

[Shri Annasahib Shinde]

I have already explained to the House that the main purpose of the Bill is to give a preference to the co-operative rice mills and public sector mills. While meeting the point of Mr. Kunte I have already stated that it is in the interests of public policy. Our Constitutional directives, and technical reports and the policies enunciated in Five Year Plans, that we have accepted this position, and that is why we have come forward with this progressive legislation.

The penalty prescribed in the Bill is the maximum and it does not necessarily mean that the court will give the maximum penalty in every case, but the Court should have the power to deal with those who indulge in anti-social activities.

Shri Sharma said that there should be no control, no licensing. I think in modern society we cannot do without some restrictions. (*Interruptions*)

श्री क० ना० तिवारी : उपाध्यक्ष महोदय, मेरे सवाल का जवाब दिलवाइये ।

MR. DEPUTY-SPEAKER: Order, order. No more questions. The question is:

"That the Bill be passed."

*The motion was adopted.*

15.20 hrs.

**ANDHRA PRADESH AND MYSORE  
 (TRANSFER OF TERRITORY) BILL**

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

"That the Bill to provide for the transfer of certain territory from the State of Mysore to the State of Andhra Pradesh and for

matters connected therewith be taken into consideration."

It is a small Bill which seeks to transfer a small territory in Abakavarpalli village in Bagepalli taluk of Kolar district of the Mysore State to Andhra Pradesh. When the enclaves in the various States were transferred from one State to another, somehow this particular enclave was lost sight of. This was considered at the zonal council meeting in 1960 and the two State concerned agreed to this proposal. Without a parliamentary enactment, this transfer cannot take place and hence this small Bill has been brought forward. This Bill was also referred to the State legislatures of both the States as required under the Constitution and both of them have endorsed this measure and there has been no controversy about it so far. Clause 3 relates to the transfer of the part of the village and the other clauses make the necessary incidental or consequential provisions such as representation in legislatures, jurisdiction of the courts, etc. Looking to the non-controversial features of this Bill, I do not think that it is necessary for me to dwell at length with the provisions of the Bill, I hope the House will give its consent.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill provide for the transfer of certain territory from the State of Mysore to the State of Andhra Pradesh and for matters connected therewith be taken into consideration..'

There is an amendment for circulation. We have only one hour. Both the States have agreed to this proposal. We should try to be brief and finish it in the allotted time. There is no controversy about it.

SHRI J. MOHAMMED IMAM  
(Chitradurga): I move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 28th August, 1968."

This Bill is intended to transfer a part of the village of Mysore to Andhra Pradesh. It is true the transfer involves a small area and that on administrative grounds this transfer has to be effected. I agree that administrative convenience has been the guiding factor. I have moved for circulation because the Government is interested in bringing before this House only one solitary proposal whereas the State is faced with a number of other problems which have created a good deal of misunderstanding between Andhra and Mysore.

15.25 hrs.

[SHRI R. D. BHANDARE in the Chair]

In fact, I am opposing this Bill not because that I am against the Andhra State—because I know ordinarily I would have supported it—but because of the inconsistent, indifferent and wavering policy of the Government of India in solving the various border problems and inter-State disputes. If this was the only problem that confronted Mysore, I would have readily supported it, but my contention is that instead of bringing up problems piece by piece or individual problems, they must bring a comprehensive proposal of all the border problems that have been facing the State of Mysore.

It is a well-known fact that the State of Mysore is confronted with many border problems. These border problems are as old as more than a decade, and during this decade there has been a battle of nerves between the adjoining States and it has created a good deal of misapprehension, misunderstanding and it has gone even to the extent of bringing dis-unity in the

country. It is true that there were some local attempts to solve these problems but all conventional methods failed and the States could not come to an understanding and the Government of India appointed a Commission to resolve these border disputes on the request of the Government, not of Mysore but of Maharashtra. Shri Mahajan submitted a report to the Government more than a year back, but what has happened to that report? It is lying in cold storage. It is receiving scant courtesy and it is more than a year.

AN. HON. MEMBER: It is finished.

SHRI J. MOHAMED IMAM: Whether it is finished or it is alive, it is left to the Government of India, and the Central Government has not said anything about it. It has been wavering; it has kept it in cold storage with the result that there is a great deal of unnecessary propaganda going on against the report and not only against the report but against the author of the report.

SHRI S. M. KRISHNA (Mandya): Engineered by the Home Ministry.

SHRI J. MOMAMED IMAM: Engineered by the Home Ministry. That is what my compatriot says. I also agree with him. Shri Mahajan's character is being assessed; his memory is being assailed and he is being dubbed as being partial, as being poisonous and he is called by various other names. I am afraid that the sanctity of the report of a Commission is lost. I am afraid that at this rate no decent gentleman will come forward to work as Chairman or to work in a Commission. It must be understood by all that Shri Mahajan belonged neither to Mysore nor to Maharashtra. He belonged to a far-off State and he did his best and it was the duty of the Central Government to accept his report as they did accept all the reports of the previous Commissions.

