

from among themselves to serve on the Employees' State Insurance Corporation."

**Mr. Deputy-Speaker:** The question is:

"That in pursuance of clause (i) of Section 4 of the Employees' State Insurance Act, 1948, read with rule 2(A) of the Employees' State Insurance (Central) Rules, 1950, this House do proceed to elect in such manner as the Speaker may direct, a member from among themselves to serve on the Employees' State Insurance Corporation."

*The motion was adopted.*

**Mr. Deputy-Speaker:** Order, order. Let there not be so much noise in the House. There is no hurry for hon. Members to go out as if some devil is catching hold of the House immediately after the Question Hour. There must be some decency and decorum in this matter. Whichever hon. Member is on his legs when I am standing, I will ask him to sit down then and there. (*Interruption.*) It applies to all sections of the House.

I have to inform the House that for the purpose of election by means of single transferable vote of one Member to the Employees' State Insurance Corporation, the programme of dates will be as follows:—

- (1) Nominations to be filed in the Parliamentary Notice Office upto 12 Noon on Wednesday, the 19th August, 1953.
- (2) Withdrawal of candidatures will be received in the Parliamentary Notice Office upto 12 Noon on Thursday, the 20th August, 1953.
- (3) Election, if necessary, will be held on Wednesday, the 26th August, 1953 in Committee Room No. 62, First Floor, Parliament House, between the hours 10-30 A.M. and 1 P.M.

#### ANDHRA STATE BILL—Contd.

**Mr. Deputy-Speaker:** The House will now proceed with the further consideration of the motion moved by Dr. Katju on the 13th August, 1953, and also the motion for Select Committee that has already been moved as an amendment to this motion.

**The Minister of Finance (Shri C. D. Deshmukh):** Sir, with your permission I should like to intervene in the debate at this stage to explain to the House in some detail the provisions in the Bill relating to the allocation of assets and liabilities and to make a few observations in regard to the provisions relating to the Tungabhadra project in the Bill.

I should like to mention at the outset that the Government of India have given the most careful consideration to various points of view expressed on this somewhat complicated and delicate question, in the Legislatures of Madras and Mysore. They have also taken into account the recommendations made in the reports of the various authorities concerned who have considered this problem in the past, and more particularly of course the recommendations made in the report of Mr. Justice Wanchoo. I have also given careful thought to the observations that hon. Members have made in the course of the debate so far. It is hardly necessary for me to mention that the problems arising out of the formation of new States within the Indian Union have to be approached from a somewhat different angle than those relating to the partition of the country and certain Provinces in 1947 which had fundamentally to deal with a different matter, namely, two separate and independent States. The new States formed within the Indian Union will have the same intimate relations with the Centre as the existing States and will continue to look to the Centre for assistance in various ways for their development. It is therefore necessary that in dealing with this problem one should follow the precedent of the formation of Sind in

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1936 rather than follow the example of partition in 1947.

I should also like to make one further observation which is in my view of considerable importance. While obviously a broad measure of justice and equity has to be secured in the allocation of assets and liabilities, it should be remembered that what is being divided are the actual assets and liabilities available at the time of partition. And for this purpose it is profitless, and indeed it would be impracticable, to conduct a post-mortem into what happened in the administration of the composite Province in the past and to what extent revenues were utilised and how far reserves have been drawn upon in the respective economic development of the two parts of the existing Madras State. Any such enquiry is bound to be deceptive, with difficulties both in regard to the past period covered by it,—one would have to determine that period,—and the fact that those who were responsible for the administration of the composite State are no longer here to answer for their stewardship. In the interests of good neighbourly relations that should subsist between the two States, there should be no room left for a feeling that either of them is being saddled with an onerous financial burden because of something that was done or was not done in the past. I mention this particularly with reference to certain views which have been expressed in public about the so-called neglect of certain areas of the present State in the past and the need for taking this into account in the allocation of assets and liabilities. I should myself imagine that this kind of consideration is valid not so much in the allocation of assets and liabilities as in determining the quantum of assistance which should be given in future to the new States for development purposes. It ceases to be of any importance when, as in the case of Madras, what we are dividing is not so much the net liquid assets as possibly a net liability. For example, if the present Government had

large accumulated cash reserves to divide, but no debt, it is arguable that a larger proportion of these assets should be left with the State which has a greater leeway to make in development. But, actually, apart from the various fixed and immovable assets and the outstandings out of loans made by the Government, the liquid assets of the State are likely to be almost negligible; but the State will have a substantial debt due to the public and the Central Government for which the liability has to be apportioned.

There has also been some amount of criticism that we should not embark on the allocation of assets and liabilities without having all the details before us. So far as the present Bill is concerned, it merely lays down the general principles which will govern the allocation. Government is a continuous process and it will be impossible to undertake a complete valuation of all the assets and liabilities without at the same time hampering the functions of Government in both the States. But, this actual allocation so far as it relates to financial assets and liabilities will be made on the basis of the figures recorded in the Accounts as on 30th September 1953. These accounts are maintained, as the House is aware, by the Comptroller and Auditor-General and we shall derive all the information necessary for the allocation from these accounts.

**Shri B. Das (Jajpur-Keonjhar):** Unfortunately that part was forgotten by my hon. friends from Andhra.

**Shri C. D. Deshmukh:** I need not add therefore that the settlement of the general principles has no reference to any secret figures that the Centre has in its possession. Nor has the Centre been influenced by any special view put forward by the present Government.

I shall now explain briefly the broad basis on which the Bill proposes to allocate the assets and liabilities. Physical assets such as roads,

buildings, immovable properties, various projects, etc., will be located in the territory of one or the other State, together with the movable assets related to them. This is, of course, inevitable. Generally, these assets will go on a territorial basis subject to one or two exceptions to which I shall refer later. Certain financial assets such as outstandings in respect of loans made by the present Government to cultivators local bodies, etc., will also have a direct relationship to the territory forming the State, and will accrue to the State in which the territory is located. Here also, observations have been made based on some fancied information in regard to the dimension of the assets in the two States. As soon as it is discovered that the figures are not what they are, this argument is apt to shift. That just illustrates the danger of trying to infer general principles from incomplete and imperfect data. There will be certain other assets such as cash balances of the composite Government which cannot be allocated on a territorial basis. These, the Bill proposes to allocate in the proportion of the population of the areas of the two States and the territory transferred to Mysore. I cannot readily think of any other basis for this allocation. As I explained earlier, it will be almost an impossible task to calculate how these assets were built up in the past and the most equitable method, though it is perhaps a somewhat rough and ready method, seems to me to divide these assets on the basis of population. These assets belong to the people as a whole in the sense that they were not earmarked for any specific purpose. It is not illogical therefore to allocate them in the ratio in which the population of the present State is itself being distributed between the two new States and Mysore.

This scheme of allocation is, however, subject to two modifications. In the case of central reserves, intended for the use of the whole State, but which are kept as a reserve stock, territorial allocation cannot be the criterion for allocation. Therefore it

is provided that they should be divided physically in the proportion in which the respective areas in the three States indented for these stores held in these reserves in the last three financial years preceding the partition, indents for headquarters offices being excluded for this purpose. Similarly, we are also providing for the physical division of the Government Press between Andhra and residuary Madras as far as practicable. It should be remembered that in the matter of stores, what we are dealing with is unused stores which consist largely of stores in the shape of stationery and certain electrical equipment. Stores issued for specific purposes like the Tungabhadra project do not figure in this division at all.

I must mention one other qualification in regard to the allocation of assets on the basis of location. At the end of September, the composite State will have large stocks of food-grains and some stocks of fertilisers located partly at the headquarters and partly at centres in various parts of the State. The location of these stocks may not correctly indicate the requirements of the areas concerned. Problems of subsequent redistribution may arise. It is therefore proposed to take over these stocks; that is to say, by the Centre, notionally on the 30th September and reduce the ways and means accommodation already given to the present Government by the value of the stocks. Each of these three Governments in whose areas the stocks are located will therefore hold them on behalf of the Central Government on the appointed date. These stocks will then be treated as transferred to the new Governments who will be debited with their costs. Subsequent transfers of these stocks to other States will be treated as cash sales on behalf of the Central Government and recoveries effected in the ordinary course. The gist of this is that as all this has been financed by the Centre, in effect, all these assets belong to the Centre.

I shall deal with the allocation of liabilities. These, broadly, fall under

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four categories: (i) loans raised by the Madras Government; (ii) there are loans taken by the Government of Madras from time to time from the Centre including balance of the pre-Autonomy debt allocated to Madras in 1937, but omitting the ways and means accommodation to which I just made reference; (iii) there are liabilities of the Government to its employees such as balances of their provident fund; and (iv) there are liabilities to third parties, arising out of contracts or guarantees given or moneys taken on deposit as from local bodies, etc. So far as the first two categories are concerned, that is to say, loans raised and loans taken from the Centre, the Bill provides for the distribution of the liabilities in proportion to the capital value of the assets located in the respective territories. For this purpose the capital outlay as shown in the accounts will be taken. The reason for allocating the liability on this basis is broadly this. By and large the loans taken were for capital purposes although they are constitutionally charged on the revenues of the State as a whole. If it is assumed that current revenues have been spent on the ordinary day to day administration of the State and the surplus utilised for capital purposes the balance borrowed from the public or the Central Government could be considered as wholly for financing that part of the capital outlay which could not be met from revenue. It is difficult to say precisely how much of each loan was spent on a particular project but taking the State as a whole it may not be inequitable, we think, to allocate the liability for the debt in proportion to the book value of the capital assets created from such borrowing. The liability for the provident fund of the Government servants has necessarily to go to the Government to which the Government servant is permanently allotted and the Bill makes provision for this. The liability for pensions in payment and pension of service under the composite State up to the date of the Partition is obviously the liability to be shared

by the three States between whom the territory of the composite State is being distributed. The only available basis for the allocation of this liability is that of population and a provision for this allocation has been included in the Bill. So far as the serving Government servant is concerned, the liability to the pensioner will be that of the Government to which he is permanently allotted. He will get the pension from that Government when he retires and the payment will be debited to the other sharing Governments in the accounts.

Now as regards liability in respect of guarantees, etc., and for the deposits of Local Funds and Local Bodies the liabilities are proposed to be allocated on a territorial basis. Obviously the Government which has control over the territory should take over these liabilities. They represent a continued administrative and financial relationship between the creditors and the State and they cannot conveniently be replaced by an outside authority and the same remarks hold good, in regard to the assets in the shape of advances made to Local Bodies and to cultivators because any other mode of division is apt to influence the alacrity with which recoveries are made by the Government concerned. I must, however, mention three specific provisions in relation to the allocation of liabilities. Firstly, so far as the liability for the discharge of loans raised in the market is concerned and for servicing these debts, the Government of residuary Madras has been made responsible wholly but the share of Andhra and Mysore in this debt will be discharged by those States by making a contribution to the Madras Government as and when the latter's liability to the bond holder arises and this is in respect of both repayment of the capital as well as repayment of the current interest. Government consider it necessary to make this provision because it is undesirable to make the bond holder look to more than one Government for the payment of his dues and it is impracticable to re-

call the existing loans and issue fresh securities as from the different Governments. Secondly, so far the loan relating to the Tungabhadra Project is concerned, although initial liability in respect of the capital outlay of that portion of the project located in the areas transferred to Mysore and included in the Andhra State will be that of the two States, the allocation will be subject to future agreement between the States, or if no agreement results it is to be regulated by an order of the President within a period of two years. It is unnecessary for me to explain this provision at any length broadly as the financial and other problems arising out of the completion and maintenance of this project will be a subject of discussion between the Centre and the Governments concerned. For the present all that the Bill seeks to secure is that the liability attributable to this project on the appointed date is initially laid on the States—both assets and liabilities—in accordance with the general principles regulating the allocation of debt but the way is left open for a subsequent re-allocation either on the basis of an agreement between the States concerned or failing such an agreement by an order of the President who will obviously take into account all the relevant considerations before he makes the necessary order and it will be open to him to have such technical and expert advice as is available.

10 A.M.

Thirdly, as between Andhra and Madras, the allocation of the liability will be subject to adjustment in respect of the buildings located in the city of Madras. Now we have accepted the recommendations of Mr. Justice Wanchoo that a sum of Rs. 230.4 lakhs should be transferred from the liability of Andhra to that of Madras as compensation for the loss of these buildings. I note that there is a complete divergence of opinion on this matter between our friends in Tamil Nad and those in Andhra, as the former contend that such an adjustment will be inequitable and the

latter urge that the amount is inadequate. Between these two conflicting opinions we consider that the best solution would be to accept the considered recommendation of Mr. Justice Wanchoo. We are also convinced that this recommendation was in itself fair, some measure of relief to the new State which will have to borrow for building a new capital in future was clearly justified although the exact amount to be considered for any relief and the method of giving this relief may be open to argument. On the whole, I trust that the House will agree that taking everything into consideration the abatement of debt given to the Andhra on this question is both fair to it and to the residuary Madras and after all it should be remembered that so far the debt is concerned what really matters is the resulting debt service charge whereas for economic development if any assistance is available from the Centre to the State it will be in the form of capital, which I think is far more important. I have broadly explained the basis on which the Bill seeks to apportion the liabilities and assets of the present State. It seems to me completely impracticable to deal with this problem on the basis as has been suggested by putting the present State into liquidation and then distributing the nett assets and liabilities as if it was a case of the division of a joint family or the dissolution of a partnership. Even assuming that one could reduce the assets and liabilities on a valuation basis, there is no single method by which one could distribute the nett assets or liabilities between the three States. The partition of the State has to be treated throughout as practical statesmanship and not something to be done on any theoretical, commercial or notional basis. I began by emphasizing the defects of such an approach, and also by underlining the need for securing a settlement which would leave no bitterness behind it, while it would be on the whole just and equitable. The Government of India are convinced that the scheme of apportionment proposed in the Bill is fair to all the three States con-

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cerned. They do not think that any useful purpose, therefore, will be served by appointing a Commission to go into this matter. It may merely provoke more controversy without leading to any fairer solution. I myself do not see what terms of reference could be usefully given to such a commission. There is much to be said in favour of looking forward rather than backward at this stage of our development. I see no fruitful result emerging from any discussion as to what happened in the past—and I may add, in the indefinite past—but the development of the area as a whole is as much the concern of the Centre as that of the rest of the country, and I suggest that the House should approach the questions raised by this allocation against this background. I can think of no Government at the Centre failing to take note of the present position of the areas included in the three States as a result of the partition of the present State of Madras in framing its policy in regard to future development of this area. And any State which, on an objective assessment of the position, is found to be in need of assistance will. I have no doubt, have the sympathetic understanding of the Centre. Nothing is gained, it seems to me, by relating the present needs to grievances in respect of past failures, real or imaginary.

