

[श्री मधु लिमये]

है, इस लिये इस समय परिषादी के खिलफ जा कर लगाने का औचित्य क्या है, इस पर आप को अपना निर्णय देना चाहिए।

SHRI YESHWANTRAO CHAVAN: If it is really a question of propriety, I would like to explain to him the mechanics of how this Income-tax Act works. It is not for the first time that we have brought in such a provision of prospective implementation and application. This convention has been followed for the last seven or eight years that all these tax proposals under the Income-tax Act and other Acts are made applicable prospective except in the case of excise duty. The reason is that, even though it is to be made applicable from 1st April, 1975, it is based on the income of this year.. If I bring in this Bill in April, 1975 for application, it will become applicable from the year next. So, it is no use merely referring to some notion or convention made in May's Parliamentary Practice; he did not know the India of 1974. It is no use applying this merely in a rigid manner, in a mechanical way.

श्री मधु लिमये : असेसमेंट ईयर कौन-सा है ?

SHRI YESHWANTRAO CHAVAN: It will be assessed on the basis of the income this year.

MR. DEPUTY-SPEAKER: I do not know what to do.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): He is convinced.

MR. DEPUTY-SPEAKER: You are convinced?

श्री मधु लिमये : एक्सप्लेनेटरी मेमो-रेंडम डिफेक्टिव है। इसको कहना चाहिए था कि इस साल की इनकम के ऊपर हम करेंगे।

MR. DEPUTY-SPEAKER: I would like to know what Shri Madhu Limaye wants.

श्री मधु लिमये : हम इनकम टैक्स थोड़े हें देते हैं, वह यहाँ से घट जाता है। हमारे पास इतनी दौलत है कि हम इनकम टैक्स दें। अगर इनका यह कहना है कि इस साल की इनकम यह है तो मैं मैं आक्षेप नहीं करता हूँ।

MR. DEPUTY-SPEAKER: I do not know about this. I think we might as well wait till tomorrow.

SHRI MADHU LIMAYE: He is saying that this year's income will be assessed next year.

MR. DEPUTY-SPEAKER: All right. It does not need any ruling. I will put the clauses to vote.

The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Now it is 5.30. We take up the Half-an-hour Discussion.

17.30 hrs.

**HALF-AN-HOUR DISCUSSION
MAHARASHTRA-KARNATAKA BOUNDARY
DISPUTE**

SHRI SHANKERRAO SAVANT (Kolaba): This Half-an-hour Discussion is necessitated by the stereotyped, evasive and unconvincing replies given by the hon. Home Minister to my Starred Question No. 49 on the 24th July, 1974. As the question did not reach within the time, no supplementaries were put and, therefore, this Half-an-hour Discussion has become absolutely necessary.

The question was a simple one:

"Will the Minister for Home Affairs be pleased to state the reasons why the solution of the boundary dispute between Maharashtra and Karnataka is being delayed and whether the dispute

will be settled before the delimitation of the constituencies for the ensuing Lok Sabha elections and whether any instructions have been issued to the Delimitation Commission that the boundaries of these two States are likely to undergo change?"

This is a simple question. The reply given is a consummate exercise in political blinking. The reply is:

"Efforts are being made to arrive at a solution which will command maximum acceptability. While no reference has been made to the Delimitation Commission on the subject but in view of the complicated nature of the dispute, it will not be easy to set any time limit for finding a solution, the Government are most anxious to find an early solution."

Now, the words "command maximum acceptability" and the words "Government are most anxious to find an early solution" are bandied recklessly in practically every reply given to similar questions during the last three years. Therefore, these words have lost their normal meaning.

17.34 hrs.

[DR. HENRY AUSTIN in the Chair.]