[Shri J. Mohamed Imam]

Sir, somehow the Home Ministry wants to wriggle out of this but I must state that the Government of Mysore stands by this report. They want this to be implemented and the report should be treated as an award. That is the only way of resolving this problem. On the other hand, the Home Ministry has been introducing too many complicated problems. Shri Chavan first suggested a national consensus. He tried a national consensus among all the leaders of the parties which was a novel procedure which was unheard of before, and now it came in handy to the Home Minister. But that failed. Then he tried to introduce a system of opinion poll. He created a stir and he did not realise the implications of gathering opinion State by State. That also failed. A new proposal has been put forward in the meeting of the National Integration Council at Srinagar. The Home Minister has proposed that a border machinery should be constituted to resolve all border disputes. That Council is intended to bring about national integration. But if this proposal is carried out it will bring about nothing but disintegration, because as soon as the Government announces that they are going to appoint a permanent border machinery for resolving all inter-State border disputes, they will be inviting such disputes from all States. All the old disputes which we have forgotten or to which we have reconciled ourselves will be again raked up and the border machinery will be flooded with innumerable disputes. The whole country will be in turmoil. So, I hope this will not be followed. In fact, what we aim at is the unity of India, but all your efforts are intended to accentuate the problem of regionalism. On the one side you speak about integration, but your actions are aimed at disintegration. Your wavering policy and inordinate delay has landed the country in a good deal of trouble. You have delayed this for such a long time. With what consequences? Do you know how the people living in these disputed areas have

been suffering? They have become step-children to both States. Maharashtra does not want to do anything because it is afraid that it is likely to go to Mysore. Mysore does not want to undertake any development work in that area because they think it may go to Maharashtra. So, they are between the devil and the deep sea.

In all such matters, it is the duty of the Central Government to take timely and effective decision. But it looks as if the Government is entirely incapable of taking any decision. For every problem, they want a national consensus or consultation with leaders or appointment of a commission or committee or border machinery. Then what is the Government for, if it cannot take a decision and implement it? Let them settle it once for all. Let them say that either the Mahajan Commission report is going to be accepted or there will be *status quo*. On the other hand, by putting forward fresh obstacles and fresh proposals, they are only making the problem more acute and complicated and in course of time they will be held responsible for bringing about disintegration in the whole country.

Since times have changed and policies have changed. I suggest that the opinion of the people must be elicited as to whether what the Government is doing is correct. With these words, I oppose the Bill.

SHRI ANANTRAO PATIL (Ahmednagar): Sir, it is a very simple piece of legislation which seeks to transfer some territories from Mysore to Andhra Pradesh. In the statement of objects and reasons, it is stated that a small enclave was lost sight of when the exchange took place in 1950. 18 years have passed and now Government have come forward with this legislation to correct this mistake. This is being done on the ground of administrative convenience. Though it is late, it is not too late. There are other enclaves of other States also

which are at present in different States and they are not only causing inconvenience from the point of administrative convenience but also from the point of view of language, culture, education and other things also.

I do not want to quarrel with my hon. friend from Mysore. The hon. Member from the Opposition has referred to a border dispute between Maharashtra and Mysore. I do not want to pick up a quarrel with them. But I want to point out that it is not a question of only one enclave being left with one State there are villages after villages—I can give their names and my hon. friends from Mysore will also agree—in Belgaum District where 90 per cent of the people speak Marathi language. There are villages which have no approach roads. Schools which were run there in Marathi language have been stopped and much inconvenience has been caused to the people during the last fifteen years. After the reorganisation of the States in 1957 for the last twelve years the people from that area have been asking the State Government and the Central Government to readjust the boundary and to have these enclaves transferred from Mysore to Maharashtra in the same way as the dispute between Andhra and Madras was settled on the basis of the Pataskar Formula taking village as a unit. The village should be accepted as a unit and transfer of territory should be made. Territory which belongs to Mysore should go to Mysore and the territory that belongs to Maharashtra should go to Maharashtra.

As my hon. friend over there referred in the Western Zonal Council this question was discussed but nothing came out. Then the Mahajan Commission was appointed but without any terms of reference. Now, at the Srinagar meeting of the National Integration Council views were expressed by various leaders of different parties that a permanent body should be appointed with terms of reference to settle these border disputes once

for all. I think this should be acceptable to my friends from Mysore also. We Members from Maharashtra have no quarrel with Mysore. We urge upon them that this question of transfer of territory should be decided once for all with terms of reference by taking village as a unit so that we may coexist in peace. As the Government has come forward with this proposal for transfer of this enclave I hope the Government will take a step forward and try to adjust the boundary dispute between Maharashtra and Mysore.

With these words Sir, I support the Bill.

श्री जगन्नाथ राव जे.शं. (भ.पाल) :  
उपाध्यक्ष महोदय माननीय गृह मंत्री जी ने जैसा बताया यह विधेयक छोटा सा है और इसमें कोई ज्यादा बात कहने की गुंजाइश नहीं है। किन्तु जिस पद्धति से या ढंग से यह छोटा सा सवाल हल करने का तरीका सामने आया है उसको देख कर कुछ कहे बिना मैं रह नहीं सकता। वास्तव में आजादी आने के पश्चात् सरदार वल्लभ भाई पटेल की दूर दृष्टि के कारण रियासतें सब मिला दी गईं। उसी समय एक पुनर्गठन का सवाल सामने आया। किन्तु उस बात को समझ कर यदि भ्रम रहते ही कोई आयोग ऐसा नियुक्त करते तो बाद में जो नौबत आई वह शायद न आती। किन्तु 1953 में आन्ध्र के पोटी श्री रामलू के आभरण अनशन करके देहान्त होने के बाद जब पूरे आन्ध्र में गड़बड़ मचा हो हुस्ला मच गया विजयवाड़ा स्टेशन सूटा गया तब दबाव में आ कर टूटे-फूटे आन्ध्र की रचना की घोषणा की गई। और उसके बाद फिर ऐक्य केरल विशाल आन्ध्र विशाल कर्नाटक यह सब भागें सामने आईं। यह बातें देखकर 1955 में राज्य पुनर्रचना आयोग को नियुक्त किया गया। वास्तव में तो उन्होंने जो सिद्धान्त सामने रखे थे जो सिफारिशें दी थीं उन बातों को लेकर कम से कम सारे पुनर्गठन का मामला हल करके जहाँ-जहाँ सीमा का

[श्री जगन्नाथ राव जोशी]

विवाद का कर खड़ा होता उसका समय रहते हल करत तो आज जो एक अन्याय प्रदेशों के बीच विशाक्त वातावरण दिखाई देता है वह शायद नहीं देता। मुझे दुःख के साथ कहना पड़ता है कि मैसूर और महाराष्ट्र के बीच में कुछ हेतु को लेकर जो झगड़ा खड़ा है उसमें बड़ा सक्रिय सहयोग या बड़ा भारी आन्दोलन यदि किसी ने छोड़ा हो तो हमारे कांग्रेसी बन्धुओं ने छोड़ा है और सीमा विवाद को हल करने के लिये रेल रोकने का आन्दोलन सबसे पहले उन्होंने ही प्रारम्भ किया यानि अधिकांश दल ने

**SHRI ANANTRAO PATIL:** These border questions do not excite the Congress only; there are other parties also, including the Jana Sangh.