I should like to make one more point. I do not wish the House to go with the impression that all this is something imposed by the Centre on the States. We have drawn up a scheme of allocation which we consider to be basically fair to all the States concerned, but it is always open to the States to reach an agreement in respect of any particular matter so far as it concerns themselves. The House will also notice the provision made empowering the President to rectify by order any unjust or inequitable allocation which may result from the application of the principles laid down in the Bill. I need hardly assure the House that this power will be used in consultation with the State Gov-

ernments concerned to rectify any demonstrable hardship that may result from the application of the scheme proposed in the Bill.

Lastly I would like to draw the attention of all the three States to what Thiruvalluvar says in Thirukkural:

*"Tamarakit Tarruntar Surram  
Amaramaik Karanam Inri.  
Varum."*

which means: "Repulse none with whom you has disagreed; men estranged will come to you without reason."

**Acharya Kripalani** (Bhagalpur cum Purnea): Sir, this being the first occasion I have been called upon to speak in the present House, I crave your permission, and the indulgence, of the House to make a few personal observations.

I find myself sitting here in Opposition in rather an awkward position. (An Hon. Member: Why?) For more than forty years I have been in the Congress. Most of the Congressmen are my friends. With many of them I have enjoyed as well as suffered—suffered in the national struggle. I have, therefore, yet a sneaking affection for them.

**Dr. Lanka Sundaram** (Visakhapatnam): But they sneak away from you!

**Acharya Kripalani**: And I hope they also keep some soft corner for me in their hearts.

**The Minister of Home Affairs and States (Dr. Katju)**: Take care of your brother companions.

**Acharya Kripalani**: It shall be my effort to cultivate my new friends, and I hope they will be as generous to me as my old colleagues in the Congress, though one of them, my next neighbour, is dividing those whom God has united in holy wedlock!

Sitting this side, I am reminded of the great man who recently passed away prematurely and in tragic circumstances. He was a passionate

lover of his country and as passionate an advocate of its unity and its ancient culture. He possessed varied abilities and persuasive eloquence. This House and the country have lost in him a great man and a great servant of the country. Many people expect that I would fill his place in this House. Knowing my limitations, I am afraid I shall disappoint these expectations.

Before I take up the Bill—the Andhra Bill—I would make a few observations, with your permission, Sir, about the general question of linguistic provinces. The provinces were no doubt arranged by the Britisher in an unscientific and haphazard manner, even as they conquered the country. But I think it was a bad day when we in the Congress boldly enunciated the proposition of linguistic States. Without mentioning other necessary conditions, I am sorry to say that this bold idea of linguistic States today threatens to undermine the unity of India. (*An Hon. Member: Not at all.*) Some people from my own group say “Not at all”. Sir, you will remember that when I was in the Congress, I never took a purely party line. I always advocated whatever I felt to be in the best interests of the nation. I cannot give to the Party what is meant for the nation. If I spoke out my mind when I was in the Congress the House may be sure that I shall do so even in opposition. I shall never speak in a partisan spirit, but shall keep before the House what I consider to be the best interests of the nation. Therefore, I say that this idea of linguistic provinces has made some of us to forget the fundamental unity of India, and recent history bears evidence to this. Each linguistic area that has no separate government feels frustrated,—and I say, rightly frustrated—because it has been sat upon and exploited by provinces, more powerful, more advanced, and more politically vigilant. What has been the reaction? It has been to consider that every province has a separate civilization and culture of its own. If this view gets currency our country will

be divided, as it was divided before the Britishers came. But since we have raised this monster of linguistic division we must some way or other satisfy it without losing sight of the fundamental unity of this great and ancient land.

Wherever I have gone I have found that people of a linguistic area who have been denied the advantage of a separate government feel frustrated. They generally lose sight of every other problem facing India. I may be permitted to say, that they suffer from a kind of political neurosis. Nothing matters to them, except that the government of their province be arranged on linguistic basis. This political neurosis has to be cured. I have sometimes seen, that even when famine is raging in an area and if that area happens to be one frustrated because deprived of separate linguistic existence, famine does not stir the people to action. We cannot allow such political neurosis to continue, if we are to advance. I therefore want our Government to act quickly and boldly. Let us recognise the fact that there is today no way to peace except that India is divided predominantly on linguistic basis. But I find the Government hesitant. I can appreciate their difficulties, but they must realise that they cannot afford to have a frustrated people. Such people would hamper national advancement.

How timid is our Government! It has taken five years to bring forward the present Bill. Even when they have done so they are hesitant. They have not combined once and for all, all the Andhra areas in one linguistic provinces. If they had combined all Andhra areas in one State, Andhra would not be a deficit province. Also, the new State would not be compelled to spend huge sums of money in building a new capital in a small village like Kurnool. They might have accepted in that case, whatever allocation of funds was made to them by the residuary State. All these problems arise, because our Government is neither bold nor quick, not only in this matter, but in all important matters

[Acharya Kripalani]

It is very difficult for our Government to deviate from *status quo*, unless it is compelled to do so; and the way it is compelled is very dangerous.

Opinion has got currency that the Andhra State could not have materialised, but for the hunger-strike of an individual. This is not good for any Government. Moreover it is believed that even hunger-strike would not have moved the Government, but what moved it was the violence that subsequently started. This has put a premium upon these strange methods of political pressure. I did not like fasting for a political cause even in the case of Mahatma Gandhi, I like it less in the case of smaller persons, who choose to follow mechanically in the footsteps of the great. This I consider very dangerous. And yielding to violence is the worst thing that a Government can do. It encourages violence in the future.

Talking about the Bill, I support it and I do so wholeheartedly. But there are certain points which my friends of Andhra have raised. One is about the Bellary question. My party holds that when a decision has been given by an impartial tribunal, the matter must be considered as closed, and the decision considered as final. But this is our view. What is the Government's view? Unfortunately very often we find that Government fails to carry out the recommendations of its own committees. Even in the present case, Justice Wanchoo suggested that the temporary capital of the new Andhra State should be in Madras. But the Government have found it convenient to set aside this suggestion. When the Government itself sets aside the decisions of its own committees, it encourages people to question the validity of the decision of impartial committees.

Anyway, I would like this question of Bellary should be amicably settled between the Centre and the two Governments concerned. It must not lead to hunger-strikes or violence.

Then there is the question of the Tungabhadra project. I wish the hon. Finance Minister had made his statement, even as the Bill was laid before the House; it has been difficult for us to follow all the implication of that statement. I however feel that two years' time to settle the Tungabhadra issue is too much. Immediately steps must be taken to bring about a common agency for the execution of this project. It is alright to leave things to the President, but the President also may be requested to make the necessary arrangements quickly, with the help of a committee of experts, so that there may be no bickerings.

**Shri C. D. Deshmukh:** May I point out, Sir, that during this intervening period the President has the right to give such directions as may appear to him to be necessary generally in regard to any of the matters specified in respect of the Tungabhadra Project, so that I do not think bickerings will take place as apprehended by the hon. Member. Indeed, the Planning Commission has had a series of conferences already between the representatives of the two parties. This is in clause 66(4) which I have read.

**Acharya Kripalani:** I am glad that the Finance Minister has given this information, and I hope it will satisfy my Andhra friends. (*Interruptions*). Well, it has satisfied me.

Then there is the question of division of assets and liabilities. It is always a difficult question. Listening to the hon. the Finance Minister's exposition, I did not get much light. If he had given us time to study and digest all that he said about this, it would have been more helpful. I find an amount of 2 crores and 30 lakhs is to be given to the new Andhra State. The Andhras need not have left Madras for the next five years. If Justice Wanchoo's recommendations had been accepted by the Government and if my Tamil Nad friends had not raised objection, I am sure the latter would have gained by



the temporary location of Andhra capital in Madras. But feelings were running high; one cannot expect wisdom when passions are roused. Anyway, I believe according to present valuation, Rs. 2 crores and 30 lakhs are a very meagre sum as compensation to Andhra. (*An Hon. Member: Hear, hear.*) I know that there are difficulties in assessing the assets and liabilities, but I think if an impartial Committee is appointed, it will consider all the difficult points raised by the Finance Minister, and the decision arrived at would be accepted by all the parties.

Then there is the question of the temporary Capital. On this, I think the Andhras would have done better if they had chosen some place that would have been better able to accommodate the new capital. Even so I think it was honourable of them to stick to an old agreement and have the Capital in Rayalaseema. It is so rare nowadays for political agreements to be honoured.

In conclusion I would wish the new Andhra State godspeed. Whatever may be the present difficulties of our Andhra friends. I hope that with their industry and economy they will soon come in line with the most advanced provinces. If I may give a humble advice it is this: that they must cut their coat according to their cloth.

**Dr. Rama Rao:** There is no cloth.

**Acharya Kripalani:** They do not wear trousers. Most of them wear dhotis.

**Shri Velayudhan (Quilon):** *cum* Mavelikkara—Reserved—Sch. Castes): Cutting is done from here.

**Acharya Kripalani:** It is very dangerous to cut a dhoti.

**Shri B. S. Murthy (Eluru):** There is no cloth at all.

**Acharya Kripalani:** I say they have got to cut their coat according to their

cloth. I say this because I find that the Government of India is apprehensive of creating new States. Why is it apprehensive? It is because every new State becomes a deficit State. This is because of our top-heavy administration. A State like Orissa or Assam with a revenue of only 7 crores of rupees maintains each a Governor costing about 4 lakhs of rupees per month.....

**Dr. Katju:** No, no.

**Acharya Kripalani:** I am subject to correction. The Finance Minister is there.

**Dr. Katju:** From personal knowledge I know it does not come to anything of the kind.

**Acharya Kripalani:** But why are not figures given?

**Dr. Katju:** No, not at all.

**Acharya Kripalani:** Anyway, the Governors cost the taxpayer a huge amount of money.....

**Babu Ramnarayan Singh (Hazari-bagh West):** Certainly.

**Acharya Kripalani:**...and the work that they turn out is next to nil.

**Dr. Katju:** I again contest that. I contest both the propositions.

**Acharya Kripalani:** As you have been in that position once you must protest.

**Mr. Deputy-Speaker:** I was not in that position.

**Acharya Kripalani:** Therefore, you do not protest.

**Dr. Katju:** May I just say that the Governors work 12 hours a day? They do most honest work.

**Acharya Kripalani:** In opening schools and clinics and having indigenous dances and entertaining foreign guests etc. etc.

**Dr. Katju:** I wish you were to do it from day to day.

**Acharya Kripalani:** I would never consent to do it from day to day. I have something better to do.

**Mr. Deputy-Speaker:** Let us not embark upon a discussion of the Heads of States.

**Acharya Kripalani:** I was only talking about the expenditure, and I was also talking about the comparative expenditure. If the Home Minister had been a little patient, he would have understood what I meant was—that a small State with a revenue of about 7 crores of rupees spends on the dignity of a Governor as much as U.P., with 70 crores of rupees of income. I submit, is it reasonable?

**Babu Ramnarayan Singh:** No.

**Acharya Kripalani:** I submit, Sir, is it possible for a firm that has a capital of 10 lakhs of rupees to spend upon its Manager the same amount that is spent by a firm that has more than a crore of rupees as capital? The Finance Minister will admit that this is bad financing. This is bad economics. Not only these small States have Governors but also High Courts. The Judges in small States draw the same emoluments as in big States. This is madness without method. India can have 50 provinces, if it so chooses. There is no harm in that. But every province must cut its coat according to its cloth. This is the A.B.C. of financing; this is the A.B.C. of economics; this is the A.B.C. of common-sense.

**Babu Ramnarayan Singh:** Hear, hear.

**Acharya Kripalani:** Then each State has also an Upper House. Why there should be Upper House. I cannot understand. I do not understand having an Upper House in modern times even in the Centre. It does not represent the States. I do not know whom it represents. It represents all sorts of interests, all sorts of people and all sorts of abilities. The young, the old and the dying are all lumped together. However the Centre

may have an Upper House. But why should the Provinces have an Upper House?

**An Hon. Member:** It is in the Constitution.

**Acharya Kripalani:** It is said that Upper Houses are necessary to delay hasty legislation. I say, in these times of change we have not to delay legislation but to expedite it. Even if delay is necessary, the existence of Upper Houses is not necessary. Necessary delay can be ensured by appointing Committees to go into every Bill. Therefore, I would request my Andhra friends not to compete with other provinces and have an Upper House. Let us not forget that every pie spent comes from our poor and starving masses.

**Shri Seshagiri Rao (Nandyal):** The discussion has been hitherto surprisingly spicy, so spicy that somewhere, sometime it tasted somewhat bitter. Now it is not the time for us to indulge in any bitter things. We are carving out a new State for Andhras, the Andhras who had a golden history and a glorious past. I request every Member of this Parliament to be generous and sympathetic. After an agitation of 40 years, we have got this Bill before this Parliament, not in the way the Andhras dreamed, not the Vishal Andhra, not the Andhra State of the time of the Vizianagaram Empire, including Madras, including Bellary and all other Telugu-speaking districts. Naturally, there will be a sort of disappointment in the Andhras and a number of problems for the Centre. Let us face these problems, let us face the situation squarely and make the best of the available bargain.

Now I do not want to indulge in repeating the arguments that have been advanced with regard to the assets and liabilities. I will be content, however, if I am able to satisfy this House that the expediency provisions of this Andhra Bill are ill-conceived and incomplete. When I say the expediency provisions, I mean clauses

47, 51, 64 and 66. These are the expediency provisions. This is the first time that Articles 3 and 4 have been invoked to form a new province. If a new province was formed, it was prior to the Constitution. Now the essential provisions are those which come directly under Articles 3 and 4. I submit, Sir, that such of the provisions which relate to the altering of boundaries, adding to or diminishing from the boundaries come under Article 3 and under Article 4 such of the provisions which create the three organs of the Government, the Executive, the Judiciary and the Legislature and making such incidental provisions. But, it is to be seen clearly that there is no mention either in Article 3 or in Article 4 that the Parliament can enact or determine the assets and liabilities, nor is there any mention of it even in the Seventh Schedule.

