

at the same time they require the benefits. They are badly in need of this benefit. I will cite an example. The Kannan Devan Company has an invested capital of Rs. 2 crores and they reap a net profit of about Rs. 45 lakhs every year. But they are saved by the Government from contributing anything to this fund for the workers. It is the demand of the plantation workers that this Act should be extended to plantations; at the same time, how much do these workers of the plantations get? In our part a worker gets Rs. 1-9-0 and if you calculate on the basis of 26 days a month, you can find their monthly income. A plantation worker in Nilgiris gets Rs. 1-5-0 and you can find the monthly salary. They get not more than Rs. 45 a month. While the employers should be made to contribute something to the benefit of the workers, the workers should be given exemption from payment of their quantum to this fund for the simple reason that unless they get this benefit, they will find it very difficult to pull on during their retirement. Even when they are in employment they find it difficult to make both ends meet with this meagre pay. Whenever the question of fair wages or living wages is raised always the Government comes forth trotting out some arguments that they are giving them a wage suitable to a Welfare State or that they are taking such steps as to give them a living wage in course of time. But in the meanwhile such workers would not live to receive that, when the Government would be pleased to take that step. We demand that here and now the workers should be given this benefit instead of postponing it to a further date. Then you will be able to get the cooperation of the entire labouring public for the successful implementation of the scheme. But people must be made contented and assured that they have a future before them and that the Government and the employers will not stand in the way of anything by which they can have a better living. With this intention I have moved this Bill. I request the hon. Minister to consider this question and accept this amendment so that they can go ahead with further amendments and extend it to other sections of the workers.

SHRI ABID ALI: He asked me two questions. So far as the Assam Government is concerned, I have said that they asked for it and we gave our concurrence. The Travancore-Cochin and the Madras Governments did not...

SHRI N. C. SEKHAR: I told you that the workers requested.

SHRI ABID ALI: .....make a suggestion for introducing the Bill to that effect and therefore there was no question of our refusing or accepting anything. About minimum wages in the party the hon. Member has mentioned, that minimum has been fixed not by us but by the Government concerned.

THE VICE-CHAIRMAN (SHRIMATI SHARDA BHARGAVA): So you are not accepting the motion?

SHRI ABID ALI: No.

THE VICE-CHAIRMAN (SHRIMATI SHARDA BHARGAVA): Do you press your motion, Mr. Sekhar?

SHRI N. C. SEKHAR: Yes, Madam.

THE VICE-CHAIRMAN (SHRIMATI SHARDA BHARGAVA): The question is:

"That the Bill further to amend the Employees' Provident Funds Act, 1952, be taken into consideration."

(After a count) Ayes 7; Noes 18.

The motion was negatived.

#### THE STATES REORGANISATION BILL, 1956—continued

THE VICE-CHAIRMAN (SHRIMATI SHARDA BHARGAVA): Now we go back to the States Reorganisation Bill, Mr. Gupta was speaking on his amendment.

SHRI BHUPESH GUPTA (West Bengal): Madam, I am very glad I have been relieved of the Deputy Minister for Labour.

SHRI ABID ALI: I have relieved him long ago.

SHRI BHUPESH GUPTA: When two Ministers are there, it is rather difficult.

Madam, yesterday I was speaking on my amendment seeking to insert a new clause—clause 13 A. As it is a fairly lengthy clause, I do not want to read it here. I will only mention a few important points about that clause. But before I do that, I must establish my case in favour of having a Boundary

[Shri Bhupesh Gupta.]

Commission under the Central Government and appointed by the Central Government. It was said yesterday that if a commission of this sort were to be appointed, then it would keep alive the boundary disputes in the country and there would be no end to it. I can understand that point of view in so far as it shows some concern for certain disputes and controversies which ought to be avoided. I am not in favour of raising any controversy where there is none; nor am I in favour of keeping alive any controversy where it can be easily solved. But unfortunately sometimes, some of the things we do not like confront us. Today you have before you certain controversies with regard to the boundaries. Some of these controversies will perhaps be solved by the enactment of this measure. Yet there will remain some controversies. How they will shape in the future, what troubles or controversies they will give rise to, I do not know. All that I wish to say now is that even after the enactment of this measure, even after the solution that you have put forward with regard to certain areas and boundaries, there will still remain certain outstanding controversies to be tackled by you. They are not, *prima facie*, unreasonable controversies, that is to say, controversies without any foundations whatsoever. Take for instance the case of the Bengal-Bihar boundary. Now, as we know, the Bill concerning that has just been passed by the other House and it will come up here and I am sure, the High Command willing, it will be passed by this House also. But the controversies will remain, because, you see, there is a feeling that the boundaries have not been drawn on the basis of language. I am not here going into the merits of the case. The Bengal case is that certain areas which should go to Bengal have not been given to Bengal, because of certain wrong census figures or because of the fact that the boundary commission has been misled or misdirected in the matter.

SHRI H. C. DASAPPA (Mysore): That Bill will come up later on.

SHRI BHUPESH GUPTA: Yes, it is so nice of Mr. Dasappa to be reminding us of the obvious.

SHRI M. GOVINDA REDDY (Mysore): It is good to see you have the word "nice" in your dictionary.

SHRI BHUPESH GUPTA: I am only giving you an instance of an outstanding boundary dispute, a dispute that will continue even after the Bill is passed. I am sure there will be similar controversies elsewhere too. I am giving you a case to illustrate my point and my hon. friends will please bear with me. Here, as I said, I am not going into the merits of the case at the moment. That we will discuss when we take up the discussion of that Bill. But the case of West Bengal is that certain areas which should come to Bengal, which have large Bengali-speaking populations are not given to them. This is.....

SHRI H. C. DASAPPA: May I humbly rise on a point of order? I can understand that my hon. friend may have a very good case, Madam. But the point is, we have no idea about it just now because that Bill is not before us. How does he expect us to appreciate all these fine points which he is trying to put before us? We would be very happy and glad if he refers to the provisions in this Bill. There is enough material even in this Bill for him to plead for a boundary commission, if he wants to do so.

SHRI BHUPESH GUPTA: Much as I appreciate what Mr. Dasappa has said, I cannot help it at the moment, for the simple reason that what I am stating here is that the provision for the boundary commission should be made in this Bill and I have to establish a case for it. Government says that there is no need for it. I say there is need for it. Whether in this Bill or any other Bill where we discover the need, we have to draw your attention to the needs. Had it been felt here, they would have had a provision for the boundary commission. But it goes by default, it is a matter of omission. Therefore, I have to refer to it. I will not take much time over this matter and if I cause a little tribulation or uneasiness to my hon. friend Mr. Dasappa, I am extremely sorry.

SHRI H. C. DASAPPA: It is no uneasiness, it is not fair to the House, to refer to a matter which is not before it now.

SHRI BHUPESH GUPTA: I am not asking my hon. friend to pronounce on that matter. I am just saying something which bears on the subject. Do not pronounce on that Bill. I am not asking you to do that. I only say that certain disputes will remain even after this Bill is passed.

SHRI H. C. DASAPPA: Perfectly right, Madam. That will be the time for him to speak.

SHRI BHUPESH GUPTA: But I want a provision here. My hon. friend Mr. Dasappa, intelligent and far-sighted as he is, would at least realise that a provision for a Commission on an all-India scale would not be possible to be made in that Bihar-Bengal Bill. If that is the point, let the hon. Minister say that that Bill will contain a provision affecting the whole of India, and I shall certainly yield and all the misgivings that I have will disappear. Madam Vice-Chairman, between the ex-Finance Minister of Mysore and myself, there is always a little exciting exchanges and they are elevating and good.

SHRI M. GOVINDA REDDY: But they have not elevated you.

SHRI BHUPESH GUPTA: Now, Madam I come back to the subject.

Now, Government can say that there is no dispute. But that is not the contention of the Government. Government is not stating that there will not be any dispute whatsoever, and since that is the position they consider it unnecessary to make any provision at all. If they say that, then I can understand logic and consistency in that. On the other hand the Government says if we make a provision of this sort, then there will be eternal controversies and disputes. I beg to submit that even after both these Bills are passed you will be left with the problems of certain outstanding boundary controversies and disputes, which you will be called upon to settle, whether you like it or not, and for that there should be a machinery provided for in this Bill so that you can effectively and efficaciously tackle it. That is my point. Now claims are made and claims will be made. Was he not moving for boundaries yesterday, Mr. Dasappa the cosmopolitan? As far as the linguistic business is concerned he pretends to be a citizen of India, not the citizen of any State and all that.

SHRI M. GOVINDA REDDY: What do you mean by that, "pretends to be a citizen of India"? He is a citizen of India. You say he pretends to be a citizen of India. It may be true of you.

SHRI BHUPESH GUPTA: Yes, he is a citizen of India, a citizen of the world. He forgets States and everything. *(Interruption.)*

Everybody is a citizen of India and we are also inhabitants of certain States. Mr. Dasappa, as you know, yesterday in the beginning said so many things. He was in support of big bilingual States. He would like to make the whole of India into one single State if he could do it, but when it came to Mysore he insisted on that name being kept. He insisted on the preservation of certain territories, advanced long arguments for boundary adjustments, brought in rivers and what not. I do not know what rivers washed away what places and what did not. Now he did it.

SHRI H. C. DASAPPA: I did not plead for a boundary commission.

SHRI BHUPESH GUPTA: Well, we heard you yesterday. Now the position will remain and I say that such things will continue. Therefore I say that a machinery should be there. Now how to tackle it? I do not say at all that the terms of reference for the machinery or the policy statement associated with it should be such as would provoke boundary disputes. I do not at all say that. Keep a machinery at hand, which whenever you need you can use. You are not under an obligation to use it at any time anybody likes. It is only when you think that there is the possible ground, a reasonable case for looking into the matter, only then would that machinery come into operation. That is all that I say. If you have a provision of this sort it does not mean that you are giving recognition to all the disputes and committing yourself to placing all these disputes before the boundary commission. Nothing of the sort. Now then there is the general point. The point is, as you know, that the States Reorganisation Commission, in redrawing the boundaries, did not follow the real principle that should have been followed. What is that principle? It is contiguity of area and language and the village should have been taken as a unit. Yesterday we were told that they had taken taluka as the unit—in some cases exceptions had been made—that they had taken generally taluka as a unit—, but, as you see, taking taluka as the unit for ascertaining whether a particular area should remain in a State or should go to another State, the solution has not been always found, at least to the satisfaction of the majority of the people taking both the States concerned together. Our view is this that Government should have considered this matter, that village should be taken as a unit—I do not say split up a village.

THE VICE-CHAIRMAN (SHRIMATI SHARDA BHARGAVA): Mr. Bhupesh Gupta, you should confine your speech to this amendment only. You are just discussing the matter as if a general discussion is going on. It costs so much time.

SHRI BHUPESH GUPTA: No, Madam, I do not enter into a general discussion. You read this clause, "The Boundary Commission or Commissions shall decide on the basis of the principles of linguistic majority, village as a unit; and contiguity of area". Certainly some of the points had been touched in the general discussion. Nothing that we say now is absolutely outside or unrelated to the general discussion. I am saying that a provision, say, this sub-clause (2) should be there. Why I say this thing? It is because the principle and the method followed in regard to the boundary adjustments was incorrect and therefore a boundary commission should be there based on these principles. I am laying down these principles to the Boundary Commission in my amendment instead of leaving it vague. Now, as I was telling you, having not accepted the village as the unit for ascertaining the language groups and all that, the Government committed a mistake and now here in this Bill, Madam, we cannot remove the errors that had been made, but if a boundary commission is there—and I think the Government on second thoughts would find it useful to go into such cases which deserve to be gone into and take village as the unit; I am not suggesting that a village should be split up; I am saying: Take village as the unit and find out. ....

SHRI AKBAR ALI KHAN: What would happen if in a village there are two languages spoken and if the people there are in the ratio of 50:50 what would happen in that case? If you take village as the unit and if in one village there are people speaking two languages what would you advise there?

SHRI BHUPESH GUPTA: It is a hypothetical case but by no means an irrelevant case.

SHRI AKBAR ALI KHAN (Hyderabad): No, there are hundreds of villages like that, at every border.

SHRI BHUPESH GUPTA: It will be, Madam Vice-Chairman, for the bound-

dary commission to decide what should happen. If there are certain complications don't disturb them, but if you think here is a village in which there is a majority group which speaks a particular language but which is not included in the State which speaks that language, well, certain adjustment might be necessary to be made in such a case. That is all that I say. And what he says is quite right. There may be villages where all kinds of languages are spoken, where two languages are spoken, but these are matters of detail to be gone into precisely by the boundary commission. This is what I am saying, but I make it clear: We are not suggesting that a village should be broken up. I say this thing because the Prime Minister and the hon. the Home Minister gave the impression as if the Communist Party is interested in breaking up everything. Then it will be division right down to the village. Not at all. We think that certain minor adjustments might be necessary; they are required to be made in certain places and village should be the unit. Take the village as a whole and decide where it should remain or where it should not remain. That will enable you to bring about the maximum possible adjustment of boundaries on the basis of language and contiguity yet not disturbing the administrative and other physical set-up involved in this matter. That is why I say village should be taken as the unit, and contiguity of area, of course, is very important. For instance, nobody will allow any village which may be speaking a particular language to be attached to a State of that language unless it is contiguous to that particular State.

Now then our other amendment is: "(3) Regarding tribal areas people belonging to the same tribes should not, as far as possible, be arbitrarily divided but attached to those States where it is most conducive for their speedy economic, social and cultural progress". This is the amendment. Now there is the tendency to break up these tribal areas. The tribal people have their own sentiments; they have their own feelings; they have their own sense of compactness and they want to live together. Now therefore it should be left to the choice of the tribals and as far as possible we should not go in for dividing or disintegrating or parcelling out all this type of areas between different States. That is what we have suggested for this boundary commission. For them this should be one of the terms of reference.