**श्री जगन्नाथ राव जोशी:** इसीलिये आप भी बोल रहे हैं और मैं भी बोल रहा हूँ।

**SHRI ANANTRAO PATIL:** You are accusing the Congress only. There are other parties also. In Mysore there are the PSP, the SSP and the Communists also.

**SHRI JAGANNATH RAO JOSHI:** I am referring to the Congress for the simple reason that it is the party in power. Naturally, it has every right and responsibility to set up very good precedents and it has failed.

विरोधी दल अगर ऐसा करे तो बात समझ में आती है लेकिन अधिकांश दल होने के पश्चात् उनके गृह-मंत्री और उप-गृह-मंत्री होने के पश्चात् यदि वे गलत रास्ते पर लोगों को ले जाते हैं तो आगे चल कर देश में प्रजातंत्र मजबूत बनना बहुत कठिन हो जायेगा। सलिये मैं बताना चाहता हूँ कि जब संविधान हमने बनाया है उसमें धारा 263 का प्रावधान किया है कि जब कोई विवाद खड़ा होता है तो इन्टर स्टेट काउन्सिल

की व्यवस्था की जायेगी। जब कोई विवाद खड़ा होता है आपस में सहमति नहीं होती है तो केन्द्र की जिम्मेदारी है कि बीच में आकर उस समस्या को हल करे इस दृष्टि से कोई सिद्धान्त लेकर चलते। जैसा पाटिल जी ने कहा मैं उससे विरोध करने वाला नहीं हूँ कोई भी सिद्धान्त लीजिये सन् 1952 में आम चुनाव हुये, 1957 में हुये, 1962 में हुये, 1967 में हुये, उससे जनमत की जो भावना है वह प्राप्त हुई उस जनमत की भावना को समझ कर विवाद का हल कीजिये। यदि ऐसा नहीं कर सकते तो महाजन कमीशन के अन्तर्गत जो आयोग नियुक्त किया गया था उन्होंने सारे मामले को देखा था और अपनी कुछ सिफारिशें दी थीं। जब दोनों राज्यों ने मिल कर इस आयोग को स्वीकार किया था तो उसकी सिफारिशों को स्वीकार करने के बजाय खटाई में क्यों डाल दिया गया — यह समझ में नहीं आता है। जब गृह-मंत्री महोदय ने यह सोचने की कोशिश की थी कि तमाम विरोधी दलों के नेताओं की राय से एक समान पत निर्धारित किया जाय तो मैंने एक सीधा सवाल किया था कि जो हमारे गृह-मंत्री महोदय हैं वे महाराष्ट्र में आते हैं तथा जो हमारे कांग्रेस के अध्यक्ष हैं वे मैसूर से आते हैं क्या इन दोनों महानुभावों में भी कोई समान विचारधारा या एक मत है। जब गृह-मंत्री महोदय जो महाराष्ट्र के हैं तथा कांग्रेस अध्यक्ष जो मैसूर के हैं यदि इन दोनों के बीच में ही कौमन कन्वेंशन नहीं है तो फिर विरोधी दलों में ही जैरल कन्वेंशनस इवात्व करने में क्या लाभ है। इनमें जब आपस में ही सहमति नहीं है तो लोगों के बीच जो झगड़ा कराने की प्रवृत्ति पैदा होती है—यह देश की एकता की दृष्टि से ठीक नहीं है। इसलिये मैं आपसे यह अर्ज करना चाहता हूँ कि यह सवाल इतना छोटा नहीं है। इसके साथ और भी कुछ बातें जुड़ी हुई हैं। जैसे पुनर्गठन का सवाल हल होने के पश्चात् गोवा और पुडु-

चिरी का सवाल है। जैसे राजा महाराजा चले गये वैसे ही जब पुर्तगाली महाराज चले गये, फ्रांसीसी महाराज चले गये तो उन प्रदेशों को उनके समीप के प्रदेश में मिला कर उस समस्या को हल करना चाहिये था। गोआ के साथ दमन और दीव का क्या सम्बन्ध है किम आधार पर ये एक ही राज्य के अन्तर्गत हैं—क्या ये एक-दूसरे के समीप हैं अथवा क्या इनमें भाषा की समानता है? आखिर किस आधार पर इनको गोआ के अन्तर्गत रखा गया है? यही स्थिति पुदुचेरी की है—यह क्षेत्र केरल के अन्तर्गत आता है वहाँ मलयालम बोली जाती है लेकिन किम आधार पर इसको अलग रखा गया है? राज्य पुनर्गठन आयोग द्वारा सिद्धान्त देने के बावजूद भी समस्या का हल न करते हुये इतनी देर के बाद जो यह बिल आया है इसका स्वागत करते हुये भी मुझे यह कहना पड़ता है कि सत्तास्त्र दल लोगों को आपस में लड़ाने के बजाय कोई ठोस मार्ग अपनाये ताकि हम भी उसका स्वागत करें और देश की एकता बनी रहे।

