh): Mr. Chairman, the subject that we are discussing is the responsibility of the Home Ministry but I do not find any representative of the Home Ministry.

MR. CHAIRMAN: But Shrimati Violet Alva, the Deputy Minister, is there.

DR. H. N. KUNZRU: Oh! I see. I did not know that we were going to have the privilege of having her here as the representative of the Home Ministry in this debate.

Sir, I am not happy that Gujarat and Maharashtra have decided to have their own separate States. It still seems to me that it would have been in the interests of both had they continued to work together but the dissatisfaction in both these regions with the existing State made it almost imperative for the Government to take account of the public feeling and separate it into two States. This feeling that existed in both the States, particularly in Maharashtra, was to no small extent due to the mistakes made by the Central Government itself. Sir, the States Reorganisation Commission recommended that the Bombay State should consist of the areas formerly included in it, that is before the reorganisation, and certain new areas, Marathwada, Saurashtra and Kutch. The Central Government decided to break up this region into three States, Maharashtra without Bombay, Bombay as a Centrally administered unit and Gujarat. Naturally, there was great dissatisfaction in Maharashtra over this arrangement. But the Home Minister . . .

MR. CHAIRMAN: Another Minister is coming.

DR. H. N. KUNZRU: But he seems to have come as if he was not in the least concerned with this debate.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI B. N. DATAR): I was in the other House, Sir. I had to be in the other House; I had to answer questions there.

DR. H. N. KUNZRU: I did not complain, Sir, of the absence of my hon. friend but he came in such a way as to make us feel that he was not in the least concerned with what was going on here.

SRI B. N. DATAR: That is a wrong impression, Sir.

DR. H. N. KUNZRU: When the States Reorganisation Bill was under discussion, our Home Minister who seems to have a short memory for inconvenient facts charged the Commission with not having stated clearly that Bombay should not be a Centrally administered territory and the inaccuracy of this statement, which it was not difficult to point out, was shown by me when I got the opportunity to speak during that debate.

Now, Sir, in connection with this Bill, the Home Minister stated in the Lok Sabha:—

“The States Reorganisation Commission had suggested that the State of Bombay as it existed today should continue but that Vidarbha which formed part of this State should remain a separate unit. This proposal of the States Reorganisation Commission did not receive a warm reception or even a cold one. It was almost rejected.”

Now, Sir, I have to make two observations with regard to this statement. Vidarbha did not form part of the Bombay State and the Commission did not recommend that Vidarbha or Maha Vidarbha should be excluded from the Bombay State as it was. Vidarbha formed part of the Madhya Pradesh State and all that the States Reorganisation Commission said was that Vidarbha should not be included in the new Bombay State. Again, I think the Home Minister has very quickly forgotten the facts in asserting that the recommendation of the States Reorganisation Commission was almost rejected. Sir, the Government itself did not reject the recommendation of the States Reorganisation Commission in this respect. When it first proposed to cut up the Bombay State into three States, it did not include Maha Vidarbha in Maharashtra. It was only subsequently that it did so, and

enlightenment has come to it suddenly without sitting under the Bodhi tree, and it found that the exclusion of Vidarbha, keeping Vidarbha apart, would be neither in the interest of Vidarbha nor in that of the rest of India. Although it had not been officially acknowledged, I think it was freely said when the States Reorganisation Bill was under discussion that the Government of India offered Maha Vidarbha to Maharashtra in the hope of appeasing it, it thought that Maha Vidarbha would be regarded as a kind of substitute for Bombay and that the keen desire of the Maharashtrians for the inclusion of Bombay in Maharashtra would be allayed by this step. But anybody who knew Maharashtra could easily understand that such a step would never fulfil the purpose for which it was taken. The Maharashtrians could not be so foolish as to regard Maha Vidarbha as a substitute for Bombay. It was under these circumstances that wisdom dawned on the Government of India, and it decided to make Vidarbha a part of the Bombay State. As regards the public feeling in Maha Vidarbha, it will be clear to anybody who reads the newspapers published in that area. Even now, we know what dissatisfaction exists with the decision of the Government of India in Maha Vidarbha. The Congressmen there had to agree to what the Government of India proposed because the High Command used its bludgeon to compel compliance with the decision of the Government of India. But for this, the position in Maha Vidarbha would have been much more difficult than it is today.

Sir, this is the history of the question which again, because it was inconvenient, has been forgotten by our Home Minister.

Now, Sir, I should like to say a word about the debate that took place in the Bombay Legislature on this Bombay Reorganisation Bill. It was marked by a dignity and restraint which is not very often to be seen in

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connection with questions affecting more than one State. The Chief Minister himself set the tone, and I am glad to say that his example was followed by the other members. The Chief Minister, before the debate began made a statement of policy, which was meant to satisfy Maha Vidarbha, Marathwada and the city of Bombay with regard to their future. It was a wise statement and I welcome it. What was said in the course of the policy statement with regard to Maha Vidarbha and Maharashtra was really an acceptance of what is popularly known as the Nagpur Pact. The acceptance was not complete and it could not be expected to be complete because no Government could agree that Ministers should be chosen from the different areas in proportion to their population. But as regards the other points, I think they have been accepted; it has been decided or rather it has been promised that in accordance with the recommendation of the States' Reorganisation Commission different development boards will be created for Maha Vidarbha and Marathwada. I do not remember whether the statement in regard to the creation of special development boards covers Bombay also, but in any case it covers Maha Vidarbha and Maharashtra.

SHRI AKBAR ALI KHAN (Andhra Pradesh): You mean Marathwada.

DR. H. N. KUNZRU: Yes, Maha Vidarbha and Marathwada. Sir, normally such an undertaking would have been quite enough. But we know that the Bombay Government, after the States' Reorganisation Bill was passed, divided the area under its control into divisions and appointed a divisional development council for each division. But so far as I know, this arrangement has not given satisfaction; perhaps these councils have not been able to achieve much in the way of the economic development of the areas for which they

were formed. I suggest therefore that although the Chief Minister has agreed to the establishment of development boards in accordance with the recommendation of the States' Reorganisation Commission, the matter should continue to be looked into by the Central Government. It is the Central Government that is responsible for the quinquennial economic development plans. It should be interested therefore in the development of every area, and it is not too much therefore to ask that it should keep an eye on the under-developed areas not merely of the Bombay State but of other States also so that what may be called the black regions in the country may disappear and all parts of every State may be fully and harmoniously developed.

There is one more point, Sir, that I should like to refer to before I sit down; the point in which I am interested is that relating to the amortization of the Public Debt of Bombay, as it is at the present time. The extent of Gujarat's deficit was an important point that was considered by the Bhattacharyya Committee, but as the representatives—official representatives, if I may say so—of Gujarat and Maharashtra could not come to an agreement on this point, both Shri Chavan and Dr. Jivraj Mehta sought the intervention of the Home Minister, and the Home Minister took Shri Rangachari as his adviser. Now Shri Rangachari—if my hon. friend, Shri Datar, has got a copy of Shri Rangachari's statement, will he be good enough to have it passed on to me? I have found it, Sir, in my papers.

(Interruption)

What Shri Rangachari said on this point was this:

"For debt amortization the figures in respect of the Public loans at present actually being amortized by the Bombay Government were taken and the share of Gujarat calculated

on the basis of the Public Debt liability estimated on the basis of the Bhattacharyya Committee Report."

Now my enquiries show that what is meant here by the words, "Public loans", is the open market loans; they have been taken into account but not the loans taken by the Bombay State from the Government of India. The Bombay State, contrary to the practice of other States I think, created sinking funds for some loans taken by it from the Central Government. But even these were disregarded by Shri Rangachari, and what was taken into account by him was only the liability of the Bombay Government with regard to the amortization of the open market loans. The principle underlying this, I understand, is that the Finance Commission does not take into account obligations that are not legal, and as it is not laid down in any law that sinking fund should be provided by the State Government for loans taken from the Central Government, the Finance Commission does not recognise the responsibility of any State for the repayment of its loans when it arrives at a decision with regard to the apportionment of the revenues of the country between the State and the Central Government.

As regards the open market loans, the legislation regarding them expressly provides for the creation of sinking funds. This responsibility, therefore, has been taken into account, but the other responsibility which is not legal has not been taken into account.

12 Noon

My hon. friend to my left wants to know how much it is. All this has been calculated by the Bhattacharyya Committee. I cannot off-hand tell him what the debt owed by the Bombay Government to the Central Government is.

This may be a good reply so far as it goes. But when a State is going to be divided into two States, and we know that one of the States is going to be a deficit State, it is rather hard on it that its responsibility for the repayment of the Central loans should not be taken into account. So long as there was one Bombay State it did not matter what the practice of the Bombay Government was because the entire burden had to be borne by it; whether it meant provision by stages for discharging its liabilities or discharging it by one step did not matter to the other section of the State. But when the State is going to be divided into two parts, I think that we can fairly ask that the liability of the State Government to the Central Government should also be taken into consideration. I should like to know whether apart from the reason that I have given, there was any other reason which led to the decision that has been arrived at.

There is just one more observation that I want to make before sitting down. When the new Bombay State was formed, it was understood that an effort would be made by the Bombay Government to see that the State Legislature met at least once at Nagpur. But this hope has not been fulfilled. I am sorry to say that the importance of Nagpur as a city has consequently declined; it has deteriorated a great deal since the inclusion of Maha Vidarbha in the Bombay State. The statement of policy made by Shri Chavan is excellent, but I hope this matter too will be kept in view by the Central Government. From the past record of Shri Chavan it seems to me that he is desirous of satisfying all the areas included in the Bombay State. This gives rise to the strong hope that the policy that he has now enunciated will be fully carried out. It will do neither him nor Maha Vidarbha any harm if the Central Government also continues to take an interest in this matter. If these two things are done—that is, if

[Dr. H. N. Kunzru.]
the Legislature meets there at least once a year and the Ministers sit there for some time—I am sure that some of the dissatisfaction that exists in Vidarbha will disappear.