Then our amendment says "(4) The decisions of the Boundary Commission shall be binding on the States concerned and will have effect as included in this Part". Whatever the boundary commission decides the matter ends there. That is what we say. Now it should be known to the country that Parliament is appointing a boundary commission and it has been given certain powers of decision, and once the boundary commission takes a decision, normally that decision should be binding on the States and there will not be a dispute raging over that. I do not say : Rule out a dispute.

[MR. DEPUTY CHAIRMAN in the Chair]

But the position should be clear that for this type of disputes we are appointing a boundary commission and that once the boundary commission takes a decision, all of us should submit to the decision of the boundary commission. That is why we have put it in this manner. Now this is our case. We do not like this kind of disputes and the other thing to go on. We know that sometimes boundary disputes create a lot of trouble for everybody and there is the agitation which should be avoided, when feelings are roused especially by the people at the top. We know all this thing. We are by no means in favour of such disputes and controversies and all that sort, but we will have to liquidate some of the past accounts. Therefore we say: Have a machinery and leave these matters to it and entrust the machinery with discharging all these responsibilities with regard to boundary disputes. I tell you that once the State is reorganised and once there is the machinery there to deal with boundary disputes, good feelings will begin to develop. Over such matters disputes will not come in large numbers. The States do not believe in quarrelling with each other. Is it the experience of the country? Certainly it had not been. We have been living side by side with each other and we do not rake up controversies and all that. We all know this thing. Only when it becomes essential to make an adjustment of boundaries from the point of view of the interests of the State and more especially of the people who live in the affected areas, only then would the State and the people ask for a certain judgment and decision on the part of the boundary commission. I think certainly the people have a right to expect, when there is a volume of public opinion in favour of something, a

ready machinery available to tackle such a matter. It will, I think, ease the situation; it will relax the tension and it will rouse hopes in the people who want a real solution and a settlement. At the same time it will make it clear that any responsible, serious and reasonable claim on the part of a particular State or a section of the community would not go unheeded in the present administration. I think it would be all to the good. I would therefore very much request the Government to make a provision and if it is found in practice that it gives rise to disputes and controversies, they can come with an amending Bill and finish it. If it is found that a provision of this sort gives rise to unnecessary controversies and disputes and that it spoils the situation, let them come with an amending Bill and we will be in the foremost in supporting that amending Bill and doing away with this provision. But at the moment having regard to some of the controversies which on the face of them are not unreasonable, a provision of this sort should be accepted by the Government.

SHRI S. MAHANTY (Orissa): Mr. Deputy Chairman, I rise to lend my support to this demand for a boundary commission. But before I do so, I would like to invite the attention of the hon. Minister as well as of this House to the fact that this demand for the appointment of a boundary commission did not originate from the Opposition Benches. I am really amazed to find that the Government have cleanly forgotten the commitment which they made in the document called 'Draft of the States Reorganisation Bill, 1956' which they circulated for eliciting public opinion. The hon. Minister may kindly refer to paragraph G at page 3 of that document, the last sentence of that paragraph says: "The Government of India will, if necessary, appoint boundary commissions for examining such questions". Now, I will read out the entire paragraph for better appreciation by the house:

"Reference has already been made in the Press Communique dated 16th January 1956 to the possibility of certain territorial adjustments being made with the agreement of the parties. It is also likely that some other minor changes in the boundaries of some States may have to be made on administrative grounds. The Government of India will, if necessary, appoint boundary commissions for examining such questions."

[Shri S. Mahanty.]

Therefore this idea of appointing a boundary commission originated from the Government. It was they who gave a commitment to the country that if certain outstanding problems could not be solved by mutual consent or in Parliament, then the Government would appoint a boundary commission to resolve these disputes. They have done that in the past. You know, Sir, that only for three taluks of Bellary District, the Misra Commission had to be appointed. Therefore there is nothing radical or very revolutionary in the appointment of a boundary commission. It is another symptom of the double thinking of the Government that is vitiating the administration of this country.

Before I go to make further submission, I would also like to state another point. If you refer to the Resolution of the Ministry of Home Affairs dated the 29th December 1953 appointing the States' Reorganisation Commission, you will find in paragraph 7 of that Resolution that the States Reorganisation Commission was specifically asked not to go into minor border disputes. The Commission was specifically refrained from going into these details. This is what is said in that Resolution:

"The Government expect that the Commission would, in the first instance, not go into the details, but make recommendations in regard to the broad principles which should govern the solution of this problem and, if they so choose, the broad lines on which particular States should be reorganised. . . ."

In the first place, the Commission was not competent at all to go into this border question; it did not have the time—I should not say competence to go into these questions. Sir, for merely three taluks of Bellary a Boundary Commission had to be appointed. It went into a plethora of details and then came to certain conclusions. But how can one expect of this States Reorganisation Commission, the Chairman of which was indisposed and who never took any effective part in the deliberations, to go into all these details and make recommendations? But they have proceeded beyond what was expected of them and have made certain recommendations. Now, I ask the hon. Minister: Is it fair on his part to thrust those conclusions which have been arrived at after very scanty consideration on an unwilling people? If so, then of course I am out

of court. But yesterday the hon. the Home Minister, while replying to the debate, became rhetorical and asked: Are we going to be so wayward, are we going to be so stubborn, are we going to be so head-strong as to do something much against the will of the people? I repeat the same question now. Whether you accept this amendment or not, that is a different thing. Whether he concedes the demand for the appointment of a boundary commission or not that is different. I know the Government will have to bow to the overwhelming popular desire; if not today, it will be tomorrow. Therefore I am not much concerned about it, nor does that bother me much. But I would like him to give a straight answer to this question: Is it fair on the part of the Government of India to thrust on an unwilling people certain decisions which were not properly arrived at? I do not find here my esteemed colleague, Dr. Kunzru who is so solicitous about his Report. I would have asked him as to how he was competent to go into these details and what consistent principle he has followed in arriving at those conclusions relating to border disputes. The Commission in the wilderness of expediency has arrived at certain conclusions and you do not find a single principle which governs their decisions on these issues. Therefore we thought that now that the present Bill is not going to solve all the problems now that certain outstanding border problems will still be left unsolved, in the fitness of things a Boundary Commission could be appointed with specific terms of reference which should go into these questions and give an award which should be binding. But the hon. the Home Minister yesterday said that it will raise a plethora of claims. I will better read out what he said because I cannot repeat this inimitable words :

"If a Boundary Commission is appointed, I am afraid there will be a plethora of claims, perhaps hundreds."

Sir, this is a case of over-imagining things. We all know that the hon. Home Minister is a man of hard facts but we now find that he is also a man of very flighty imaginations. Anyone who is conversant with the deliberations on the Report of this Commission must have come to know that the problems are only handful. There are certain disputes between Bombay and Mysore, between Bihar and Orissa, between Madras and

Travancore-Cochin and between Travancore-Cochin and Karnataka about Kasragod and all that. So I wonder how, the hon. Minister says that the appointment of a Boundary Commission will raise a plethora of claims unless in his inimitable advocacy he wishes to mislead the House by exaggerating the question. That is different, but the fact has to be borne in mind that if it is contended that the appointment of a Boundary Commission will open the flood-gates of inter-State disputes for boundary adjustments, I should say that will not be true. That will not be correct. Then he says: "The best course lies in settling these matters amicably in an informal way". He says that this matter should be best settled by mutual consent. We all believe in it. We all believe in peaceful methods, in peaceful manners, in settlements arrived at by mutual consent, not because the hon. Home Minister says it today but because long ago the British Government was also trotting out those pious platitudes to us. At least in this country we are accustomed to hearing such kinds of platitudes. But if a problem cannot be solved by mutual consent whatever, now I ask what mutual consent can there be between the party that claims and the party that resists that claim? What happens in that case? Is it suggested that the Government will have to do nothing in the matter? If the Government says, so, then that is a different matter and the people may accustom themselves to accept it. But merely saying that these problems will be solved by mutual consent does not solve the problems. Now, where does mutual consent come into this? Have you taken mutual consent in the case of the Bihar and West Bengal dispute? In the case of the Bihar and West Bengal border disputes have you followed this principle? Have you followed that principle of mutual consent in other cases? No. Therefore, why are you enunciating this principle knowing fully well that you are going to injure certain interest, certain States but under the cover of certain very platitudinous terms. We all know that one day the British Government said: "The Congress and the League, you must make up, you must arrive at some mutual agreement before independence can be given to you." This country has fought against that principle of divide and rule. Our independence is a product of the struggle against that kind of platitudinous, I should say, hypocrisy and today if you are going to ask us to accept it, well, we cannot accept it

with equanimity. Then, Sir, what is your objection to the appointment?

MR. DEPUTY CHAIRMAN: Please be brief. There are still 131 amendments.

SHRI S. MAHANTY: I will be closing soon. So, the question here is a suggestion for the appointment of a boundary commission to which the Government of India was committed in the draft Bill that they circulated. And if I do not give out, if it is not improper on my part, I can say also that if no whip had been issued in the Joint Select Committee, the appointment of a boundary commission would have been carried through. And now if a free vote is taken the appointment of a boundary commission will also be carried through.

SHRI H. C. DASAPPA: No.

SHRI S. MAHANTY: Well, I know. It will be only seen if there is a free vote. I am not prepared to accept your assertions like that. So, here nobody is asking for the moon. Here is no land-grabbing tendency. Here is merely a demand for the appointment of a boundary commission, which will be appointed only if and when mutual consent between two States is not arrived at and certain problems remain unresolved. In that case alone boundary commissions will be appointed. There are a number of outstanding issues which the States Reorganisation Bill has not solved. Now, this question should not be vitiated by bringing in the question of unity of India and world State. I am not pained so much by the rejection of those amendments, as by the attitude of certain Members of the Government who think as if they are lecturing to a class room. We all know about the present tendency that the national boundaries should be transcended and there should be a world State. But those principles should have been followed in the case of Goa, that can be also followed in the case of Kashmir. So, this question apart, here it is not a class room and nobody is here lecturing to school boys. We all know about it. What we want to hear in regard to this specific problem is, are we going to solve it in a manner which is proper, which is just or not? That is the question.

MR. DEPUTY CHAIRMAN: That will do.

**SHRI S. MAHANTY:** And I do not think the States Reorganisation Commission was competent in any way, according to the terms of reference which I have just read out, to go into these minor details. These are minor details. These could not have been tackled by the States Reorganisation Commission, much less by the Government. Therefore, I think the demand for the appointment of a boundary commission is universal and the Government should agree to the appointment of the boundary commission that they promised in this draft States Reorganisation Bill.

**SHRI H. C. DASAPPA:** Mr. Deputy Chairman, I rise to oppose the amendment that Shri Bhupesh Gupta has placed before the House. I thought that the very reasonable statement of the hon. Home Minister would have convinced him about the unwisdom of appointing a boundary commission now or as he says more than one boundary commission. In fact, possibly the States reorganisation problem may have been better solved by not taking up the reorganisation of all the States at one and the same time; they could have been dealt with it in a piece-meal way, taking the most urgent cases first and then coming down to the other cases. Now, what happened was, when the Commission was appointed to go into the whole question of reorganisation of all the States, naturally there were disappointments and friction almost in every corner of this great country. Now, Andhra State was formed. No doubt at a certain place, at a specific point there was a desire and the wishes were met. It did not provoke a national upheaval. Likewise the Bellary question, as my friend said. So far as the Bellary question is concerned, there was the Misra Tribunal or commission and it did not provoke any kind of a nationwide unrest. Now, because the States Reorganisation Commission was there and it tackled the problems of the entire country and all the areas composed in the country, what happened was that at every point there was unrest. In the first place, I wish to say that even though in this Bill we do not incorporate the idea that Mr. Bhupesh Gupta and his friends have brought in, it does not prevent the Government indeed from appointing a commission if it so feels necessary.

**SHRI S. MAHANTY:** Then accept it. Then incorporate it.

**SHRI H. C. DASAPPA:** Have a little patience. So, it does not mean that simply because a provision is not made in this Bill the Government becomes incompetent to appoint a commission. I suppose that point our friends will readily understand. Now, the more important thing is this, that if we appoint, as suggested, either one commission or more than one commission all at the same time, I ask, will it not mean that there will be a lot of agitation and unrest again all over the country simultaneously?

**SHRI S. MAHANTY:** It does not....

**SHRI H. C. DASAPPA:** I envisage that there will be far greater unrest if these boundary commissions are appointed now than there was with the States reorganisation for the obvious reason that it is then that we come to grips with specific areas, and small areas at that. Therefore, it would be highly unwise and impolitic, it would not be at all statecraft to think of having commissions now again reopening all these border disputes simultaneously.

**SHRI S. MAHANTY:** Sir, will he kindly yield for a moment? Can he kindly tell us what was the implication of the Government's assurances contained in para 9?

**MR. DEPUTY CHAIRMAN:** You have raised it.

**SHRI H. C. DASAPPA:** I have got that volume with me and I have underlined that particular matter. It is fairly clear. That para. 9 contains two different parts, as my friend will see. The first thing refers to the possibility of territorial adjustment being made with the agreement of the party. Later it says that the Government of India will, if necessary, appoint a Boundary Commission for examining such questions. Is it a commitment on the part of the Government to say that, if necessary, it will? Even today I do not know what the Home Minister is going to say but I say, if necessary, the Central Government may certainly appoint Boundary Commissions. It may do it. Therefore, that is not the point. What I would say is this. It is far better that these tensions are allowed to die down everywhere. They cannot remain for all time. Let the tensions go down and the Zonal Councils begin to function. How nice it will be, Sir, for people living apart coming together and having personal discussions. The Zonal Councils will bring



people together. When the Zonal Councils begin to meet, then I am sure they will see the reasonableness of the other man's point of view. What is more, Sir, my friend said that this is one of the platitudes which the British people used to cater to us. I think he is extremely unfair to ever compare the present situation to those days. Who are these people?