If there is any provision which envisages that, it is Article 131 which says that it is the Supreme Court and the Supreme Court alone that can determine disputes between two States. How can this Parliament enact and determine the assets and liabilities? I refer to Article 131. It says:

"Subject to the provisions of this Constitution, the Supreme Court shall, to the exclusion of any other court, have original jurisdiction in any dispute—

(a) between the Government of India and one or more States; or

(b) between the Government of India and any State or States on one side and one or more other States on the other; or

(c) between two or more States; if and in so far as the dispute involves any question (whether of law or fact) on which the existence or extent of a legal right depends: "

To the extent it is vested in the Supreme Court by our Constitution, to that extent the Legislature is de-

prived of that power. Therefore I submit that we cannot enact to the extent to which there is a dispute between the rights of two States. The only thing they can do is either to enter into an agreement to refer it to arbitration or make a reference to the Supreme Court. In this view, I have got the authority of the Supreme Court and I mention the observations of the Supreme Court in Special Reference No. 1 of 1951.

"Notwithstanding the intention of the framers of the Constitution to introduce a rigid separation of powers, there is a distinction of functions between the Executive, the Legislature and the Judiciary and no organ can assume powers that essentially belong to another organ."

Now, Sir, on the 24th July, 1953, Shri T. Viswanatham moved a resolution in the Madras Assembly:

"This House recommends the deletion of clause 46 and the insertion of a new clause in its place providing for the apportionment of assets and liabilities and delete from the 7th Schedule also the apportionment of revenues and expenditure between the States affected by this Act by an order of the President on the recommendation of a Factual Commission of Experts presided over by a Judge of the Supreme Court."

This was accepted by the House by 144 to 134 votes. When actually in the composite Legislature, both the States have agreed that they are going to abide by the decision of a particular Commission, how can the Parliament go against it and determine the particular things? Are they going to usurp the functions of the Judiciary and say, "You are entitled to this and this alone." That they cannot do. Neither Article 3 nor Article 4 empowers the Parliament. Nowhere do we find—neither anywhere in the Seventh Schedule—any authority for this. The authority vests in the Supreme Court and this Parliament

[Shri Seshagiri Rao]

cannot interfere with the powers of the Supreme Court. May be the parties may go there or may not go there. But, I submit, when they have agreed to a particular conclusion and when they have done it, it is not within the authority of this Parliament to enact that the assets and liabilities should be determined in a particular way. That may be feasible; the Central Government may have bestowed all its attention upon it and might have thought that this is the only reasonable solution. I am not entering into that. My hon. friends have all discussed it at length. But, I submit that this Parliament cannot do it.

One more submission, Sir. In clause 47(2), it is said:

"Any dispute relating to, or arising out of, such apportionment shall be referred to the President whose decision shall be final."

How can the President decide any dispute when the entire matter vests in the Supreme Court? Neither the President nor the Parliament can arrogate to themselves the powers vested in the Supreme Court by the written Constitution. If at all we want to do it, we have to amend the Constitution.

Now after this I would like to submit this. I have already referred to clauses 47 and 51. These refer to the division of assets and liabilities. There is another thing wherein the President has been given powers, clauses 64 and 66. I have no objection and I do not think that Parliament can have any objection on this ground. They stand on a different footing. The allocation of Tungabhadra assets and liabilities and their management may be considered as a dispute. In the Constitution there is a provision which gives Parliament full powers and that is Article 262.

"(1) 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 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)."

Therefore clause 66 we can enact, but clauses 47 and 51 are *ultra vires* and they cannot be enacted. Therefore, to that extent the Seventh Schedule goes. I am going to suggest an amendment. I do not want to adopt any dilatory tactics or delay the passage of this measure. One amendment will set the whole thing at rest.

Now this aspect will show that these provisions, these expedient provisions, are ill-conceived. Now, I take up the other aspect that they are incomplete. Before doing so, I want to make a passing reference to the question of temporary capital.

In the personality of Potti Sriramulu we have manifested to the entire country that the Andhras consider their cause as the primary one and even their life as the secondary one. The whole arena in Andhra is now dominated by that immortal figure. Let not that arena be tainted by the sort of frivolous and fickle-minded decisions with regard to the capital. When once the Andhra legislature has taken a decision that Kurnool shall be the capital, every minute, every day, there cannot be changes with regard to that. My friend Mr. Rama Rao said that it was a party convention that met on the 5th June. From 1st June till the 5th June they met at Madras and it was after a discussion lasting for five full days, and lasting one hundred and twenty hours, that they decided that Kurnool should be the capital of Andhra. It was not a party meeting—every M.L.A. got his T.A. and D.A. for those days.

**Dr. Lanka Sundaram:** They were paid to vote for Kurnool.

**Shri Seshagiri Rao:** My friend comes from Visakhapatnam and he wants that to be the capital. If that is the spirit that is going to pervade, we know how to answer it elsewhere.

The location of the temporary capital in Andhra is not all that the Rayalaseema people wanted. They wanted the permanent capital or the High Court to be in Rayalaseema. But when the coastal Andhras are grudging even for the location of the temporary capital in Rayalaseema, what can we expect from them? My hon. friends who are opposing this tell me in the lobby: "Take a permanent capital; we have no objection." But look at the agitation even for the temporary location of the capital in Rayalaseema. What is this agitation after all? This is nothing but a shrewd political gamble; I cannot say it is a shrewd political gamble. I would rather put it as a crude political gamble, born out of speculative selfishness. It is so many people who have purchased lands in Bezwada who are responsible for this sort of agitation: or some others who want to come to power. Whatever it may be, I can tell the House straightway that those persons who have spoken against Kurnool at least in this House are those who have not even seen Kurnool. Kurnool was the capital of Bijapur Sultans for some time. I come from Kurnool, but I do not want to say anything.....

**Mr. Deputy-Speaker:** Who can speak on Kurnool other than the hon. Member?

**Shri Seshagiri Rao:** If I say anything, I am afraid, I will be mistaken as praising my own town. I would, therefore, content myself by mentioning one or two facts. For the location of the capital some conditions are given in Ramayana: **सुखं काष्ठं जलं**, that is that it should have hay or grass, fuel and water. In those days they had plenty of elephants, horses, etc. We are not having elephants or horses. We are living in a machine age. Then,

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what is it that we want for the location of a capital? **सुखं काष्ठं जलं समुद्रं** । We want plenty of space. In Kurnool all about there is plenty of land. It is all red soil, not very useful for cultivation, but ideal for construction of buildings. The cost of construction there would only be half as much as it would be in any other place. So far as timber is concerned, all round Kurnool you get them. The other day, my hon. friend Mr. Raghuramaiah said that they are being driven to the jungles. If Andhra could be proud of anything, it is of its jungles and Kurnool is certainly proud of possessing so much of timber and minerals. So, the selection of Kurnool as the capital has been right. Therefore, I would appeal to my Andhra friends not to carry on this agitation, but to give the capital to Rayalaseema.

Our Home Minister stated that Rayalaseema is poor. He also said that he has accepted generally the report of Justice Wanchoo. But there are certain things which our Home Minister has purposely not taken into consideration. I am referring to the Sribagh Pact of 1932. If the Pact is not implemented to the extent it is possible to implement it, there will be resentment in Rayalaseema. Mr. Justice Wanchoo is a Chief Justice and he knows how to put the strongest thing in the mildest way. When he says that there would be resentment, it means that the repercussions will be terrible. Now what is the advice he has given:

"Some thing in the nature of Directive Principles of State Policy which one finds in the Constitution, might be put down in the law constituting the new State so that the Rayalaseema people may feel that their economic interests have been safeguarded."

This is the observation of Mr. Justice Wanchoo. What objection has our Home Minister got to incorporate a clause that the President may from time to time direct that certain sums of money should be utilised for the economic development of Rayalaseema? Is it in any way *ultra vires*?

[Shri Seshagiri Rao]

Royalaseema agitation is as old as the Andhra province agitation. The Dhar Committee has respected it; the J.V.P. Report has recognised it; Justice Wanchoo has emphasised it. What is the difficulty of the Home Minister? He may say it is an internal problem. But how is it an internal problem? The moment the question of Kurnool as the capital comes, there are so many objections. You know very well that the members of Royalaseema are not half as much as the members of coastal districts and if the matter is decided by vote, we will not get it. Do you want that we should fight our case, or are you going to come to our aid and make a provision here? I am sure the Home Minister will reconsider that aspect and see that something is done for Royalaseema.

On this occasion I wish to make an appeal to my Andhra friends. There has for some time been a sort of separatist feeling between the coastal Andhras and the Royalaseema people. If that is to disappear Kurnool should be the capital. If Kurnool is the capital, the question of Royalaseema does not arise, and the bickerings that we had till now will be put an end to.

**Dr. Gangadhara Siva (Chittoor—Reserved—Scheduled Castes):** I represent the Royalaseema Districts in this House. Let me at the outset congratulate our Prime Minister and the Minister of Home Affairs for the prompt and speedy way in which they have brought forward this historic Bill before this august House. On behalf of the Royalaseema Districts I also offer our humble homage to the late martyr Sri Potti Sriramulu. It is in the larger interests of the Andhra Desa and for the well being of the country, we the Royalaseemites have given our support and help in the creation of this new State.

While expressing our gratification, I will be failing in my duty if I do not mention the fact that these Districts are unfortunately under-developed and have been adversely dealt with both by man and nature. It is only last

year this area was threatened with a severe famine. All seemed to be lost and like a ray of hope in the horizon, our Prime Minister was on the scene and with his whirlwind tour brought an electrifying attention to the problem, and the situation was saved and that too very well saved! The people of Royalaseema gratefully remember the good act of our Prime Minister.

But in this context, one should not forget the fact that the Royalaseema Districts are a storehouse of untapped hidden wealth. It is rich in minerals such as Pyrites, Bauxite, Copper, abundant forest wealth, a land of rich black cotton soil. It produces high-grade granite stone and slates. It is only due to lack of attention and step-motherly treatment that this area has remained backward. The rich coastal Districts had all the advantages but these areas continued to remain under-developed. Even the Tungabhadra Dam will not be of very much help to these Districts unless the high level canal is constructed. The way in which the Tungabhadra control is now being sought to be given to Mysore does not give us any hope of benefit from this project.

Apart from this, as I mentioned a little before, any money spent on this area is well-spent. It will not go waste. It will give us good returns, for the good of Royalaseema, the Andhra State and the country as a whole. The culture and traditions of these districts are very high. It has produced some eminent and intellectual men of the country. Our Vice-President, Dr. S. Radhakrishnan, the first Vice-Chancellor of the Andhra University, the late Dr. C. R. Reddy, and our revered Deputy-Speaker Shri Ananthasayanam Ayyangar are all Royalaseemites. My plea is, develop the area and you will not regret the money spent on it. It has been the bitterest experience of the Royalaseemites that the successive Governments of Madras not only remained callous to the needs of these districts but also were utterly ignorant of the

resources of this area. No developmental schemes worth mention have been started in these districts in the last 50 years. How could you expect the people to have faith in the Government?

The people of this area are simple and God-fearing. Their needs are small and their living frugal. It is these people, who certainly need the sympathy and succour of all right-thinking men in the country. In this connection I regret to say that at least to the extent the Government of India came to the help of Rayalaseema the local Government did not. We have our doubts and fears based on the past experience. We hold strong views in the matter. To remove these doubts and suspicions from the minds of the people of this most unfortunate area, it is very necessary that a statutory provision should be made in the Andhra State Bill for setting apart a definite amount for the development of irrigation and supply of electricity. Even Justice Wanchoo's report supports this step. This provision in the Bill is very necessary and also just. Anything short of this will not satisfy us. I have, therefore, tabled an amendment to the Andhra State Bill for the inclusion of this provision. I appeal to the hon. Home Minister and the Members of this House to accept this amendment and win the gratitude and approbation of the people of Rayalaseema.

11 A.M.

Now the Government of India's decision is that the temporary Capital should be located at Kurnool to start with on 1st October 1953 with the proviso that it can be altered later by the Andhra Legislators. I ask why this interim arrangement? I appreciate the difficulty of the Government of India in the matter. I feel sure that left to them the Central Government would not have disturbed the location of Kurnool till a really permanent capital is fixed for the Vishala Andhra when it comes into being. References have been made by certain of my hon. friends that Kurnool is not

suitable and that it is jungle. These remarks are not correct and are far removed from true facts. There is nothing wrong with Kurnool. It is a historical town. There is plenty of water. The Tungabhadra river gives its sweet water perennially. So the proverb goes "*Ganga snanam Tunga panam*" i.e., bathe in Ganges and drink in Tungabhadra. It does not suffer from the extreme heat as is experienced by the coastal towns. The climate of the place is most agreeable and both in summer and winter its climate is not as exacting as that of Delhi. It is not visited by cyclones, a normal feature of the Circar districts and is also unaffected by Filariasis, Elephantiasis and hydrocele since 1897. There is abundant supply of materials and cheap labour for the construction of houses. Kurnool is the most suitable place for a temporary Capital, if not a permanent one.

**Mr. Deputy-Speaker:** The hon. Member is a Doctor.

**Dr. Gahgadhara Siva:** Yes, Sir. It is really surprising and regretful that when we are facing larger and fundamental issues such as boundaries, assets and liabilities, service personnel, in the creation of the new State, much valuable time and energy is being wasted on the comparatively smaller issue of a temporary capital. After all, the very word "temporary" indicates the nature of things. This issue is unnecessarily creating differences and ill-feelings among various parts of Andhra. I, therefore, appeal to my coastal Andhra brethren most earnestly, to leave alone the question of temporary capital and let us marshal our energies and strength to tackle the larger and more important issues.