I cannot say whether even the undertaking given by Shri Chavan will satisfy the people of Maha Vidarbha because they know that their resources are adequate to enable them to function as a separate State. But it is part of statesmanship, Sir, to do whatever is possible now both by the Central Government and by the State Government to see that the old dissatisfaction does not continue at least in the intensity in which it exists today.

SHRI ANAND CHAND (Himachal Pradesh): Mr. Chairman, I want to raise a point of order. Under Rule 220 of our Rules of Procedure it is the duty of the Secretary "to cause to be prepared a full report of the proceedings of the Council". I have seen the proceedings of the Council in the uncorrected report of yesterday. I wish to submit to you that I do not find any mention of my speech therein. I wanted to know why that was so.

MR. CHAIRMAN: We sometimes use our discretion also. When our Members of Parliament exceed limits of decorum and decency we sometimes use our discretion.

SHRI ANAND CHAND: May I submit in that connection that when I was making my speech the Vice-Chairman was in the Chair, and at that time no question arose that there was anything in it which was in any way indecent or unpardonable.

MR. CHAIRMAN: If it contains words which are indecent, unparliamentary, improper or having a reference to other people who are not here . . .

SHRI ANAND CHAND: That is exactly what I was saying. Some exception was taken to what I was saying about certain head of a State. But subsequently another Member from Bihar spoke of the leader of the Swatantra Party in the most derogatory terms. I would submit that should also be expunged. He called him . . .

MR. CHAIRMAN: I have here five speakers and we have only fifty minutes. Ten minutes each.

श्री गोपीकृष्ण विजयवर्गीय (मध्य प्रदेश) : आदरणीय अध्यक्ष महोदय, बम्बई रिआर्गनाइजेशन बिल हमारे सामने है। यह बहुत ही महत्वपूर्ण है और जैसा कि कई वक्ताओं ने बतलाया, बम्बई के बाइलिंगुअल राज्य का शासन चलाने में श्री चह्वान ने बड़ी बुद्धिमत्ता दिखाई और उसकी सब ने यहां तारीफ की।

[MR. DEPUTY CHAIRMAN in the Chair.]

संयुक्त बम्बई राज्य को चलाना वास्तव में एक बड़ा ही कांटे का ताज था। तो बीच के काल में जिस प्रकार अच्छी तरह से वहां का राज्य श्री चह्वान के नेतृत्व में चला यह बड़ी ही प्रसन्नता की बात है।

अभी अन्य वक्ताओं ने, खास कर के कुंजरू साहब ने, कुछ पुराने मसलों पर रोगनी डाली। मेरे ब्याल से वे नेता जिन्होंने आपस में अब समझौता किया और समझौता करके इस नये फारमूले को निकाला वे प्रशंसा के पात्र हैं। ऐसे अच्छे वातावरण में हमको पुरानी बातें याद रखने से या उनको उखाड़ने से कोई ज्यादा फायदा नहीं।

पिछले समय जब स्टेट्स रिआर्गनाइजेशन का मसला आया था तब बम्बई के सम्बन्ध में कई फारमूले निकले थे। अब उसमें गुजरातियों का कसूर था या महाराष्ट्रियों का, इस बात में जाने की आवश्यकता नहीं है जब कि अब दोनों ने मिल कर एक नया

रास्ता अपना निकाल लिया है कि हमको अलग अलग होना है। कुछ मसले अभी भी ऐसे हैं कि जो सम्भवतः विवादास्पद होंगे तो उनको जोनल काउंसिल में ले जाया जा सकता है और वह उसको तय कर सकती है। इसलिये मेरी दोनों पक्षों से यह अपील है कि जब दोनों राज्यों के नेताओं ने इस बारे में निश्चय कर लिया है तब उन मसलों को यहां हाउस में या किसी भी स्थान में ज्यादा विवादास्पद न बनाया जाय। कम से कम हम यह तो सोच सकते हैं कि राज्यों का पुनर्गठन हुआ था उस समय हमारे प्राइम मिनिस्टर नेहरू जी या होम मिनिस्टर पंत जी को इस मुश्किल काम को हाथ में लेना पड़ा किन्तु उसमें उनका कोई निजी मतलब या किसी का हित या अनहित करना नहीं था कि बम्बई और गुजरात के गठजोड़ को तोड़ दिया जाय या जोड़ दिया जाय। उस समय वहां के लोकल आदमियों ने जैसी परिस्थिति उनके सामने रखी थी उसके ही अनुसार उस समय काम हुआ। अब वहां के वे ही नेता मिल कर आपस में तय करके अलग अलग रहना चाहते हैं तो हमारे राष्ट्र नेताओं ने उसे मंजूर कर लिया।

इसलिए यह कहना उचित नहीं है कि हमारे हार्ड कमांड ने, या होम मिनिस्टर पंत जी ने किसी निजी स्वार्थ के लिए इस विषय में पहले ही गलती की। उस समय कुछ ऐसे विवाद थे जिन पर लोग राजी नहीं हो रहे थे। इस कारण उस समय ऐसा वातावरण बन गया जिसकी वजह से उस समय दो प्रान्तों का निर्माण नहीं हो सका। उसके बाद पार्लियामेंट में वातावरण कुछ ऐसा बना और लोगों ने दमनखत करके सरकार के सामने भेजा कि एक प्रान्त बम्बई बना था। अब वातावरण ऐसा हो गया है कि जिसके कारण बम्बई को दो प्रान्तों में विभक्त किया जा सकता है। सरकार को भी मालूम हुआ कि इस बारे में वहां के लोग एक मत हो

गये हैं। अब वहां के लोगों में इस विषय में कोई मतभेद नहीं है, हार्ड कमांड की कोई बुरी नियत नहीं है। पहले तो यह ब्याल था कि यह मसला उलझा हुआ है, जब हमारे नेताओं ने देखा कि इस मसले का हल निकल सकता है, वहां के लोग इस विषय में एक मत हैं तो उन्होंने अपनी सहमति दे दी। जब पार्लियामेंट कोई फैसला करती है तो उसको कुछ दिनों तक अमल में लाया जाना चाहिये। किसी फैसले को जल्दी में नहीं बदल देना चाहिये। यही कारण था कि उस समय से इस चीज को जारी रखा गया। लेकिन जब वहां का वातावरण स्वच्छ हो गया, वहां के लोगों में एक नया समझौता हो गया, तब ही यह बिल आज हमारे सामने आया है। मैं इस बिल का हार्दिक स्वागत करता हूँ और जो नेता इस तरह की परिस्थिति लायें हैं उन्हें अपनी ओर से बधाई देता हूँ।

इस बिल के बहस के दौरान कुछ साहबान ने यह कहा कि हमसे इस विषय में परामर्श नहीं लिया गया। मैं समझता हूँ कि इस विषय में जो सलेक्ट कमेटी बनी है उसमें सभी पक्ष के लोग मौजूद हैं और जो कुछ भी मसले हैं वे सब की सलाह से तय हो जाने चाहियें। जब सब की सलाह से कोई चीज तय हो जाती है तो यह सब लोगों का कर्तव्य हो जाता है कि उस चीज को अच्छी तरह से अमल में लाया जाय। इस संबंध में कट्टना फैलाने वाले किसी तरह के भाषण, जलमे या जलूस न किये या निकाले जायें। इस तरह की कोई बात नहीं की जानी चाहिये जिससे पुरानी बातें फिर निकल आयें और न किसी के ऊपर दोषारोपण ही किया जाना चाहिये। जब जुदा होना है तो दो दोस्तों की तरह "parting as friends"—दो साथियों की तरह महाराष्ट्र और गुजरात के लोगों को अलग होना चाहिये। जो कुछ थोड़े मतभेद रह जाते

[श्री गोपीकृष्ण विजयवर्गीय]

हैं वे जोनल काँसिल में तय किये जा सकते हैं।

श्री श्री कुंजरू माहब ने कहा था कि बिदभं का एक वायबिल यूनिट हो सकता है, उसकी एक अलग हस्ती हो सकती है। उसकी आर्थिक स्थिति ऐसी है कि वह अलग हो सकता है अगर उसको कुछ सुविधाएं दी जायें। श्री चह्वान ने इस संबंध में जो पालिसी स्टेटमेंट दिया है उसको ठीक तरह से अमल में लाया जाना चाहिये। मैं आशा करता हूँ कि सेलेक्ट कमेटी इन सब बातों पर अच्छी तरह से विचार करेगी।

हमारे देश में भाषावाद का मसला अक्सर आया और मैं समझता हूँ कि हमारे देश का जो पुनर्गठन हुआ है वह भी भाषा के आधार पर ही हुआ है जो कि अच्छी बात नहीं है। भाषावादी राज्यों का बनना सिद्धांततः अच्छी बात तो नहीं है। प्राचीन काल में यानी अशोक, बुद्ध, गुप्त, कन्नौज, हर्ष, पल्लव, चोला, पांड्या, चालुक्य, राष्ट्रकूटों के जमाने में हमारे देश में जो राज्य थे क्या वे भाषा के आधार पर बने थे? इसके बाद राजपूत राजाओं के जमाने में, मराठे सरदारों के राज्य में या रणजीतसिंह के जमाने में हमारे देश में जो राज्य थे वे क्या भाषा के आधार पर बने हुए थे? ऐसी बात नहीं थी। तो यह बात हमारे देश की परम्परा के खिलाफ होगी कि किसी प्रान्त में एक ही भाषा के लोग रह सकते हैं और दूसरी भाषा बोलने वाले लोग नहीं रह सकते हैं। यह प्रवृत्ति अच्छी नहीं है, इसे हमें दूर करना चाहिये। जो कुछ हो गया है वह तो हो गया है, अब शान्ति स्थापित होनी चाहिए। हमको यह आशा करनी चाहिये कि राज्य पुनर्गठन का जो मवाल है, उसे सब लोग दिल से मिलकर कार्यान्वित करेंगे, इस बिल द्वारा जो दो अलग राज्य बन रहे हैं वे आपस में मिलकर रहेंगे