**SHRI S. MAHANTY:** Rulers are the same, whether British or Congress.

**SHRI H. C. DASAPPA:** These are the parties directly affected and concerned who will sit across the table. And who is the Chairman? A person from the Centre who has no particular axe to grind. I can understand the Britishers who had some axe to grind. A Chairman belonging to the Central Government what axe has he got to grind between Tamil Nad and Kerala?

**SHRI S. MAHANTY:** One small question. If the question of boundary really pertains to two States which come under a Zonal Council, then of course your argument is perfectly right. Supposing there are two States concerned, one of which falls in one zone and the other falls in another zone, then your argument does not hold good.

**SHRI H. C. DASAPPA:** I thought I put the same question on some other occasion and Mr. Datar has himself answered that point, namely, there is provision in this Bill for Joint Zonal Councils. The problems could easily be tackled there and, I am sure, very effectively solved. I am only saying that this Chairman who is there will be able to arbitrate between the two contending parties. My friend said how can anybody help in this matter, the two people will always fight. When there is a third person more or less as an umpire, the whole atmosphere will change, the complexion will change, and there will be much more of what you call sweet reasonableness than when they are allowed to fight between themselves. So, viewed from any point of view, from the point of view of high national interest, when the country has been passing through a phase of agitation and unrest, it would be very wrong to take it up now, and when there is a possibility of the Zonal Councils functioning and there is every possibility of there being mutual agreement on many of these questions, I think it would be wholly wrong now to think of having these Commissions.

**THE MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI B. N. DATAR):** The question of a Boundary Commission or Commissions has been raised so often and has been answered so frequently that I do not feel called upon again to go over the whole ground. But my friend, Shri Mahanty, has pointed out that there are certain expressions or observations in the resolution by which the Commission was appointed that, according to him, make it necessary for a Boundary Commission to be appointed. I would point out to him that in the resolution that was passed in connection with the appointment of this Commission it was not stated that they could not go into the questions of boundaries even so far as the details are concerned. The hon. Member will kindly read the expression "the Government expect". "Expect" is not "direct" and therefore at the time when the Commission was appointed, discretion was given to the Commission either to go into the whole question even of boundaries or to lay down broad principles. But, when the Commission was appointed and when they started their labours, naturally a very large part of the representations or memoranda that were received dealt with border questions. That is the reason why they did not submit an interim report as has been referred to in para. 7, and they went into the whole question. It should be understood very clearly that they laid down the broad principles on which reorganisation has to be made. They also went into the question of border disputes, and after going through all these materials relating to the various questions including the question of the boundaries, the Commission gave to us a picture of the new reorganised India as they wanted it. Therefore, so far as the resolution of the Ministry of Home Affairs in connection with the appointment of a Boundary Commission is concerned, there is nothing that was incompetent, and the Commission had acted entirely within the sphere of their own authority because that was a question which was referred to them, and they did go into all these matters. So I would repel the charge of incompetency that has been levelled. ....

**SHRI S. MAHANTY:** May I interrupt for one moment? It is one thing to say that the Commission was not incompetent. But my question is, were they competent according to para 7 of the terms of reference?

SHRI B. N. DATAR: My friend is not reading the terms of reference properly. That is what I say, and it was perfectly competent for this Reorganisation Commission to go into the whole question instead of going only into the broad points. Therefore, I would submit that so far as this question is concerned, they have acted with competency, they have acted within their own limits.

Then, Sir, a reference was made to the draft of the States Reorganisation Bill that was submitted to the States Legislatures. There also the hon. Member will find it said that the Government of India will, if necessary, appoint Boundary Commissions for examining such questions. Now the Government of India went into the whole question and the Government of India had a number of representations also before them, and after going into all these questions the Government of India agreed that it would not be proper to go very minutely into these questions because broadly the whole point has been very carefully decided by the States Reorganisation Commission, and therefore it was not considered necessary to go into these minute details. Kindly understand that it is not the intention of Government, and it would not be proper, to go into the question of the composition of a village as a unit. That can never be done. I would point out to this House that a similar question was raised by the representatives from Karnatak, and in para. 351, last line, they have made reference to this and they say like this—a number of claims made by Karnataka have been referred to and they say “controversies to which any proposal to break up these districts will give rise are so great that painstaking border adjustments will not be worthwhile”. I would again emphasise that this painstaking business is not necessary at all. This is not a partition, as I stated, between two independent countries. It is only a question of adjustment of boundaries for proper administration. Therefore, I would point out to this House that at this stage we need not take this question into account; wherever these questions are acute, they might be considered by the various Zonal Councils, and then the question can be decided. In all these cases, agreement is the best form. It is not that agreement has to be come to in certain cases. But I am confident that if there is agreement, then all the discontent and bitterness associated with the decision or solution of boundary questions would be

completely absent and the whole thing can be done with the greatest amount of cordiality.

4 P.M.

MR. DEPUTY CHAIRMAN: The question is:

33. “That at page 9, after line 33, the following new clause be inserted, namely :—

13A. (1) Notwithstanding the foregoing provisions of this Part, one or more Boundary Commissions shall be appointed by the Central Government to go into various disputes about boundaries and their inclusions and exclusions from the various States.

(2) The Boundary Commission or Commissions shall decide on the basis of the principles of—

- (i) linguistic majority ;
- (ii) village as a unit ; and
- (iii) contiguity of area.

(3) Regarding tribal areas people belonging to the same tribes should not, as far as possible, be arbitrarily divided but attached to those States where it is most conducive for their speedy economic, social and cultural progress.

(4) The decision of the Boundary Commission shall be binding on the States concerned and will have effect as included in this Part.”

The motion was negatived.

MR. CHAIRMAN: The question is:

“That clause 14 stand part of the Bill.”

The motion was adopted.

Clause 14 was added to the Bill.

#### Clause 15—Establishment of Zonal Councils

SHRI BHUPESH GUPTA: Sir, I move:

35. “That at page 10, lines 1 to 14, for the existing clause 15, the following be substituted, namely :—

‘15. After the appointed day, there should be one or more Zonal Councils for each group of two or more States having common interest in economic development and

social planning provided that one State may be member of one or two zones.' ”

*(The amendment also stood in the names of Shri Satyapriya Banerjee, Shri N. C. Sekhar, Shri Abdur Rezzak Khan and Shri P. Narayanan Nair.)*

SHRI M. GOVINDAN NAIR: Sir, I move.

36. “That at page 10, after line 10, the following be inserted, namely :—

‘Provided that there shall be a Regional Tribal Council for the development of Adivasis in the following districts, namely :—

1. Surguja
2. Korea
3. Changbhakar
4. Jaspur
5. Udaipore
6. Gangpur
7. Bamra
8. Bonai
9. Keonjhar
10. Mayurbhanj
11. Ranchi
12. Hazari Bagh
13. Palamau
14. Singbhum
15. Santhal Parganas
16. Manbhum.’ ”

SHRIMATI K. BHARATHI: Sir, I move:

72. “That at page 10, lines 1 to 14, for the existing clause 15, the following be substituted, namely :—

‘15. As from the appointed day, there shall be a Zonal Council for each of the following four zones, namely :—

(a) the Northern Zone, comprising the State of Punjab, Jammu and Kashmir and Uttar Pradesh, and the Part C States of Delhi and Himachal Pradesh;

(b) the Western Zone, comprising the States of Bombay, Rajasthan, and Madhya Pradesh;

(c) the Southern Zone, comprising the States of Andhra Pradesh, Mysore, Madras and Kerala; and

(d) the Eastern Zone, comprising the States of Bihar, West Bengal, Orissa and Assam and the part C States of Manipur and Tripura.’ ”

SHRI M. GOVINDA REDDY: Sir, I move:

73. “That at page 10, line 4, the word ‘Rajasthan’ be deleted.”

*(The amendment also stood in the name of Shri V. S. Sarwate.)*

SHRI M. GOVINDA REDDY: Sir, I move:

76. “That at page 10, lines 11-12 be deleted.”

77. “That at page 10, line 12, for the word “Mysore,” the word “Rajasthan” be substituted.”

78. “That at page 10, line 14, after the word ‘Pradesh,’ the word ‘Mysore’ be inserted.”

SHRI H. C. DASAPPA: Sir, I move:

115. “That at page 10, line 4, the word ‘Rajasthan’ be deleted.”

116. “That at page 10, line 12, for the word ‘Mysore,’ the word ‘Rajasthan’ be substituted.”

117. “That at page 10, line 14, for the words ‘and Kerala,’ the words ‘Kerala and Mysore’ be substituted.”

MR. DEPUTY CHAIRMAN: The clause and the amendments are now before the House.

SHRI M. GOVINDA REDDY: Sir, my amendments relate to clause 15. Well, Sir, in this clause, sub-clause (c), Mysore has been omitted. Mysore has been added to the Western Zone in sub-clause (d).

Sir, this provision of assigning Mysore to the Western Zone came as a surprise to everybody. For the people of Mysore and for the people of the Karnataka parts which are going to be added to the new State of Mysore, it was a complete surprise. Even for the people of Bombay State, whether we take the present Bombay State or whether we take the new bilingual Bombay State, this has come as a surprise. There has been no conceivable reason for putting Mysore into the Western Zone.

[Shri M. Govinda Reddy.]

Well, Sir, the reasons adduced are that if Mysore were added to the Southern Zone, the Zone would become very unwieldy. Secondly, it has been argued that because some four districts of the present Bombay State have been added on to the new Mysore State—and therefore there would be something common between these districts going to the new State of Mysore and Bombay—it should go to the Western Zone. Another reason which the hon. Minister gave yesterday while replying on the consideration motion was that there are some ports in the new Mysore State, and it would be better in the interest of these ports that this State should go to the Western Zone, so that Bombay and Mysore in consultation with each other may develop them fully. These are the arguments used.

Now, Sir, while considering all the merits of these arguments, I wish to humbly suggest that there are far more important reasons why Mysore should go to the Southern Zone rather than to the Western Zone. Well, Sir, as anybody can see, the natural setting for Mysore is the Southern Zone, because if we take the people or the language they speak or their habits and customs, or anything which goes with the name of culture, we find that Mysore is related to the States in the South rather than to the State of Bombay. Even taking into account the geographical contiguity, the present Bombay State forms a border only for four districts, whereas all the other twelve districts in the State are bordered by the three States, namely, Andhra, Kerala and Madras. So, Sir, there are more problems common with Kerala, Andhra and Madras than with Bombay. Let us consider the merits of the arguments used by the hon. Minister. The problems that we have in common with Bombay are not many. Something was said with regard to the border disputes. Whether the border disputes can be settled or not, is a question for the Zonal Councils to decide. The new Mysore State will not, I am sure, fight on the border issues. I am sure that the new State will adjust itself if there is a discussion between the people of Bombay and the people of Mysore. And I am sure that Mysore will be coming to terms with the people of Bombay as far as the borders are concerned. So that is not a matter which should weigh very much in assigning the State to the Western Zone.

Then, Sir, the other argument was with regard to ports. With all respect for the Home Minister who has advanced this argument, I fail to understand how Bombay and Mysore can improve these harbours, or why they cannot improve these harbours, even if they belong to different zones. Why should Bombay not help the new State of Mysore in developing these harbours even if Mysore is not in Bombay Zone? I fail to see any reason in this argument with regard to the development of minor ports. In fact, in Bombay, there is the Port Trust which looks after the Port. There is a statutory body for it. And that Port Trust cannot help any other minor port. If at all these minor ports have to be helped, it is by the State to which they belong, or by the Central Government in the matter of financial or other assistance. So I fail to understand how that can be a weighty argument to deprive Mysore of going into the Southern Zone and to make it go into the Western Zone.

One more argument was used, Sir, that if Mysore is not added on to the Western Zone, Bombay would be without a zone. Well, Sir, as I was submitting before, we conceived the idea of Zonal Councils only to make the different States solve their common problems by sitting together. So, it is to suit the convenience of the States that we conceived of the Zonal Councils. But what we are doing now is that we are tearing away Mysore from its natural context and putting it into the Western Zone. This is a very curious argument, Sir, and I do not find any force in this argument.

Then, Sir, yet another argument has been used that the Zone will be unwieldy. Well, Sir, some of the present Zonal Councils are very unwieldy, as they are proposed. For instance, in the case of Uttar Pradesh and its constituent bodies, there is a Zonal Council for 80 million people. The Eastern Zone is quite a big zone. Well, if Mysore is added on to the Southern Zone, I do not think it would make such an unwieldy Zonal Council. And therefore there is no force even in that argument. We have conceived the idea of Zonal Councils in order to help different States. Supposing a State can live by itself without any Zonal Council, why should it not be allowed to do so? Even Pandit Kunzru the other day asked: Why should we think of adding Bombay to any other Zonal Council, or think of

adding any other State to Bombay in order to give it a Zonal Council? That State can remain without a Zonal Council. We can conceive of Bombay without a Zonal Council. It does not mean that if Bombay has no Zonal Council, it cannot sit with other States, because we have provided for joint-Zonal Council meetings. Therefore, Sir, in whatever respect we may view this problem, it is not fair that Mysore should be added on to the Western Zone. There is another argument which has been suggested in this House and which I do not attribute to the Government and about which I should make the position clear. It was suggested in the House during the course of the general discussion that, if Mysore is put in the Southern Zone, it would become a very strong Zone and that tomorrow a demand may come from them for a Southern India Federation and so on. Well, there is no such fear. The hon. Minister knows Mysore, knows Andhra, knows Kerala. We have never agitated, we have never gone against the national interests. In the freedom struggle, in every national movement, we in the South had an equal share, if not a larger share than the North. Therefore, there is no fear of such a thing happening. I do not think that they have suggested this change out of that fear. But I am making the position perfectly clear. It would be only in the fitness of things that this should be changed and Mysore put in the Southern Zone.

**SHRI H. C. DASAPPA:** Mr. Deputy Chairman, I would only say this in support of my amendment which is more or less on the same lines as that of Mr. Govinda Reddy.....