Almost in every reply the words 'trying to find out the maximum acceptability' and 'finding a solution very early' are repeated. So far as this problem is concerned, I may point out that this problem arose in 1956 when the States Re-organization Commission parcelled out the entire Union of India into linguistic States. As they had to deal with an all India problem, they naturally took the district as the unit and, therefore, certain Tehsils, circles and villages remained uncared for. The Maharashtra State was the worst loser in this respect and certain Marathi-speaking people remained in Karnataka (Mysore at that time) and certain Kannada-speaking people remained in Maharashtra. Both people wanted to go to their home States but they could

not do it and they were agitating for it and for 8 or 10 years this agitation went on. That is to say, this went on from 1956 to 1966. Government appointed the Mahajan Commission in 1966 and the report came in 1967 August. That report was violative of the basic principles of States' reorganisation. Those principles are stated in the SRC report itself. People began to agitate again. The result was this. For eight years the Government of India was telling us, we are finding out a solution, we are finding out a solution, etc. but they never found out a solution. When people became restive and when they flew at each other's throats and property worth lakhs of rupees went into the flames, we were told, this is not the proper time, this is not the proper atmosphere, etc. When people became quiet they said 'let sleeping dogs lie'. This sort of gimmick no good person will tolerate. It is nothing but a sort of sadistic attitude towards a huge State problem. So far as the Maharashtra Government is concerned it has been voicing the feelings of the people untiringly. Please see the reply given in this House on the 14th November, 1973 to my Unstarred Question No. 593. According to that reply on the 3rd November, 1973 there was a delegation of Maharashtra MLAs headed by Chief Minister and he urged that this dispute should be solved at any rate before the Delimitation Commission is appointed. They said, we will try, but they did nothing absolutely. Now Delimitation Commission has started working. Nothing is done in regard to that request and nothing will be done also. If it is not solved now it will not be solved for another five years too. The patience of the people has reached the breaking point. Some elements take advantage of it like the Shiv Sena and a similar parochial organisation in Karnataka and this situation was taken advantage of by them. They started trouble. The people had to suffer. Last time there was trouble in both the States. Property worth lakhs of rupees was des-

[Shri Shankerrao Savant].

troyed. There is no reason why we should go on putting off the solution day after day.

I also wish to refer to my Starred Question No. 110 on 11th February, 1974. The Home Minister in his reply has very specifically put it and I agree with him. "Linguistic minorities have remained in these two States and they are there quite on a large scale." The problem is how to deal with these linguistic minorities. When the Commission was appointed, it was thought, there should be as small a number of linguistic minorities in the newly created State as possible. That was the expectation. But that expectation is belied. This remaining of linguistic minorities on a large scale in the two States is the main question that demands solution."

That should be solved. It has not been solved for the last eight years.

Recently, that is, on the 8th August, 1974 M.P.s from all political parties in Maharashtra have given a requisition to the hon. Prime Minister saying that this question must be solved before the Delimitation Commission gives its final report. Nothing has been done so far. So, I should like to put a straight question to the hon. Home Minister. Is there the will to solve it and is there the ability to solve it. That they have the ability to solve it is proved from the fact that they have solved the dispute of Kachcha Thivu island; they have solved the problem of Bangladesh. We are going to solve the boundary dispute with Burma. Why can we not solve our domestic issue just now? Unless there is will to solve it how can you solve this? There is no will to solve it, that is why the dispute remains unsolved for the last eight years. So, my questions to the hon. Minister are:

(1) Has he got the will to solve this question?

(2) Whether he has contacted the Chief Ministers of both the States? Is there any proposal under the consideration? If so, what are the

reactions to the proposal of the Chief Ministers?

(3) What is it that prevents him from solving it before the Delimitation Commission gives its final report.

He should specifically give answers just now to all these questions. Once he decides to solve it, I am sure, the dispute will be solved within two or three days. Every point has been put forth before the Central Government. So, my question to the hon. Minister is: can he specifically reply that this dispute will be solved before the Delimitation Commission gives its final report?

MR CHAIRMAN: You will put questions only because this is a half-an-hour discussion.

PROF. MADHU DANDAVATE (Rajapur): Let the time be flexible. We had tabled here for a discussion under 193. But, on an appeal of the Home Minister I withdrew it.

MR. CHAIRMAN: Please cooperate with me. Because this is a half-an-hour discussion, you will please put your question only.