और सेण्टर का हाथ मजबूत करेंगे। यह हम सब लोग आशा करते हैं। मैं स्ट्रांग सेण्टर के पक्ष में हूँ। मैं आशा करता हूँ कि इसी भावना को लेकर हमारे देश के और राज्य भी कार्य करेंगे। अब कोई नया बिल राज्यों के पुनर्गठन के बारे में हमारे सामने नहीं आयेगा, ऐसी हम आशा करते हैं।

मैं मध्य प्रदेश से आता हूँ और लोक-सभा में एक मेम्बर ने यह आवाज उठाई है कि मध्य प्रदेश को तोड़ दिया जाय। वह राज्य बहुत बड़ा हो गया है और वहाँ की हुकूमत अच्छी नहीं चलती है। मैं आशा करता हूँ कि श्री दातार साहब इस बात की ओर ध्यान देंगे कि मध्य प्रदेश के शासन में जो कुछ खराबी है या सर्विसेज के इंटिग्रेशन का जो सवाल है और उसमें जो कमी है उसको जल्दी से दूर किया जाना चाहिये। वहाँ से यह आवाज नहीं आनी चाहिये कि मध्य प्रदेश बहुत बड़ा हो गया है, शासन ठीक नहीं है बल्कि सर्विसेज के इंटिग्रेशन का जो सवाल है उसे जल्दी से पूरा किया जाना चाहिये। जिन मेम्बर साहब ने दूसरे सदन में यह आवाज उठाई कि मध्य प्रदेश की हुकूमत ठीक नहीं चल रही है वे ही चीफ मिनिस्टर से मिलते हैं और कहते हैं कि हम तो आपके साथ हैं, आपके प्रशंसक हैं। इस तरह से वे उनके साथ मिल जाते हैं और सदन में इस तरह की आवाज उठते हैं कि वहाँ का शासन अयोग्य है। तो मैं यह चाहता हूँ कि मध्य प्रदेश का जो प्रान्त अभी बना है, जिसमें सर्विसेज के बारे में कुछ तकलीफें हैं उन्हें सेण्टर को जल्दी निबटा देना चाहिये। जब भी यह मसला उठता है तब देखने में आता है कि वहाँ के जो व्यापारी वर्ग के लोग हैं या सर्विसेज के कुछ लोग हैं जिनका कि इसमें इंटरेस्ट है वही इस मवाल को उठाते हैं। वे लोग शायद यह समझते हैं कि अगर इस तरह का सवाल उठाया जायेगा तो हम में से कोई चीफ मिनिस्टर बन जायेगा या कोई दूसरी चीज मिल जायेगी। इसलिए

कहना चाहता हूँ कि जो आवाज मध्य प्रदेश की तरफ से उठी है वह केवल अकेली आवाज है, उसका कोई खास महत्व नहीं है और उसकी तरफ ध्यान देने की जरूरत नहीं है। मध्य प्रदेश का नया राज्य बना है और मैं सेप्टर से यह प्रार्थना करना चाहता हूँ कि वहाँ पर इंटीग्रेशन का जो सवाल है, कुछ सड़क बनाने की जरूरत है, कुछ पुल बनाने की जरूरत है तथा रेलवेज और कम्यूनिकेशन का सवाल है, इन सब कमियों को खामियों को जल्दी से दूर किया जाना चाहिये।

MR. DEPUTY CHAIRMAN: We are not concerned now with Madhya Pradesh, Mr. Vijaiargiya.

श्री गोपोकृष्ण विजयवर्गीय : मेरी सरकार से इतनी ही प्रार्थना है कि मध्य प्रदेश में जिन जिन चीजों की वृत्ति है उन्हें जल्दी से ठीक किया जाना चाहिये। यह बिल सदन से सेलेक्ट कमेटी में जायेगा जिसमें सब पार्टियों के मेम्बर हैं और मैं आशा करता हूँ कि यह बिल वहाँ से अच्छे रूप में आयेगा। इस बिल द्वारा हमारे देश में जो दो नये प्रान्त बनेंगे वे आपस में भाईचारे के साथ रहेंगे और सब प्रान्त सारे देश का हित ध्यान में रखकर काम करेंगे। इन शब्दों के साथ मैं इस बिल का हार्दिक समर्थन करता हूँ।

SHRI B. D. KHOBARAGADE (Bombay): Mr. Deputy Chairman, I welcome, with mixed feelings, this Bill and the decision of the Government of India to reorganise the Bombay State on linguistic basis. This Bill, when enacted, will be an eternal monument to the triumph of democratic ideals over dictatorial and autocratic tendencies. Sir, the bilingual State was imposed on the people of Maharashtra and Gujarat against their wishes. When that bilingual State was formed, the Chief Minister, Shri Yashwantrao Chavan,

said that this was a sort of immutable line written on rock which could never be wiped out. One of the Union Ministers said that so long as the sun and the moon shone high in the sky this Bombay bilingual State would continue to exist. However, we are happy to note that the rock has crumbled down to pieces and even though the bilingual Bombay State is being disintegrated, the sun and the moon still continue to shine in the heavens. Sir, in my opinion, this is a great victory for democratic ideals.

Sir, yesterday an hon. Member referred to this matter and said that this was not the victory of democracy but that it was the victory of mobocracy. I am sorry that the hon. Member Shri Sheel Bhadra Yajee does not seem to understand the difference between democracy and mobocracy. He claimed that during the last general elections the people of Maharashtra and Gujarat supported the decision of Central Government by voting Congress in power. But may I point out to my hon. friend that he has conveniently forgotten the results of nine by-elections which were all lost by the Congress and in some of them the Congress candidate lost even his deposit. The hon. Member represents Bihar State. May I point out to him that the result of only one election was sufficient to change a decision? At one time the proposal was mooted by the Chief Minister of Bengal that there should be one bilingual State of Bihar and Bengal. When the Congress lost one by-election, Dr. Roy said that he would have nothing to do with the formation of a bilingual State. So, Shri Sheel Bhadra Yajee who hails from Bihar must know that they had to give up this idea of forming a bilingual State just because of one by-election result. In regard to Maharashtra, the Samyukta Maharashtra Samiti defeated the Congress Party in almost all the by-elections. That being so, why should not the original decision of having a bilingual State be changed now? If that decision is being changed now, is it not the triumph of democracy? How can it be called mobocracy? I could not

[Shri B. D. Khobaragade.]

understand the hectic frenzy in which the hon. Member was speaking. He referred to some sort of a lunatic asylum. I was not able to understand whether he thought that he was in some sort of a lunatic asylum but, Sir, one must admit that this particular decision of the Central Government is nothing but the triumph of democratic forces.

Sir, I will not refer to many disputable or controversial points because they have been referred to by almost all the hon. Members. I would refer only to a few problems relating to Vidarbha and to the problem of Buddhists in whole Bombay State. Pandit Kunzru referred to the Nagpur agreement and in this connection mentioned the policy statement made by the Chief Minister of Bombay, Mr. Chavan. In that policy statement, the Chief Minister had stated that they would abide by this agreement and further that they would try to implement the provisions of this agreement. Pandit Kunzru also expressed satisfaction over this declaration made by the Chief Minister, Mr. Chavan. I am rather surprised over Pandit Kunzru being satisfied with mere declaration when he himself had quoted one or two instances in which the assurances given by the Chief Minister were not implemented. Just now he said that the Chief Minister had declared that one session of the Bombay Legislative Assembly would be held at Nagpur. But, Pandit Kunzru himself observed later on that not a single session of the Bombay Assembly was held in Nagpur. I want to know whether the Chief Minister of Bombay will practise what he preaches. There are a number of instances. I will not quote all of them but I will just quote one or two instances to show in what way people from Vidarbha are being discriminated against. What does the Nagpur agreement say? The first point relates to the establishment of a permanent Bench of the Bombay High Court at Nagpur. The second relates to proper representation in all State services and the third is about the

facilities for the admission of students from Vidarbha in educational institutions. This agreement also stressed the need for decentralisation of administration. It further pointed out that people from Vidarbha should not suffer because of lack of educational facilities in Vidarbha and added that people from Vidarbha should be given admission facilities in scientific and technical institutions situated outside Vidarbha. These were the few salient points in the Nagpur agreement.

What do we find today? We have to consider the regime of Congress Government and see what they have done during the past three years in regard to Vidarbha. Mr. Chavan had declared that there would be no discrimination between Vidarbhis and the Maharashtrians. But what is the experience? I will quote one instance, that of Additional District Judges. When Madhya Pradesh was dissolved and the Vidarbha area of Madhya Pradesh was joined to Bombay State, about 26 Additional District Judges were transferred to Bombay,—6 permanent and 20 officiating. The counterparts of these ADJs were the Assistant Judges from Bombay State. When the question of integration of services and seniority and fixation of pay came up, the Bombay Government framed a most arbitrary rule which is most insulting and humiliating to Vidarbha judges. They said that only an ADJ from Vidarbha who had put in five years of service as ADJ would be selected whereas an Assistant Judge in Bombay, even if he had put in only one day's service as Assistant Judge, would get seniority over the other ADJs. What happens is that after 1.11.1956, an ADJ can be appointed as an Assistant Judge only if he had put in five years of service as ADJ whereas an Assistant Judge in Bombay, even if he had put in only a day's service could be immediately appointed as an Assistant Judge.