**MR. DEPUTY CHAIRMAN:** Practically the same amendment.

**SHRI H. C. DASAPPA:** The point is this.....

**MR. DEPUTY CHAIRMAN:** Is there anything new?

**SHRI H. C. DASAPPA:** Otherwise I would not stand on my legs; I would not like to waste the precious time of the House. My point is this. This is not a proposal that we are putting forward. Government applied its mind and after a great deal of consideration, it proposed that the new Mysore should go with Andhra, Madras and Kerala. It is not we who did it. They did it when they

formulated the Bill, and the Joint Select Committee went into the whole question and they also put their imprimatur on it. I ask: Had they no reasons to do so? Did all those weighty reasons disappear merely because Bombay became a bigger Bombay? If Bombay has just Belgaum, Karwar and some portions of Bijapur bordering on it, I ask my hon. friend, the Minister for Home Affairs, how many districts there are bordering on Andhra, Madras and Kerala. Andhra alone has about 600 miles' stretch of land, and likewise Kerala and Madras. So, if the fact that there are certain border disputes between Bombay and Mysore is a reason for this decision. I say that that would be a good enough reason, a far weightier reason, for Mysore going along with Madras, Andhra and Kerala. Was Andhra against having Mysore in the Southern Zone? Was Madras against it? Did our good Kerala friends object to it? I think they would welcome us with open arms in the Southern Zone.

**SHRI BHUPESH GUPTA:** Who does not welcome you? We would welcome you even in Mangalore.

**SHRI H. C. DASAPPA:** I want to make it perfectly clear that we are not unhappy to be in the Western Zone. We are not in the least sorry. We do not say that we are disappointed. We do not say we cannot work together. We welcome the chance of co-operating with Bombay. We have a lot to learn from them; only we have got to be very careful also at the same time.

**SHRI BHUPESH GUPTA:** Yes, Morarji Bhai is there.

**SHRI H. C. DASAPPA:** Only we have naturally affinities with the people of the South. All the rivers flow from the Ghats. Then Andhra and Mysore have got the same script practically. We can exchange our literatures. Possibly we can have one common script. All our railway communications and economic ties in the way of coffee, rubber, pepper, cardamom, etc., are with Madras and Kerala. For every reason that the hon. Home Minister has in favour of the new Mysore being in the Western Zone, I can quote a hundred for its inclusion in the Southern Zone. It is very good that the Home Minister said, 'Let us give this a trial. Let us see how it works, and if necessary we can change it later on if that is going to help the cause of the people in the areas better.' And

[Shri H. C. Dasappa.]

then Shrimati Bharathi has a more brilliant idea than mine. She asks, why five zones? Why not have four only just North, East, West and South? It is a good idea to have only four big zones. I think that, if the hon. Minister expresses his sympathy, it will go a long way.

**SHRI BHUPESH GUPTA:** Mr. Deputy Chairman, you have seen our amendments, slightly different from the others. We have some fears about these Zonal Councils business. When last year in Parliament in the other House the Prime Minister sponsored this idea, or dropped the old one, shall we say, we asked ourselves the question immediately—we are a little sensitive people—we asked ourselves whether the idea of bilingual and multi-lingual States was entering through the back door in the form of these Zonal Councils. That is the question we asked ourselves. We thought perhaps that this was being conceived as a sort of precursor of the bilingual and multi-lingual and bigger States they had in contemplation. I do not know if the hon. Members of this House read the resolutions passed by the Communist Party of India (Central Committee). I think some of them do. If they had read, they would have found that we passed a resolution in January this year giving expression to those fears. Probably the Government were giving up the idea of having linguistic States and were thinking in terms of bilingual and multi-lingual States. Well, subsequent events have proved that our fears were not altogether unfounded. Gentlemen who talked eloquently about linguistic States and demanded the reorganisation of States on the basis of language, have now changed their tune and are speaking about big States, bilingual States and multi-lingual States, about India being divided into four Zones which in future may form four big States and so on. Therefore, Mr. Deputy Chairman, we are still having those fears, and the more we see the attitude of the Government, the more we are acquainted with the inner working of their mind, the more afraid we become of this business of Zonal Councils. I only hope that these Zonal Councils would not be formed into bilingual or multi-lingual States, thereby abolishing linguistic States. Now we have suggested an amendment because we feel that it is no use going into the big question. The Government will not accept it or would not be in a

frame of mind even to seriously consider if we say that 'Let us go into the whole question afresh.' Our suggestion is this:

"After the appointed day, there shall be one or more Zonal Councils for each group of two or more States having common interest in economic development and social planning provided that one State may be member of one or two zones."

Now the words are very clear. I would just elaborate this and say why we insist on this. Since you are going to have zones, have them. Now immediately I cannot ask you just to take it back or annul this entire provision. But it could be amended with a view to meeting some real needs of co-operation between two or more States in matters of common interest from the point of view of national reconstruction. I can quite understand that point and I quite concede that there is a need for a number of States in India to develop mutual co-operation, not merely in their mutual interests but also in the interests of the economy of the country as a whole. I concede that. Therefore I say 'Limit it to such functions'. Now regarding economic development and social planning, some representatives of some States may have to meet from time to time to discuss certain matters of common economic interest or matters connected with social planning. I do understand this and let the Zonal Councils be formed for this purpose. Now there is no definition as to what would be their functions. We have been just told that one of the functions of the Zonal Councils would be to go into the boundary disputes and all that and since there is a provision for Zonal Councils we are further told that there is no need for appointing a Boundary Commission; the Zonal Councils would be there looking into such matters. Here you are creating trouble spots. We say that such matters should not be given to the Zonal Councils. I do think, for one, that if you have this kind of wide powers for the Zonal Councils to go into the boundary question and everything, then the hon. Ministers coming from the various States will start scrambling over matters. It will not lead to any solution. The Minister from Bihar will try to speak or behave in a manner in the Zonal Council as to catch the imagination of the Bihari people to draw upon some of their sentiments and other things and utilize them. Similarly the Bengalis also

will do the same thing. That will be the trouble. It will not lead to any solution. They will not meet there with a view to solving their common problems. What prevented then Dr. B. C. Roy and Dr. Sinha meeting together and come to an understanding with regard to the boundary adjustment between the two States? They fought, they scrambled, they freely threw mud at each other and at the end, they let out of their bags the so-called merger proposal only to discredit themselves and put us into trouble. That is how the matter ended. Was it not possible for the two Chief Ministers to meet together and settle the issue in a fair way and based on fairness? It was certainly possible. Did the absence of any Zonal Council or such institutions make it difficult for them to meet? Not at all. Today, for instance, if there is a dispute between two States, the two Ministers representing the will of the people and the urges of the people, can certainly meet and discuss this matter and come to a settlement. It is possible. For them you don't need a Zonal Council, and once you have the Zonal Council and ask them to bring up such matters, well that will be a cock-pit of fight and bickerings on the part of these people and the atmosphere will be vitiated by such wranglings over such matters. This is our fear from the behaviour of the Ministers of the Congress Party. Here is a strange situation in India where one Party rules in both Bengal and Bihar and even then they could not get a solution for the problem. The two Ministers pull in two different directions and the High Command looks on. If the situation is like that, what is the guarantee that when these gentlemen meet in a Zonal Council, they would not behave in the same way? They will not overnight change just because they had taken their seats in what is called a Zonal Council. Therefore, why have it for that reason? I say "Don't have it for that reason". Here I don't know what is in Government's mind. 15(b) is the Central Zone—that is the grand zone. 15(c) is Bihar, West Bengal, Orissa, Assam and the Part C States of Manipur and Tripura. Of course it is part of an All India Zone. But what Manipur has in common with Bengal? I ask you this simple question. We all belong to India. That way I have many things in common with the friends who live in Kerala but what Manipur has in common with Bengal as far as the Zonal Council is concerned? There is no communication or contact with it and the language is

different and the economic set-up is also different and between these two States intervenes a foreign territory the territory of Pakistan. You cannot even easily get there. If you take a plane, then it is one hour's flight to reach Manipur. In the Zonal Council what will they do sitting there? What for?—unless of course you have in mind that some day or the other there will be an Eastern Pradesh. The Dakshina Pradesh-walas are here. The Purva Pradesh-wala may crop up somewhere. Let him say that it is the precursor of this thing. I can understand that. Otherwise, from the very logic that you are following, we cannot support this thing. But one might admit that among Bengal, Bihar and Orissa there are certain things that are of mutual interest and they require undoubtedly collective discussions and mutual discussions between the States but what then prevents the Ministers or representatives of the leaders of these three States meeting together? If you can discuss the whole of the world or India sitting in the Congress Working Committee, why cannot your Ministers sit together in some room in a suitable place and discuss such matters?

*(Time bell rings.)*

I hear the bell, Sir. But this is an important amendment that I want to elaborate. Therefore I say the hon. Minister must try to give us some arguments and at least try in his own way, to disabuse us of the fears that we economic matters and certain matters of the Zonal Councils. Since they must have it, let its functions be restricted to economic matters and certain matters of social planning. We require co-ordination. We stand for such co-ordination. We require co-ordination, planning as well as execution. For that we say, 'Have this Zonal Council of this type with restricted functions where we all know matters of vitally common interest will be taken up and discussed together and suitably thrashed out for the mutual interests of all the parties who participate in that.' Don't create such artificial Zones and then make it even open so that certain ideas could be smuggled in through the backdoor of this Council. This is our request.

Hon. Members from opposite who spoke, expressed their dissatisfaction with the zoning that had been made with regard to Mysore and Bombay. Now it is for them to say exactly how it goes wrong and if there are valid

[Shri Bhupesh Gupta.]

reasons, certainly they should be gone into but the fact remains that the scheme that you have made yourselves suggests that you have not followed the proper objective principles even within the frame-work of your own logic. Otherwise Mr. Dasappa and Mr. Reddy, who not only sit immediately behind the Treasury Benches, but also are always very keen on supporting it, had to get up and say something in dissent against the particular provisions of this clause. That only adds weight to my argument that this whole scheme has been provided for here without a proper perspective and without any clear idea. The Prime Minister's thoughts are very important. They are noble thoughts sometimes, sometimes they are not but always they are important thoughts and the moment certain thoughts came, they must be embodied in the provisions of the Bill. I don't know whether it is right or not but certainly I expect the hon. Home Minister or the hon. Deputy Minister who is piloting the Bill to elaborate this point and let the country know that there is no scheme behind. There is no plan up their sleeves, so that these Zonal Councils would be in future, used for starting big bilingual and multi-lingual States in India, subverting the present political set up of the country which proceeds more or less on a linguistic basis. I suggest that our amendments be accepted. It will meet the general urges of all those who desire co-operation between the States and co-ordination of activities in matters economic and planning. I would, therefore, request the hon. Members opposite and the hon. Minister to bring themselves to an acceptance of this very reasonable and logical and salutary amendment that we have proposed.

**SHRI GOVINDAN NAIR** (Travancore-Cochin): Mr. Deputy Chairman, my amendment is a very simple one and I hope the hon. Home Minister will be able to accept it. You have made provisions for Zonal Councils. I do not mind your doing that. My amendment is for a Regional Tribal Council for the Eastern Zone. I have asked for this Regional Tribal Council for sixteen districts from three States. In clause 15, you are making arrangements for certain States to come together for certain purposes. But here with regard to the tribal people a very serious problem confronts us. You know that owing to social and historical reasons we have been neglecting the case of the tribal people. You

also know that there was a demand from the tribal people for a separate State, of course, within the Union of India. If you go through their arguments.....

**MR. DEPUTY CHAIRMAN:** But how is your amendment relevant here, Mr. Govindan Nair? Is it in order? Clause 15 provides for the formation of Zonal Councils. But you want a Regional Council.

**SHRI GOVINDAN NAIR:** I am putting it in this way.

**MR. DEPUTY CHAIRMAN:** But let me know how your amendment is relevant. I think it is not relevant and I want to know how your amendment is relevant.

**SHRI GOVINDAN NAIR:** Under the Eastern Zone you have made provision for five areas, that is to say, for the States of Bihar, West Bengal, Orissa, Assam and the Part C States of Manipur and Tripura. Most of the districts I have mentioned here belong to the States in the Eastern Zone. Then there are a few districts which belong to other areas. So under the Eastern Zonal Council a Regional Tribal Council may be formed for the economic and social and cultural development of the tribal people.

**MR. DEPUTY CHAIRMAN:** The purpose of clause 15 and of the subsequent clauses is quite different from the purpose you want to achieve by your amendment. I think I have to rule out that amendment as being out of order. It is completely out of order. There is no provision at all for Regional Councils in the Bill. I think this amendment has to go. I am sorry, but I rule it as being out of order.

Does Shrimati Bharathi want to speak on her amendment?

**SHRIMATI K. BHARATHI:** I do not want to make a long speech in support of my amendment and waste the precious time of the House. I had my say on this point when I took part in the general discussion. My hon. friends, Mr. Govinda Reddy and Mr. Dasappa, have put forward all the points that I wanted to make. Sir, it is indeed very strange logic to say that to safeguard the interests of all sections of the people who formerly belonged to Bombay the present decision has been taken. Does it mean that in the larger interest of the people of the South we are to have the same arrangement? I fail to see how



it is difficult to have only four Zones as I have suggested in my amendment—to be called Uttar Pranth, Dakshin Pranth, Purv Pranth and Paschim Pranth. I think this is a beautiful conception. But even if you want five Zones, what is the harm in constituting the present big bilingual Bombay State with its five crore population and area of two lakh square miles into one Western Zone?

Of course, I do not press my amendment, in the light of the assurance given by the Home Minister yesterday.

MR. DEPUTY CHAIRMAN: Mr. Mahanty?

SHRI S. MAHANTY: No, Sir. I have nothing to say.

SHRI AKBAR ALI KHAN (Hyderabad): Sir, I would like to say something.

MR. DEPUTY CHAIRMAN: Just a minute or two, Mr. Akbar Ali Khan.

SHRI AKBAR ALI KHAN: Sir, I oppose the amendment of Mr. Bhupesh Gupta, and support the amendment moved by Mr. Dasappa.