PROF. MADHU DANDAVATE: Sir, on 13th December, under Rule 193, I was to initiate a discussion on the ending border dispute between Maharashtra and Karnataka. The Home Minister, at that time, in view of the tension prevailing in both the States made a fervent appeal—an emotional appeal, if I may be permitted to say so—that, in the interests of the nation and in the interests of the wider community, this discussion should not be pressed for. Fortunately or unfortunately, I being a fervent nationalist, responded to his appeal and I told him that, in the interests of national integration which is an objective nearest to my heart, I would not press for the discussion. I withdrew that particular discussion.

Is it not a fact that because of the pending border dispute between Karnataka and Maharashtra the greatest

loss to the country is that the valiant freedom fighters who fought for the liberation of the country and who are in that particular border area—whether they are Kannadigas or Marathi speaking people—they are to-day completely engrossed with this particular problem for the last several years? Their talents are not being made available to the mainstream of political and economic activity of the country. Therefore, our greatest handicap is that some of the best talents and best men and patriots in that particular border area who have remained engrossed in this border dispute, and if you tell them—it would be in the interest of the nation that the border problem would be solved once and for all and there is finality about it, in that case, they will be joining the mainstream of political life.

There was a Mahajan Commission Report already. We do not know what is the position about this report whether it has been accepted or whether it is kept under suspended animation. Nobody knows anything about it. And, as a result of that, we find that the national problem is not being solved.

On 13th, when I placed before the House certain comments, I brought to your notice that as early as 8th December one thing, I wrote a letter to the Prime Minister about the burning problem. She wrote to me back—I quoted that letter in this very House—and this was that she said in the last paragraph:

"The Home Minister is seized of the general question and will soon take the initiative to find a satisfactory solution of the border dispute".

I quoted this letter written to me by the Prime Minister and I also told the House that this was a letter that had been written to me. I appealed to the Home Minister as well as the Prime Minister that they should give me an assurance. In that case, I

would not press for a discussion. The Home Minister as well as the Prime Minister were very kind and both of them independently gave an assurance to this House that we shall expedite our efforts to arrive at the solution of the border dispute between Maharashtra and Karnataka.' Sir, is it not a fact that immediately after that, all the political parties in this House irrespective of their ideological considerations wrote a memorandum to the Prime Minister? In that memorandum it has been stated as follows:

"The failure of the Centre to settle the long pending Karnataka-Maharashtra border dispute has given rise to unprecedented disturbances in both the States threatening the life and property of linguistic minorities.

"We strongly feel that settlement of this border dispute by the Centre on the basis of sound principles without any further delay is the only way to put an end to the present ugly fratricidal war between the people of these two States.

"We, therefore, earnestly request you to initiate prompt efforts to settle the border dispute in the wider interest of national integration."

This was signed by the leaders of almost all the Opposition parties, namely, CPI(M), Jan Sangh, Cong.(O), CPI, Swatantra, DMK, Socialist party, etc. In addition to that I had written to the Prime Minister in which I said many Members of the ruling party have expressed their agreement with the spirit of the memorandum though for technical reasons they have not appended their signatures to that memorandum. This represented the consensus of this House that you might try to evolve universal principles so that there is no fratricidal war and people in this border area are brought into the main stream of political and economic activity of the country.

Now, I would like to ask two questions. Is it not a fact that whenever

[Prof. Madhu Dandavate]

there was agitation in these areas you said if you allow the agitation to subside or withdraw the agitation in the cooler atmosphere we can find the solution? And when everything is quite you say after all the issue has died and the atmosphere is quite and why unnecessarily create difficulties. On November 21, last Maharashtra Ektakaran Samiti suspended its agitation in deference to the wishes of the Prime Minister. Why is it even after the withdrawal of the agitation and after a memorandum signed by all political parties expeditious steps were not taken?

Secondly, when this issue was referred to the Mahajan Commission it was not an award but only recommendation. Further, whenever the States Reorganisation Commission made recommendations it was not treated as an award and a number of changes were made. It is not an award but a recommendation. I do not want to go into the various contradictions of the Mahajan Commission Report. I would only at the end request before elections are held on the new delimitation basis please try to settle the issue. I would end by making an appeal both on behalf of my friends in Karnataka as well as Maharashtra that you take some decision—it might be in favour of Karnataka or Maharashtra. Whatever be the decision, let there be a finality. By keeping the issue pending like this, Government are doing injustice to both Karnataka and Maharashtra. On behalf of both Karnataka as well as Maharashtra, I would insist that for God's sake and for the sake of the people, let Government end the dispute once and for all and have some finality so that the people in the border area may join the mainstream of political and economic activities in the country.