After so many years, Sir, a small concession of a temporary capital has been suggested and offered to the Rayalaseema districts. This has given a new life to the people of this area

[Dr. Gangadhara Siva]

and is already acting as a regenerating force for this long forgotten and neglected area. I, therefore, appeal to all, with all the emphasis at my command, not to disturb the choice of Kurnool as the capital of Andhra. You have shown the baby the biscuit and have also given it in the hand. If you snatch it away just on the point of the child eating it imagine what will be the reaction of the baby. It will not stop crying until it is given it back. The position will be just the same here also. Kurnool and the whole of Rayalaseema will not stop being a nuisance if any attempt is made to reverse the decision. I will be failing in my duty, if I do not give this warning that any change at this late stage to shift the capital from Kurnool will most certainly produce a tremendous effect on the people of Rayalaseema. What shape this reaction would take, I shudder to think. Let me also make it clear that Rayalaseema will not be a small grape in the vineyard of Andhra Desa.

I have one more suggestion to make. There are quite a large number of Andhras working in the Central Government and elsewhere. I would request the hon. the Home Minister to allow such of those, who are willing to serve their own New State, the opportunity to do so and also facilitate this.

I once again wish to reiterate that there is no provision in the Bill to safeguard the backward districts of Rayalaseema, as envisaged in the Report of Mr. Justice Wanchoo. I therefore most strongly urge that a special statutory clause should be provided for in the Bill to set apart a fair sum of money for the development of irrigation projects and hydro-electric schemes and supply of electricity.

In conclusion I pray to God, let better sense and judicious mind prevail and let us all unite in the noble task of building the New State and make it the pride of India. I also pray: let the divine spirit of Sri Sai Baba

prevail and give us the strength to achieve this.

**Shri Viswanatha Reddy (Chittoor):** While welcoming this measure for the formation of the State of Andhra, I do not propose to hold a brief for the general redistribution of the States in India on considerations of mere linguistic unity. We are told that very shortly there is going to be a Commission to examine the question of this redistribution *de-novo*. I am sure that the main consideration for this Commission would be other than this linguistic unity, for I am completely in agreement with several other hon. Members who express the view that States divided merely on the ground of linguistic unity are not necessarily viable in other respects

When I say this I do not mean that I am completely against linguistic division at all. I would like to submit that the whole question must be considered in all its aspects, and not merely on the mere narrow issue of linguistic unity.

The hon. the Finance Minister has cleared up several points with regard to the principles on which the assets and liabilities are to be divided in this Bill. While we are in general agreement with regard to the principles, I only wish that these points had been cleared even when the Bill was placed before the Madras and Mysore Legislatures respectively, because failure in this respect has led to a lot of controversy and bickering among several friends in Tamil Nad and Mysore. Even now most of the details giving the factual data with regard to several items of division are not available, and this has led to great suspicion in the minds of the Andhras. I do not say that these suspicions are well-founded. Still, not being able to get factual data, their ideas were based on speculative information obtained from unauthoritative sources and therefore it has led to a lot of controversy.

Ultimately, when these assets and liabilities are divided even according to the principles laid down in the pre-



sent Bill, details will have to be worked out. We cannot avoid working out details. Therefore it would not have caused much harm if in the Bill itself all these provisions had been introduced. Personally I felt that when the State is formed under the provisions of articles 3 and 4 of the Constitution, the concerned Bill may not contain so many clauses and so many schedules as it contains today, because I thought that most of the items of dispute will be left to the concerned State Governments for settlement. But somehow the Government of India has thought it fit to act as an umpire in the dispute between the three concerned States and sought to introduce these basic principles on which this division has to take place.

[PANDIT THAKUR DAS BHARGAVA  
in the Chair]

In this respect I would like to submit one item which has not been touched by the hon. the Finance Minister in his speech. That is with regard to the depreciation reserve fund. The concerned provision in the Bill says that this reserve fund shall accrue to the undertaking to which it is specially allotted. While this fund is invested in certain securities which are to cover the depreciation of certain concerns, this fund I am sure is built up from the revenues of the combined State and therefore to the extent that this fund is built up to that extent the revenues of the exchequer have suffered or rather the people have paid for this fund. Therefore the same principle, namely the principle of division on the basis of population should be applied to the depreciation reserve fund also if equity is to be obtained in this respect. Therefore I would request the hon. the Home Minister to go into this question and see that even the amount represented by the depreciation reserve fund is brought to the general Pool and distributed purely on the basis of population.

Regarding the adjustment of boundaries, the hon. the Home Minister has assured us that a Boundary Commission will soon be appointed to go

into the whole question. He has also cleared the misunderstanding or the misapprehension and said that this Commission or these Commissions will consider only those areas which are confined to the twelve districts that are at present being separated from the composite State of Madras. This will really work as a hardship, specially to the Andhra area, because while the other linguistic areas can lay, according to the Bill, claims on the Andhra area, the contiguous Andhra areas cannot by any provision be brought under the present Andhra State. That is really a very unjust proposition and I am sure when, by an executive decision, the Boundary Commission or Commissions are formed this defect will be rectified and proper terms of reference will be given to the Boundary Commissions to cover contiguous Telugu areas outside the twelve districts also, including certain areas in Mysore.

I would like to associate myself with several friends from Rayalaseema, who have expressed the view that certain Directive Principles of State Policy or certain Directive Principles as envisaged by the report of Mr. Justice Wanchoo may be included in this Bill to safeguard the economic interests of Rayalaseema. I am sure my hon. brethren from the coastal districts will have absolutely no objection to it and that the hon. Home Minister will consider accepting an amendment based on these lines.

Some hon. Members have expressed the view that Upper Chambers in these States are not necessary. While generally agreeing with this view, I would like to submit that even in these Chambers certain Members represent special (Constituents) if I may say so; that is to say, teachers, graduates, local bodies, etc. They have got specific constituencies and they represent perhaps a more enlightened view, if I may so put it, than the other Members who are elected on mere adult franchise. Such of those Members who do have these specific constituencies may perhaps be absorbed in the future Andhra legislature, specially in

[Shri Viswanatha Reddy]

view of the fact that the strength of the Andhra legislature is to be increased to 196 at a later date. I do not think any harm will be done if at least those Members who do have a special constituency are absorbed in the legislature provided there is no constitutional difficulty. I would like the hon. Home Minister to examine the question and see if anything can be done.

With regard to the Tungabhadra project, the arrangements that have been made are, I must say, just and quite fair. In this respect, perhaps, the Government of India has taken the side of the Andhra people, knowing full well that the view of the Andhras is now represented only through non-official individuals whereas the view of the residuary State as well as that of Mysore is represented through the authority of the State Governments. The deficiency in this respect, I suppose, is made up by the attitude of the Government of India in safeguarding the interests specially of Rayalaseema as embodied in the provisions relating to Tungabhadra project. I have got only one suggestion to make in this connection. On page 23 of the Bill, detailing the provisions that are to be made for distribution of the hydro-electric power or the thermal power, Chittoor district is not included in the Bill. I may submit that Chittoor district is also a part of Rayalaseema, and though under the Tungabhadra project, it does not receive the benefits of irrigation, at least the hydro-electric power or thermal power could be extended for the benefit of the people of Chittoor district. I am sure that the omission of Chittoor district is merely an oversight and that it would be rectified by the Government.

**Dr. Katju:** Which part of the Bill?

**Shri Viswanatha Reddy:** I refer to page 23, line 35: sub-clause (5).

With regard to the affiliation of certain colleges in Rayalaseema to the Andhra University, certain doubts have been raised whether adequate provisions should be included in this

Bill itself so as to affiliate these colleges to the Andhra University. On the separation of the State, if these colleges continue to be under the Madras University, perhaps, the patronage that these colleges may receive from the future Andhra State may not be quite as great as it would be if these colleges are affiliated to the Andhra University itself. Therefore, since the larger issue has been decided by the division of the State, the smaller issues can also be tackled easily and adequate provisions made for the convenience of the students who are likely to appear in the examinations of the Madras University. Provision, if necessary, may be made in this Bill itself for inclusion of these colleges in the Andhra University.

Finally I would like to appeal to every section of the House to eschew any bickering or controversy or bad feeling that might have been generated during the course of this debate and to judge the Andhras and the future Andhra State purely on merits and not on any other consideration.

**Shri Lakshmayya (Anantapur):** I have heard with great attention, the several speeches made by hon. Members, both Tamil and Andhra brethren. I am one of those, perhaps, one of the few who opposed the formation of States on a linguistic basis. In fact, I made a speech before to that effect in this august House. That does not mean that I am against the reorganization of the States at all. But, the principle underlying the formation of linguistic States must be a very sound one, a practical one and it should avoid all possible difficulties and intricacies. When forming the linguistic States on the predominance of language, some other factors namely cultural affinity, administrative convenience, economic well-being and social links, of the people—lastly language—should be taken into account. Now as the Andhra State is formed, I ask whether this principle has been complied with?

I come from Rayalaseema. Some of my friends from Rayalaseema have already spoken. The name Rayalaseema is a very attractive one and it is a reminder of the past glory and a pointer to the future. It is derived from the famous Andhra kings of Vijayanagar particularly from a great Andhra king, by name, Krishna Deva Raya. He ruled vast territories from Cuttack to Cape Comorin whose capital was Vijayanagar, near present town, Hospet, in Bellary district, which has been given away to the Mysore State. 'Vijayanagar' has seen the glorious days of the Andhras. It has a golden history behind it. King Krishna Deva Raya, who was said to be the "Andhra Bhoja," just like the King Bhoja for Sanskrit literature, patronised Telugu literature and under his patronage, a number of famous Telugu poets flourished; and a good number of excellent Telugu works were produced.

**Shri M. S. Gurupadaswamy** (Mysore): On a point of information, Sir, may I submit that King Krishna Deva Raya referred to just now, was a Kannadiga king and not a Telugu king?

**Shri Lakshmayya**: No. Not at all. He was a Telugu king. The history and both Telugu and Sanskrit literature prove in unequivocal terms, that he was King of Andhras. A renowned poet by name, "Allasani Peddanna", who adorned the court of King Krishna Deva Raya, while bemoaning the death of that King, has composed beautiful poem, describing him as the King of Andhras. Therefore, my hon. friend cannot say that he was a Kannada King. It is true he has ruled over Karnataka territory also.

**An Hon. Member**: There is a claim that he is a Malayalee. He was called Krishna Menon.

**Shri Lakshmayya**: Much of the Telugu literature has taken its birth at Hampi, the Vijayanagar. Such a seat of Telugu literature has been annexed to Mysore State because it is a predominantly Kannada area.

This is one misfortune. Secondly, the river Tungabhadra is the biggest river flowing in Rayalaseema districts. You are aware, Sir, Rayalaseema is a famine ridden area. The lands are fertile; they produce one-fourth of the groundnut and other oilseeds and one-third of cotton that has been produced in the whole of Madras State; but our agriculture is a gamble in rain. We have to depend on the precarious monsoons which always fail. For the last five years we have been facing terrible famine. It was, in order to get over the ravages of famine, that Tungabhadra Project was got for the Rayalaseema people. That was a long cherished desire of the Rayalaseema people. That dream was realised and it took concrete shape in the year 1945 when the construction of the Tungabhadra Project was started. Now it is about to be completed. It is mainly intended as you all know for the benefit of the Rayalaseema people. But as, the headworks of Tungabhadra Project are situated in Kannada speaking area it is given to Mysore State on this principle. Again one funny thing is my Kannada friends under the auspices of the Karnataka Pradesh Congress Committee opposed tooth and nail to the construction of the Tungabhadra Project. Mysore Government also stood in the way. Fortunately for us Mr. S. V. Ramamurthy at that time came to the rescue of the Rayalaseema people and got Tungabhadra Project for us. The same persons who opposed tooth and nail to the construction of the Tungabhadra Project have come forward, as declared by the Chief Minister, Hanumanthya to exercise exclusive control over the waters of Tungabhadra and Tungabhadra dam. This is another misfortune.

Then coming to Bellary question—Bellary is the biggest town in Rayalaseema districts. It is the nerve centre of Rayalaseema and it is said to be the crown of Rayalaseema with a vast population of 70,000 people and huge buildings valuing several lakhs of rupees. Now it is decided to be added

[Shri Lakshmayya]

to Mysore. Of course, it is on the report of Justice Misra. The Government have taken a hasty decision. Lastly, a much more painful thing is regarding Madras. You are aware from history that one of the Telugu chieftains called Madiraju constructed Madras city and called it after his name. After Madiraju, one Avisappa Naidu constructed Chennapatnam in the name of his father, Chennappa Naidu, a military chieftain of Vijayanagara kings. First the Telugus and later on Tamilians who came as settlers recently contributed their money, lifeblood and energy for the progress and growth of Madras City. The Madras City grew as years passed by as one of the finest cities with a beautiful sea and beach, endowed by bounteous Nature and salubrious climate. Now the city of Madras is left to the Tamilians. The Andhras wanted to stay there for a period of three to five years as recommended by Mr. Justice Wanchoo as they have no suitable place, at present to locate their capital; but unfortunately our hon. Chief Minister, Mr. Rajagopalachari played the part of Duryodhana and said, 'You should not stay in Madras for a day'. That is the third misfortune of Andhras. With all these misfortunes and mutilations, a truncated State has now been formed. How can we rejoice over it; where is the enthusiasm? Where is the jubilation; it is with mixed feelings of great sorrow and a little joy I have to express these views on this occasion. Whatever it may be, we have got our Andhra State—our own State. That is our home—sweet home as the poet 'Goldsmith' puts it. We feel homely in our home State and we have confidence and courage that we will improve our new State. By the grace of the Almighty and with the financial aid of our Central Government, I am sure our new State will develop in all aspects. Then coming to the merits of the Bill I may say that I am sorry that nowhere provision has been made for the appointment of a Boundary Commission. We expected such a provision in the Bill