इन शब्दों के साथ मैं अपना भाषण समाप्त करता हूँ।

श्री शिंदरे (पंजिम) : सभापति जी मैं इस विधेयक का स्वागत करने के लिये खड़ा हुआ हूँ। इसलिये नहीं कि यह विधेयक छोटा है अथवा इसमें जो जमीन का विषय है वह भी छोटा है बल्कि इस लिये कि इस विधेयक का जो तत्व है इसका जो विषय है वह बहुत बड़ा है। क्योंकि इससे यह मालूम होता है कि जड़ छोटी-छोटी जमीन की समस्या की तरफ हमारी केन्द्र सरकार का लक्ष्य गया है पांच एकड़ जमीन की समस्या की तरफ हमारी केन्द्र सरकार का लक्ष्य गया है तो मेरे जैसे आदमी यह अपेक्षा कर सकते हैं कि इसी प्रकार बड़ी

समस्याओं की तरफ भी हमारी केन्द्र सरकार का लक्ष्य जरूर जायेगा।

सभापति जी धर्मो-धर्मो श्री जगन्नाथ राव जी जोशी ने दमन और दीव की जमीन के बारे में अपने भाषण में उल्लेख किया। दीव का जो एरिया है वह केवल 12 वर्ग मील का एरिया है तथा वह क्षेत्र गोआ से 700 मील की दूरी पर है इसी तरह से दमन का जो क्षेत्र है वह गोआ से लगभग 500 मील की दूरी पर है लेकिन ऐसा होने के बावजूद भी इनका गोआ दमन दीव प्रशासन के रूप में केन्द्रशासित प्रदेश में रखा गया है तथा इन क्षेत्रों का कारोबार गोआ से चलता है। मैं इस का उल्लेख इस रूप में भी कर सकता हूँ कि जैसे फौरन-पीकेट्स होती हैं जैसे पहले पुर्तगाली राज्य में इन का कारोबार चलता था वैसे धर्मो भी गोआ के द्वारा इनका कारोबार चल रहा है। इस लिये इस बिल को यहां पर लाने के लिये मंत्री जी का अभिनन्दन करते हुए मैं यह कहूंगा कि ऐसी जो समस्या है उसके बारे में भी आपका लक्ष्य जाना चाहिये।

हमारे मित्र श्री पाटिल ने धर्मो कहा कि कोई ऐसा तत्व या सिद्धान्त माना जाये कि जिस के आधार पर इस समस्या को हल किया जा सके। मेरा यह सुझाव है कि जिस विलेज में जो भाषा बोली जाती है उस में 5 प्रतिशत जिस भाषा के बोलने वाले लोग हैं उस क्षेत्र को उसी भाषावाले प्रदेश से जोड़ दिया जाय। इस लिये मैं आप से अनुरोध करूंगा कि आप इस प्रकार के सिद्धान्त को निश्चित करें तथा जहाँ जहाँ ऐसी समस्या आती है उस का उसी सिद्धान्त के आधार पर हल किया जाये। जैसे महाराष्ट्र और मैसूर के बाँबर के बारे में समस्या पैदा हुई है इस समस्या का हल भी इसी सिद्धान्त के आधार पर

[श्री शिकरे]

किया जाये जिम विलेज की पापुनेशन मराठी भाषी है तथा 51 प्रतिशत लोग मराठी बोलते हैं वह सब प्रदेश महाराष्ट्र में मिला दिये जायें तथा जिसके लोगों की संख्या मराठी भाषी नहीं है अथवा 51 प्रतिशत से कम है उस को मैसूर में मिला दिया जाये ।

इस के बाद में यह कहूंगा कि गोम्रा के बारे में जो समस्या है जिसका उल्लेख हमारे जगन्नाथ राव जोशी जी ने किया है मैं भी उन को ही सपोर्ट कर रहा हूँ इस का जो हल इन समय किया गया है वह एडमिनिस्ट्रेशन के माध्यम पर किया गया है न तो वहाँ की भाषा के बारे में ध्यान दिया गया है और न ही वहाँ के क्षेत्र को ध्यान में रखा गया है बल्कि मैं तो यह कहूंगा कि गोम्रा की जो समस्या है उसका हल अभी तक किया ही नहीं गया है क्योंकि स्टेट्स का जो रिफॉर्मेशन हुआ था वह तो केवल भाषा के सिद्धान्त पर हुआ था उसका जो प्रमुख और बुनियादी माध्यम था वह केवल भाषा थी लेकिन गोम्रा की समस्या का जो हल हुआ है वह भाषा के माध्यम पर नहीं हुआ है केवल एडमिनिस्ट्रेशन की दृष्टि से हुआ है । गोम्रा की भाषा मराठी है इतना ही नहीं बल्कि मैं तो यह कहूंगा कि गोम्रा की जो वर्तमान सरकार है जो मत्तारु दल है वह इसी सिद्धान्त पर चुना गया है कि गोम्रा की भाषा मराठी है और इस लिये उसको महाराष्ट्र में डाला जाये । इसलिये मैं आपसे यह अनुरोध करता कि इस समस्या को हल करने के लिये व स से पहले प्रमुख और बुनियादी बात तय हो जानी चाहिये और वह बुनियादी बात है "भाषा का माध्यम" ।

SHRI J. H. PATEL (Shinoga):  
Spoke in Kannada:

MR. CHAIRMAN: Can the hon'ble Member not speak in the language which the chair can understand, if it is possible for him? (Interruptions)

SHRI J. H. PATEL\*: Mr. Chairman Sir, while opposing this Bill I would like to draw the attention of the House to the following observations made on page 90, para 320 of the Report of the States Reorganisation Commission, 1955, I will read the extract. It says:

"It has been generally recognised that, in the provincial distribution under the British, the Kannadigas suffered most, with their area split up into four units in three of which they were at the tail end and reduced to the position of ineffective minorities. The All-India Congress Committee in 1927, the All-Parties Conference in 1928 and the Indian Statutory Commission in 1930 all recognised the legitimacy of the claim of the Kannadigas to unifications."