MR. CHAIRMAN: Mr. B. V. Naik.

SHRI B. V. NAIK (Kanara): This is an issue....

SHRI R. S. PANDEY (Rajnandgaon): It is not a question which con-

cerns the sentiments of people from Maharashtra and Karnataka only. We who come from other States can also give our very impartial suggestions. If you would permit me to say so, the two Chief Ministers should be put in one room, and Mr. Dikshit should not allow them to come out unless they have ironed out their differences. If they are worthy enough as Chief Ministers, let them iron out their differences. Why should the Centre be dragged into this particular issue? I could understand the sentiments of Prof. Madhu Dandavate. But I may tell him that the Centre has nothing to do with this. Let the two Chief Ministers sit together, iron out their differences and come to a final decision. For 18 years, the dispute has been going on, and my hon. friends want to bring the Centre into the picture. Why should Mr. Dikshit become unpopular? What is the guarantee that they are going to accept whatever decision is going to be given by him....

MR. CHAIRMAN: Let the hon. Member please resume his seat. This is only a half-an-hour discussion in which only those four Members whose names have come up in the ballot are allowed to put questions.

PROF. MADHU DANDAVATE: May I point out to my hon. friend Shri Pandey that when a king wears the crown, he wears it with the thorns? When Mr. Dikshit has rightly accepted the responsibility of the Home Ministership, he has also accepted the responsibility for becoming unpopular....

SHRI R. S. PANDEY: If he takes the decision, there is the Shiva Sena in Bombay, and they will kick the Congress and rebuke the Congress....

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT): May I explain the position? There need be no controversy about this.

MR. CHAIRMAN: I may point out to Mr. Pandey that this is a discussion under rule 55, and only those whose names have come up in the ballot can participate. I am sorry that he has raised this matter. He has no *locus standi* in this. He should have sought my permission before raising this.

SHRI DINEN BHATTACHARYYA (Serampore): He wants to be a Minister, and, therefore, he has raised it.

MR. CHAIRMAN: Order, let him not bring in extraneous questions into this. He has perhaps done it in good faith. What I am saying is that he should not have raised it without my permission.

SHRI R. S. PANDEY: I have done it in good faith. Let the two worthy Chief Ministers come together and settle it.....

MR. CHAIRMAN: It is out of place here. Let him raise it in the appropriate forum.

SHRI B. V. NAIK: I would not like to add to the fire. Whatever we say in all our earnestness should at least achieve one thing that it should not trigger off any unhappy occurrence anywhere....

SHRI SHANKER RAO SAVANT: That is what we are saying.

SHRI R. S. PANDEY: They may be saying it here, but their street speeches are different.

MR. CHAIRMAN: Mr. Naik can only put questions. Otherwise, there would not be enough time for him to hear what the hon. Minister has to say.

PROF. MADHU DANDAVATE: As against 4 from Maharashtra, there is only one Member from Karnataka who is speaking. So, let him be given a little more time to put forward his case.

MR. CHAIRMAN: Let Mr. Naik be reasonable.

SHRI B. V. NAIK: Prof. Dandavate appreciates the fact that we are a quiet people and that we do not intend to create any trouble.

Therefore, I would say that it is not only a question of my coming from Karnataka as against the rest of the four hon. Members of ours who come from Maharashtra, but I also come from a border area of Karnataka as well as the border of Maharashtra and the border of Goa. Therefore, it would be a sort of failure of performance of duty if their sentiments are not expressed. The sentiments of the common people all around the world are not always coterminous with the sentiments of the politicians who represent them.

Therefore, I would only submit that political questions like this are not problems for which we can think of a definite time-frame within which a solution can be found. He said it is an international question. In which part of the world has an international question been solved? Has the Palestine question been solved? Has the Ulster question been solved? (*Interruption*)

AN HON. MEMBER: He was not serious.

SHRI B. V. NAIK: He was serious. It is something like what was said of a Senator: when he jokes, he makes a law and when he makes law, it becomes a joke (*Interruption*). This is too serious a matter to be joked.