but the hon. the Home Minister stated that the Boundary Commission would be appointed by the Central Government later on to look into the boundaries and demarcate boundaries. At least then, I am sure that the injustice done to Bellary will be set right and bare justice will be done to the people of Rayalaseema. My Tamil friends have said: more than once "We have spent lakhs and crores of rupees on Andhra". It is true that they have spent. They have invested as my hon. friend, Mr. Raghuramalah said, when the prices were high; and when the labour became costly. They would have spent much less amount if they had executed these works earlier. These could have been completed with one-fourth of the amount that they have spent. To bring the level of the Andhra even to the admitted 36 per cent. of the ratio to the level of progress obtained in their Tamil Nad, in respect of irrigation, in respect of industrial progress, and in respect of generation of electricity, it would have costed Andhra in those days only Rs. 15 crores. Now for the new State it would cost not less than Rs. 50 crores. To begin with, the Andhra State being crippled with deficit budget, facing every day famine in Rayalaseema, I do not know how it could manage to bring it to the level of Tamil Nad. Some of my hon. friend, Mr. Venkataraman and others said that they have spent huge sums on Rayalaseems. It is true they have spent. Nobody denies it. When there was a terrible famine in Rayalaseema, you came forward just to distribute some doles and to open gruel centres, you gave some food to save them from starvation. You gave doles just like giving bare maintenance to a helpless widow. You have not taken a long-range policy of improving the economic interests of my poor land, to confer permanent benefits on the unfortunate people. We have been agitating from the very beginning for the construction of some major projects, like High level canal, "Siddheswaram" projects etc. and also for

minor projects, badly needed for my unfortunate land. But we were neglected all along. We were left to the mercy of empty clouds. Now at the time of famine, you came forth and spent lakhs of rupees, and even crores. What is the use? Is there any permanent benefit for Rayalaseema? I tell my Tamil brethren but for the Mettur and the Pykara Projects. Tamil Nad would have been worse than Rayalaseema. Luckily they undertook and constructed these two projects. They got abundance of electricity to improve their State. I am not jealous of them. Neither I am envious for their progress. I am stating bare facts to show that they have not executed such major projects for us. You installed thirty, or forty textile mills in one town, Coimbatore, which is perhaps next to Ahmedabad or Bombay, you improved industries, in your land but our Rayalaseema which produces one-third of cotton has not got one textile mill. We have not got even one oil industry in Rayalaseema which produces one-third of groundnut and oilseeds. That is our fate, that is our misfortune. There are none to look after us. We are orphans. We have no support, no help from any quarters—we have no saviours. There is no salvation, I think, for Rayalaseema people. That is why, there is a feeling, a general feeling, a widespread feeling, in the people of Rayalaseema that it is all the same whether Andhra State administers or Madras rules. There will not be any gain at all for us. That is the feeling of the public. Some sections of the people are not for the formation of Andhra State. They awfully apprehend again that the coastal districts will dominate and exploit Rayalaseema. However the Congress people have been for the formation of Andhra State. They entered into an agreement with the coastal districts, called the "Sri Bagh Pact," in the month of December, 1937, wherein some of the provisions to safeguard the interests of Rayalaseema are made. Only to honour that, it has been agreed to locate the capital at Kurnool. Of course, I am for the

capital being at Kurnool which forms the part of Rayalaseema. Only I request the hon. Home Minister and the Central Government to consider some of the safeguards suggested by Justice Wanchoo in his report; irrigation facilities may be provided and preferential claim of Rayalaseema for a period of ten years should be recognized in respect of major projects in their land and some amount should be set apart for the execution of major schemes in Rayalaseema.

Lastly, I may conclude after referring to Bellary, once again—an injustice and an inequity has been done to Bellary town. It is admitted by even Justice Misra that it is a predominantly Telugu town. The Chairman of the Municipality is a Telugu man. The M.L.A. is a Telugu man. The majority of councillors in the Municipality are Telugu people. The official language is Telugu. When every thing is Telugu, I fail to understand how Justice Misra has decided otherwise, and sent a report adversely. It is really very strange. If a straight line is drawn horizontally between the boundaries of Rayadrug and Alur Taluks, which have been acceded to Andhra State from Bellary district, Bellary town and three firkas will come within that compass. Even for administrative convenience, that town should be included in Andhra State. Further, the town is within the distance of five miles from the boundary of Rayadrug Taluk. Coming to the population, Muslims form the bulk of it. The non-Telugu and non-Kannada speaking population constitute about 42 per cent, whereas Telugus form 34 per cent. and Karnataks only 24 per cent. Giving a town, a prosperous town to a people forming 24 per cent. of the population is really surprising and also beyond my comprehension.

**Shri N. Rachiah (Mysore—Reserved—Sch. Castes):** What about the district?

**Shri Lakshmayya:** I do not know how Justice Misra has done this. It should be re-examined, and reconsidered before long. A number of

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people are rotting in jail. Fifty aged women are in jail. The Chairman of Bellary Municipality, a very respectable man is in prison for this cause. By the grace of our hon. Minister who sent a telegram in time, one Kami Reddi who had taken fast at Bellary broke it recently and thus his life was saved. This is a just cause. People have been agitating in a constitutional and peaceful method for this cause. I request the hon. Home Minister to re-consider the case and find out the truth, the will of the people, the wishes of the non-Telugu and non-Kannada speaking people. I do not want that it should be included now alone. After finding out, the actual position and real facts, you include it to any State, either in Andhra or Karnataka. As said by hon. friend Mr. Nijalingappa, Mysore is an interloper—Justice Wanchoo recommended for its inclusion in the Andhra State till the Kannada State is formed. Kannada not being formed, it is included in Mysore as per the recommendation of Justice Misra. If plebiscite becomes impossible, you can instruct the boundary commission to examine it thoroughly. Lastly, Sir...

**Mr. Chairman:** This "lastly" I have been hearing three or four times. The hon. Member has already taken about twenty minutes. I would request him to conclude.

**Shri Lakshmayya:** Yes, Sir. Lastly, I am sure the Govt. will comply with the request of the Bellary people and I wish that the Andhra State would grow from strength to strength and become a land of plenty, and prosperity before long. I hope, very soon, it will become one among equals like Tamil Nad, Maharashtra and others.

**Mr. Chairman:** Swami Ramananda Tirtha.

**Shri M. S. Gurupadaswamy:** Nobody from this side?

**Shri B. S. Murthy:** On a point of information. It was as a rule that

two speakers from that side, and at least one from this side should be called. We have been having speeches continuously from that side only. Therefore...

**Mr. Chairman:** It is not a point of information. It is the discretion of the Chair to call any Member who happens to catch his eye. There is no fixed rule that three should be called from one side, and one from the other. There is no such rule. Swami Ramananda Tirtha.

**Dr. Jaisoorya (Medak):** I welcome his speech.

**Dr. Krishnaswami (Kancheepuram):** We all want it. There must be some debate.

**Swami Ramananda Tirtha (Gulberga):** I wholeheartedly support the Bill for the formation of Andhra State. Mixed feelings of joy and sorrow have been expressed by various sections of this House. It is but natural, particularly for the Andhra brothers, to feel rather disappointed when they see that the present Bill incorporates only a part of the Telugu-speaking areas. Certainly, it would be a matter of greater gratification when the whole of the Andhra State comes into existence comprising of all the areas of the Telugu-speaking population. Let us hope the day will dawn soon.

But, in approaching and understanding the problem of the re-organization of the States on a linguistic basis, we have to keep in mind certain fundamental principles; and if those principles are neglected, or partially forgotten, the very purpose for which the formation of any State is meant would be defeated. I do not want to enter into a discussion about the propriety or otherwise of the various provisions in this Bill. All that I wish to state is that it is a historical process which has just sprung up at a certain stage, and it has to be led to a logical consequence. Language alone cannot be the main or the sole criterion for the formation of any State, I quite agree, but language is

the main medium through which the life of a particular population is expressed. And therefore, it is one of the main considerations, though not the sole consideration, on which a State has to be formed. Linguism should be abhorred, linguism has to be discouraged, but language has to be encouraged and raised to its legitimate status. Therefore it is no use minimising the importance of language in the formation of a State. Let us be very clear that the Andhra or any other State which is to be fought for on the basis of a language does not mean linguistic fanaticism. It should not mean that. If it means that, then the very purpose of the formation of linguistic States is defeated. Now, the Andhra State comes into existence, and all of us wish it godspeed. But if the Andhras feel that those whose mother-tongue is not Telugu should have some differential treatment in their State, then that is going to cut at the very root of our national integrity. Let us remember that it is not Andhra citizenship that is given. My hon. friend who preceded me called this Andhra State as an independent State. I hope this is a slip of tongue. But the citizenship is Indian citizenship, and so let us hold on first to that citizenship intact, and then we are Andhras, Maharashtrians or Kannadigas.

Agreeing to this fundamental proposition of India's unity, which is the main consideration for all of us, let us carve out our own States. If the Andhra State comes into existence, it is, if I may be permitted to say so, because of a residential qualification, and nothing more than that; it helps the internal arrangements, the internal communications of ideas and sentiments and all that life means for the people inhabiting that particular area. Therefore, let all of us who stand for the formation of provinces on a linguistic basis remember that it is our duty and responsibility to foster that sense of confidence in the people who do not belong linguistically to that area, which will make them feel that the Andhra State is equally

theirs. Therefore, the question of the formation of States on linguistic basis cannot be and should not be approached in an emotional manner. Emotion will not do; it will mar the progress of the formation of linguistic provinces. I would therefore plead not only with the Andhra brothers, but with all those who stand for the formation of provinces on linguistic basis, to approach the problem in a very dispassionate way, for then, alone, right solutions can be found.

A loose talk, I should say, is being made about the plebiscite. True, plebiscite is a democratic way of taking decisions. But when and in what context? Democracy means something definite; democracy cannot be a game in time, and an odd game too at that. If we accept a plebiscite for Bellary, then we will have to accept a plebiscite for thousands of Bellaries in India, when other linguistic provinces are to be carved out. There must be an end to every decision. The decision is already there. Whether it satisfies one or not, it has to be accepted. Viewing the matter dispassionately, I plead with my Andhra friends—though I know I will not be able to carry conviction to them at this stage—not to re-open the question of Bellary. Let us leave it as it is.

The main question now is not the Bellary question, but the question of the reorganisation of States on a linguistic basis. It would have been better if the Government of India had ventured upon the formation of the Andhra State as a whole, along with the formation of other such States as well, because the difficulties which they have to face today would have been minimised, perhaps eliminated. If this question of the reorganisation of States had been dealt with as a comprehensive whole, and not in a piece-meal manner.

It is well that the Government have now decided to appoint a high power commission. I would at this stage seek your permission to say a few

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words in regard to the overt acts which are being committed by some of those who are protagonists of linguistic provinces. It is a very dangerous tendency that is developing, and that is made to develop in the nation. I do not deprecate fasts. Fasts have their own value. But fasts for a political purpose are something which should be discouraged. And when violence is resorted to, that has to be strongly discouraged and put down. When railway stations are attacked, rails are uprooted, and properties burnt, I do not think that we are promoting the interests or the cause of the formation of linguistic provinces. Let us once and for all affirm that we shall follow peaceful methods, in order to bring about the formation of linguistic provinces. I would advise some of my friends sitting opposite—and some of them are my erstwhile colleagues—not to go in for satyagraha for the formation of a Karnataka State. That is not the way to get it.

Well, the High Power Commission is there and let us all...

**Dr. Lanka Sundaram:** It is not there.

**An Hon. Member:** It is not appointed.

**Swami Ramananda Tirtha:** Yes, the Prime Minister has said that it will be appointed immediately after the establishment of the Andhra State.

**Dr. Lanka Sundaram:** Not immediately.

**Swami Ramananda Tirtha:** Yes, before the end of the year. Never mind it. Taking that into consideration, let us all pull together and place the relevant facts before that commission so that the aspirations of the South particularly will be fulfilled.

**Dr. Krishnaswami:** Hear, hear.

**Swami Ramananda Tirtha:** Well I have to remove an apprehension in the minds of certain people. My

esteemed friend, Acharya Kripalani in the speech which he delivered—a speech which I heard with rapt attention—has said that there is an element of frustration and it has to be satisfied. I most humbly beg to submit that those who are working for the formation of linguistic provinces are not doing so through frustration. There is no frustration in us. We only feel that the pace could have been accelerated if certain approaches—fundamental approaches—had been already made. That is all. At the same time, let me assure all those who oppose the formation of linguistic provinces that none of us would ever entertain the idea of any differential treatment in regard to those who do not belong to that particular area linguistically. That is the moral and the national responsibility which all of us owe and, therefore it is, with that assurance and with a determination to work in that spirit that we venture upon the formation of the Andhra State, partial as it is.

So far as the area from which I come is concerned, we have made our position very clear, and we shall be very happy when the day comes when the Andhras, Kannadigas and the Maharashtrians of that area find their aspirations—national aspirations—going side by side with those of their brethren outside the State.

**Shri N. C. Chatterjee (Hooghly):** After the fair exchange of compliments between our Andhra friends and Tamil Nad friends, I was wondering whether any one who did not belong to the south had any *locus standi* in this debate. But Acharya Kripalani in his maiden speech has cleared the ground and that will shorten my observations.

A great British statesman had once interrogated Deshabandhu Chittaranjan Das: 'Why do you want Swaraj or independence?' The great C. R. Das answered: 'For my self-realisation and my self-expression, and for removing all obstacles to my



self-fulfilment'. I take it that those who are demanding the formation of linguistic States are inspired by the same ideal which inspired that great statesman and patriot. They are not fighting for selfish ends, they are not fighting for parochial purposes, they are actuated not by the desire to disrupt India's integrity. I am one of those who believe in 'Akhand Hindustan'. But those who believe in that great ideal of 'Akhand Hindustan' accept as their cardinal principle the unity and integrity of India. That can never be sacrificed. But at the same time my dream of Hindustan or India is that she must be the Divine Mother from whom will spring living languages which will embody regional cultures and civilisations.

We have reverentially accepted the great song of Rabindranath Tagore, *Jana Gana Mana*.

*"Jana gana mana adhinayak  
jaya he*

*Bharat Bhagya vidhata."*

What is that song? He was thinking of linguistic regions or provinces.

*"Punjab Sindh Gujrat Mahratta  
Dravid Utkal Banga."*

Tagore was there setting in music the eternal dharma of India, the eternal soul trying to realise unity in diversity. The Divine Motherland is the finest conception of the Indo-Aryan civilisation. We want that the concept of divine motherland should be a synthetic force, not to be a disruptive force.

12 Noon

Acharya Kripalani had let slip some observations and has said that the Congress had taken an unwise decision. The Congress has taken many stupid decisions, and it is sticking to many unwise decisions. But although I am one of the staunchest critics of the Congress, still I must admit that if they have taken any wise decision, it is this decision. I am quoting the Report of the Nehru Committee. Pandit Motilal Nehru submitted that Report to the All Parties Conference on the 10th August 1928.