As regards these Zonal Councils, as I said in my general observations, I feel this is one of the healthiest provisions in this Bill and it has been put in to meet further difficulties that may come up in future. For instance, take this question of a boundary commission. My learned friend feels that there should be a boundary commission, so as to continue the troubles and the excitements through which, of course, they can take full advantage. But so far as the Zonal Councils are concerned, this is the amicable way of settling matters. My hon. friend thinks that the Ministers will go there and fight with each other, that they would not take a reasonable view of the situation. I think that is an incorrect statement. When there are these disputes about boundaries there will be no planning. I am glad my learned friend feels that for planning purposes the Zonal Councils are necessary. But he thinks that for boundary purposes they are not necessary.

MR. DEPUTY CHAIRMAN: That amendment has been ruled out, amendment No. 36 of Mr. Govindan Nair.

SHRI AKBAR ALI KHAN: Yes, Sir, but I am now on Mr. Gupta's amendment. He says that it is not at all good

to have a provision for these Zonal Councils. To that I may say that on matters that would arise out of this States Reorganisation Bill, there must be some agency to consider and the Zonal Council, I think, will be the proper agency for that. There they will try to hammer out an agreed solution. If not, the Government of India will help them.

So far as Karnataka is concerned, there are many things in common between the Andhras and the Karnataka people. I need not go into the history of these people. They have much in common in their history, their culture and so many other things. Therefore, I think Andhra and Karnataka, that is to say, Mysore will be together.

MR. DEPUTY CHAIRMAN: Mr. Datar.

SHRI JASPAT ROY KAPOOR (Uttar Pradesh): I want to....

(Shri T. Bodra also stood up.)

MR. DEPUTY CHAIRMAN: I have called on the Minister to reply.

SHRI H. C. DASAPPA: Sir, this side there are Dr. Subbarayan and Shri Raju to speak.

MR. DEPUTY CHAIRMAN: In that case I will have to give two more chances. There is no time. Are you keen on speaking, Dr. Subbarayan?

DR. P. SUBBARAYAN (Madras): I would like to.

MR. DEPUTY CHAIRMAN: Well, all of you will have chances. Just two minutes each.

DR. P. SUBBARAYAN: All right, Sir, I shall try to confine myself to the time. Mr. Deputy Chairman, I have already explained why the natural place of Karnataka is in the southern zone and not in the western zone and I think, like my friend Akbar Ali Khan, that there are quite a number of boundary disputes between Karnataka and Andhra which may easily.....

SHRI AKBAR ALI KHAN: I did not say 'boundary disputes'. I said that there was much in common, common boundaries, cultural affinity, etc.

DR. P. SUBBARAYAN: There are some disputes also, which may easily be considered by the zonal council, not

[Dr. P. Subbarayan.]

merely boundary disputes but other matters also with which these States should be intimately connected and I think the hon. Minister would have gathered that is the opinion of the South because people from all the three States concerned, Andhra, Kerala and Tamil Nad, have spoken in favour of the step that Mr. Dasappa and Mr. Govinda Reddy and Mrs. Bharathi have advocated. Therefore I request the hon. the Home Minister at least to consider some method by which this could be effected so that what we wish to accomplish in the end may be accomplished.

**SHRI A. S. RAJU (Andhra):** Mr. Deputy Chairman, I rise to support the amendment of Mr. Dasappa. As a matter of fact we have differences, between Andhras and Kannadigas with regard to certain border disputes, but it does not matter; they can be settled amicably when they are in one zone, and it is beyond my imagination how the Mysore State is tagged on to the western zone. They have very little in common with the western zone. Kannadigas and Andhras have got a common culture, a common tradition and in a way a common living and, as a matter of fact, Kannadigas, Malayalees, Tamils and Andhras have been together for centuries and very recently we were separated from Tamil Nad. When the leaders of the country and our beloved Prime Minister are thinking in terms of bilingual and trilingual States, it is better that people with common problems, common tradition and common culture are put together. The people in the South have got peculiar problems which are not understood by the people in the North, generally speaking. I am not one of those who try to widen the gulf or suspicion between the South and the North. At the same time South has got definite peculiar problems which are to be understood by the Northern people. The problems can be thrashed out; they can be discussed and they can be presented to the North by common consent, and they can understand each other. They can solve their problems. They can discuss their problems, and for this purpose, Sir, Mysore should be in the southern zone and as regards the border area between Karnataka and Andhra, it is nearly a 250-mile long contiguous border, and they have got common problems. The Tungabhadra river is there. As regards the use of the Tungabhadra waters and other things connected therewith very recently the

problem was settled amicably. The Palar, Pennar and other rivers are there and there is a common trade. Electric power is supplied from Mysore to Andhra. There are several other common problems between Kannadigas and Andhras and in the same way with the best understanding of the tradition, culture and history, I very strongly feel that Tamilians, Keralites, Andhras and Kannadigas should be together to have their problems discussed and solved, and they can present agreed solutions to the Centre.

**SHRI JASPAT ROY KAPOOR:** Mr. Deputy Chairman, I rise firstly to associate myself with most of what my hon. friend, Mr. Akbar Ali Khan, has said, secondly, to oppose the amendments of my Mysore friends and then to wish, pray and hope that the fears and apprehensions of my friend, Mr. Bhupesh Gupta, may turn out to be correct in due course of time or rather in a very few years, namely, that this formation of five zones is only the thin end of the wedge leading ultimately to the formation of these as the five States in the country. Sir, I oppose the amendments of my friends from Mysore just on the ground on which they want Mysore to be taken away from the present zone and to be tagged on to the southern zone. They say there is a good deal of affinity between Mysore and other States of the South and there is very little of affinity between the Bombay zone and Mysore. That is just the reason why I want, Sir, that two States between which there is not much of linguistic affinity should be joined together. We must learn to live together despite linguistic differences, even cultural differences, if there be, so that in due course of time we may begin to, all of us from different States of the country may begin to learn to co-operate with one another, live together and consider ourselves as citizens of one country. If it be possible for the State of Uttar Pradesh to be associated with Mysore I would have advocated it but it is a geographical impossibility. I hope my friends from Mysore will appreciate this earnest desire of U.P. to be associated with them even in a zone where their regional language is different from others. From this point of view I would prefer the amendment of my hon. sister, Shrimati Bharathi, which suggests that U.P. may be associated with Punjab which has to a certain extent a different language rather than with Madhya Pradesh whose language is the same as ours. Sir, only one

word more and that is this. I would like that rather than having smaller States comparatively speaking, with different set-ups we should have in due course these five States which are designated now as Zonal Councils. The powers of these Zonal Councils may be increased. Each zone may be placed under one Governor who would preside over them. One High Court we may have for each of these zones, one common Public Service Commission for each zone.

MR. DEPUTY CHAIRMAN: There are separate provisions for all that. There are separate provisions for High Courts and Public Service Commissions.

SHRI JASPAT ROY KAPOOR: All right, Sir. I thought I might not trouble you again on those provisions.

MR. DEPUTY CHAIRMAN: Mr. Bodra.

SHRI T. BODRA (Bihar): Sir, I welcome the Zonal Councils for the States Reorganisation Commission has done great disservice to more than one and a half million Adivasis. They have been divided and they have been put in four States, Bihar, Madhya Pradesh, Orissa and Bengal, without taking into consideration their backwardness, their cultural, their linguistic, their educational, social and other problems.

Now, Sir, the rise and fall of the Adivasis depends on their lands, on their occupancy rights. In Bihar there is some protection as we have got the Chota Nagpur Tenancy Act. More than 15½ lakhs of Santhals are in Bengal but they have not been protected under this special Act. In Orissa also they are not protected under this special Tenancy Act. Also in Madhya Pradesh they are not protected under this special Tenancy Act.

Again, Sir, the Adivasis in Orissa have to learn Oriya as their vernacular. In Bengal they have to learn Bengali as their vernacular. In Bihar and in Madhya Pradesh they have to learn Hindi as their vernacular. So far as the integration of these tribal areas in particular is concerned, namely, Jharkhand areas, we have been done great injustice by the States Reorganisation Commission and our claims have not been heard and perhaps it is only in the eastern Zonal Council we may hope to get something.

SHRI B. N. DATAR: Sir, on the question of Zonal Councils there has been a considerable measure of misapprehension. So far as the Zonal Councils are concerned, they are not water-tight compartments at all and if India has to progress along proper lines, then the Zonal Councils are the one means to do so. That does not rule out contacts between members of different zones. Therefore I should like to point out, especially to my southern friends because we have got an appeal from all the three southern States.....

SHRI H. C. DASAPPA: Four; not three.

SHRI B. N. DATAR:....from all the four southern States that they desire to be in one zone. But that is one aspect of the case. Let us take into account the larger aspect of the nation. It is true that there is considerable cohesion between these four areas because the languages that they speak spring from the same source. Whatever that may be, here we have a larger area consisting of the North and the South as it is popularly called and therefore, Sir, it would be better to have Mysore in a zone with Bombay. The question of Bombay city has also to be taken into account very fully and very adequately. May I point out to my hon. friends from Mysore that even now there are larger contacts with Bombay than even with Madras?

SHRI H. C. DASAPPA: Why did they not think of it in the first instance? When did this wisdom dawn on them?

SHRI B. N. DATAR: If subsequently we think of a certain thing, is there anything wrong? So I would like to submit that my Mysore friends should take a larger view and Mr. Dasappa was right in saying that he welcomes this. If he welcomes this, then let him accept this position without mental reservations. There are a number of problems, as has been pointed out by the Home Minister, which are common between the new Mysore State and Bombay and let not our hon. friends consider that the question relates only to the four Karnataka districts in the present Bombay State. We have got also the Hyderabad area, Gulbarga or Bidar for instance, which has contacts with the adjoining Bombay area. Under these circumstances if it was considered that Mysore should be put in the Western Zone, I feel that there is nothing very seriously wrong.

**SHRI H. C. DASAPPA:** Our land revenue system is also like Bombay's.

**SHRI B. N. DATAR:** I am very happy that my friend has pointed out that the land revenue system in Mysore was borrowed from Bombay.

**SHRI H. C. DASAPPA:** Not borrowed.

**SHRI B. N. DATAR:** All right; I will say, was taken from Bombay. I hope he is satisfied. Now that shows that there are greater contacts and we might develop further contacts. As has been pointed out, the ports are there. So far as the major ports are concerned, they are under the Central Government but we have a number of minor ports and the new Mysore is anxious to have them. So it would be more convenient to have direct relations with a zone in which we have a city which is the nerve centre of India so far as trade and commerce are concerned. So let us look at it from this point of view and as the Home Minister yesterday pointed out, what we have done is not necessarily to create water-tight compartments. If, for example, it is found that Mysore might be joined to the Southern Zone then that question might be considered but perhaps by that time, as a result of long intercourse with Bombay, my friends will not consider the advisability of any such change from one zone to another. Let us develop all the zones and as I have pointed out, let Mysore develop its contact with Bombay and I am sure it will derive considerable benefit. It will also continue to derive whatever benefits or concessions there were from Andhra, Tamil Nad and Kerala.

**SHRI H. C. DASAPPA:** It has something to contribute.

**SHRI B. N. DATAR:** All this could have been understood provided there was no provision so far as intercourse between various zones was concerned. The Joint Select Committee has very wisely made a provision for inter-Zonal meetings and therefore in addition to Mysore meeting the representatives of Bombay, Mysore will have the privilege of meeting the representatives of the Governments of Andhra Pradesh, Madras and also of Kerala. So let there be no feeling at all that this contact will be completely given up and only a new contact, perhaps of questionable value, will be introduced. It is not of questionable value; it is likely to be of great

use to Mysore in the larger interests and therefore I would appeal to my friends not to press their amendments.

So far as my friend, Shri Bhupesh Gupta, is concerned, he wants to take us back from what is explicit to what is vague. So far as this Bill is concerned, we have definitely divided the whole country into five Zones and we have mentioned the various States which are to be put in the different zones. On the other hand, my friend, Shri Bhupesh Gupta, desires that one or more Zonal Councils should be established after the appointed date. Then again the whole thing has to be gone through; the object that he has in view, namely, social planning and economic development, will be quite properly secured by the five Zonal Councils which have been provided for in the present Bill. Therefore I submit that there is no substance in accepting Shri Bhupesh Gupta's amendment, and I would appeal to my hon. friends not to press their amendments so far as the position of Mysore is concerned.

**MR. DEPUTY CHAIRMAN:** The question is:

35. "That at page 10, lines 1 to 14, for the existing clause 15, the following be substituted, namely:—

'15. After the appointed day, there shall be one or more Zonal Councils for each group of two or more States having common interest in economic development and social planning provided that one State may be member of one or two zones'."

The motion was negatived.

**SHRI M. GOVINDA REDDY:** Sir, the hon. Mr. Datar's reply is not helpful whereas the Home Minister's reply yesterday was somewhat helpful because the Home Minister was pleased to say that at least there would be a chance.....

**SHRI B. N. DATAR:** But I pointed out the other good points.

**SHRI M. GOVINDA REDDY:**....if after trial Mysore felt.....

**MR. DEPUTY CHAIRMAN:** What about your amendments?

**SHRI M. GOVINDA REDDY:** I would seek the permission of the House to withdraw them, Sir.

\*Amendments Nos. 36, 72, 73, 76, 77, 78, 115, 116 and 117 were, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 was added to the Bill.

#### Clause 16—Composition of the Councils

SHRI BHUPESH GUPTA: Sir, I move:

38. "That at page 10, line 23, for the words 'that State to be nominated by the President', the words 'among the Members of Parliament from such State' be substituted."

39. "That at page 10, line 23, for the words 'nominated by the President' the word 'elected' be substituted."

40. "That at page 10, after line 29, the following be inserted, namely:—

'(e) five members of the House of the People to be elected by the members of the House representing the member States on the basis of proportional representation.

(f) ten members of the Legislative Assemblies of the member States to be elected by the Legislative Assemblies themselves on the basis of proportional representation.'