May I, therefore, submit in all humility this? Since Government also accepts that these serious matters cannot be discussed within the frame of five minutes or in the course of a day and the entire sentiment of the House is also involved, for example, Shri Pandey is quite right in feeling agitated—they believe in the integrity of this country, national integrity

SHRI K. HANUMANTHAIYA (Bangalore): Integration, not integrity.

SHRI B. V. NAIK: With due apologies to the sophisticated command over Queen's English possessed by Shri Hanumanthaiya and with due apology for the mispronunciation, I say national integration. I would submit that the House may be taken into confidence. A consensus may or may not arise. We hope a consensus may arise, we can think in a cool atmosphere and the Minister will be acceptable for such a discussion. Now that tempers have cooled, we hope they will not flare up once again. I do hope a consensus may emerge.

SHRI P. G. MAVALANKAR (Ahmedabad): This half an hour discussion has value only if we can extract some kind of a satisfactory explanation and reply from the Home Minister as to why this particular vexed problem has been kept pending for so long. I am sure, it is not the object of any one of us to excite passions this way or that way. Therefore, I want to ask the Home Minister: Is it not a fact that this problem has been kept pending for a long number of years and that successive Home Ministers beginning from the revered Pantji, then Shastriji, then Nandaji, then Yeshwantraoji and now even Dikshitji, all this galaxy of leaders...

SHRI MADHU LIMAYE: And Indiraji.

SHRI P. G. MAVALANKAR: How is it and why is it that they have failed to help find a solution? These people are not merely Home Ministers and Prime Ministers; they are national leaders. How is it that they have not been able to infuse a certain element of nationalism on the part of the people of this or that area, and more particularly on the part of the people belonging to their own party? I ask this question of Dikshitji: Since he has a majority in Karnataka and since he has also a majority in Maharashtra, how and why is it that he is not able to bring together the people of his own party on both sides primarily though, of course, it is not

a party question—and come to some kind of a satisfactory solution?

We are living in a vast continent—like country with a rich variety. So there are practically border areas with every State. When two States meet, naturally there are border areas. But there are no border disputes. Yet, this particular problem has been allowed to remain unsolved because the national leaders have merely gone on saying that they want to solve it but I see there is no desire, sincerity or earnestness in coming to a solution.

As my friend, Prof. Dandavate said, let it be in favour of this area or that, but let there be a solution! I see the anxiety and embarrassment on the part of Dikshitji. That is why all of us irrespective of party agreed some months ago not to have a discussion, but we did so in the hope that Government will come to a certain concrete, expeditious, just, honourable, acceptable solution. We would like to know why is it that that solution has not come for the last so many months? Will the Home Minister tell us what concrete steps he and his colleagues have taken to sort out the differences between Karnataka and Maharashtra people? Can he say that the solution today is a little nearer than six months ago? Last time, he said that the dispute is of a complicated nature. Will he spell out the more important complications involved, because some of us who think and behave like Indians cannot understand the special complications involved. Is there any effort on the part of the Government and the Congress party to educate the people in terms of national integration? The Prime Minister and the Home Minister are members of the National Integration Council. What are they doing to bring about the psychological and emotional integration of the people by creating a climate in favour of integration? Or, do they expect a miracle to occur to solve the problem?

18 hrs.

On the last occasion, on July 24, 1974, in answer to Shri Savant's question, the Minister replied that a time limit cannot be fixed. Why? Surely you ought to say that it will be solved within, say, 2 or 3 or 5 months or years from now. But, if you say that a time-limit cannot be fixed, it means you do not want to do it. If you are sincere about a solution, you are bound to have a time limit. Lastly, is the Government not contemplating to have some kind of a permanent machinery, some tribunal consisting of independent, judicial-minded people, known all over the country for their integrity, who have no political axe to grind, to look into such inter-State disputes now and in future?