On reading this I am convinced that injustice was done to Mysore or Karnataka State during the days of British rule. This has been so even now during the Congress regime.

I am not speaking against Andhra or Maharashtra. But when disputes arise between the States it is the responsibility of the Centre to see that these disputes are amicably settled without impairing the interests of the other. The Centre should do everything to create harmony amongst the States by resolving their disputes with justice.

India is a big country with many States carved in accordance with the recommendations of the S.R.C. Report. While forming these States number of small problems involving

adjustments of the territories between the States kept unsolved. There are number of disputes like Border disputes, Inter-State Water disputes, language problems, and so on. All these problems remain unsolved since 1947. Mere passing resolutions at the Integration Council in Srinagar to solve border disputes in the interest of bringing National Integration would not do. It has to be implemented. The Government is slow to act. At this rate we will not be able to make any headway in the larger interest of the country.

The statement of Objects and Reasons of the Bill says:—

"This enclave was lost sight of when the exchange of such enclaves was effected by the Provinces and States (Absorption of Enclaves) Order, 1950, dated the 25th January, 1950."

I am not voicing my grievance over the transfer of a part of the village proposed in the Bill. I am all in favour of this. But I support, in this connection what Mr. Imam has said that the measure proposed in the Bill is not the only issue now pending which requires attention of the Government. There are number of problems relating to the adjustment of border territories of Kerala, Tamilnad, Andhra and Maharashtra in which Mysore is very much concerned. If all these are adjusted and legitimately given to Mysore, I have no objection to give this portion of the territory proposed in the Bill. What I cannot understand the logic of the matter is the opposition of the State Governments of Maharashtra, Andhra and Kerala to the legitimate transfer of portion of their respective border regions to the Mysore State. At this stage nobody is prepared to give to Mysore.

Coming to the Report of the Mahajan Commission I have to point out

the following observations made therein:—

"These disputes have neither been resolved by the Zonal Council nor by the Government of India, nor by the four-man committee appointed by the State Governments concerned or by the meetings held by the Chief Ministers of the States concerned. On the other hand, the tentative claims made became rigid and have been added to by the people of the areas and the governments concerned. By efflux of time and delay in resolving the disputes, emotions have run very high on either side. It is difficult to separate the grain from the chaff. Public opinion is sharply divided and the evidence produced by the two governments and the witnesses interviewed by the Commission do not give an objective view of the situation."

The Government have not taken any action on this Report. We can only see this Report in the Parliament Library and not the implementation part of it which the Government has totally ignored to do. They would take action only if there is pressure, coercion, agitation, dislocation of railway lines and such other violent action.

In conclusion, I would say, that the Government has only embarked upon solving rival disputes but not the major ones involving adjustment of border regions of the adjoining States which are many. I therefore, urge the Government to set up a High Power Boundary Commission to go into the question of border disputes of all the States in the country and solve them at the earliest.

SHRI S. M. KRISHNA (Mandya): Mr. Chairman, I have been a party to the Resolution passed by the Mysore Legislative Assembly letting this small bit of real estate go to Andhra Pradesh. The generosity and the good nature of the people of Mysore



[Shri S. M. Krishna]

have been taken undue advantage of by my friends in Andhra Pradesh (*Interruption*). My hon. friend, Shri Gowd, should not get agitated because I am supporting this Bill before us. But coming in the wake of the National Integration Conference held in Srinagar, a few statements which the Andhra Chief Minister has made are very disturbing. He has made certain fresh claims of territory which are now in Mysore State and he has made out, or is struggling to make out, a case as to why those territories should be transferred to Andhra Pradesh.

I am not one of those who have a fancy to whip up these controversies between neighbouring States. Our relationships with both Andhra Pradesh and Maharashtra have always been very cordial but for some of these pinpricks. Now, what is the responsibility of the Central Government? How long are we going to live with these border problems? It is not only the border problems that exist between these States. There is the river waters dispute between these States. There is the border dispute between three States. How are we going to solve these issues? A stage has come when we are getting into a state of suspicion that the Central Government are perpetuating these border problems, that they are not serious in finding a lasting solution to these problems for their own reasons.

16 hrs.

My hon. friends, Shri Mohammed Imam, Shri J. H. Patel and Shri Jagannath Rao Joshi, have made the significant point that these problems have to put an end to. I am happy that at the conference in Srinagar belatedly they have taken a decision to evolve a machinery which will go into these border disputes. This should have been done 10 years ago immediately after the States Reorganization Commission. After the report

of the Commission, the zonal councils came into being, but when they could not solve the border disputes, the Central Government should have evolved a machinery, but they reacted in a half-hearted manner. Whenever a State was able to bring pressure, they succumbed to it. Maharashtra is a great State of our union from where Mr. Chavan, our Home Minister, comes. It was able to pressurise the Central Government and as a result of that, the Mahajan Commission was appointed. Let me remind you that Mysore was not very enthusiastic about this Commission. We opposed it tooth and nail, but when it became a *fait accompli*, when we could not get out of the clutches of Mr. Chavan or the Government of India, we had to succumb to it, so much so, some of the Opposition groups in Mysore State refused to appear before the Commission because we were totally against the Commission, we did not want border disputes to be solved piecemeal. We wanted a high power commission to go into all the facets of our disputes with our neighbours including Andhra and Maharashtra, but the Government of India was not willing.

MR. CHAIRMAN: The Mahajan Commission is not under discussion.

SHRI S. M. KRISHNA: Some principles are involved in the Bill and so I am pleading before you that they should be kept in view and how the Government of India have given the go-by to those principles whenever they were pressurised to take up a particular posture.