The second point relates to the age. The Bombay Government had said that ADJs who had completed the

age of 45 would not be appointed as Assistant Judges but strangely enough this rule was relaxed in case of certain individuals. May I ask why this rule was not relaxed in the case of other ADJs from Vidarbha? The third point relates to discrimination in the seniority list. This seniority list was prepared by the Madhya Pradesh Government and accepted by the Bombay Government by publishing it in Civil List on 1st January, 1957. But strangely enough after six months, on the 1st July 1957, the Bombay Government changed this seniority list and published another seniority list. I do not know what the circumstances were which compelled the Bombay Government to change arbitrarily the seniority list accepted and published by them on the 1st January 1957. They are made to suffer such injustices and we want them to do justice to litigant population.

Then there is the case of the clerks of the Bombay High Court working in Nagpur. This House will be rather astonished to learn that the clerks of the same Bombay High Court working at Nagpur are receiving less wages than the clerks working at Bombay. Why should there be such glaring discrimination? The other instance relates to the Social Education Organisers working in Development Blocks. Their pay was fixed at Rs. 125 per month by the Madhya Pradesh Government. But now the Bombay Government is desiring or is proposing to reduce this scale to Rs. 75 altogether. When the Madhya Pradesh Government fixed this scale at Rs. 125 I do not know why they should not be allowed to draw the same pay, particularly when these officers have put in three to four years of service and rendered invaluable service to the people and the Government. The Bombay Government is thinking of abolishing all the educational facilities that are enjoyed by the people of Vidarbha. I do not know why.

So, taking all these facts into consideration, I doubt whether the assur-

ance of the Chief Minister of Bombay would be sufficient to satisfy the people of Vidarbha. Therefore I say that we do not believe in Mr. Chavan, however just he may be, however hard he may be thinking and wishing that there should be some sort of betterment for the people of Vidarbha. I have great regard for Mr. Chavan. But we do not believe in words because our past experience has taught us that we should not believe Mr. Chavan but that we should believe only in his deeds. Therefore, Sir, I want this Nagpur agreement to be incorporated in the Bill itself.

Pandit Kunzru stated that we cannot incorporate in the Bill any provision about the proportion of Ministers to be selected from one particular region. I do understand and follow his contention and agree with it. It is a constitutional matter. But what about the other provisions? What about the provision for setting up a permanent Bench of the Bombay High Court at Nagpur? What about giving representation in the services? What about securing admission to Vidarbha students in different educational institutions? What about having at Nagpur offices of Heads of all departments? All these provisions could be incorporated in the Bill. I would therefore recommend to the Joint Committee that it should go into all these matters and see that suitable provisions are incorporated in the Bill itself.

Mere giving representation in the services or the provision of educational facilities will not solve the problems of Berar. There must be definite plans for economic development of Vidarbha also. Pandit Kunzru also referred to this fact. He said that there are enormous resources available in Vidarbha which if fully utilised can make Vidarbha a viable State.

DR. H. N. KUNZRU: It is already a viable State.

SHRI B. D. KHOBARAGADE. I am only referring to his speech. I submit that if resources are fully utilised, it can be a viable State. I ask, in spite of the two development plans, in spite of the regime of the Bombay Government of last three years what has been done for economic development of Vidarbha? Not a single major project has been included in the first or the second Five Year Plan.

SHRI M. D. TUMPALLIWAR (Bombay): Does the hon. Member want a separate Vidarbha State?

SHRI B. D. KHOBARAGADE: I want that the Bombay Government should pay heed to all these demands and grievances of the Vidarbhis. Now, I do not know what happened to the Wainganga project. We heard a lot about Wainganga project. We were told that this project would change the face of Vidarbha. It was given up. Then there are coal mines, there are huge deposits of manganese, bauxite, iron ore and there are big and thick forests. But nothing is done to exploit these natural resources of Vidarbha, and to make Vidarbha an industrial area. So merely giving some representation in the Services would not be sufficient; Bombay Government should look to the economic and industrial development of Vidarbha also

Lastly Sir, I would only refer to one more problem, the problem of the Buddhists in the whole Bombay State and not merely of Buddhists in new Maharashtra State. I am happy to note that the Chief Minister of Bombay has referred in his policy statement that the first problem that he would like to solve after the formation of the Maharashtra State is about granting facilities to the Buddhists. But as I have already stated, mere assurances are not sufficient. This particular policy statement made by the Chief Minister must be incorporated in the Bill. It must be stated in this Bill that the Buddhists who are in large number in Maharashtra and Gujarat also will be given all educational and economic facilities, services facilities and other

facilities. Sir, I must state here that there are a large number of Buddhists in Gujarat also and as there has been a categorical statement by the Chief Minister of Maharashtra, there must be a similar categorical statement by the would be Chief Minister of Gujarat, if not from the hon. Home Minister here, that all these facilities which are guaranteed by the Constitution and which are being enjoyed by the Scheduled Castes and Scheduled Tribes will be given to the Buddhists from Maharashtra as well as from Gujarat. Sir, a mere change of religion has not changed the circumstances, the educational and social conditions of the Buddhists and any refusal to give facilities to the Buddhists is against the provisions of the Constitution. If I may read out article 15 and article 46 of the Constitution, it will be clearly seen that the Buddhists also should get all these facilities. Article 15(4) states:

"Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes."

This article refers to socially and educationally backward classes. Just because we have changed our religion, it does not mean that we have become socially and educationally advanced. Now, article 46 says . . .

MR. DEPUTY CHAIRMAN: You can take this up when the Report of the Scheduled Castes Commissioner comes up for discussion.

SHRI B. D. KHOBARAGADE: There is a policy statement by the Chief Minister of Bombay that he will solve the problem of the Buddhists first immediately the Maharashtra State is established and that is why I am referring to this question. Now, article 46 reads:

"The State shall promote with special care the educational and

economic interests of the weaker sections of the people”

In this clause also there is reference to the weaker sections of the people and the Buddhists, I must submit, in spite of the change in their religion are still weak and they are backward educationally, financially and economically. Therefore I would recommend that the Joint Committee should go into this matter and see whether the policy statement made by the hon. Chief Minister, Mr. Chavan, can be incorporated in this Bill so that all these facilities could be extended to the Buddhists. Sir, I would only say, as we are parting now, let us part in a spirit of

SHRI M. D. TUMPALLIWAR: We are not parting.

SHRI B. D. KHOBARAGADE: ‘We’ means Maharashtrians and Gujaratis.

SHRI SHEEL BHADRA YAJEE (Bihar): Here we are for the whole of India; not Bombay and Gujarat alone.

SHRI B. D. KHOBARAGADE: I know that but the hon. Member was referring only to Bihar yesterday and one friend just now referred to the problems of Madhya Pradesh only. So when the people of Bombay are parting, let them part in a spirit of friendship and let there be integration, emotional integration, of the people of Vidarbha, Maharashtra and Marathwada.

SHRI AKBAR ALI KHAN: Mr. Deputy Chairman, while we are discussing one of the last measures of reorganisation, some friends here and some veteran Members like Dr. Kunzru have referred to the past history and expressed their dissatisfaction. I feel that if there has been any omission or any mistake, the responsibility rightly rests on the Parliament as a whole and I for one would assume full responsibility. If it was a mistake, it is our responsibility; if it was anything creditable, it is ours. Having that in view, the experience of the last four years has convinced

the people who are intimately connected with the affairs of Gujarat and Maharashtra that it would be in the best interests of all concerned that this linguistic principle should be extended to its logical conclusion so far as Bombay State is also concerned. There have been many, like my friend Mr. Yajee and others, who did not agree with or fully approve of linguistic reorganisation but it is too late in the day now to say whether it is right or wrong. If I may be permitted to say, the Commission, of which Dr. Kunzru was in my humble estimation the most prominent member, has itself accepted linguistic division of the States.

DR. H. N. KUNZRU: It did not in its Report accept this principle.

SHRI AKBAR ALI KHAN: It recommended ultimately that it should be divided on a linguistic basis except Bombay. I was only referring to that.

MR. DEPUTY CHAIRMAN: I do not think they have said so. It is only one of the considerations.

DR. R. B. GOUR (Andhra Pradesh): Sir, they did not say so in so many words but in effect they wanted to divide even into sub-divisions.

DR. H. N. KUNZRU: It was explained during the discussion on the States Reorganisation Bill that practically every State was a linguistic State before the Commission started its work and it could not in view of that change the character of those States. The only cases where it intervened in order to bring about new groupings were Hyderabad and Madhya Pradesh.

SHRI AKBAR ALI KHAN: And regarding these too, the same principle was extended. I submit, Sir, that the way the Bombay Legislative Assembly and the Bombay Legislative Council have dealt with this matter recently is very graceful and dignified and I am sure here also in both the Houses we will do likewise. In view of all that has happened, let us pass this Bill; let us not go into this ques-

[Shri Akbar Ali Khan.]

tion as some of our friends on the side opposite have done. A few villages this side or a few villages that side or some financial adjustment this way or that way . . .

SHRI B. D. KHOBARAGADE: Not a few; hundreds of them.

SHRI AKBAR ALI KHAN: When we are dealing with bigger things, let us behave like big men.

DR. R. B. GOUR: Why do you say opposite? We are to your right.

SHRI AKBAR ALI KHAN: I am sure Dr. Gour and his friends and those who sit with him take every opportunity for creating some difficulty even if a measure that was advocated by them is brought by the Government. So we feel happy when he opposes because then we feel that we are doing a good thing; otherwise he won't oppose it.

Anyhow, I submit that we here give our best wishes for the success of this Bill and we do hope and pray that both these States will grow and prosper and that they will keep up the same brotherly spirit which they had while they were in one State.