41. That at pages 10 and 11, for lines 35-36 and 1-2, respectively, the following be substituted, namely:—

'Provided that in the case of States without a Council of Ministers, such member as the President may nominate from amongst the members of Parliament nominated under clause (c) of sub-section (1) shall act as Vice-Chairman.'

(The amendments also stood in the names of Dr. R. B. Gour, Shri Perath Narayanan Nair, Shri S. N. Mazumdar, Shri V. Prasad Rao, Shri Satyapriya Banerjee, Shri N. C. Sekhar, and Shri Abdur Rezzak Khan.)

SHRI M. GOVINDA REDDY : Sir, I move:

\*For text of amendments vide cols. 2193-94 supra.

79. "That at page 10, lines 33-34 after the word 'rotation', the words 'in such manner as may be determined by a resolution of the Council' be inserted."

SHRI H. C. DASAPPA: Sir, I move:

118. "That at page 11, after line 15, the following be inserted, namely:—

'(6) (a) Every State will have as observers at its Zonal Council members of its legislature whose number shall not exceed ten per cent. of the total number of members of the legislature or thirty persons whichever is less and they shall be elected in such manner as may be prescribed by rules.

(b) It shall be open to every observer to take part in the discussions of the Council or of any committee thereof of which he may be named a member but he shall not have a right to vote'.

MR. DEPUTY CHAIRMAN: The clause and the amendments are before the House. I want hon. Members to be very brief in their remarks because we have a large number of clauses.

SHRI BHUPESH GUPTA: The first amendment of mine is about the appointment of members. In clause 16 (1) (b) it is provided that three members shall be nominated by the President. We want that the three members should be in the first instance elected members. So we want the words "among the Members of Parliament from such State" to be put in there. We do not want nomination in such matters. If election is provided for, there can be some measure of check and that should 5 P.M. be there. Therefore, we say accept this. Then at page 10, after line 29, a new sub-clause (e) has to be included after (d). We want certain additions. Now, as you know as regards the composition of the Zonal Councils, you have got the Council just as you like. We now want to have it properly constituted, as far as possible, within the scheme of your things. Therefore, we suggest that five members of the House of the People be elected by the Members of the House representing the member States on the basis of proportional representation. It seems due to certain inadvertence on our part, our House does not feature here. Therefore, if this amendment is accepted in spirit, then I would like also that this

[Shri Bhupesh Gupta.]

House be associated with it. Five members from that House and three members from this House, it can be laid down like that. Then, ten members of the Legislative Assemblies of the member States are to be elected by the Legislative Assemblies themselves on the basis of proportional representation. That is to say, these Zonal Councils when constituted should consist of some people other than Ministers and who have got representative character. Ministers have, of course, got representative character, inasmuch as they are elected members of the House. But at the same time they belong to the Government and they represent the Government and I take it that their participation in the Zonal Council would be confined to whatever mandate they get from the Government or the lines of policy of the Government. Precisely for this reason it is necessary to strengthen the non-official side in the Zonal Council and as I have said the representation should be on the basis of voting according to proportion—proportional system of representation. Therefore, the parties having a larger number of seats in the Assemblies would naturally have a larger number of people out of this quota to be elected to the Zonal Councils by them. But the smaller parties, if they are of any consequence in one or the other Houses—numerically speaking—would also have an opportunity of sending one or two representatives. That should be there. Otherwise what I fear is this. You see the composition of the Council, Minister to be nominated by the President and it is all Ministers. You will find all of them are Ministers. Therefore, I say that it should not be like that. What did you say just now? You said mutual discussions, consultations, in order to create a good climate and all that. Why rely on Ministers only? I do not say that the Ministers should not be there. Certainly they should also be there. But others should also be there, people belonging to other parties. If the party strength is such that they could send a representative to the Zonal Council it would be of a more representative character to begin with. The non-officials in the Zonal Councils sometimes may operate as a very healthy check on the official side. They would point out the official errors and mistakes and incorrectness in the official outlook whenever such is necessary. Therefore, it is essential to have a non-official side which is also very strong.

Then, I should also like the Opposition to have a place in that Council. Why not? Because it may well be that after the next general elections the Opposition will between them represent the majority of the electors as they are doing now. You know, Sir, very well that the Congress Party despite many seats there, does not represent the majority of the voters. The majority of the voters are represented in the parties that opposed the Congress, sharing between them. Why they should be absolutely put out of it? Now, if the Zonal Council is to have at all a representative character worthy of some measure of confidence of the people, it should certainly contain more representatives from the Houses of Legislature, including the Opposition. Its elective element should be more. It may be that in Kerala or in some other State you may be in the Opposition for the time being. Of course, you would not like to be so, but assuming that you are, you will be left with a large side. Now, I say that if our amendment is accepted, in such a contingency, as a party you will not go without representation more than we would go without representation where we are in a minority. Therefore, I say that this should be accepted. Otherwise I tell you that this will not really be helpful. The Ministers will go there with their briefs. Who will prepare these briefs? The officials, and how the officials prepare these briefs you can sometimes gather from the manner in which the questions are answered and supplementaries dealt with. You know that. They will go there with set ideas, set policies to justify each other's position. The horizon will be very narrow. The processes of thought will be very, very restrictive. Now, if you have Members of Parliament, out of three from this House—two from that side and one may be from this side—between us we shall also try to bring certain new things on the discussions, a new angle, which are all necessary for the effective and democratic functioning of a body. (*Time bell rings*). Therefore, when hon. Members are speaking of sacrifice, in such a case let them accept the suggestion. And I think once you have a provision for Zonal Councils, it should be made as representative as possible, as representative of the public opinion outside as possible and their functioning should not be such as would only be bureaucratic or would be mainly influenced by bureaucracy. It should be influenced by the collective wisdom or at least reflect the collective wisdom of

Parliament and Legislative Assemblies. Therefore, Mr. Deputy Chairman, I am very serious on this particular amendment and I would like the hon. Minister to consider it.

Then, my amendment No. 41 is this. Provided that in the case of States without a Council of Ministers, such member as the President may nominate from amongst the Members of Parliament nominated under clause (c) of sub-section (1) shall act as Vice-Chairman. The provision in the Bill is not again very democratic. We say that from those who are elected one of those should act as Vice-Chairman. The whole series of amendments make the Council more representative and will enable it to command more confidence of the people and will probably bring in that aspect of an all-sided discussion which is essential in such a body as the Zonal Council you have in mind. I commend this amendment for acceptance of the House and I hope Mr. Reddy will be getting up to support them as they are.

**SHRI M. GOVINDA REDDY:** Sir, my amendment is a very simple one. Clause 16, sub-clause (3) entitles the Chief Ministers of each State in the Zone to act as Vice-Chairman by rotation. In what order they should proceed is not mentioned and to that extent is not defined....

**SHRI BHUPESH GUPTA:** The order in which they can knock out each other.

**SHRI M. GOVINDA REDDY:** You will see, Sir, in clause 17 that care has been taken even to prescribe the time of the meeting, whereas in what order these Chief Ministers have to preside as Vice-Chairman is not fixed.

**PROF. N. R. MALKANI** (Nominated): Alphabetical order.

**SHRI M. GOVINDA REDDY:** I do not think it will be accepted. But I do want the hon. Minister to explain how he means to provide for that.

**SHRI H. C. DASAPPA:** My amendment is for making provision for each State Legislature to send its observers to these Zonal Councils. It is unfortunately very rarely that my friend Shri Bhupesh Gupta and I think alike. But it looks as though I have hit upon, though not an identical idea, a conception which more or less tallies with his. The meaning is

not to make these Zonal Councils mere governmental councils in which the chosen representatives of the people have no part whatever to play. I am unable to understand why right from the beginning they have taken such a narrow view of the function of the Zonal Council. I do not think that these Zonal Councils should confine themselves merely to specific problems which each State may like to discuss at these Councils. I want the Zonal Councils to be like a meeting place of the different sub-cultures that we have in this country, the representatives of one State meeting the representatives of another or other States and fraternising and trying to appreciate one another's ideology and aspirations. Let us see whether the idea that we have of developing the unity and solidarity of this country, of bringing the different peoples of this vast land together, and of building up the strength and stability of the land is going to be really served by these Zonal Councils. That in fact is the dream that anybody should have and which I have. I want these Zonal Councils to bring the different peoples together as indeed this Parliament does, and then work out the salvation of the land. My suggestion is that every State Legislature should send up to the Zonal Councils 10 per cent. of its total number of members or 30 persons, whichever is less, as observers. I have also stated that whatever the future development or set-up might be, I would really like them merely to go as observers with no right to vote. They certainly should have the privilege to take part in the discussions. They must have the privilege to serve on the various sub-committees, but they may not have any right to vote. Now, the point is, as things are, even in the case of those who are advisers, there is no provision whatever for the non-official element. It is all a question of a person nominated by the Planning Commission, a Chief Secretary of a Government and a Development Commissioner. I am afraid that they have missed considerably the objective that they should have had in providing for the Zonal Councils. I think even now it should be possible for them to accept the amendment, and even if there is no amendment accepted by them, they ought to be able by means of an executive order to send people to the Zonal Councils from the State Legislatures.

Of course my friend Mr. Gupta has also provided for certain Members of Parliament to take part. I think it is

[Shri H. C. Dasappa.]

a great improvement, and I do not say that it should not be there. If at least some of the Members of Parliament could go there, it would be very good. I really do not know why he has omitted Rajya Sabha. He has only thought of Lok Sabha.

**SHRI BHUPESH GUPTA:** I suggested that in the beginning. If that is accepted, I should certainly be agreeable to make a change.

**SHRI H. C. DASAPPA:** It could be Parliament. It would be a grand thing if the Government could consider the idea of sending a small proportion of the hon. Members of Parliament to these respective zones and to see at any rate that the chosen representatives of the various States have a part to play. Just look at the contributions that they can make. I am sure they will be very very helpful in tackling some of these problems. That constructive role is now sought to be denied to them. It may be that the Chief Minister is there, but he certainly would welcome the co-operation of his own colleagues in the Legislature. So, this is a very good suggestion and I hope the hon. Minister will see his way to accept it.

**SHRI B. N. DATAR:** I am afraid the purpose as also the functions of the Zonal Councils have not been properly understood by the hon. Members....

**SHRI H. C. DASAPPA:** Sir, is it proper to say that we do not understand their purpose and functions?

**SHRI B. N. DATAR:** I mean, have not been properly appreciated. I would point out that so far as the Zonal Councils are concerned they are at the governmental level so far as the different States comprising a particular zone are concerned. Let it be understood very clearly that the Zonal Councils have not been interposed between the Parliament on the one hand and the State Legislatures on the other. It is no intermediate legislature at all. Zonal Councils are entirely for certain common purposes which have to be discussed with the representatives of the various States concerned. Then, it should be understood that these Zonal Councils are entirely of an advisory nature, and after a common decision has been taken further steps have to be taken either by the Central Government or by the State Legislatures of the States concerned. I

would point out to my hon. friends that so far as State matters agreed upon are concerned action will be taken after consulting the Legislatures of the different States. So far as the Legislatures are concerned, they would be fully and adequately consulted. In fact nothing can be done without consulting the State Legislatures.

Then my friend stated that we must have some bodies which are of an inter-State nature. I would point out with all humility that the two Houses of Parliament are the best bodies that have brought together hon. Members from different parts, and this itself is the greatest means of fraternisation. Therefore, when there is a common question in respect of which advice has been received from one Zonal Council and if the matter pertains to the Centre, then the Centre will take care to see that Parliament is consulted, and we have the advantage of the advice of hon. Members of both the Houses of Parliament in regard to these questions. Cultural and other matters can be dealt with or handled either on a non-official level or even in some cases on an official level. But that is not the purpose for which Zonal Councils have to be brought into existence.

Then, it was contended by my hon. friend Shri Gupta that there ought to be some Members of Parliament, and my friend Shri Dasappa contended that there ought to be some Members of State Legislatures. I would submit in all humility that so far as the Members of the State Legislatures are concerned they would be consulted at the proper time in regard to State matters. In regard to matters of Central interest, the Members of Parliament will also be duly consulted. Therefore there is no point in having on such Zonal Councils any representatives either elected or otherwise.

Lastly, so far as the question of election is concerned, this is a body which has certain definite functions to perform and, as I stated, this is a body consisting of the representatives of the State Governments. I would point out to my hon. friends that the Chief Minister is there and there will be two other Ministers also, and these three members of the Zonal Council need not be considered as representing only the official view. They are the representatives of their own people and they have been chosen by the electorate by the direct method. Under these circumstances it



would be a misnomer to say that there is no non-official element at all in these Zonal Councils. So far as the officials are concerned, they are associated with this body. They are not to have a right to vote. They are associated with the Zonal Council for the purpose of having consultations with them or for having their advice on certain matters of a technical nature. Therefore, Sir, I would point out again to this House that the Zonal Councils are not legislative bodies at all. They are only advisory bodies. Therefore all that has been stated has to be appreciated against this background, and we have to take into account the principles on which Zonal Councils have been established. And let us see how these Zonal Councils work, and let us see what their future is. But so far as the present conception of a Zonal Council is concerned, all that has been suggested by the hon. Members—I would again submit in all humility—is entirely misconceived.

SHRI M. GOVINDA REDDY: Sir, is he accepting my amendment?

SHRI B. N. DATAR: So far as that matter is concerned, it is a very small matter. The members of the Zonal Councils will surely agree amongst themselves.

SHRI M. GOVINDA REDDY: Who will fix up the time and place?

SHRI B. N. DATAR: The Chairman will be there. And therefore there will be absolutely no difficulty with regard to that. I therefore hope that the hon. Members will not press their amendments.

SHRI M. GOVINDA REDDY: Sir, I beg leave to withdraw my amendment.

\*Amendment No. 79 was, by leave, withdrawn.

SHRI H. C. DASAPPA: Sir, I beg leave to withdraw my amendment.

\*Amendment No. 118 was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: The question is:

38. "That at page 10, line 23, for the words 'that State to be nominated by the President' the words 'among the Members of Parliament from such State' be substituted."