SHRI DHAMANKAR (Bhiwandi): It is a very delicate problem and we, M.Ps. have to be very careful in expressing ourselves, because our expressions are not confined within the House, but reach the borders. I congratulate my four colleagues, hon. Members, for having exercised restraint while expressing their feelings. The problem is more than 18 years old and all along the Prime Minister and Home Minister have been assuring us that they are keenly interested to solve it. The late G. B. Pant in 1960 when the Bill was being discussed said, "We are interested in solving the problem. We do not want to shelve the problem;" But when it is delayed, it is as good as shelved. Justice delayed is justice denied. In the same way solution delayed is as good as solution shelved. This causes restlessness in the people of the border areas. I humbly ask the Home Minister whether after his reply last time that he was seized of the problem, any progress has been made and whether there are any fresh developments in the last 4 or 6 months. I had asked last time whether both the Chief Ministers have agreed to abide by the verdict of the Prime Minister or the Home Minister. I want to know whether they have been brought together

and whether there is any progress. I sincerely feel that this problem should not be delayed any more. If possible, before the final report of the Delimitation Commission comes, it should be solved in a just and peaceful way. There should not be any recurrence of what happened in Belgaon—Kolhapur and other border areas.

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT): Mr. Chairman, with your permission, I shall first state the position of the Government in a few words, which I have written in advance, and then I will answer the specific questions which the hon. Members have asked. I do not propose to take more time but I want to be as specific as possible.

The House is fully aware that the problem is complicated and the solutions offered, views expressed and the sentiments entertained cut across party lines. Therefore, our efforts have been to evolve an amicable solution which would be fair and which would ensure maximum acceptability not only in Maharashtra and Karnataka but also among all sections of this House of Parliament, which ultimately is the forum to which people look for a fair, just and enduring solution of difficult problems. I am confident, Sir, that we would succeed in our efforts and succeed perhaps even sooner than may be generally expected. I will explain presently the reasons for my confidence. But, before doing that, I think it is necessary to elucidate the reply I had given to the starred question No. 45 on the 24th July, 1974, and also refer to some of the points raised in the course of discussion today.

I had stated that the reason for the solution being delayed was our anxiety to command maximum acceptability. I had further stated that, while we are most anxious to find an early solution, it will not be easy to set any time limit therefor. Even after listening to the discussion today, I would not have answered the question in any

[Shri Uma Shankar Dikshit]

different way. Setting a time limit or giving an assurance about it in such matters can be justified only if the larger public interest were to be better served by such time limit or assurance. The Government are anxious, and this anxiety is shared by all leading national political parties, that these issues which create controversies, divert the attention of the people from the more pressing problems, and which stand in the way of harmony and good relations between the States or the different linguistic communities concerned should be settled without avoidable delay. Government are one with the sentiments expressed in the House that if it is possible, this issue should be settled before the next general elections to the Lok Sabha are due. But, however anxious we may be, it would be unrealistic to give a formal undertaking that the question will be resolved by any particular date. The decision would rest on the wishes of the people of the States concerned and, of course, ultimately on the wishes of the Parliament. It is not my intention to be evasive; but it is certainly not easy to set any time limit for finding a solution to this question.

In my answer I had stated the factual position that no reference had been made to the Delimitation Commission, because the question was whether any instructions have been issued to the Commission. Government do not issue instructions to a statutory commission like the Delimitation Commission. The Delimitation Commission has to proceed on the basis of existing constitutional realities—of which the existing State boundaries is one such. I may add here that the delimitation work has been completed in respect of constituencies in Karnataka and the notification has recently been issued for delimitation in Maharashtra constituencies. It is not possible for us to set any date. We can only give the assurance that we will act expeditiously. But whenever there is a reorganisation of any State and readjustment of territo-

rial boundaries is involved, the law relating to such reorganisation invariably takes into account the need for redelimitation of constituencies. If and when, therefore, it is finally decided to transfer any territories from the State of Karnataka to the State of Maharashtra or vice versa necessary care will be taken for redelimitation of constituencies to the extent necessary. I am saying this to remove any possible misgivings or any anxiety over that.