In this House the cause of Vidarbha has been advocated by no less a person than Dr. Kunzru and later by Mr. Khobaragade. But nobody has said anything about Marathwada. The people of Telengana and Marathwada lived together for centuries and I feel that the Nagpur Pact and the assurance that has been given by the able Chief Minister, Shri Yashwantrao Chavan, will be fully implemented. I agree with my friend who spoke last when he said that the Joint Committee would give due consideration to some of these facts and it would be a good thing if they are incorporated in the Bill also. I know that there has been a genuine grievance and no one knows more about it than the Home

Minister and the Home Ministry. So far as the Services are concerned, some of the instances that were given by my friend apply in a greater measure to the people of Marathwada. I do hope that not only the new Government in Bombay but the Home Ministry also will see that the people of Marathwada in all these matters get a fair deal. They do not want anything else but a fair deal.

SHRI N. R. MALKANI (Nominated): A generous deal to backward areas.

SHRI AKBAR ALI KHAN: I welcome it. So far as the position regarding appeals is concerned, the people from Nanded district have to go to Hyderabad and to Bombay. Similarly, they have to go to Aurangabad, which is about ten hours' train journey and then again go to Bombay. It would be in the interests of the administration of justice and it would give satisfaction to the people of these areas, if an appellate Bench of the High Court is established at Aurangabad. Aurangabad is a historical place. It has been in the old days the centre of the then Government of India. And the famous Ellora and Ajanta caves, of which the whole of India is proud, should be given importance, which is in this area. I do hope that all these matters will be taken into consideration by the members of the Joint Select Committee. Now, when we are having these new States, let us hope that all these areas, particularly the Marathwada area, get due consideration in all these matters, particularly so far as economic development is concerned. I have no doubt that the assurance given by the Chief Minister and repeated by the Home Minister in his speech while introducing the Bill would be fulfilled.

SHRI SONUSING DHANSING PATIL (Bombay): The past neglect of Marathwada should also be taken into consideration.

SHRI AKBAR ALI KHAN: I think, Mr. Patil, even in your area there are many parts that have been neglected. Now, we have to build a new State and let us see that all those who are

weak and who have had in no way those advantages get all those advantages in the new State. So, my request is that the Home Ministry should also always bear in mind that all these parts get a fair and just deal. Thank you.

SHRI M. P. BHARGAVA (Uttar Pradesh): Mr Deputy Chairman, I had no intention of taking part in this debate, because most of the points have been touched upon and it serves not much purpose by speaking at the fag end of the debate. I must first congratulate the Chief Minister of Bombay on the courageous manner in which he advised the High Command that the experiment of bilingual Bombay—which as you know was brought about at the last stages of the States Reorganisation Bill discussions before 1957—had not succeeded. He had the courage to say that the experiment had not succeeded, although he tried his best to administer the State as well as he could and although he tried to bring together the people of Maharashtra and Gujarat and make them forget all that had happened in the past. It was very courageous of him and I hope that the House will agree with me that we must pay our tributes to him on this occasion.

Next, I want to congratulate the Congress President . . .

DR. R. B. GOUR: The Congress President is not here in the House. How can he congratulate him?

SHRI M. P. BHARGAVA: There was a mention about the nine-man committee, about which people have already spoken in the House. I must congratulate her for the courageous manner in which she tackled the problem. I refer to the former President of the Congress. She formed the nine-man committee, which went threadbare into this question and after talking to the people concerned in Gujarat and Maharashtra brought about the present Bill. Tributes are also due to the Bombay Legislative Assembly and the Bombay Legislative Council, which

discussed the whole question in a very graceful manner. They considered every aspect of it and made certain amendments here and there, which I hope the Joint Select Committee will take note of.

I will be failing in my duty if I do not say something about the remarks of Mr. Sheel Bhadra Yajee, who made those remarks when he was speaking on the Bill yesterday.

MR. DEPUTY CHAIRMAN: Those remarks have been expunged.

SHRI M. P. BHARGAVA: Then, I need not go into them. Thank you. When they do not form part of the proceedings, it is none of my business to reply to him.

DR. R. B. GOUR: Such remarks can be made only about the Communist Party.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI M. P. BHARGAVA: Have I not the right to speak about my own colleagues, if I do not agree with them, or is it only my privilege to speak about Members opposite? (*Interruption*).

MR. DEPUTY CHAIRMAN: Anyway, it is not on record.

SHRI M. P. BHARGAVA: Now, coming to the Bill, much has been said about Vidarbha. My hon. colleague, Dr. Kunzru, has pleaded for Vidarbha and I do agree with him to some extent, but not to the extent he has made out the case. Now, what is Vidarbha? Vidarbha is four districts—Buldana, Yeotmal, Amaravati and Akola. This is real Vidarbha. There are four other districts which are in Nagpur. They are not Vidarbha. The idea of Maha Vidarbha or Nag Vidarbha, as they sometimes call it, is this. Nag Vidarbha is only taking the first three letters of Nagpur to satisfy the Nagpur people for Nag Vidarbha. Now Nag Vidarbha, or Maha Vidarbha consists of eight districts. Can four

[Shri M. P. Bhargava.]
 district of 37 lakhs of population form a State? If you make a comparison, Darbhanga is one of the districts of Bihar. It has 37 lakhs of population. In my own State there are districts with 30 lakhs of population. Even if it is granted that Maha Vidarbha forms eight districts, what is the population?

SHRI B. D. KHOBARAGADE: What Pandit Kunzru has referred to is Vidarbha of eight districts and not four districts.

SHRI M. P. BHARGAVA: I am coming to that, have patience. This is the position. The population is 74 lakhs or 75 lakhs at the most. It has no resources. It has been made out that it is very rich in minerals, this and that, that they are all there. But has this area as at present of eight districts enough finances to govern its own affairs? No. Now in those eight districts the language is Marathi. In Maharashtra it is Marathi. On what basis do they demand that Vidarbha should be a separate State? As far as development work is concerned, I understand that in Bombay in all the six regions there are different Development Councils, and they have, as far as I know, carried on their work very efficiently, and there should be no fear on the part of anybody as far as development work is concerned that the good work of development will not be continued in Vidarbha areas also even in the new Maharashtra State. Mr. Chavan, the Chief Minister, has given assurances, and he means those assurances. His tenure of office as Chief Minister has shown that he means what he says. It is not an assurance for the purpose of assurance.

DR. R. B. GOUR: Does the hon. Member mean that other Chief Ministers do not mean what they say?

SHRI M. P. BHARGAVA: That may be a presumption which you may draw. I do not mean it and you cannot put any words in my mouth.

SHRI B. D. KHOBARAGADE: What about the instances that I have quoted?

SHRI M. P. BHARGAVA: I am coming to that. Mr. Khobaragade is very anxious about that. Probably he has forgotten who is the Chairman of the Integration Committee in the Bombay State. It is one Mr. Wankhade, who comes from Vidarbha, under whose chairmanship questions of integration of services and other things have been decided. What grievance can Mr. Khobaragade have about the work of a Committee which is presided over by a man from Vidarbha? If he is a man from Bombay or Marathwada or Saurashtra, I can understand his grievance, but here is a man from Vidarbha who presides over the Committee. Well, you cannot have it both ways that Nagpur is part of Vidarbha for one reason and that it is not part of Vidarbha as far as another reason is concerned. You can have it only one way. Either Nagpur is in Vidarbha or it is not in Vidarbha. That is about integration.

Now, a lot has been said about areas, a village here or a village there, dam, this and that? You are sending the Bill to a Select Committee where 45 Members chosen from both the Houses would be sitting and would be scrutinising the whole Bill clause by clause. Let us have the patience to see how the Bill comes back from the Select Committee rather than making all kinds of premature remarks that this is being done or that is being done, that this principle has been violated or that principle has been violated, that one yardstick is used at one place and another yardstick is used at another place. I do not see that we have any ground to complain at present. As far as areas are concerned, as far as financial matters are concerned, they will all be gone into by the Select Committee, and when the Bill comes back from the Select Committee, we will have another occasion to scrutinise it, and if any of us feel that there are certain things with which we do not agree, we will have an opportunity to say about them at that stage.

Now, one thing to which I must make a mention and to which I want to draw the attention of the Select Committee

is about the very high feelings regarding the names in the Bill. It has been said that one State will be called Bombay and the other will be called Gujarat. But the Maharashtra people want it to be called Maharashtra. I do not see that there should be any difficulty for the Select Committee to accept the name Maharashtra for that area if that pleases the people concerned.

AN HON. MEMBER: What about Mysore?

SHRI M. P. BHARGAVA: That question was considered by the people concerned and ultimately they came to the decision that it would be called Mysore. They decided like that. Why do you want to have a complaint about a matter which was decided amicably?

DR. R. B. GOUR: The Bombay Assembly accepted an amendment . . .

SHRI M. P. BHARGAVA: I wanted only to draw the attention of the Joint Select Committee. Now so many things have been done about this Bill and they have agreed on so many points. I hope that in the Select Committee they will agree on some more points and that it may be possible to have everything settled amicably. When the final decision has been taken that Maharashtra and Gujarat are to form separate States on linguistic basis, the efforts of this House, the efforts of the Select Committee and the efforts of everybody concerned should be to see that this bifurcation is as smooth and as cordial as it can be, and nothing should be said or done which will estrange their feelings. The feelings ran quite high sometimes. Fortunately they have calmed down and things are moving in the right direction. Our effort should be to see that things are done gracefully and that the bifurcation comes off in a very smooth manner. I am sure with the past traditions which both Maharashtra and Gujarat have—Gujarat had the good fortune of giving us the Father of the Nation and one of the strongest Home Ministers which we have had, it has very high traditions, and simi-

larly Maharashtra has had very high traditions—when these two States come into being, they should serve as ideal States and would be instrumental in bringing development to the country as a whole.

I must say one thing, and that is, in future any other such demand should be strongly dealt with. We have had enough of disintegration, if I may say so, because of linguistic considerations, and we must not allow any further fissiparous tendencies to develop.

DR. R. B. GOUR: Except one demand, and that is partition of Uttar Pradesh.

SHRI M. P. BHARGAVA: I agree with that if you can have it.