That great statesman, ably supported by the great sons of India, presented unanimous recommendations. What is it, that they said. I am reading from that Report:

"Every one knows that the present distribution of Provinces in India has no rational basis. It is merely due to accident and the circumstances attending the growth of British power in India. As a whole, it has little to do with geographical or historical or economic or linguistic reasons. Even from the purely administrative point of view, it is not a success. It is clear"—and that is the recommendation. Sir—"that there must be a redistribution of Provinces."

Now what was true on the 10th August 1928 is also true in August 1953. (An Hon. Member: Truer). Possibly truer, as my friend says.

Shri Sivamurthi Swami (Kushtagi): It is very much true.

Shri N. C. Chatterjee: Quite. But my charge against the Congress Government is that they accepted this principle and they reaffirmed this principle not once but more than once, but when they are in office, this principle which they adumbrated, is cast to the winds. I am not satisfied that justice is being done to the Andhras. I am not satisfied because I think it is a parody of an Andhra State to give them only this area. How can you have a real Andhra State without Telengana? How can you really have any formation of a State of Telugu-speaking people without the big Telugu-speaking area which is integrally connected with this part which you are giving? I say it is not a disruptive force; it is really a synthetic force. It is an organic evolution in our national life—this demand for linguistic provinces.

I come from Bengal, Sir. You know the British Imperialists in their wicked attempt to disrupt the nationalist movement, which originated in my province of Bengal, partitioned

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Bengal and created two provinces. The greatest chapter in the history of India's struggle for national emancipation is the reunion of partitioned Bengal. That was a great triumph because that restored the feeling of self-satisfaction of the entire Bengali-speaking people. They were suffering from frustration because they were artificially divided. God willing this synthetic force will not disrupt, but if properly handled, it would have integrated India on a proper scientific and cultural basis and would lead to better cohesion. My charge is that the Congress Government have been dilly-dallying and shilly-shallying with it. They did not tackle this problem. If they had tackled this problem properly, there would not have been so much of dissatisfaction and so much of controversy. Just see what the Nehru Committee finally said:

"The National Congress recognised this linguistic principle eight years ago"—that is, in 1920—"and since then, so far as the Congress machinery is concerned, India has been divided into Linguistic Provinces".

When the Maharashtrians want a province of Maharashtra or the Tamil Nad or Karnatak friends want their provinces, they are not at all trying to be untrue to Indian nationalism. I take it that that is the fundamental principle which everybody will accept. There is no question of repudiation of, or defection from, pan-Indian nationalism. What they want to build up is a greater synthesis based upon the recognition of this elementary fact that there are different languages enshrining different cultures as well as different types of regional civilisation. They should be properly encouraged, Sir. There is no good saying 'If you think on these lines, India will be finished'. I do not believe it, Sir. Shri Aurobindo, who was one of the greatest fighters for India's emancipation, and you know, a great

prophet and seer, had appealed to the Congress Government in one of his eloquent messages that they should take up the problem and seriously tackle it as soon as possible. He said that throughout India's history there had grown up a system of sub-nations with different languages and literatures and other traditions of their own, the four Dravidian peoples, Bengal, Maharashtra, Gujerat, the Punjab, Assam, Orissa and so on.

Shri Aurobindo asked us not to be oblivious of the drawbacks and rigours of unification. He said, "a single nation with standardised and uniform administration, language, literature and culture or education all carried on under the aegis of one national tongue" is not always leading to desirable consummation. That prophet of nationalism enjoined the rulers and makers of new India to allow the natural play of life of these different regional sub-nations, by satisfying their legitimate political, cultural and spiritual aspirations. He said that this diversity would not endanger or diminish the unity of India. I am quoting his sublime utterance. His words are:

"Congress itself in the days before liberation had pledged itself to the formation of linguistic provinces and to follow it up, if not immediately, yet as early as conveniently may be, which might well be considered as the wisest course. Indian national life will then be founded on her natural strength and the principle of unity in diversity which has always been normal to her and the fundamental course of being and its very nature, the Many in the One, would place her on the sure foundations of her *Swabhava* and *Swadharmā*."

You cannot build up India if you ignore India's *swadharmā* and *swabhava*. There is no greater patriot ever born than Sri Aurobindo. Our charge is that our Prime Minister, although he was a signatory to the

Nehru Report, when he is in office he has not actually put into practice the noble principles which he had professed and which the Congress re-affirmed from time to time. Our charge is that our Home Minister also has been playing with this problem.

**Acharya Kripalani:** He is absent.

**Shri N. C. Chatterjee:** Conveniently, Sir, he has left the Chamber.

Why not frame a Bill on a comprehensive basis in order to satisfy the legitimate aspirations of the people of Maharashtra, of Karnataka and Andhra and Tamil Nad? Also there is our demand for re-distribution of Bengal's boundaries. We do not want to create trouble at this stage between Bengal and Bihar.

Please do not laugh. It is a serious matter which can be argued out before any independent Commission or Tribunal. The Indian National Congress had passed a resolution unanimously—not moved by Bengalis—but moved, you remember, Sir, by Sir Tej Bahadur Sapru in 1911 Congress. It was seconded by one of the leading politicians from Bihar that the Bengali speaking areas should be transferred to Bengal. In January, 1912, leading politicians of Bihar issued a statement strongly supporting the Congress resolution. Apart from that there has been the difficult situation created by the influx of millions of refugees who have been turned out from East Bengal. All I am pointing out is that there should be greater sincerity and greater adherence to principle and lesser resort to expediency, lesser dilly-dallying and shilly-shallying in tackling this important problem.

I say to Government that if they really want to build up new India on a proper footing then this question of linguistic States should be dealt with properly and then you will release the vital forces which will help in building up the States. The first thing they ought to have done is to have disintegrated the Hyderabad State and given Hyderabad as the

capital of this Andhra State. That is the normal and logical thing to do. (*Interruption.*) My hon. friend, Swamiji has spoken. If I remember aright, Sir, the Hyderabad State Congress has passed a resolution in favour of disintegration of that State.

**Acharya Kripalani:** They cannot speak.

**Shri N. C. Chatterjee:** They cannot speak here. And, Mr. Nijalingappa—I think he is the President of the Congress Party in Mysore—said that this Bill did not go “the whole hog.” I say, therefore, that the Government should take steps to disintegrate Hyderabad as early as possible. That will mean the building up of Maharashtra, the building up of Karnataka, the building up of real Andhra State instead of giving them a State which is not economically self-sufficient, instead of making them Oliver Twists coming up to the Home Minister or the Prime Minister for crumbs from their tables. Give them Hyderabad, and finish with the capital question. Do not dangle before them sleepy hollows like Kurnool and do not make them fight for Bellary. One Chief Justice upon another Chief Justice! That is a wonderful procedure. Sir, the location of the capital at Hyderabad would have taken the load off the head of Parliament (*Interruption*). You have liquidated one Maharajah of an important State; you can liquidate other Maharajahs also and Nawabs, if you think fit to stick to principle.

**Dr. Jaisoorya:** They do not want to do it.

**Shri N. C. Chatterjee:** Do not say you cannot do this now. This creation of linguistic States according to some of my friends would lead to Balkanisation of India. We want to avoid it. I feel that the Andhra people have not been fairly treated.

**Shri B. S. Murthy:** Yes.

**Shri N. C. Chatterjee:** I feel that they have not been fairly treated in the division of assets and liabilities as

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also in the matter of contribution for their capital and also over Bellary.

**Dr. Krishnaswami:** The House will forgive me if at the outset I suggest that we have discussed a very important question in an extremely casual fashion. I agree with my friend Mr. Chatterjee when he observed that on this important question we should have had the opinions of all people from different sections of this great sub-continent on what I consider to be a very vital question. The hon. Home Minister in the course of, what I would call, a rambling discourse on the Andhra State, the evolution of that State, pointed out that the Madras who had come from below to the surface would not perhaps have to go to a different haunt altogether. But the important question which we have to face and the important questions which have to be faced by the Government are what is the principle involved in this Bill, what measures are the Central Government going to take to make the State solvent and a peaceful State, what particular steps they are going to take to effect a change-over in an orderly fashion. I should like to refer to some of these matters at some length.

But, before I go on to consider the detailed provisions of the Bill, I should like with your permission, Mr. Chairman, to refer to certain misapprehensions which have crept into this debate. My hon. friend from Visakhapatnam hurled an unseasonable tirade against the composite State of Madras, an unseasonable tirade which does less than justice to the cause that he espouses and to the very many distinguished individuals who happen to hold high positions of power and authority in the composite State of Madras. There were very many distinguished men from Andhra whom we, at any rate today seem to think of as representatives of Andhra but whom we in the past thought of as representatives of the South who contributed not a little towards building up the glory and status of what is now

considered to be the Madras State. They have certainly contributed quite a lot and it would be wrong to think that they have not done enough for the State of Andhra.

My hon. friend Dr. Lanka Sundaram in the course of his speech put forward three propositions. The first proposition which he put forward and with which I am most heartily in agreement is that the *Andhra State requires money*. All of us are agreed on it. But who is to give the money? Obviously the residuary State cannot be expected to hold the baby. It is the Centre which has taken this decision. It is the Centre which has now crossed the Rubicon and definitely decided in favour of the linguistic States that *should find the money immediately*.

The second proposition which he enunciated, and to which I take very strong exception, is that there has been continuous pauperisation of the Andhra area—and this is where the sting lies—and that on that account the residuary State of Madras should make as it were a reparation payment to the Andhra State. Now, I am not willing to indulge in any controversies on this occasion. But I should like to point out to my hon. friend that if he wishes to quote figures, let him quote them at least *accurately*. He quoted certain figures relating to university education. But I have in my possession facts relating to the university education which would show that so far as the composite State of Madras is concerned over a period of five or six years, we have contributed more to Andhra University than to any other University. I am not complaining about it. I think it was the right and proper thing to do. But I certainly do not agree with my hon. friend that we have been unfair to the Andhra areas. Even when the Madras State was in a very poor way, out of about Rs. 15 or 17 crores of rupees it gave about Rs. 1 crore to Rayalaseema for the purpose of attending to famines.

More could have been done, but more could not be done, because we did not have sufficient resources.

Having disposed of my hon. friend's arguments, I turn to the detailed provisions of the Bill. The operative parts of this Bill are clauses, 3, 4 and 5. I am surprised that my hon. friend the Home Minister is not here, because I should have liked to put to him certain direct questions on some of these important matters.

**An Hon. Member:** His Deputy is present.

**Dr. Krishnaswami:** I would have liked him to be present here, at least now, when the debate has got some chance of acquiring life, especially after my hon. friend Mr. Chatterjee has spoken and raised vital issues. Speaking only this morning Acharya Kripalani put the point very forcibly when he said that there is a great deal of frustration in many parts of the South and that the time has come for the Centre to really act with boldness and not to be timid. I wish that they would not only be bold, but they would also be straight in considering some of these problems that pertain to Andhra Desh, because if we do not attend to the problems of Andhra fairly, even the harmony and peace of the residuary State of Madras would be affected. It is from that point of view that we are interested in the welfare of Andhra Desh.

I should like to refer only to one or two matters which have been raised by the hon. the Home Minister in the course of his speech. Firstly he pointed out that so far as the High Court was concerned they should like to have the High Court shifted by 1956. Now, I do not see any reason why they should be in such a hurry to shift the High Court from Madras to any of these Andhra areas. In this connection I should like to make a few observations on this question of a common High Court which would be of some importance.

**Shri B. S. Murthy:** Sixty per cent. of the revenues of the High Court are from Andhra.

**Dr. Krishnaswami:** I am going to deal with that question quite fairly. But the important question is whether it would suit the material interests of my hon. friends to have a separate High Court. At present we are having three lakhs surplus income so far as the composite State of Madras is concerned. But today if you wish to shift the High Court to another place in Andhra, you would have to incur a little over Rs. 8 lakhs or about Rs. 12 lakhs which would be an additional expenditure. But a more important and a more fundamental point which has to be borne in mind is that the administration of law is quite different from the enactment of laws. The administration of law and justice is quite different, for this reason that we do believe that judges are there to interpret laws and that they would have the liberty of giving their decisions on many of these issues. The enactment of laws is however different and there is no question of any sovereignty of any particular State being affected, particularly as we know that in the case of High Courts the jurisdiction and the control that they exercise is quite different. The impelling reason for a separate High Court—and I am quite willing to admit the there are these arguments in its favour—is the obvious fear that in the matter of appointment and filling of vacancies, sufficient recognition will not be given to Andhra area and the control which the High Court has over the subordinate judiciary in the Andhra area may not be as satisfactory as under a separate Andhra High Court. But, surely, there must be room for building up conventions. Can a High Court be transferred to some other area in Andhra immediately? I have not got, in the slightest degree, any objections to the High Court being transferred, if my Andhra friends want it, even immediately. But surely on this matter the Centre cannot afford to adopt a pusillanimous attitude. What

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is the scheme and sequence of the Bill? We are to have, what I would call, a limited Andhra State with a temporary capital, with temporary goodwill from the Centre, with temporary assurance of financial aid, with everything temporary. The whole State is to be based on a make-shift basis and if you are going to take the point of the location of the High Court which undoubtedly is a very serious matter, you must certainly make sure that the location of the High Court is permanent. You cannot allow a High Court to shift just as the seat of a Government can be allowed to shift from place to place. But nothing has been done; nothing has been made clear. And if the Centre is determined to have by 1956 the Andhra High Court somewhere in the Andhra area, I hope and trust that it will not adopt a niggardly attitude and that liberal assistance will be given to the Andhras to have their High Court located in a different place and to see that there are proper facilities given.

My hon. friend the Home Minister treated this problem in an entirely flippant spirit. He spoke of Judges not having roofs over their chambers; he spoke of lawyers not having sufficient facilities; he spoke of many "etceteras". The term "etcetera" is meant to cover up what I would call a vacant mind and not really give expression to what is tangible. As I was listening to his observations on the High Court, I felt that here was a serious matter which was being treated in the most cavalier fashion. The Constitution, after all, makes provision for High Courts of two or three States being merged together in the interests of administration of justice. But if any particular State wants a separate High Court, then undoubtedly let it have it. But before it is allowed to have its own way, the Centre cannot divest itself of all responsibility and must make liberal provision for giving financial assistance.