\* For text of amendments, *vide* cols. 2214 supra.

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

39. "That at page 10, line 23, for the words 'nominated by the President' the words 'elected' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

40. "That at page 10, line 29, the following be inserted namely :—

(e) five members of the House of the People to be elected by the members of the House representing the member States on the basis of proportional representation.

(f) ten members of the Legislative Assemblies of the member States to be elected by the Legislative Assemblies themselves on the basis of proportional representation."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

41. "That at pages 10 and 11, for lines 35-36 and 1-2, respectively, the following be substituted, namely :—

'Provided that in the case of States without a Council of Ministers, such member as the President may nominate from amongst the members of Parliament nominated under clause (c) of sub-section (1) shall act as Vice-Chairman.'

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 16 stand part of the Bill."

The motion was adopted.

Clause 16 was added to the Bill.

Clause 17—*Meetings of the Councils*

SHRI BHUPESH GUPTA: Sir, I move:

42. "That at page 11, lines 30 to 32, for the words 'by a majority of votes of the members present and in the case of an equality of votes

[Shri Bhupesh Gupta.]

the Chairman or, in his absence any other person presiding shall have a second or casting vote' the words by unanimous concurrence of the representative members of the interested States' be substituted."

*(The amendment also stood in the name of Shri Perath Narayanan Nair.)*

**SHRI M. GOVINDA REDDY:** Sir, I move:

80. "That at page 11, lines 16-17, for the words 'as the Chairman of the Council may appoint in this behalf' the words 'and place as the Council may by a resolution determine' be substituted."

81. "That at page 11, lines 22 to 24 be deleted."

**MR. DEPUTY CHAIRMAN:** The clause and the amendments are now before the House.

**SHRI BHUPESH GUPTA:** Now, Sir, it is again a very simple amendment and follows from the logic which has been given to us by the hon. Minister. It relates to certain procedural matters. It relates to sub-clause (4) of clause 17 which reads as follows:

"(4) All questions at a meeting of a Zonal Council shall be decided by a majority of votes of the members present and in the case of an equality of votes the Chairman or, in his absence any other person presiding shall have a second or casting vote."

Therefore, Sir, the majority decision is there, and the Chairman in certain circumstances may have the benefit of two votes, one as a member and another in the case of a tie. And naturally in the case of the second vote, you know that the side which got his first vote is going to win. That is a very simple thing. Now, Sir, here we have been told very fine things. The hon. Chief Ministers and their friends will meet together and discuss things in order to find out an amicable settlement. All these things have been said in this House. I can understand that point. We want discussions, and we want to solve our problems by having discussions not only in the international field, but also in the national politics. We would like the Chief Ministers to come to a settlement. But then why do you have that majority or minority? Whatever the

majority decision be, it would be considered as an imposition on the minority. Do you mean to say that in the Zonal Council which includes West Bengal, if the majority decides against Dr. B. C. Roy, he is going to submit to it? Yes, he will submit to it formally. But he is not such a person who easily yields. He will bear things in mind and seek some opportunity. And especially if the majority decides something with regard to a controversial matter and if the minority feels aggrieved, how is that situation going to be met by them? When they feel that they have lost their case in the Zonal Council, then they will adopt some other methods. They will send their party-men to the press and make statements through them. After all, Sir, we know how signatures etc. can be managed to be got on a piece of paper. All these things we know very well. Dr. B. C. Roy would himself not make any statement, but would ask some of the Congress members to make statements in the press and write letters to the editor, and make speeches on the floor of the House. And thus passions would be roused. There is going to be a lot of wire-pulling from behind with a view to getting things done in a particular way. Now I say that when you want to have mutual discussions, let the provision be such as would not take cognizance of any decision until that decision embodies the unanimous will of that particular body which you are creating. The advantages of that are obvious. First of all, the majority or the winning side will know that the minority may upset these things. And then naturally, in such a situation, the majority would be more accommodating, more considerate and all that, to the minority. Ordinarily, the minority is likely to suffer. And now there would always be an attempt to come to some agreement, and not to get the job done through a majority decision. Therefore I say that this amendment is very essential, and all the more so when we are going to have in the Zonal Council the Congress Chief Minister. I know that the Congress Members sitting there are perfectly reasonable and cultured people. But there are people who despite that culture and all that are very quarrelsome. The Sabre-rattling that went on over the Bengal and Bihar areas between the two Chief Ministers would make one feel as if they belong to two hostile States fighting with each other. Now I know that these gentlemen meeting in a Zonal Council will not be knifing and fighting physical-

ly, but anything short of that may happen, and we should not be concerned with their own domestic quarrels. All sorts of passions can be roused and extraneous issues raised. Therefore, Sir, I say that the decision of the Zonal Council should be based on the sanction of a unanimous vote. Therefore, Sir, my amendment should be accepted, because it is a very reasonable amendment.

**SHRI M. GOVINDA REDDY:** Sir, sub-clause (1) of clause 17 empowers the Chairman of the Council to appoint time, but it does not say anything with regard to a place. Sub-clause (2) says that the Zonal Council for each zone shall, unless otherwise determined by it, meet in the States included in that zone by rotation. That means to say that the Zonal Council should by a resolution fix up the place. So there is an ambiguity. It is not at all definite. In fact, if we take the meaning of these two sub-clauses into consideration, they mean the same thing as my amendment does. The Chairman, however, fixes the time of the meeting and the Zonal Council has to pass a resolution about the place of the meeting. Supposing, Sir, the Chairman fixes the time and the Zonal Council does not fix the place, well, the meeting may not take place at all, or the meeting might be delayed. The two should coincide.

**MR. DEPUTY CHAIRMAN:** There will be an office. Do you mean to say that the Chairman will fix anything without consulting the office?

**SHRI M. GOVINDA REDDY:** What can the office do? The Council will have to pass a resolution as far as the place is concerned.

**SHRI P. T. LEUVA (Bombay):** Please see sub-clause (2) where it is said that the Zonal Council for each Zone shall, unless otherwise determined by it, meet in the States included in that zone by rotation.

**SHRI M. GOVINDA REDDY:** But who is to fix? What I have said in my amendment is only that. I have made it very clear. I am sure that the hon. Minister will say that it is very simple, but there is an incongruity there. Either you empower the Chairman to fix both the time and place or you should say as to who can fix the place.

**SHRI B. N. DATAR:** There is no incongruity at all. The matter is quite simple, as my friend predicted that I

would say. So far as the other amendment is concerned, that of Mr. Bhupesh Gupta, it is born out of an unlimited mistrust of Congress Governments.

**SHRI JASPAT ROY KAPOOR:** Also to create deadlock.

**SHRI B. N. DATAR:** Therefore I would point out to my hon. friends that the Congress Ministries, the Chief Ministers who are governing their respective States, and also the Ministry at the Centre are functioning not by the sufferance of anybody but because they have been elected in direct elections by the people. Such amendments cannot be accepted inasmuch as, as I have said, they are born out of an unjustified mistrust. He says 'by unanimous concurrence of the representative members or the interested States'. Ordinarily it will be found that in all such cases where matters are of common interest, good sense as well as the desire to advance the interests of the States will surely bring about a position in which unanimous decisions could be taken. In some cases, if such decisions could not be taken, then there will be a majority decision. Whenever a matter comes finally for implementation either before the State Legislature or the Parliament, the fact that it was a unanimous decision or the fact that it was a majority decision will certainly be taken into account. As my hon. friend has pointed out, the object is perhaps to create a deadlock. No deadlock will be allowed to be created. We shall follow the ordinary principles of democracy so far as the procedure in such bodies is concerned.

**SHRI M. GOVINDA REDDY:** Sir, I would like to withdraw my amendments.

\*Amendments Nos. 80 and 81 were, by leave, withdrawn.

**MR. DEPUTY CHAIRMAN:** The question is:

42. "That at page 11, lines 30 to 32, for the words 'by a majority of votes of the members present and in the case of an equality of votes the Chairman or, in his absence any other person presiding shall have a second or casting vote', the words 'by unanimous concurrence of the representative members or the interested States' be substituted.

The motion was negatived.

\*For text of amendments, *vide* col. 2221 *supra*.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 17 stand part of the Bill."

The motion was adopted.

Clause 17 was added to the Bill.

Clause 18 was added to the Bill.

*Clause 19—Staff of the Council.*

PROF. N. R. MALKANI : Sir, I move.

83. "That at page 12, line 15, for the word 'Secretary', the words 'Joint Secretary' be inserted."

84. "That at page 12, line 17, the word 'Joint' be deleted."

MR. DEPUTY CHAIRMAN: The clause and the amendments are now before the House.

PROF. N. R. MALKANI: This is a very simple change, and I need not explain why it is necessary. Always a Secretary is more important than a Joint Secretary, and any organisation which has to run like the Zonal Council must have a Secretary of a more or less permanent nature. You make the Secretary a changing and rotating one and not the Joint Secretary. It should be the other way. So far as the Chairman is concerned, he is permanent but the Vice-Chairman rotates. To my mind, the Chairman is a very important person, and next to him is the Secretary. So, I suggest that the Secretary should be made a permanent one and not the Joint Secretary. This is necessary and reasonable.

SHRI AKBAR ALI KHAN: The Chief Secretary of each State will be the Secretary by rotation.

PROF. N. R. MALKANI: He will be changing. My submission is that the Secretary should not change; only the Joint Secretary should change. The Chairman does not change and he must have a Secretary who does not change.

SHRI JASPAT ROY KAPOOR: I support the amendments moved by my hon. friend, Prof. Malkani for I consider them to be in keeping with the idea behind the constitution of the Zonal Councils. You have provided in another clause, clause 15 I believe, that the Chairman shall be the Union Minister.

The idea behind this scheme is that the chief functionary in the Zonal Council should not belong to any one of the States which form part of that Zone but should be an independent person not connected with the administration of any one of the States concerned. That is as it should be. Just as the Chairman would be the chief functionary in the Zonal Council, similarly the Secretary would be the chief executive officer of the Zonal Council, and just as you want to have an absolutely independent and non-partisan person to be the Chairman, similarly you must have a Secretary who does not belong to any one of the component States of the Zonal Council, so that he may be able to function in a very impartial and independent manner, for we can well appreciate the delicate position of the chief executive officer of the Zonal Council, viz., the Secretary, if he belongs to any one of the States, because he is serving under the Chief Minister of that State. May be that for the time being he is acting as the Secretary of the Zonal Council and is not directly serving under the Chief Minister, but then he has got to revert to his own State and work under the Chief Minister again. In order that the decisions of the Zonal Council may be executed by an absolutely independent person, it is much better or rather very necessary that it should have a permanent Secretary not working under any one of the Chief Minister's concerned and the Joint Secretary may be a rotating one from the States. This is very necessary and I would beg of the hon. Minister to accept these amendments in order to make the Zonal Councils really look like being impartial.

SHRI B. N. DATAR: May I point out to the hon. House that, so far as the Vice-Chairman is concerned, he is rotating, one of the Chief Ministers becoming Vice-Chairman for the time being. So, it is quite likely that he would like to have his own Chief Secretary to be the Secretary of the Zonal Council. It is better to have the Chief Secretary of one of the States as the Secretary of the Zonal Council. This is in keeping not only with the dignity or importance of that particular office, but the Chief Secretary of a State will be in a better position to carry out whatever has been settled by the Zonal Council, and in order to help him, there is also a Joint Secretary. Therefore the purpose which the hon. Members have in view will be fully served, and they need not have any misgiving on this question.

PROF. N. R. MALKANI: My amendments were quite reasonable. I am not convinced by the hon. Minister at all. However, I beg leave to withdraw my amendments.

\*Amendments Nos. 83 and 84 were by leave, withdrawn.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 19 stand part of the Bill."

The motion was adopted.

Clause 19 was added to the Bill.

Clause 20 was added to the Bill.

Clause 21—*Functions of the Councils*

SHRI BHUPESH GUPTA: Sir, I move:

43. "That at page 12, for lines 39-40, the following be substituted, namely :—

'(b) inter-State transport; and'."

(The amendment also stood in the name of Shri Perath Narayanan Nair.)

SHRI KISHEN CHAND (Hyderabad): Sir, I move:

44. "That at page 12, line 40, after the word 'transport', the words 'and in case of disagreement on border adjustments, refer the matter to an arbitrator' be inserted."

MR. DEPUTY CHAIRMAN: The clause and the amendments are now before the House.

SHRI KISHEN CHAND: Mr. Deputy Chairman, I welcome the Zonal Councils and I think they have a very useful purpose to serve. It is for the economic development of those areas which are included in that zone. Some hon. Members have said that the reasons for allotting States to particular Zones are not very clear. The reason is they were made on the basis of the river system and there economic development is mostly dependent upon the river development projects. I submit that these Councils are also entrusted with the task of settling border disputes. It is quite possible that the border disputes may create

some rancour in the minds of the member-States in the zone and if these disputes are not settled, that rancour will continue and will affect their economic programme and the joint programme of development. To solve this, there is only one solution. We don't want a Boundary Commission, we don't want to enter into all these disputes. So I submit that in such a case, if that Zonal Council appoints an arbitrator—possibly it may be the Minister representing the Centre on the Zonal Council—he may give an award. Let him consider the dispute between the different States which are comprised in that zone and let the two State Ministers also sit with him and consider this matter. It is quite possible that they may not be able to solve it, but refer the matter to an arbitrator and abide by the decision of the arbitrator. This will result in quick disposal of all border disputes once for all. Once these disputes are settled, the Zonal Councils will perform their real function of economic development of that particular area and therefore, Sir, I command my amendment.

SHRI BHUPESH GUPTA: My amendment is with regard to sub-clause (b) where it is provided :

"any matter concerning border disputes, linguistic minorities or inter-State transport".