Sir, the Prime Minister and I have had useful discussions with the Chief Ministers of the States concerned. It may also be within the knowledge of the House that when in 1970 some tentative proposals were formulated, we considered it desirable that the Chief Ministers concerned should be consulted. Accordingly, there had been exchanges of views and some examination in depth of different alternatives. In the light of the objective situation in 1971, because of the Bangladesh and, allied problems, and in 1972 because of severe drought, the question had to be deferred for some time. Even so, we had gone into the matter thoroughly; we have recently again discussed these questions informally with all concerned. Thus, the views of the two Chief Ministers and State Governments are fairly well known to us; equally known are their difficulties and their feelings on the question. As a result of these discussions and our own examination of the problem, I am confident that a fair solution which would command wide acceptability should be possible. At this stage, I would request the House not to press me to disclose any further details. A question has been asked by five or six hon. Members here as to whether there has been any narrowing of the gaps, whether the solution has come nearer than before. I am able to say with all humility that this has happened. More than that I cannot say.

It is unfortunate that whenever there are public discussions on this very vexed question, there are some

disturbance, either immediately before or after the discussions. I am not for a moment suggesting that there is any pattern behind these occurrences—quite possibly, it is a matter of coincidence. What we require most at the present moment, when we are actively seized of the problem, is general understanding, goodwill and the right atmosphere for a statesmanlike approach being possible on all sides.

I would like to reassure the House that we are most anxious for, and we are confident and hopeful of, reaching an early and fair solution.

On the last occasion, the hon. Member, Mr. Jyotirmoy Bosu and our friend, the leader of the Swatantra Party, Mr. Piloo Mody, both had laid stress on the necessity of the appointment of an inter-State Council under article 263, while referring to this dispute for solution. This was evidently done under the impression that this would finally end the dispute. It is not so. With due respect, I would like to read article 263. It says:

"If at any time it appears to the President that the public interests would be served by the establishment of a Council charged with the duty of—

(a) inquiring into and advising upon disputes which may have arisen between States;

(b) investigating and discussing subjects in which some or all of the States, or the Union and one or more of the States, have a common interest; or

(c) making recommendations upon any such subject and, in particular, recommendations for the better co-ordination of policy and action with respect to that subject;

it shall be lawful for the President by order to establish such a Council,

and to define the nature of the duties to be performed by it and its organisation and procedure."

Now, supposing we had referred this matter to an inter-State Council, supposing an inter-State Council had been appointed all that we would have received from the members of the Council would have been recommendations which, in any case, would have come to the Government and which would have been discussed in Parliament and solution found. I would submit, with live respect to the hon. Members, that that is not a solution.

My personal opinion is that possibly a reference to article 263 was made on the analogy of provisions in article 262. In article 262, there is a compulsive element. It says:

"Parliament may by law provide for the adjudication of any dispute or complaint with respect to the use, distribution or control of the waters of, or in, any inter-State river or river valley.

"(2) Notwithstanding anything contained in this Constitution, Parliament may by law provide that neither the Supreme Court nor any other court shall exercise jurisdiction in respect of any such dispute or complaint as is referred to in clause (1)."

These are two different matters. The founding fathers of the Constitution thought in their wisdom to frame these two articles differently. In one case, there is a compulsive element and in the other case, it is a matter of recommendation. I submit that will not solve the problem.

Another point that I would like to submit is that I do not want in any way to weaken the atmosphere of goodwill which every hon. Member has expressed I feel grateful to them. But I consider it to be my bounden duty to point out that in any ultimate decision, it would not be possible to ensure that the demands of

[Shri Uma Shankar Dikshit]

either State are fully met or conceded to. This must be appreciated by all concerned.

Also, it must be appreciated that whatever may be the extent of transfer of territories and population between the States, each State will continue to have linguistic minorities. This is to be understood. Somebody said here that there is a feeling of uncertainty and the people are involved because the linguistic minorities exist in one or the other State. This will continue to happen. Therefore, it should be our duty to explain to the people that this fact should not come in the way of their functioning together and development work going on as speedily as possible. Therefore, I seek the understanding of the people of the States and the Members of Parliament for safeguarding the interests of the linguistic minorities

I think I have covered in my reply the various questions that were raised. But I would still like, very briefly, to refer to some of the points referred to by the hon. members.