SHRI H. P. SAKSENA (Uttar Pradesh): The land of Rama and Krishna cannot be divided.

SHRI M. P. BHARGAVA: With these remarks I commend the Bill to the Joint Select Committee, and I hope it will be a much better Bill when it emerges out of the Select Committee.

MR. DEPUTY CHAIRMAN: The reply will be at 2.30.

The House stands adjourned till 2.30.

The House then adjourned for lunch at one of the clock.

The House reassembled after lunch at half past two of the clock, **MR. DEPUTY CHAIRMAN** in the Chair.

SHRI B. N. DATAR: Mr. Deputy Chairman, I am obliged to the hon. Members of this House for the almost unanimous support that they have given to the provisions of this Bill.

SHRI SHEEL BHADRA YAJEE: Question.

SHRI B. N. DATAR: If the hon. Member had waited for a minute, I would have replied to him.

SRI AKBAR ALI KHAN: He said "almost".

SRI B. N. DATAR: That is why I said "almost." I know, Sir, that my hon. friend, Shri Yajee, spoke in a manner which, in my opinion, was entirely unfortunate. I am referring to the argument that he had made, that this was a disease and that this disease ought to be got rid of as early as possible. Sometimes, in the course of the vehemence of our arguments we use exaggerations but there is a limit also to exaggerations, and I did not relish the manner in which my hon. friend wanted this Bill to be thrown into the waste paper basket. In fact, after taking into account all the circumstances under which the States Reorganisation Bill was passed and after taking into account also the manner in which very vigorous attempts had been made to maintain the bilingual State of Bombay with great effort, when it was found that there were certain difficulties in the way and that emotional integration was not forthcoming, then naturally a realistic spirit required that we ought to go back upon what we had done before. It was under these circumstances that this question was reopened, and I am happy that a number of hon. Members have given their tribute and admiration to the Chief Minister of Bombay, to Dr. Jivraj Mehta and to their Cabinet, for the very dignified manner, for the very fine approach, in which this question was raised and has happily been solved now. So we ought to take into consideration these circumstances. And as an hon. Member rightly put it, it was a question of division between brothers in a way, and whenever there is partition, then naturally we ought to part with the greatest of goodwill and with all grace. That was the reason why this question of the bifurcation of the Bombay State was taken in hand. In fact, as my friend, Shri Deokinandan Narayan, put it very emphatically yesterday, some hon. Members opposite, or some of their parties, had been carrying on

an agitation for Maha Gujarat on the one hand and Samyuktha Maharashtra on the other, and ultimately, a stage came naturally when they could not proceed further at all. Therefore, it must be said to the credit of those who took this matter in hand that they had a very proper and a liberal solution to all the questions that had been raised. It is against this background that the Chief Minister of Bombay took the lead, and the question was taken through various stages. There were certain points which required a proper solution—and I might add—magnanimous solution as well. Now, we had the States Reorganisation Commission's Report. We accepted that Report to the largest possible extent. We made deviations only where they were absolutely essential. We accepted their principles and we had the States Reorganisation Act. We are trying our best to see to it that along with the reorganisation of States we have a proper atmosphere and we have what is known as emotional integration. There are difficulties here and there. Some hon. Members pointed out that still in respect of services and other things, matters had not been solved. It is true that we are trying our best; the State Governments and the Centre together are trying to face all these problems, and a number of them have already been solved. Under these circumstances, when it was considered necessary that the bilingual State should not continue, then naturally after taking a realistic view of the whole affair, the question had got to be reopened, especially for the purpose of satisfying the people of the localities concerned. That was the reason why this question had to be raised, and if my hon. friend, Shri Sheel Bhadra Yajee, considers the whole question in a cool manner, I am quite confident that he would not have given out such choice epithets. I would not say anything further but that was what he did so far as this very honest attempt at settling the dispute between these two people is concerned.

Sir, it was against this background that this particular Bill was brought forward. A number of hon. Members raised certain questions. They wanted that we should go the whole hog so far as their own requirements, or as it is sometimes called their demands, were concerned, which they wanted to be conceded. Now, in all such matters, there are certain matters in which there are certain criteria laid down by the States Reorganisation Commission, which we have generally accepted. But in all these cases, it is more important to accept what is known as an agreed formula. It was for this purpose that certain arrangements were made on an *ad hoc* basis with the full agreement of the parties concerned. It is true that at earlier stages there were certain important leaders of both these people who came forward and carried on the work with all the goodwill that the Home Minister could extend towards their negotiations. So Dr. Jivaraj Mehta, the hon. Shri Chavan and the Home Minister together, they went into all the aspects of the case with a view to coming to a proper, agreeable, and may I add also, magnanimous solution. Only where it was necessary that the advice of experts should be taken, that also was done, and thereafter the matter did not rest there. It did not rest only at the party level, though the parties very happily carried on the work so far as the earlier stages were concerned. Then naturally the matter had to come to the Government and when it came to the Government, they had to consult the Bombay Legislature in this respect. Therefore, the President referred this Bill to the Bombay Legislature, and it is a matter of great satisfaction. It augurs well for a country where unfortunately there are disputes, there are variations in conditions. But all the same may I point out to hon. Members here that in spite of a variety of conditions, in spite of a variety of opinions and in spite of potentialities for distrust or disruption here and there, India is fortunate in having, as leaders of public

opinion, persons who know the highest interests of the country and they test everything from this particular point of view? That is the reason, Sir, why—as was pointed out to this hon. House by the Home Minister yesterday—the Governor of Bombay has paid his unstinted compliments to what was done in the Bombay Legislature. You will find, Sir, that in the Bombay Legislature we had Gujarati Members and we had Maharashtrian Members also. They carried on their work for a number of years, and when the time of parting came, as sometimes it has to even in the case of private families, then we have to part with goodwill, and as was rightly pointed out by one hon. Member yesterday, we have to part with a feeling of charity, with a feeling of grace and, much more, with a feeling of magnanimity also, and I pay my tribute to the hon. Members of the Bombay Legislature, who all spoke only with a desire to usher in the two States of Maharashtra and Gujarat in as auspicious, in as helpful and as constructive a manner as possible. That is the reason why we have almost the unanimous support of the Bombay Legislature, the Bombay Council and the Bombay Assembly. They discussed the question in all its aspects, in one House for five days and in the other House, I believe, for two or three days. Whatever it is, all the aspects were considered and the greatest point that we have to note in this connection, apart from the discussion that followed the States Reorganisation Commission Report, is that here we are having what is known as an agreed solution on, naturally, an *ad hoc* basis. There were certain points raised by hon. Members about various other things, but may I point out that what we depended upon was the agreement between the great leaders of Maharashtra and Gujarat in the first instance, and thereafter, this agreement has been accepted more or less in toto by the Bombay Legislature? So far as the Bombay Legislature is concerned, Sir, they are, naturally, the representatives of the people; they have

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been elected on adult franchise and therefore may I point out here, Sir, that they reflect the public opinion in all the areas concerned and therefore what was done initially by certain leaders was accepted by the Bombay Legislature and here we have now come with a view to seeing that the Bill is passed into law after it has been fully looked into by the Joint Select Committee? Under these circumstances, Sir, I was very happy to find that, on the whole, most of the hon. Members here made very good suggestions. They justified a so how this particular action was warranted and how it had been taken after considering all the aspects of this case. I was very happy, Sir, that my hon. friend, Shri Deokinandan Narayan, referred to a number of questions raised, and my task has been lightened to a very great extent because he replied to every point seriatim, and therefore I would not like to go over the whole ground again except to point out that in such cases we have to accept the agreement, especially when the agreement has been approved of, when the seal of sanction or approval has been placed on it by no less a body than the Bombay Legislature. The Bombay State, as we are aware, is one of the premier States of India and therefore it was that there the opinion was expressed in such a dignified manner and everybody agreed that here was a Bill which has to be accepted because, thereby, new conditions, what may be called a congenial atmosphere, a helpful atmosphere, would be ushered in both the States of Maharashtra and Gujarat. That is how we have to approach this particular question. Now some hon. Members raised the question of Bombay, raised the question of minorities, raised other questions also. But in this connection, Sir, may I point out that the States that are being formed are not—as Dr. Kunzru rightly pointed out—only on the basis of language—though language has to be taken into account to a certain extent—because, here, we cannot have what can be called water-tight com-

partments comprising areas where you have only one language; that is neither desirable nor possible because, after all, there are people speaking different languages and even now, even after 1956, every State has to look after the interests of the linguistic minorities in as satisfactory and—may I add—as generous a manner as possible. It is for this reason, Sir, I appreciated what my hon. friend, Mr. Chinai, said yesterday, and he said that in Bombay city there were eight lakh Gujaratis living—my impression is that the number is still larger—all these years and added that their lot was naturally cast with the future Maharashtra State. That is how it has to be, and he also assured us . . .

DR. R. B. GOUR: Gujaratis are in Madras also.

SHRI B. N. DATAR: And he also assured us that the industrial development of Maharashtra State was the concern—may I add, was the privilege—of all the people—whichever language they spoke—living in the new Maharashtra State. Similarly, also in Gujarat there are a number of areas where there are Maharashtrians, in Baroda, for example. Even in Ahmedabad there are a number of Maharashtrians and all these people have to cast their lot only with the local people; they have, as much as possible, to identify themselves with the local interests and not consider that their interest lies or their welfare lies only in the implementation of safeguards. That is a privilege; that is a task for those who speak the majority language, but they have to extend the largest measure of generosity so far as the minorities are concerned. Therefore, Sir, minorities will remain, and there are—as an hon. Member rightly pointed out—far in the interior of Maharashtra, a number of Gujarati traders. They are carrying on their work unhampered for hundreds of years. That is India's genius and India has a unity in spite of apparent diversities here and there, and so far as these diversities are concerned, they only enrich our

public life, and I am confident that the approach that some hon. Members from Gujarat have made to this particular question is the right approach and there need not be any fear because one hon. Member said that there was likely to be a flight of capital. I do not think there would be any flight of capital, much less a flight of certain communities.