Mr. Mahajan was one of the highly respected jurists of this country. Are we not going to respect his wisdom? He was the Chief Justice of India, and he was picked up by the Central Government to head this Commission, and today Mr. Patil says that the copy of the Mahajan Report is to be found only in the libraries of the Legislatures and Parliament. What a sad commentary on the way the Government of India behaves and acts.

We have no quarrel with Andhra Pradesh. We are showing our bona fides by agreeing to transfer this territory to Andhra Pradesh, and my only request to the leaders of Andhra Pradesh and my colleagues here is that they should not make any more claim on Mysore.

We have got Maharashtra and Andhra on either side and they have very powerful and stable leaderships, whereas we feel ashamed of our leadership which is gullible and weak-need. I refer to the persons running the Mysore Government. They can be pushed around by anybody in this country, they have no will of their own. They are taken in by the Government of India leaders here. When they go back to Bangalore they try to shout, but they do not have the same tempo or volume when they reach Delhi. Probably, the cool or hot climate here upsets our leaders and they do not speak up in the interests of Mysore. It is left to the leaders of the opposition to take up the cause of Mysore State, of Karanataka. That is what we intend doing as long as we are in this House. With these words, I support the Bill in the hope that Andhra would not make any more claims on Mysore.

**SHRI RAJARAM (Salem):** Mr. Krishna from Mysore has agreed to give the land to Mr. Gowda of Andhra and it is not for me to be a hindrance. I support this Bill but I want to say a few words about the principle involved in this Bill. The Congress friend who spoke earlier said that 18 years were not a long period to decide things. The State Reorganisation Commission's report came some ten years ago but it had not been implemented in full. Sardar K. M. Panikkar suggested that U.P. should be divided into two; that had not been implemented. If that had been done so many complications might have been avoided. We are appointing so many commissions under the able leadership of people like Mahajan, Panikkar or Pataskar but do not implement the recommendations. The

Central Government must take steps to implement their recommendations. This is a matter of a small village five acres. But the leaders of the Congress Party are creating more border disputes and are maintaining them in every State to keep the political climate warm for them. So many Congress leaders cross the border in Maharashtra as if they are crossing the border with China or Pakistan and fall flat before the railway lines and do stayagraha. These things can be stopped by the Centre. Shri Krishna talked about the water disputes. Sir C. P. Ramaswami Aiyer had vision and wanted to connect the Ganges with Cauvery. If it is done, there will be no calamity in this country. But nobody is ready to share their natural benefits with others, be it water or land; they want all for themselves. The Centre is merely an on-looker and watches the damage that is done to this country; they are not doing their work properly. I am advising the Central Government to do things quickly and set things right all over the country.

**SHRI E. K. NAYANAR (Palghat):** While speaking on this Bill, I wish to point out that there are disputes between Kerala and Mysore also. There are disputes between Nagaland and Assam also; there are disputes between UP and Bihar also. There are boundary disputes everywhere in our country which have not yet been solved. We need not go to other countries in respect of boundary disputes; even inside our own country there are boundary disputes.

**SHRI RAJARAM:** There is no dispute as far as Tamilnad is concerned.

**SHRI E. K. NAYANAR:** Yes. Now, at the National Integration Council, the Mysore Chief Minister, Mr. Jatty has declared that he wants to implement the Mahajan Commission report *intoto* but the other State is not accepting the report. As far as Kerala is concerned, the Commission has not taken any evidence from the ruling party or the opposition parties or from

[Shri E. K. Nayanar]

any democratic party. In Maharashtra, they oppose the report. Even at the National Integration Council, they have not decided to implement the Mahajan Commission report. So as far as the principle of the Bill is concerned, it is not enough to settle the boundary disputes and boundary clashes on a district basis only. Even now, there are disputes relating to Maharashtra and Mysore borders. As far as my party is concerned, there was a principle. This was argued in the National Integration Council by Mr. Sundarayya; the principle was that the village must be taken as a unit in the settlement of border disputes. Therefore, why not constitute a permanent body to settle the boundary disputes between States? If there is a clash or a dispute about the border, then this permanent body must go into the case and it will settle the dispute acceptable to both the parties or to the satisfaction of the majority of the villagers in the village which is to be taken as a unit. On that principle we can settle the boundary disputes.

This is a temporary affair. The Mysore Chief Minister, Mr. Jatty, wants to implement the Mahajan Commission report *in toto*. But Mr. Nayak and others in Maharashtra are opposing it. Even in Kerala, when Shri Nijalingappa came there, he did not mention anything about the Mahajan Commission report in Kerala. But after he arrived in Bangalore, he declared that he wanted to implement the Mahajan Commission report. So, I want the Government to constitute a permanent body at the administrative level, with representatives of both the parties to settle the boundary disputes and decide the question on the basis of a village, with respect to the boundary disputes between all the States: between Mysore and Maharashtra; between Mysore and Kerala; between Assam and Nagaland and between Bihar and Uttar Pradesh. There must be a permanent body which includes the representatives of

all the political, democratic parties, and it should settle the boundary disputes on the basis of the village taken as a unit, and decide the issue on the verdict of the majority of the people of the village and incorporate the territory to whichever State it is due, as per the decision of the majority of the people. Wherever such a dispute arises, we must refer it to the permanent body to be decided by that body or committee.

So, on the Bill, I broadly agree, but this will never solve the boundary disputes that even now exist in India in respect of the States.