These matters will be the subject for discussion or decision in the Zonal Councils. I want this whole thing to be substituted by the word 'inter-State transport'. This is all that I want under (b) and not all the others. You will ask 'why'? An hon. Member will say that the whole thing arises from my unlimited trust, if I got him right, of the Congress Government. If I have that much of trust in the Congress, I would not have been sitting here. I would have been sitting behind him. It is obvious. To what extent it is limited or unlimited, let us not go into it now.

SHRI JASPAT ROY KAPOOR: Very pathetic.

SHRI BHUPESH GUPTA: There is fairly a big gap between us. Now may I say why I wanted it to be changed? First of all 'inter-State transport' is an important subject and it requires discussion. There are many Vehicles Acts and all these things which affect the States and which come in their way sometimes if there is not a sort of common policy

\*For text of amendments, vide col. 2227 supra.

[Shri Bhupesh Gupta.]

with regard to them when the transport is between two States and also on similar other matters. Therefore I say that it should be included. Riverine transport for instance is a matter which may be discussed by the two States and solutions found when there is some difference. But my amendment also excludes 'concerning border disputes, linguistic minorities' but 'inter-State transport' remains. I agree that it should remain since we have the Zonal Councils. But I would not like the other two items to be included namely, border disputes and linguistic minorities. Why? Because of our experience, I don't trust. It is quite clear that the two Chief Ministers of our two bordering States in the East could not only not come to a settlement but between them they managed the affairs in such a way that bitterness grew. Is it a fact or is it not a fact? I ask a straight question. Is it a fact or is it not a fact that in a number of cases the Chief Ministers had every opportunity of discussing among themselves, offering common solutions and having the matter settled that way? Such things did not follow. I would like the Minister in charge of the Bill to look into the proceedings of the Bihar Legislature and the speeches of the Ministers there and the Chief Minister in particular and similarly the proceedings of the Bengal Legislature and the speeches of similar personalities—their opposite numbers—and he will find that these people would not settle. Now surely, they can never settle these disputes, their reason being that their outlook is entirely different in such matters and always they are only interested in getting some kind of support in the country. Is it or is it not a fact that the Chief Minister of Bihar threatened that if an inch of territory were to be transferred from Bihar to Bengal, he would offer his resignation? Did it not come out in the press? Was it not published and did the Government not know of such things? Now why such things happened? Therefore I say that these things, if you include within the functions of the Zonal Council, will transform the Council into a cock-pit of this kind of quarrel over territories without giving any solution. What solution will it give? It cannot take the decision....

(Time bell rings.)

As soon as I finish the sentence you come. You know where the full-stop occurs. I have lost the thread. There-

fore it will cost a little more time of the House and I am sorry for it. (Interruptions) (An hon. Member got up.) Now there, with your interruption and his getting up, I am completely out of touch with my arguments by now.

SHRI JASPAT ROY KAPOOR: Don't be afraid of me.

SHRI BHUPESH GUPTA: If border disputes go there, they will not be in a position to take the decision which is binding at all. They can say 'This is our opinion. This is the decision—may be a majority decision.' There will be power politics inside the Zonal Council. In a certain Zonal Council consisting of 4 States, if there is a dispute between two States, assuming a border dispute occurs between Bengal and Bihar....

SHRI AKBAR ALI KHAN: The Central Minister will be there.

SHRI BHUPESH GUPTA: But power politics also will be there. The more I feel the impact of the disintegration of Hyderabad State on the hon. Member, the greater I feel sorry for him.

SHRI AKBAR ALI KHAN: He is disintegrating India. It is not only a question of Hyderabad.

SHRI BHUPESH GUPTA: Now I thought we had disintegrated a State, not the logic of the hon. Member. Now here the Chief Ministers will try to mobilize two other groups. There will be all kinds of power politics in this matter. Therefore the whole thing will be vitiated and whatever the experiences we have got at the moment, I say that in the present situation, with the failure of the Congress leadership at the top to keep the house in order and hold its own Governments in the States on proper rails, we cannot trust the Zonal Councils, with such people only, we not having any powers and even the Members from that side—elected Members. So we cannot trust the Chief Ministers with the responsibility of deciding on such matters because they will make a mess of things. They will create trouble and they will create confusion.....

MR. DEPUTY CHAIRMAN: That will do.

SHRI BHUPESH GUPTA:.....if they have any power whatsoever. The Minister said that the Boundary Commission is not acceptable because things will be brought out. Here the Chief Ministers will bring up such things.

Therefore I say that this should be absolutely ruled out and this should not be mixed up with other things. The other good work that you will do will also be vitiated.

**SHRI B. N. DATAR:** May I point out that the hon. mover of this amendment is perhaps unconsciously magnifying so-called border disputes here and there. Now a time has come when we should live down all such disputes and after sometime all imaginary grievances will have disappeared. The matter will have been stabilised and if at all any legitimate grievances in respect of border disputes do remain, they will be solved by the Zonal Councils. Then the hon. Member will also understand how his proposal that the Zonal Council should refer the disputes to an arbitrator is entirely incongruous. So far as the solution of the border disputes is concerned, after all it would be the opinion given by an advisory body. They will not bind either the States or the Centre. They would be taken into account provided there is good sense behind them or if there is agreement. So no arbitration can come in. Suppose there is an arbitrator, what will happen? Again it will be of an advisory character, because the appointing authority itself is advisory in nature. Therefore, it would be beyond the purview of the advisory body being advisory itself, to refer any matter to an arbitrator. Ultimately, as hon. Members will kindly understand, whatever decisions there are so far as the borders are concerned, they have to be reached by agreement or by the Government of India, subject to the approval of Parliament. So the matter will ultimately come to Parliament. Therefore, in such cases, we shall needlessly be placing ourselves in a very awkward position by appointing an arbitrator whose decision will not be final.

**MR. DEPUTY CHAIRMAN:** The question is:

43. "That at page 12, for lines 39-40, the following be substituted, namely :—

'(b) inter-State transport; and'.

The motion was negatived.

**MR. DEPUTY CHAIRMAN:** The question is:

44. "That at page 12, line 40, after the word 'transport', the words 'and in case of disagreement on border adjustments, refer the matter to an arbitrator' be inserted."

The motion was negatived.

**MR. DEPUTY CHAIRMAN:** The question is:

"That Clause 21 stand part of the Bill."

The motion was adopted.

Clause 21 was added to the Bill.

(Amendment No. 45 barred)

Clause 22 was added to the Bill.

(New Clause 22A not moved, since Shri P. C. Bhanj Deo was absent)

Clause 23—Amendment to the Fourth Schedule to the Constitution.

**DR. R. P. DUBE (Madhya Pradesh):** Sir, I move:

47. "That at page 13, line 28, against the entry relating to Madhya Pradesh, for the figure '16', the figure '18' be substituted."

**SHRI KISHEN CHAND:** Sir, I move:

48. "That at page 13,—

(i) in line 37, against the entry relating to Delhi, for the figure '1', the figure '3' be substituted; and

(ii) in line 38, against the entry relating to Himachal Pradesh, for the figure '1', the figure '2' be substituted."

**SHRI M. GOVINDA REDDY:** Sir, I move:

87. "That at page 13, line 26, against the entry relating to Bombay for the figure '27', the figure '29' be substituted."

88. "That at page 13, line 37, against the entry relating to Delhi for the figure '1', the figure '3' be substituted."

89. "That at page 13, line 38, against the entry relating to Himachal Pradesh for the figure '1', the figure '2' be substituted."

**SHRI H. C. DASAPPA:** Sir, I move:

120. "That at page 13, line 26, against the entry relating to Bombay, for the figure '27', the figure '29' be substituted."

[Shri H. C. Dasappa.]

122. "That at page 13, line 40, for the figure '208', the figure '210' be substituted."

JANAB M. MUHAMMAD ISMAIL SAHEB (Madras): Sir, I move:

121. "That at page 13, after line 39, the following be inserted, namely:—

'19. Laccadive, Minicoy and Amindivi Islands.....1'."

123. "That at page 13, line 40, for the figure '208', the figure '209' be substituted."

MR. DEPUTY CHAIRMAN: Clause 23 and the amendments moved are now for discussion.

SHRI KISHEN CHAND: Sir, I have proposed my amendment to the effect that Delhi should be given three representatives in the Council of States instead of one representative as at present proposed. The Delhi State is going to be deprived of its legislature. It is at present enjoying all the benefits of a democratic government and it is going to be deprived of it. Its population is over two millions at present and it is fast increasing. It will soon be about two and a half millions and so according to our formula there should be three representatives.

SHRI M. GOVINDA REDDY: It is provided in the Constitution (Ninth Amendment) Bill.

SHRI KISHEN CHAND: But I submit that it should be done here because if this provision is passed in this Bill here, then the Delhi legislature can elect three representatives. When this Bill becomes an Act and the Act comes into operation on the 1st of November, the Delhi Assembly would have gone out of existence. There will be some method of nomination by the Central Government. Even in the Joint Select Committee it was accepted that Delhi will get three representatives and Himachal Pradesh two representatives in the Council of States; but it seems this has been transferred to the Constitution (Ninth Amendment) Bill. I do not see any justification why it should be transferred to that Bill.

Moreover, I want these three representatives to be elected by the present Assembly of Delhi State. The Assembly of Himachal Pradesh should elect its two representatives. For after the 1st of

November when this Bill comes into operation, both these Legislative Assemblies would have gone out of existence; and then if these persons have to be nominated, naturally the Central Government will devise some other method and even the small part of the representative element that these States are going to enjoy, will by this indirect method be taken away from them. Therefore, I humbly submit that there is no justification for this. I am sure the hon. Minister will say that in the States Reorganisation Bill, the status of Delhi has not been affected, and therefore these things are not being altered. But as I submitted, the population of Delhi is now over two millions. How can you possibly give them only one representative in the Council of States? According to the formula it should get three representatives. Similarly, Himachal Pradesh should have two representatives. I submit that it should be provided that these representatives should be elected by the present legislatures of these States.

DR. R. P. DUBE: Mr. Deputy Chairman, what I have to submit in support of my amendment is this, Sir. The residuary Madhya Pradesh State is given only 5 seats in this Bill. Formerly we had 8 seats, the present Madhya Pradesh is two-thirds of Mahakosal and one-third of Vidarbha and Nagpur. So we should have 8 seats. But now we have got only five seats. I do not now ask for all the eight, but I only want to increase the number 16 to 18. That is to say, I want only two more seats.

SHRI M. GOVINDA REDDY: Sir, my amendments Nos. 88 and 89 are the same as that of Shri Kishen Chand, and my reasons are also the same as those given by him. Sir, the Joint Select Committee conceded the justice of the demand of Delhi and Himachal Pradesh and they wished to provide for that. The notes of the Joint Select Committee show it. But towards the close of the deliberations of the Joint Select Committee they came to the conclusion that they should direct the provision to be made in the Bill amending the Constitution. But the proper place, as was pointed out by my hon. friend Shri Kishen Chand is here in this Bill. We are replacing the table of seats of the Council of States in the Fourth Schedule here in this Bill. When we are doing that, then necessarily this change in the case of Himachal Pradesh and Delhi should also find a place here.



Next I come to my other amendment No. 87 which is a more important amendment. There I have suggested that the quota given to Bombay may be changed from 27 to 29. My reason for suggesting this change is this. With regard to the quota of seats provided for Mysore, 4 seats have been provided for being filled up from the sitting Members of the Bombay State. Among the 17 sitting Members of the Bombay State, there are only two Karnataka Members. The other two Members are to be from either the Maharashtra or the Gujarati area. That means that Mysore would be losing two seats. The reason for making such a provision seems to have been that Bombay has an excess quota which should be reduced by at least two. They have allotted two of that number to Mysore, thereby depriving Mysore of two seats. The hon. Minister cannot say that this is fair to Mysore and he cannot justify his taking away two seats from Mysoreans. I do not want to make the matter more complicated by making detailed re-arrangement of seats for all concerned States, and therefore, I have suggested this simple amendment to increase the quota of Bombay by two. I don't grudge, Sir, Bombay getting two more seats if Mysore can be saved of those two seats which have now been taken over to Bombay.

**SHRI H. C. DASAPPA:** Sir, my amendment relates to the identical subject-matter to which Mr. Govinda Reddy has referred. In addition to what he has said I may say this. Bombay, when it was proposed to be split up into three States, namely, Gujarat, Bombay City and Maharashtra, had a quota of 33 seats. The total of these three States as per the proposals in the Joint Select Committee's Report was 33. Now, as per the present Bill, it is reduced to 27.

**SHRI V. K. DHAGE (Hyderabad):** I would like to know from the hon. Minister what has made a change to be effected in the Bill after the Joint Select Committee had made some provisions regarding the increase of seats in certain territories.

**SHRI H. C. DASAPPA:** I can tell you what it is. They have a formula as to how the seats for a State...

**MR. DEPUTY CHAIRMAN:** Will you take more time, Mr. Dasappa?

**SHRI H. C. DASAPPA:** I think so, Sir.

**MR. DEPUTY CHAIRMAN:** You can continue to-morrow.

There are some Messages.

## MESSAGES FROM THE LOK SABHA

I. APPROPRIATION (No. 3) BILL, 1956

II. APPROPRIATION (No. 4) BILL, 1956

III. GOVERNMENT PREMISES (EVICTI-  
TION) AMENDMENT BILL, 1956

**SECRETARY:** Sir, I have to report to the House three Messages received from the Lok Sabha signed by the Secretary of the Lok Sabha. They are as follows :

### I

"In accordance with the provisions of Rule 133 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Appropriation (No. 3) Bill, 1956, as passed by Lok Sabha at its sitting held on the 24th August, 1956.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

### II

"In accordance with the provisions of Rule 133 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Appropriation (No. 4) Bill, 1956, as passed by Lok Sabha at its sitting held on the 24th August, 1956.

2. The Speaker has certified that this Bill is a Money Bill within the meaning of article 100 of the Constitution of India."

### III

"In accordance with the provisions of Rule 133 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Government Premises (Eviction) Amendment Bill, 1956, as passed by Lok Sabha at its sitting held on the 24th August, 1956."

I lay these three Bills on the Table.