SHRI N. M. LINGAM (Madras): It is only a flight of imagination.

SHRI B. N. DATAR: Yes, it is a flight of imagination.

DR. R. B. GOUR: Capital does not fly; it penetrates.

SHRI B. N. DATAR: Whatever it is, we require private capital; we require also the public sector, and all have to carry on their work for the development of these two areas. I would not enter into other questions except one or two.

Sir, my hon. friend, Dr. Kunzru, brought in the question of Vidarbha. So far as Vidarbha is concerned, I need not enter into the quibbling of words regarding what the hon. Minister had stated. After all there may be inadvertence. What he meant to say was that Vidarbha was in Madhya Pradesh. Only incidentally or through inadvertence he said that it was in Bombay. But Dr. Kunzru, Sir, is always very careful to point out all inaccuracies.

I am hoping that he does not magnify these inaccuracies. So far as Vidarbha is concerned, Government's attitude was absolutely clear. The States Reorganisation Commission have given certain reasons which, according to them, are very strong. They stated that the eight districts of Maha Vidarbha—not merely four as my hon. friend suggested in one way—had far less population than even a crore. All the same they recommended its formation into a separate State.

DR. R. B. GOUR: But Dr. Kunzru is opposed to the partition of such a big State as U.P. I do not know why he suggested the partition of a small State.

DR. H. N. KUNZRU: If the hon. Member wants to know the principle on which the Commission proceeded, it is this. It wanted larger States because small States do not have enough resources for their economic development. But in this particular case Vidarbha, though small, had ample resources for its development and it was, therefore, allowed to exist.

DR. R. B. GOUR: Agra State also could have ample resources.

DR. H. N. KUNZRU: You may as well try to divide the united brothers. Perhaps that is your policy.

SHRI AKBAR ALI KHAN: That is the real situation.

DR. R. B. GOUR: That is what you are doing in Vidarbha.

SHRI B. N. DATAR: Anyway, so far as Vidarbha is concerned, Government's attitude has been consistent throughout. In the first place we did not accept the recommendations of the States Reorganisation for the reason that the hon. Member has pointed out. But as against that we have other reasons also. One of them is that the States ought not to be very small.

Now, in the course of the long debate on the States Reorganisation Bill this question was considered in all its aspects and ultimately the Prime Minister summed up the position. He said:

"Once I was of the view that there ought to be as small States as possible. Now I have revised my opinion because there are a number of projects requiring crores of rupees, requiring a large outlay—money and resources."

Now, if there are small States, so far as their normal requirements are concerned, they are likely to be sufficient.

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Their revenues might be sufficient. But we have to take into account not merely the normal administration—we are no longer a mere administration—we are and we claim to be a full Welfare State. Under these circumstances, I would in all humility point out to my hon. friend, Dr. Kunzru, that the resources of this State cannot be sufficient for the welfare projects, for all the developmental projects of this areas. And, after all, Sir, the people of Vidarbha and the people of Maharashtra are the same. They are speaking the same language. And once upon a time, may I add—I would not like to go into the historical reasons—that real Maharashtra was in Vidarbha? So also in Marathwada. It is from there that Maharashtraian influence gradually went southwards and westwards and it came to be called Maharashtra, Vidarbha was the first kingdom. We have a reference to Vidarbha even in the Mahabharata and other things. Therefore, Sir, so far as the cultural and linguistic affinity of these areas is concerned, it is one.

DR. RAGHUBIR SINH (Madhya Pradesh): The hon. Minister need not dabble in the history when he does not know the things with certainty.

SHRI B. N. DATAR: I know it perhaps better than my hon. friend does. I am even prepared to give a lecture on the history of Maharashtra.

DR. RAGHUBIR SINH: Vidarbha is an older thing. Maharashtra is a much later affair.

MR. DEPUTY CHAIRMAN: Let us not enter into that discussion.

SHRI B. N. DATAR: I was pointing it out merely by way of argument. Possibly the hon. Member claims to be a historian.

DR. R. B. GOUR: But his historical knowledge is confined to Malwa.

SHRI B. N. DATAR: Whatever it is. I was pointing out that so far as Vidarbha, Marathwada and the rest of Maharashtra are concerned, they have a number of affinities and that was the reason why after the publication of the States Reorganisation Commission's report, the Government took the stand that whatever might be the solution, Maharashtra and Vidarbha ought to go together.

Here, may I point out one thing? One hon. friend through oversight just now suggested that Vidarbha ought to be a separate State. May I point out that when Government found that they could not accept the areas proposed by the States Reorganisation Commission, they always proceeded on the footing that Maharashtra—that is, the rest of Maharashtra—and Vidarbha, consisting of eight districts, ought to go together?

As you are aware, during the debate on the States Reorganisation Bill, Government brought a proposal before both the Houses to the effect that there ought to be three units: Bombay, Maharashtra and Gujarat. So far as Maharashtra was concerned, we did not at any time exclude Vidarbha from Maharashtra. I have great respect for my hon. friend, Dr. Kunzru. But sometimes he is carried away by vehemence. Certainly he is entitled to it. He stated that Vidarbha was offered to Maharashtra by way of a desire to placate them. I am afraid that is entirely far from the truth. The very first step that the Government had in their mind was to put Vidarbha and Maharashtra together. Out of the three units that we have formed, Maharashtra was one, Gujarat was another and the Bombay town was the third. What we did was to include Maharashtra proper, Marathwada and the area of Vidarbha in Maharashtra. That might be kindly understood. That was our original proposal to which we stuck all along. We never made a distinction. We never wanted to divide one against the other, namely, Maharashtra against Vidarbha or Vidarbha against Maharashtra.

Under these circumstances there could be no question of placating any particular area. My hon. friend was hardly just to Government when he stated that for the loss of Bombay, Vidarbha was offered to Maharashtra. That is far from the truth; that is not correct at all. He stated that Vidarbha opinion was very strong. I would not like to go into that whole question. But may I add here for the information of the hon. Members of this House that a large number of hon. Members of the Bombay Legislature from the Vidarbha area, and a still larger number from among the Members of Parliament from Vidarbha are for the merger of Vidarbha in Maharashtra proper? Perhaps there is only one hon. Member, Dr. Kunzru, and another Member to oppose this merger. They are the only vehement supporters of a separate State for Vidarbha. As against this, a large number of people are in favour of Vidarbha being made an organic part, as it is, of Maharashtra.

SHRI JASPAT ROY KAPOOR (Uttar Pradesh): There may be many others who are silently praying for it.

SHRI B. N. DATAR: We do not know that.

DR. H. N. KUNZRU: And many others who have been gagged by you.

SHRI B. N. DATAR: In the first place prayers cannot play an active part in public agitation. We recognise demonstrations, not prayers. So far as the articulate public opinion that has been expressed is concerned, it is that Vidarbha ought to be in Maharashtra. Naturally he 3 P.M. brought in the Congress also.

He said that the Congress High Command put pressure, according to him what he called undue pressure—and he used the word “bludgeon” or some such word—on the Members and therefore, their mouths were shut. Sir, that is not

correct at all. If the Members of Parliament, if the Members from the local Legislature, if they in the largest number, almost wholly or unanimously are in favour of the merger of Vidarbha in Maharashtra, is it proper to say that public opinion is against it? I know that there are some friends there who are carrying on agitation. But the question that we have to consider, that Parliament has to consider, is whether there is a strong public opinion in Vidarbha behind the demand for a separate State. That is a very simple question, and my categorical answer is “No” even so far as Vidarbha is concerned. In this connection, Sir, may I point out two circumstances? One is that this question was generally raised when the States Reorganisation Bill was under consideration. And then a general question was raised especially about Bombay. It was contended that when the larger bilingual Bombay State was going to be formed, there were certain areas which were undeveloped and Vidarbha was mentioned. Marathwada was also mentioned. Then a very strong plea was put forward that there ought to be some statutory provision for the formation of what were known as development boards. That was accepted by the honourable Parliament. And may I here invite the attention of the House to article 371, clause (2), of the Constitution which was put in as a result of the acceptance of the States Reorganisation Bill. There it is stated:

“Notwithstanding anything in this Constitution, the President may by order made with respect to the State of Bombay, provide for any special responsibility of the Governor for

(a) the establishment of separate development boards for Vidarbha, Marathwada, the rest of Maharashtra, Saurashtra, Kutch and the rest of Gujarat”.

And then certain other provisions follow. Thus you will find that even then the responsible and well-reasoned

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opinion in Vidarbha was that Vidarbha required development, that Vidarbha had not been fully developed and for that purpose, amongst others, it was stated that there ought to be a statutory development board which ought to be the special responsibility of the Governor. For that purpose this particular clause was put in and I believe that development boards have been established in all these areas. This also incidentally meets the desire of one of the hon. Members—Mr. Chinai I think, or was it somebody else—who said that the interests of Kutch should also be safeguarded. This is the provision that has been made.