Our friend, Mr. Savant, was mostly giving the history, etc. of the dispute. He and other hon. members had referred to the Mahajan Report. I do not understand the logic of reference to the Mahajan Report. The Mahajan Report was, after all, made by the former Chief Justice of the Supreme Court a better reputed person or a higher judicial authority could not have been found. But what happened? Although it was said earlier that both the parties, particularly, Maharashtra, wanted that the decision or the award or the recommendation of the Mahajan Commission should be final and binding, it was not accepted so and for good reasons. If Maharashtra thought that their case had not been fairly considered, the Central Government found that there was some force in that argument. Therefore, what I am saying is that, for anybody to blame the Government because that Report was not accepted, would not be fair. And nothing has happened

in the meantime to justify a blind acceptance of that report. I do not say that it was an ideal report or that it should have been rejected. But the fact is that, in a matter like this, as large a measure of acceptance by both the sides as is possible is necessary. Therefore, this question about Mahajan Report should not be raised. I expect that the hon. members will understand that what has happened in relation to the Mahajan report is not unreasonable, although, I know, the Karnataka people feel that the report should have been, and should be, accepted in toto. Even in recent discussions this matter has been repeatedly brought up, again and again. But we have tried to explain our point of view, and we hope that the gap will be narrowed down. As soon as this matter is finalised, we shall come to the House with our proposals.

About delimitation, I have already mentioned.

A specific question was raised whether we had met the Chief Ministers. Yes, We have met the Chief Ministers—the Karnataka Chief Ministers twice and the Maharashtra Chief Minister thrice—and we have gone into the details. They have put their points of view as strongly as possible. We have tried to read between their statements. But I must say that they have continued to take the stand they took originally. It is a difficult problem. Let us not misunderstand. As I promised the other day, efforts will be made continually and I assure you that our Ministry and ourselves have been continually engaged in this exercise.

MADHUJI referred to the correspondence and the joint letter. The sum and substance of his speech now and his speech last time was that it should be done early. He said on the last occasion that the decision should be imposed....

Prof. Madhu Dandavate Even today I feel that.

SHRI UMA SHANKAR DIKSHIT: It is understandable. But the Government is not in a position to take such a stand, that without the sanction of the Constitution, the decision of Government will be imposed. It has to carry the basic consensus and that is why there is delay. He should know as well as anybody else that alternative proposals have been made to both the parties from time to time, about thrice. So it is not that we have sat quietly and complacently for things to happen or the Chief Ministers to come to agreement as the hon. Member thought we were doing...

SHRI MADHU LIMAYE: How early is early?

SHRI UMA SHANKAR DIKSHIT: We have said that we have taken a long time. We have said that well before the General Elections we would like it to happen. It can also be earlier. It cannot be later than the General Elections....

PROF. MADHU DANDAVATE: But don't postpone the General Elections.

SHRI UMA SHANKAR DIKSHIT: I am talking of the parliamentary elections.

श्री मधु लिमये पहल: बार यह कर्कट
चीज आई है।

SHRI UMA SHANKAR DIKSHIT: Before I close, I want to touch another aspect. What Mr. Madhu Dandavate said is irrelevant. Supposing for the sake of argument, that whatever solution or settlement which is found is

not acceptable, even if it is a reasonable one, what should we do in that case? Therefore, it is a question that we have to have some constitutional sanction...

PROF. MADHU DANDAVATE: This House.

SHRI UMA SHANKAR DIKSHIT: The question is that even supposing an opinion is given by the House, the States have their own people and have their own policy. They have to carry on the government. It is not our intention to force them, whether they belong to one party or another party. Let us forget the Parties as it is not a party matter. This matter is concerned with the deep sentiments of the people and language still continues, despite everything, a highly explosive sentiment. We are trying to explain to the people and the entire approach of integration is to see that languages does not prevail over other considerations as sentiments.

It is, therefore, I would beg of the House to understand the situation and not to feel that we are not giving importance to the wishes of the House or that we are not doing whatever is humanly possible to expedite a solution.

MR. CHAIRMAN: Now, the House stands adjourned to meet at 11 a.m tomorrow.

PROF. MADHU DANDAVATE: We are adjourning in peace.

18.22 hrs.

The House then adjourned till Eleven of the Clock on Tuesday, August 20, 1971/Sravana 29, 1896 (Saka).