SHRI VIDYA CHARAN SHUKLA: Mr. Chairman, Sir, although this Bill has been supported by most of the hon. Members who have taken part in this debate, yet, they have mostly devoted their time and thoughts to the general problem of boundary disputes in the country. Mr. Mohammed Imam has given notice of a motion for circulating this Bill for eliciting public opinion. As I said in my opening speech, this Bill was referred both to the Andhra Pradesh and Mysore State legislatures for their opinion. It has been fully discussed in the State legislatures of both the States, and therefore, I do not think there is any further scope for eliciting public opinion on this matter. The two States which are concerned, had the opportunity of discussing this Bill by their elected representatives in the respective legislatures, and both the State legislatures have endorsed this Bill. Therefore, we must presume that this Bill is completely in accord with public opinion in this area.

Regarding the general question of boundary disputes, I also wish, like Shri Joshi, that this problem was solved earlier at the time of States' reorganisation or merger of the States. But the history of boundary disputes is very well known, how this matter of States' reorganisation became part of political controversies. The integration of the States was done on the

basis of an agreement between the Government of India and the erstwhile princes. That had to be done on the basis of British India and the princely states as they were then constituted. After the merger of the States, there definitely was a need to readjust the boundaries in a manner so as to make homogeneous units for conducting public administration in the people's language. That was the main reason for the formation of linguistic States in the country.

As would be inevitable in an ancient country like ours, no firm boundary could be laid down which will eliminate linguistic minorities on either side of the border in any State. When the linguistic reorganisation of the country was considered, it was known that inevitably there would be linguistic minorities on either side of the borders practically in every State except where there was more than one State for a single language, as in northern India. But wherever there were linguistic groups adjoining each other, this problem of linguistic minorities was bound to be there. In order that linguistic minorities may not suffer, the Constitution made provision for a Commissioner for Linguistic Minorities, who goes round the country to see that the rights of the linguistic minorities are properly protected, according to the principles laid down and accepted by all concerned—the State Governments and the major political parties of the country. So far the work done by him has been very good. His reports are laid before the House every year and sometimes we have the chance of discussing them also.

I am sorry certain members who spoke tried to attribute motives to people who have the duty of conducting the public affairs of this country. I do not think it is proper in this difficult and intricate context to attribute motives to anybody. I am sure everybody wants settlement of these disputes, but according to our tradition, our Constitution and the democratic principles we follow, we have decided

that we will try to solve all such disputes through talks, negotiations and agreement. The House knows how a very intricate problem between Andhra and Madras was solved by agreement between the two Chief Ministers. That is known as the Pataskar formula. That could be applied to solve every border dispute provided here was agreement between the two Chief Ministers.

Nothing should be done in my opinion which will give rise to further disputes. The solution of a dispute should put at rest the controversy for ever; it should not keep it a simmering problem which would explode at any time the politicians wanted. This present problem regarding the Maharashtra-Mysore border dispute is an instance in this case. Everybody agrees it is a very intricate, very delicate problem which must be solved as soon as we can. We have tried various methods of doing it. Nobody in this House can say that no efforts were made to solve this problem. Efforts have been made right from the beginning. It is another matter that the efforts have not succeeded. The reasons for failure might be many, but sincere efforts were made to solve this problem, and I am quite sure we will have to continue making these efforts as long as this problem is not solved. But no arbitrary decision can be taken. It is a matter which involves the welfare of many many people—lakhs of people. It cannot be solved on the basis of some arbitrary decision or decisions which are *prima facie* not very sound.

**SHRI J. H. PATEL:** Are you referring to the non-implementation of the Mahajan Commission's report also?

**SHRI VIDYA CHARAN SHUKLA:** Several problem have been inherited by us from history. There is the case of Goa and Pondicherry. The hon. Member Shri Shinkere from Goa mentioned about the future of this Union Territory. Everybody knows that there is a difference of opinion about

[Shri Vidya Charan Shukla]

which side Goa should go. We decided that this matter should be referred to the people of Goa for their opinion. When an opinion poll was held a clear-cut opinion was obtained and we respected that opinion.

SHRI SHINKERE; It was held on the administrative basis.

SHRI VIDYA CHARAN SHUKLA: If the opinion had gone the other way that also would have been respected. This is one of the important things that we have to keep in view. The public opinion in the areas that are affected has to be taken into consideration. In what way this public opinion can be ascertained is the question. But this is one of the very very important factors which must not be ignored while we try to settle boundary disputes in the country.

Some hon. Members have made reference to the discussions in the National Integration Council on this subject. As hon. Members might have noted, no clear-cut recommendation was available from such an august body as the National Integration Council. They have made an observation and that observation must be taken into account while we try to settle these disputes.

But I would like to emphasise again before this august House that these boundary disputes which are pending in our country are very intricate and delicate problems. They must be handled with the utmost care. I would also like to point out that apart from what boundary disputes we have today potentially there are many other areas where such disputes can be raked up if a wrong decision was taken in a particular case or wrong principles were laid down on which these boundary disputes were settled. So a great deal of care has to be taken that while we solve one boundary dispute we do not give rise to further boundary disputes or dissatisfaction or aspirations in boundaries elsewhere.

There are several boundaries in the country between two linguistic States where the problem of linguistic minorities is probably as much as it is between Mysore and Marashtra but where still there is no dispute about it. There are such boundaries between Madhya Pradesh and Maharashtra, between Madhya Pradesh and Orissa, between Orissa and Bihar and so on. Still the people are living there in peace and there is almost no disputes there. Whenever interested politicians try to start any dispute there the local people have given them a rebuff. They have been told that they want to live in peace, the State Governments are taking good care of the linguistic minorities and they do not want any disturbance in the *status quo*. It is well known that even if we did our best, there still will be linguistic minorities here and there.

SHRI E. K. NAYANAR: Who are the interested persons?

SHRI VIDYA CHARAN SHUKLA: The main thing is forbearance, tolerance and adherence to democratic principles. If we adhere to all these principles, I am sure, all these present boundary disputes, which are disturbing us, would be solved in due course of time given goodwill, proper understanding and a little bit of tolerance.