There is one particular provision to which I should like to invite the atten-

tion of my lawyer friends here. There is a provision which deals, Mr. Chairman, with what I would call the adaptation clause. Now, for instance, in every constitution whenever any partition has occurred, whenever there has been any administrative division, there has been what is known as the power to adapt laws. Section 9 of the Indian Independence Act deals with the power to adapt laws. But the vital point to bear in mind is that the adaptation of laws can be brought about only before the appointed day. Here, however, the power to adapt laws is to survive until the 1st April 1954. What logic is there in your having the power to adapt laws up to 1st April 1954? Important constitutional issues are raised. I would put it this way. Is it a subtle subterfuge for exercising indirect control over the new Andhra State, because from the appointed day, if the legislature wishes to adapt laws it is at liberty to do it? There is no need for you to have this provision. If the Executive is to act quite independently of the Legislature, I wonder, Mr. Chairman, whether it would be possible to justify it on constitutional grounds. We have in our Constitution the Ordinance making power given to the Government but that is only for a limited period. But here we have a provision which seems to be flagrantly in violation of the spirit and the letter of the Constitution and which cannot be pronounced to be constitutionally proper. The only reason which I can give for this provision being found there is that of exercising some sort of indirect control through the proper Government and the phrase "Proper Government" includes also the Central Government.

I pass on now to the vexed question of assets and liabilities. I should have thought as I was listening to my learned friend the Finance Minister, that he would go into the question at considerable length. He started with the make-believe proposition that so far as those new States were concerned, they stood on a different footing from the division of assets and

liabilities that took place in the case of partition as between two sovereign states. Quite right. That is very logical but he also enunciated the other proposition that Sind and Orissa had brought about a proper type of agreement which would give us a basis for the division of administrative units within the Indian Union. It seems to me that so far as this whole chapter of assets and liabilities is concerned there are certain clauses to which very strong exception would have to be taken. There is for instance the clause relating to compensation of 230 lakhs of rupees to be given by the residuary State of Madras to Andhra State and the reason that is given is that this is to be the compensation for the lack of buildings in Andhra Desh. On what grounds of logic do you justify this? I do not mind, and I would be the first person to press Andhra Desh getting special assistance from the Centre, but what is your responsibility should not be thrown on the shoulders of the residuary State. Moreover, and this is a point on which I feel strongly—it looks as though we are asked to make a reparation payment for there not being sufficient buildings in Andhra Desh. In fact, the Finance Minister in the course of his speech said that it would be an unprofitable task to open up the past and that has in the past threatened an exploitation of this area or that area. Let us realise that all of us are equally to blame if blame exists and that you cannot apportion the blame on the residuary State of Madras alone. Moreover, what is meaning of suggesting that if you do not have sufficient buildings we should compensate Andhra Desh?

**Shri B. S. Murthy:** This is wrong. Have you read that report?

**Dr. Krishnaswami:** I have read it and I have gone into the Report. Being a good friend of Andhra Desh I would expect my friends to listen to me because I am going to give a solution which in some respects, if not in all respects, is superior to that which has been advanced by them. I only want to point out, that if you wish to

have any money given for the Capital, it ought to be given by the Centre.

My hon. friend, Acharya Kripalani, in the course of his speech pointed out that there was a great deal of controversy over the temporary capital being located in Madras. Who was responsible for the controversy? The Centre does not fix a permanent capital but asks the Andhras to negotiate with the residuary State of Madras. As the expression "temporary" in the new phraseology means permanent, therefore, there is a continuous controversy. You set up one linguistic group against the other. You watch the fun and come round and tell us. "You have not come to an agreement on the matter". This is the game which is being practised in order that the whole unity of the South might be disrupted. I have the feeling that in all these matters where assets and liabilities are taken into account we ought to avail of the prescription which has been laid down in the case of the constitution of the provinces of Sind and Orissa. Imagine what would have been the fate if it had been suggested that because Sind was separated and because the Sindhis were asked to have a new capital, therefore they should get compensation for not having access to the offices or hospitals in Bombay. Nothing more preposterous could have been imagined and yet when this clause is there and when it is in flagrant contradiction of the whole scheme of assets and liabilities that has been devised there are people to justify it.

I would only like to add, Sir, that we are all interested in Andhra Desh being stable and prosperous. People asked me this question as to who is to find the money for Andhra Desh. The Centre obviously should find the money because it has taken the decision and it is not as though Andhra Desh does not give enough money to the Centre. Out of twenty-five crores of income derived from tobacco duty, I venture to suggest, that about nineteen crores come from Andhra Desh.

[Dr. Krishnaswami]

Why not make over this 19 crores to Andhra State for two or three years so that all these bickerings might be things of the past; so that my Andhra friends might prosper.

If the above suggestion is considered to be too revolutionary, I venture to suggest, that when you have to act on the proposal of a new linguistic State you should immediately think of levying a special tax or a general tax on all States for the creation of a new linguistic State. Possibly that would give the other States a more vivid appreciation of the costs of the creation of a new linguistic State and also foster in them a sense of responsibility and realism in their approach to these problems.

I wish the Andhra State all prosperity and success and I hope and pray that in the future they might have, if not as eminent statesmen as those whom they lent to us in the past, at least statesmen who approached the whole problem with humanity and in Rayalaseema showed themselves to be superior in solving the difficult problems of backward areas and backward communities. I want them to bear this in mind particularly when there is a conflict between Rayalaseema and the Circars that they ought to look to the interests of the backward areas as a whole.

**Dr. Jaisoorya:** In all this wrangle between Tamil Nad and the yet to be born Andhra, I have nothing to do with it except that I am a man across the border of Andhra. And, standing at the gate, I have been able to watch the game—sometimes a very sordid game that is being played now,—and I want to draw your attention to where actually the game is being played, and who is playing it. If you do not know the hidden history behind all these moves, you will not know why this Bill has been framed, as it is framed.

I must draw your attention, Sir, to the history which begins with the Moghul Empire. The Moghul Emperors realised that he who does not

control the Deccan cannot control India. Aurangzeb did not lay seven years siege to Golconda just because he detested the Shia faces of the Kutubshahi Kings, but because the holding of the Deccan was vital for its purpose. The successors of the Moghul Empire, the Britishers also followed that policy by offering the title of His Majesty on the Second Asafjah and the title of His Exalted Highness on the last Asafjah; but the fundamental principle was that Hyderabad had to be held. The legal successors of the late lamented British Government in India cannot do anything else but follow that principle. In 1857 the British said, "If the Nizam is lost all is lost." From 1953 to 1957 the present Government will say, "If Hyderabad is lost all is lost." Now I want you to follow carefully the logic of it. If Andhra becomes a successful State, the next logical development is Vishal Andhra which obviously means the disintegration of Hyderabad. As soon as that is done the next logical step would be formation of the States of Maharashtra and Karnataka.

I want you to see behind the whole background. My hon. friend the Deputy Home Minister is new to his job. He does not know the inner history. I must draw your attention to it. One of the very few grand realists that this country had produced, the late Sardar Patel, had said and warned those whom he knew very well: "you draw a straight line from Bombay City to Vizagapatam; it passes through Hyderabad; imagine Andhra, Maharashtra, Hyderabad with non-Congress governments; you isolate the whole of South India." That is the basic fear that is in the minds of this Government and therefore this game has to be played, namely, that the Congress, while admitting the demand and emotionally talking on it—they know there should be linguistic States—say "this is not the time, unity of India, disintegration and so-and-so!" But when they found that it was a mass



movement and you cannot go anywhere in Andhra, Karnataka. Telengana or Maharashtra without the people asking you "What about our linguistic States", began in the last few years talking with a double tongue. Even our lion from Gulberga goes to Bombay and says "we must have linguistic States". But when he comes to Hyderabad and Congressmen come and talk to him he says "Yes, but the time is not ripe, we must ask the Nizam to abdicate by persuasion."

There is a reason for it. I quite admit there is a legitimate fear that if Andhra State is formed, a chain reaction takes place. Poti Sriramulu died. There was a terrible uproar in Andhra. But it was not his death that terrified the Home Minister. It were those telegrams "five crores damaged", "fifteen crores damaged", "three crores damaged", all exaggerated and the hon. the Home Minister's hands were trembling when he got those telegrams.

Sir, you are a lawyer. You know in Japan if a woman wants to commit infanticide she has got an ideal method, namely rice paper. When a child is born the rice paper is wetted and watered nicely and smeared smoothly on the face of the baby by the young mother or the midwife in collusion. The beautiful baby dies and you cannot produce any evidence of violence. The same thing is done here: smothering from the beginning, no marks of violence, you starve it out. The young State is being formed without finance.

And remember. If Andhra becomes a successful thing, it is an example for Maharashtra and Karnataka. So the question arises.

It looks so simple—temporary capital—how long temporary capital? And which is going to be the permanent capital? Nobody knows. Dr. Katju said: The Legislature has to decide: they will meet in Kurnool, then they will decide on the permanent capital. (Dr. Krishnaswami: Temporary capital.) The temporary capital, nobody knows about the permanent capital!

Here is one Mr. Sanjeeva Reddy, who was if I remember rightly defeated in some elections, and became afterwards something. He is the President of Andhra something or the other. Anyway, Mr. Sanjeeva Reddy pointed out "that they were all dreaming of Vishala Andhra, including Hyderabad State, and in selecting the temporary capital they had that possibility also in mind. Kurnool was near Hyderabad City which would ultimately form part of Great Andhra State". *Are Bap ka mal!* Without even consulting us? What about the people of Hyderabad? They have the right to say something about it. The part that joins Andhra is Telengana. The people and the peasants of Telengana have a right to say. Who is this Sanjiva Reddy? Give them a plebiscite. There is going to be Vishala Andhra. But it will be one which we shall form and not.....

This is one example of the moonbeam from the larger lunacy. Here is the second moonbeam from the larger lunacy. "He told the Prime Minister, Shri Nehru, that ultimately Hyderabad would have to be disintegrated and that Telugu-speaking areas including Hyderabad City should go to Andhra State in as much as the Union Government has agreed to appoint a Linguistic Commission. Any recommendation of that Commission would become infructuous... etc. etc." But he has carefully avoided to tell us what Shri Nehru has told him. I know Shri Nehru's mind. He has been terrified into the role, shall I say, because of that fear that if Hyderabad goes all is lost. So, what Shri Nehru's reply is I know. But Sanjiva Reddy has not told us.

You can hold up the formation of Vishala Andhra, and an inkling is given that the High Court of Andhra shall be in Madras till 1956. The calculation of the Home Ministry is that there is going to be no stable Ministry there for three years! My friend Dr. Krishnaswami asks: "Why not have the High Court in Madras permanently?"

One thing I like about Dr. Katju. He cannot simulate or rather he cannot put it properly. And Dr. Katju

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said: You see, the buildings are not ready, then the antechambers, the clock room, the W.C. with gold rim for the judges, are not ready; therefore they are going to have the High Court in Madras till 1956.

**Dr. Katju:** I am sorry, Sir, to have provoked my hon. friend.

**Dr. Jaisoorya:** But would you like to know the facts, Sir? Mr. Wanchoo told me on the last day when I met him and I said "Look, Sir, if you transfer the High Court from Madras, 80 per cent. expense of litigation goes away and eight out of the fourteen judges will go to Andhra; Madras High Court will suffer". He said, "Yes, you are right; you know, Alladi Krishnaswami told me the same thing".

If you can have the High Court till 1956 in Madras you could have the temporary capital as well in Madras.

Mr. Wanchoo—you must take your hat off to Wanchoo. He is one of the most upright men I have met. And yet tremendous pressure was put upon him, which he resisted to a great extent. I know the inside history, but I will not go into it now.

The most surprising part of it is this. If a baby that is born is to be killed without any signs of violence, starve it out. And a surprising thing happened. While Mr. Wanchoo's report was not taken in its entirety but only as it suited the States Ministry, one Mr. Misra who spent eight days there, over the Bellary question out of which two were as a guest of the Mysore Government, after having studied the material supplied to him which he said were vague and inconclusive, said: Short of taking a plebiscite it was impossible to decide which way the majority support lay.

As a good Judge, he should have said, look here, I cannot do it. But, the Home Ministry had a purpose and that purpose had to be served. So, in spite of the fact that he himself says, this is inconclusive, this is not reliable, you find Mr. Misra quoting statistics, quoting from the electoral rolls that are

still in the Press, an advance copy comes to him, and he takes it as accurate. I cannot. As a matter of fact, take the whole of Bellary. I do not object. But, there must be a principle. You cannot violate a principle. You cannot twist and turn a principle just to suit the States Ministry or the Home Ministry's pre-conceived idea that Andhra State must be strangled. We have got to abide by some legitimate principles. The government is not. That is what I am objecting to. As I told you, I have no use for old mythology, but sometimes, they are useful to support an Algurai—sorry—allegory. I am reminded of this story. I do not know exactly where to place the Home Ministry: as Manthara, the evil adviser of Kaikeyi or Kaikeyi, the evil queen. Dasaratha has got to be misguided.

**Acharya Kripalani:** Kaikeyi was born in Kashmir.

**Pandit Balkrishna Sharma** (Kanpur Distt.—South *cum* Etawah Distt.—East): Your knowledge of history is weak.

**Dr. Jaisoorya:** If you have any doubt about the *bona fides* of what I say, please see clauses 47, 48, 49, 50, 55, 51, all these can become dangerous. What is happening? A dangerous thing. You are taking out of the hands of the people or groups of people, or even of this House, the right to decide impartially certain important things which will decide the fate of Andhra. You are putting everything into the hands of the President. Not that we distrust the President. We think the President is a grand man. But, we certainly distrust the Mantharas and Kaikeyis who will swarm round him. They may misguide Dasaratha. It is my trouble that I know enough of the Home Ministry and its past. The old saying in the Bible, Verily shall the sins of the fathers be visited upon the children up to the 3rd or 4th generation, applies very much to the Home Ministry. I do not know whether Dr. Katju is in the 3rd or 4th or 3½ generation.