In addition to this, Sir, what was known as the Nagpur Pact was specifically referred to by the Bombay Chief Minister, Mr. Chavan, when he made what is known as a policy decision, may I add a historic decision. Therein he referred to the Nagpur Pact and also to the city of Bombay. I was very happy to find Dr. Kunzru saying kind words about the Chief Minister, Mr. Chavan, because he deserves it, for the manner in which the administration had been carried on by him requires the admiration and the help of all the people concerned. There he stated that there ought to be a permanent Bench of the High Court at Nagpur and the Home Minister yesterday said that out of the recommendations or amendments suggested by the Bombay Legislature we have accepted two. One was the naming of the two States as Maharashtra and Gujarat. The other was with regard to the establishing of a permanent Bench of the High Court at Nagpur. And then it has been stated that Nagpur city ought to be properly developed. That also has been specifically mentioned. Then there are other points about Bombay also, though my hon. friend over there rightly stressed that he did not want any safeguards at all. Safeguards after all act as something like crutches, though it is the duty of the

administration and it is the duty of the majority party to give all reasonable concessions wherever possible, and magnanimous concessions, to the minorities. Here in this historic document it has been stated that the cosmopolitan character of Bombay city will be preserved. Apart from all the other things, this statement covers the whole area, not merely those areas which are crying for development, but also those other areas which are still undeveloped and which have to be properly developed. That is the reason why I was extremely glad to find that the Bombay Chief Minister stated that the Konkan district and especially the areas of Marathwada would likewise receive special attention. So that also has been done.

Therefore, Sir, under the circumstances, whatever Vidarbha wanted has been fully provided for when Vidarbha becomes an integral part of the new Maharashtra State. Under these circumstances, I believe that what the Bombay Legislature decided and what had been formerly agreed upon, was the correct decision.

So far as two or three other points are concerned, I need not go into them, either with regard to Dangs or with regard to certain villages in Umbergaon or with regard to the Ukai dam. So far as the last point is concerned, though, whenever a dam or a great irrigational or power project is to be established, it need not be a ground necessarily in all cases, for the cession of that area to the State which is going to be benefited, still the distinguished authors of the States Reorganisation Commission's Report have made this recommendation in para 203 of the Report and my hon. friend is a party to this recommendation.

"While this has to be the broad approach it is clear to us that where territorial adjustments intended to secure access to head-works or unified control over river valley projects do not come into conflict with other important considerations."

This is a very important reservation, in my opinion, and in this particular case the proposal of giving certain villages does not come into conflict in that way.

"it will be a clear advantage to make provision".

and this is Dr. Kunzru's opinion along with his two distinguished colleagues,

"it will be a clear advantage to make provision for them for the obvious reason that multiplicity of jurisdictions hampers smooth execution of projects and leads very often to unnecessary friction and controversies."

Therefore, we have to take that also into account. That project is going to be executed and these villages are likely to be submerged. Under these circumstances, it was considered for the purpose of what can be called the smooth administration of this particular project, that this area ought to be ceded to Gujarat because this scheme, as the hon. Member rightly pointed out, is meant for the benefit of Gujarat. In this connection I may add that there are some precedents. Some time back, I believe in the last session of Parliament or two or three sessions back we had a small Bill relating to the cession of certain territories on transfer of certain territories from Rajasthan to Madhya Pradesh, in connection with the Chambal Project and about 3,000 acres were to be transferred.

A special Bill had to be brought forward and this House agreed with that. Therefore, Sir, when larger questions are there, it is but proper that they should be dealt with in this manner as the Commission itself has pointed out.

SHRI LALJI PENDSE (Bombay): Was it three thousand acres?

SHRI B. N. DATAR: Yes.

SHRI LALJI PENDSE: Not several hundred miles.

SHRI B. N. DATAR: That is what I said, I did not want to keep anything from the hon. Member. They required only that much and that much was given. Here, the area involved is large and so a large area is required but this does not, may I add, affect the prosperity of Maharashtra. So far as the Dangs district is concerned, my hon. friend, Shri Deokinandan Narayan, pointed out yesterday that it would be of no use at all because the whole of the amount has to be spent over the welfare or the development of the Dangs district itself. I had the privilege of touring that district. I found that the tribal people living there required to be developed properly. There were no proper means of communication. For years together, if not for decades together, that area will require not only the revenue that would come from the forests but a much larger amount. Therefore, it should not be considered that there is a rich forest area in the Dangs district and that something is being given to Gujarat.

SHRI LALJI PENDSE: Could that amount not have been spent if Dangs were left with Maharashtra? They are two different things.

SHRI B. N. DATAR: I am only meeting the argument that fertile land was being given to Gujarat. I am meeting only that argument.

SHRI LALJI PENDSE: Nobody said that. It is not a fertile land.

SHRI B. N. DATAR: In regard to Umbergaon, there was an agreement between the parties and, therefore, as I said earlier, it is not a question of delimitation on the basis of language or any other consideration. The two leaders to the agreement suggested, as I stated earlier and I would repeat it again, on an *ad hoc* basis that these villages should go to Gujarat. If certain other criteria had been adopted, other results would have followed or they may not have but that was not the criteria that we

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 adopted. We had that formula when the States Reorganisation Bill was before Parliament but here we cannot go back to that principle. We have to take a decision on *ad hoc* considerations. I shall not deal with other points but shall only say that whenever there is a clear agreement and when that agreement is expected to advance the interests of the locality, then we as a popular government, I repeat, shall have to yield to such a desire. We proceed on agreement which is more conducive to the general well-being of the country. That was the reason why this particular agreement was reached.

So far as the financial side is concerned, I should rather leave the matter to the Joint Select Committee. Those who were taking interests in Maha Gujarat or in Samyukta Maharashtra admitted that a stage had come wherein it was necessary for some amount to be given for meeting the deficit of Gujarat. That means, that the principle of giving some money to Gujarat on the basis that for some years Gujarat was bound to be a deficit State was accepted.

SHRI LALJI PENDSE: Quote the whole truth; otherwise do not quote at all.

SHRI B. N. DATAR: I am prepared to state if the hon. Member would wait for five minutes. Now, what was contended by the leader of the Maha Gujarat Parishad in the other House was that there was an agreement but that the exact quantum of money to be paid was not agreed to. I hope I have given the full picture.

SHRI S. K. LIMAYE (Bombay): No, it was not correct.

SHRI B. N. DATAR: Let the hon. Member wait. What I am pointing out is that it was accepted by all that when the Gujarat State was formed, it would be a deficit State for some time. There was also a large body of opinion, and a number of hon.

Members here also have given expression to that opinion, that they would far rather remain in a bilingual State than have two bifurcated States. So, it was admitted that if Gujarat was to be formed into a separate State and Maharashtra and Bombay into another then Bombay would be a surplus State mainly on account of the presence of Bombay city in that area. This was admitted. If Gujarat was to be a deficit State, then the whole matter had to be worked out as to what was the extent of the deficit, what was the extent of the surplus and some *via media* had to be found out. I would not, as I stated earlier, enter into the complicated questions but I shall broadly mention the facts. The officials of the two States could not agree. One State wanted the deficit to be worked out on one basis while the other State wanted the deficit to be worked out on another basis. It was at this time that we had the advantage of a financial expert. What he did is set out in the note before this House and that has been accepted. As I stated earlier, it is an entirely complicated matter but the principal thing related to the debts. He made a difference between the public debt on the one hand and the debt to the Centre. In respect of a public debt, as you know, a notification is issued and there is a condition that a sinking fund will have to be maintained. That is what is meant by legal requirements, not that the other thing is illegal. So far as the debt to the Centre is concerned, there is no condition for creating a sinking fund. In that connection, he said that for the finding out of the possible deficit of the new State that is to come into existence, we might take this into account. So far as the public debts are concerned . . .

SHRI LALJI PENDSE: The hon. Minister said that this was a complicated question. He should leave it to the Joint Committee.

SHRI B. N. DATAR: That is what I say. The hon. Member raised this

question and I am merely replying to him. (*Interruption*) The hon. Member will kindly allow me to proceed.

DR. R. B. GOUR: Are you presuming what the Joint Select Committee would do?

SHRI B. N. DATAR: This is the present position. One side has been placed before the House and it is my duty to place the other side. It is for the hon. Members of the Joint Select Committee to take the whole matter into account and to advise Parliament accordingly. It is for this purpose that I place the other side before this hon. House. I would therefore submit, without going into other points, that what has been done is on the whole extremely fair. It has been done in the background of cordiality and smooth relations between the parties. It is for the Joint Select Committee to go into the whole question and to make such recommendations as they deem fit so far as the provisions of this Bill are concerned.

MR. DEPUTY CHAIRMAN: The question is:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to provide for the re-organisation of the State of Bombay and for matters connected therewith and resolves that the following members of the Rajya Sabha be nominated to serve on the said Joint Committee:—

1. Shri Khandubhai K. Desai,
2. Shri T. R. Deogirikar,
3. Shri K. K. Shah,
4. Shri M. D. Tumpalliwari,
5. Shri J. H. Joshi,
6. Shri V. R. Pandurang.
7. Shri K. P. Madhavan Nair,
8. Shri Purna Chandra Sharma,
9. Shri Vijay Singh,

10. Shri G. S. Pathak,
11. Shri Dahyabhai V. Patel,
12. Shri Lalji Pendse,
13. Shri S. J. Desai,
14. Shri B. V. (Mama) Warekar,
and
15. Shri Govind Ballabh Pant."

The motion was adopted.

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THE SUPREME COURT (NUMBER OF JUDGES) AMENDMENT BILL, 1960

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI B. N. DATAR): Mr. Deputy Chairman, I beg to move:

"That the Bill to amend the Supreme Court (Number of Judges) Act, 1956, be taken into consideration."

Sir, this is a very simple measure. As the House is aware, in 1956 the hon. Parliament passed an Act for the purpose of increasing the number of judges from 8 to 10, excluding the Chief Justice of the Supreme Court. Now, it is considered that there are large arrears and they have to be disposed of. And if the strength is kept only at 11, certain difficulties arise. One difficulty is that it will not be possible for the present number of judges to cope with this work. Secondly, oftentimes the Supreme Court has to form a number of Benches and one Bench known as the Constitutional Bench consists of five judges. Therefore it was at the instance or initiative of the Chief Justice of India that we took this question into consideration. He pointed out that if three more judges were appointed, then within a few years the arrears would come down and then the position would improve. Now, a question is likely to be asked; if for example, the arrears come down and if the number of judges remains so large, what is to happen? Will it not