MR. CHAIRMAN: I shall now put amendment No. 1 for "circulation of the Bill" to the vote of the House.

*Amendment No. 1 was put and neg-  
tived.*

MR. CHAIRMAN: The question is:

"That the Bill to provide for the transfer of certain territory from the State of Mysore to the State of Andhra Pradesh and for matters connected therewith, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: Now, the House will take up clause-by-clause consideration of the Bill.

Clause 2—(Definitions)

Amendment made:

Page 1, line 6,—

for "1967" substitute "1968" (4).  
(Shri Vidya Charan Shukla)

MR. CHAIRMAN: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clause 3 was added to the Bill.

Clause 4—(Amendment of First Schedule to the Constitution.)

Amendments made:

Page 2, line 26,—

for "1967" substitute "1968" (5)  
Page 2, line 34,—

for "1967" substitute "1968" (6)  
(Shri Vidya Charan Shukla)

MR. CHAIRMAN: The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clauses 5 to 9 were added to the Bill.

Clause 10—(Appropriation of moneys for expenditure in transferred territory under existing Appropriation Acts.)

Amendment made:

Page 4, line 16,—

for "1967-68" substitute "1968-69" (7)

(Shri Vidya Charan Shukla)

MR. CHAIRMAN: The question is:

"That clause 10, as amended, stand part of the Bill."

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Clauses 11 to 19 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 (Short title)

Amendment made:

Page 1, line 4,—

for "1967" substitute "1968" (3)

(Shri Vidya Charan Shukla)

MR. CHAIRMAN: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill

Enacting Formula

Amendment made:

Page 1, line 1,—

for "Eighteenth" substitute—

"Nineteenth" (2)

(Shri Vidya Charan Shukla)

MR. CHAIRMAN: The question is:

"The Enacting Formula, as amended, stand part of the Bill"

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI VIDYA CHARAN SHUKLA:

I move:

"That the Bill, as amended, be passed"

MR. CHAIRMAN: Motion made:

"That the Bill, as amended, be passed"

श्री इन्द्रानन्दन दत्त (गुडगांव) : चयर-मैन साहब, मुझे खुशी है कि यह छोटा सा बिल पास होने जा रहा है, लेकिन मुझे आप के ज़रिये इस सरकार की तबज़्जह दिवानी है कि इस छोटे से बिल में सरकार को इतनी ज्यादा एम्बेडमेंट्स लाने की ज़रूरत पड़ी है। मैं समझता हूँ कि इस सरकार की इस से और ज्यादा कोई कन्डिमेंशन नहीं हो सकती है। वह आईन्दा के लिए मोहताब होने की कोशिश करे और अच्छी तरह पढ़-पढ़ा कर बिल लाया करे, ताकि उस को हाउस में इतनी ज्यादा एम्बेडमेंट न लानी पड़े।

[श्री عبدلغنى قار (گڑگوں) :

چیسر مین صاحب - مجھے خوشی ہے کہ یہ چھوٹا سا بل پاس ہونے جا رہا ہے - لیکن مجھے آپ کے ذریعہ اس سرکار کی توجہ دلائی ہے کہ اس چھوٹے سے بل میں سرکار کو اتنی زیادہ ایمپلڈمنٹس لانے کی ضرورت پڑی ہے - میں سمجھتا ہوں کہ اس سرکار کی اس سے اور زیادہ کوئی کنڈیشنیشن نہیں ہو سکتی ہے - وہ آئیندہ کے لئے مصتاف ہونے کی کوشش کرے اور اچھی طرح پڑھ پڑھا کر بل لایا کرے - تاکہ اس کو ہاؤس میں اتنی زیادہ ایمپلڈمنٹس نہ لانی پڑیں - ]

श्री बिद्या चरण शुक्ल : सभापति महोदय, मैं मौलवी साहब को बताना चाहूंगा कि यदि इस बिल में कुछ संशोधन लाने की आवश्यकता पड़ी, तो वह इसलिये नहीं कि इस के बारे

में सरकार की कुछ सावधानी नहीं थी या मैं कुछ पढ़ कर नहीं आया, बल्कि इस का कारण यह है कि माननीय सदस्यगण ऐसे छोटे छोटे बिलों पर सदन का इतना ज्यादा समय लेते हैं कि कई छोटे छोटे बिल पड़े रहते हैं। जब वे पास होने की स्टेज पर पहुँचते हैं, तो हमें "1966" के स्थान पर "1968" करना पड़ता है और ऐसे हर एक परिवर्तन के लिए हमें संशोधन लाना पड़ता है। ये सब संशोधन केवल सन् को बदलने के लिए लागू हुए हैं। यदि मौलवी साहब खुद इस बिल और इन एम्बेडमेंट्स को पढ़ने की तकलीफ करते, तो यह यह सवाल न उठता। मैं उन से इतना कहूंगा कि वह हाउस के सामने ऐसी बात पेश करने से पहले खुद इन चीज़ों को पढ़ लिया करे।

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed"

The motion was adopted.

[MR. DEPUTY-SPEAKER in the Chair.]

16.35 hrs.

STATUTORY RESOLUTION RE:  
GOLD (CONTROL) ORDINANCE,  
1968 AND GOLD (CONTROL)  
BILL

MR. DEPUTY-SPEAKER: Mr. Yashpal Singh.

SHRI KANWAR LAL GUPTA: (Delhi Sadar): What is the time allotted for this?

MR. DEPUTY-SPEAKER: The total time allotted is one hour.

SHRI KANWAR LAL GUPTA: One hour for the Statutory Resolution and one hour for the Minister's motion?

MR. DEPUTY-SPEAKER: The Business Advisory Committee has suggested that the Bill could be referred to a Joint Committee. Therefore, it will be a brief debate here. The hon.