**Dr. Katju:** I am in the first; this is my own time.

**Dr. Jaisoorya:** No; you are between 3 and 4.

**Dr. Katju:** No previous ancestry.

**Dr. Jaisoorya:** He cannot alter it because already the whole principle has been laid down by past experience. I do not deny that. But, in the present circumstances, if I may quote Shri Jawaharlal Nehru, whom I very seldom quote—I must do it this time—he says:

“It is up to a popular Government to abide by the people’s will and to know what the people felt and what they suffered. Where a Government makes mistakes, they should efface those mistakes and retrace them.”

Actually, here we say: O plebiscite, yes, that is the only thing in Kashmir. Why not a plebiscite in Hyderabad? This Government promised the people of Hyderabad that after they are installed there, they will decide the future of the Hyderabad State and what kind of Government it is going to have. Behind our backs agreements were made with the Nizam and now a Book appears. From Ruler to Rajpramukh: the Nizam. VII. You read here; it is surprising that the Bourbon is wanting to come back. You keep a scorpion, and you expect the scorpion not to sting you. We want to write an epilogue, now—it may be two years hence when the States Ministry begins to fail; it is bound to fail, it is going to fail—*From Ruler to Rajpramukh—From Rajpramukh to there or there.* Therefore, I am telling you—this is a warning—you may try to smother Andhra; but please note that it is not a movement which I have started, or he has started; it is a mass movement. You may try to suppress it; you may try to mislead it; you may try, like my friend there, to persuade the Nizam to abdicate. The people will not wait for it. May be not now. They have put three years. I shall put it two years. But then, the price we shall have to pay? Already there is terrible discontent in Andhra, and if Andhra fails, we are not going to let it fail. I am going back to the gate to keep

a watch on Andhra, to keep a watch on Delhi, on what the States Ministry and the Home Ministry are going to do, and when the time is ripe, maybe as not even my friends expect, Hyderabad—at least Telengana—is going to have a hand in the affair, and it may not be exactly as my hon. friend of the States Ministry expects; it may be something which the people expect.

**Dr. Katju:** What is it?

**The Deputy Minister of Home Affairs (Shri Datar):** But for the last speech that we just now heard, on the whole I must say that this Bill has been received extremely well. There were certain unfavourable or adverse comments here and there, especially from the Andhra section of the House, but, on the whole, I must congratulate the House, and congratulate ourselves on the way in which this Bill which has been prepared after great effort, has been received in particular by the Andhra Members, because they are the persons who are most concerned. Now, I rely upon this support, not only from the speeches of Andhra Members, but also from the eloquent silence of other Andhra Members. A number of Andhra Members of Parliament have admitted that so far as the Government of India are concerned, they have taken every possible step to put the Andhra State on a proper and sound position in spite of accusations to the contrary.

**Dr. Lanka Sundaram:** You have lent Rs. 40 lakhs like a *Kabuli*.

**Shri Datar:** I have arisen now only to meet such undignified—I would not say unparliamentary—criticism that has come from different quarters. But, before I do so I would like to thank all the Andhra Members in particular, and this House in general on behalf of the Government of India for the amount of support that they have given to this Andhra Bill.

It is true that so far as this Bill was concerned, we had to take number of steps. It is also true that

[Shri Datar]

there was some delay, but you would find that the time at our disposal was short, and during this time, the Central Government, the State Governments and the two Chief Justices of two important States in India, viz., Mr. Justice Wanchoo, and Mr. Justice Misra have expended certain labours which cannot be deprecated, and which ought not to have been deprecated here at all.

**Dr. Jaisoorya:** Why not?

**Shri Datar:** So far as the Central Government is concerned, once they made an announcement in December, 1952, that they were going to have an Andhra Province, they have taken all possible steps, and when they found that there were certain matters which required further scrutiny, they had the scrutiny made through very impartial and disinterested channels in spite of what other friends have stated. Therefore, it is entirely wrong to say that the Central Government has been acting in a step-motherly way. The Central Government cannot be a step-mother at all. If at all you have to use the analogy, it is the mother of all the States. We have to take it only as an analogy and not as a statement of fact, because the powers of the Central Government are limited, and the State Governments have certain powers, and ultimately, above all, you will all agree that the Central Government is a popular Government which has to accept public opinion and act upon it in as best a way as possible. When the Central Government found that there was considerable public opinion among the Andhra sections of the Indian nation, that they must have a State of their own at all costs, immediately all that was possible was done, and proper steps have been taken to give them a separate State. The Bill that you have before you is the product of the labours of the various officers of the Government of India, Ministers, and also the two

State Governments, the Government of Madras, and the Government of Mysore.

Certain very choice epithets were used by some hon. Members. I did not expect Dr. Lanka Sundaram to say that the Central Government was acting in a step-motherly attitude or in a partisan attitude. So far as the Government of India are concerned, I would state emphatically that they have never acted in a partisan spirit, and they have wished well of the Andhras; and they would do whatever is possible to place this new State on as sound a basis as possible. Only this morning, the hon. Finance Minister has pointed out how the financial side was looked after. It is always open to the Government of the new Andhra State to ask for help, and that help we will always give gracefully and ungrudgingly.

In all these cases, we have to depend upon public opinion. Certain Members of Parliament have called in question the motives of the Madras Government as well as those of the Central Government. But as I stated before, during all these negotiations, we received the best of help from Shri Rajaji's Government, and it was extremely wrong and almost unparliamentary on the part of an hon. Member from this side of the House to have stated that Shri Rajagopalachari was acting like a Duryodhana. I repudiate that expression with all the sincerity that I can command, on behalf of the Government of India. Rajaji's Government have been giving us all the help. In these negotiations, the Madras Government, the Mysore Government, and their Legislatures have taken into account all the interests involved, and have acted in a manner which is highly satisfactory. Therefore it was not proper on the part of the hon. Members on this side as well as on the Opposition side to have attributed motives. It was entirely wrong on their part to have done so.

So far as the Mysore Government is concerned, we were told that it was a third party, meaning thereby that it had no right over the parts of Bellary, that have been given to it. So far as Mysore is concerned, let us understand the position very clearly. The Mysore Government never asked the Central Government to give any parts of Bellary or any part of Andhra or any other territory to themselves. From the very first, the Mysore Government have been taking an attitude which at best may be called conservative. But you cannot call it entirely wrong, and therefore there was no grabbing spirit on their part.

**Dr. Lanka Sundaram:** But you are the honest broker.

**Shri Datar:** You will kindly understand that it was only the Central Government that requested the Mysore Government to take over these portions, because they were predominantly a Kannada areas in character, and secondly, the House will also understand that Bellary was formerly a part of Mysore State, and therefore you can say that in the modern democratic set-up, a part which originally belonged to Mysore has gone back to Mysore, not because Mysore grabbed at it, but because the Central Government found it more convenient from the administrative point of view, to hand over this particular territory to Mysore.

So far as the Andhra State Bill is concerned, I find that the approach by some of the Members,—I mean the Andhra Members—both on my side of the House and on the other, was cast in a very gloomy way in some respects. For instance, my hon. friend Mr. Murthy stated that we were ushering into being a new State, which is truncated, which is anaemic and so on—he used other similar words.

**Shri B. S. Murthy:** Only one word more.

**Shri Datar:** He used some other words which are in the same strain.

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Is it for an anaemic State that we have all along been working? The Prime Minister made it very clear when he made the announcement in December 1952, that so far as the present effort was concerned, it was confined to the carving out of an Andhra State out of the Madras State.

[MR. DEPUTY SPEAKER *in the Chair*]

**Shri Datar:** And secondly, Sir....

**Shri B. S. Murthy:** You have left them with a heavy load of debt. You have not given them any money. Is it not anaemic? z

**Mr. Deputy-Speaker:** Why should there be questions and answers? The hon. Member had a sufficient opportunity earlier.

1 P.M.

**Shri Datar:** Secondly, when, for example, the Andhras have got their own State with all the goodwill of the Centre as also all the goodwill of the Tamilians and others, would it be a proper and healthy state of mind to be always thinking of certain problems which could not be solved in their favour? Take, for example, the case of Madras. Whatever the historical reasons might be, it was explicitly made clear to them during the last three or four years that if in the present set-up they are anxious to have an Andhra State, they must be prepared to have an Andhra State without the Capital at Madras. And, it must be admitted that this was accepted and only after the clear acceptance of this principle were the labours for the formation of an Andhra State undertaken and the announcement made. If that is so, then is it proper, in time and out of time, especially when we are entering upon a new era for the Andhra State to be always thinking in gloomy terms about what they could not get at all?

Similarly, so far as the Bellary taluk is concerned, on the last occasion a friend of mine on the opposite side, with whom I had associated great sobriety and balanced judgment, un-

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fortunately in making references to Mr. Justice Misra's remarks, said something which is entirely wrong, and here, on behalf of the Government of India, I would repudiate every allegation made directly or indirectly, every insinuation that is suggested by some Members here and there so far as Mr. Justice Wanchoo and Mr. Justice Misra are concerned. Mr. Justice Wanchoo gave his judgment or finding without any pressure from anybody at all. Mr. Justice Misra also was sent because the Central Government found that there was something *prima facie* that required an inquiry. In fact, the Central Government would have been perfectly justified in acting upon the Kelkar Award, though that Award itself has been a matter of great dispute from 1920. When in 1949 an Andhra province was in the offing and then also a similar arrangement had been made, that was objected to by the Karnatak people. Still had the Government found it possible, they could have immediately and straightway given 7 taluks to Mysore and 3 taluks to Andhra without making any inquiry at all. But when they found a *prima facie* case—a case that required scrutiny—was placed before them, then under a sense of justice and impartiality—you will kindly understand it—they appointed an officer, the Chief Justice of the Hyderabad High Court. They appointed that officer with your consent, you welcomed that officer, you led evidence before him and your deputations were heard and when afterwards.....

**Mr. Deputy-Speaker:** The hon. Minister will kindly address the Chair.

**Shri Datar:** ...it was found that the judgment went against a particular party, it would be wrong to complain, Sir. The House is aware that there must be a finality to all proceedings, and a finality to all proceedings even in respect of public questions.

Therefore, if Justice Misra—whose appointment was welcomed by Andhra

papers and the Andhra Members of Parliament—after making a full enquiry and after a full hearing of all the concerned parties came to the conclusion that Bellary taluk should not go to the Andhras, because it was predominantly Kannada, not only on account of linguistic position but on account of a number of other considerations, then, under such circumstances, would it be proper to turn round and say in a depressed mood, almost in a quarrelsome mood, that we have lost Bellary. It is an entirely wrong approach. It was not only an administrative solution but the solution was arrived at with the help of a judicial authority of great integrity. Therefore, so far as the Bellary question is concerned, as it has been rightly put by a number of Members on the opposite side, it would be wrong to allow that question to always remain open. Such questions should not be allowed to be opened. In the case of democracy, as in the case of a sound or stable Government, we might come across a certain position which might be uncongenial to us, but ultimately we have to accept it. Therefore it is that I would implore all the Members of the Andhra State not to maintain this particular attitude that something which is theirs has not been given to them and something which is theirs has been kept back from them.

Then, I would like to come to another point, namely the Boundary Commission. The clause about the Boundary Commission could not be included in the present Andhra Bill because under Article 3 of the Constitution whenever there is going to be any transfer of territory then that has to be after an enquiry is made in that direction and after a certain procedure has been followed and then a resolution of Parliament, if not a Bill, is necessary. Therefore, at this stage it would have been unconstitutional and irregular to have put this particular clause about the

Boundary Commission in the Bill itself. Therefore it is that the Home Minister in his opening remarks promised that a Boundary Commission would be appointed. (*Interruption.*)

Similarly also, so far as the question of capital is concerned. My friend on the opposite side stated that a reference was made to a temporary capital and not to a permanent capital at all. So far as this distinction between a temporary capital and a permanent capital is concerned with all the humility at my command, I would say that this distinction has not been made by us or by the Government of India but by the Andhras themselves because they think that after some time they might get Hyderabad and Telengana. That is a big and hot question into which I do not want to enter at this stage. I shall refer to it if I get time afterwards, but so far as the Andhras' claim was concerned, they started with this position that they should have, for the time being, a temporary capital because they think of a permanent capital at Hyderabad after, what they call, the disintegration of the Hyderabad State. Therefore it was that when the Andhra leaders themselves wanted to have a temporary capital we allowed them to have it. It is not because we do not want to give them all the help that they require when they are going to build up a permanent capital but because they asked for it that they have got it.

In so far as Kurnool also is concerned, the decision has been left entirely to themselves and you are aware, Sir, that once the Andhra Members of the Madras Legislature came to the conclusion that Kurnool ought to be the temporary capital this Government have started all efforts and they are leaving no stone unturned to see that the Andhra State comes into being on 1st October, in spite of what our inconvenience there might be. Ultimately the will of the people is supreme and therefore we are taking every step to see

that on the 1st October, 1953, the Andhra State starts functioning at Kurnool as the temporary capital of Andhra, because they wish that it should be temporary. When the time comes, as I stated already, the Central Government will help them not only so far as this question is concerned but also in the larger question of the economic development of the effect that the Andhra area was times some references were made to the effect that the Andhra area was neglected. Now, Rayalaseema area is an unfortunate part of India. It is subject to recurrent famines and to the extent that it was possible the Madras Government have been doing whatever they could do. Under these circumstances it would be entirely wrong to father all the blame for the neglect on the Madras Government.

**Shri Raghuramalah** (Tenali): On a point of information, Sir. From the undiluted attack the hon. Minister is making on the Andhras right from the beginning of his speech, I would like to know whether he is speaking on behalf of himself or on behalf of the Government of Madras or on behalf of the Government of India which we all believe is impartial.

**Shri Datar**: I am speaking on my own behalf and also on behalf of the Government of India. The Government of India is taking an entirely neutral attitude. So far as I am concerned, I am also taking a neutral attitude. It would be entirely wrong to ascribe to me any anti-Andhra or pro-Tamilian feelings. Let it be understood very clearly that I am not against Andhra at all. In fact, if the Andhra province is formed, it would in due course of time, in the fullness of time, lead to the formation of other provinces also. Therefore, I am anxious to see that Andhra province is formed well, that Andhra State starts with the goodwill of all its neighbours.

Just now I was looking into language figures of the new Andhra State. Out of a total population of 2 crores and

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5 lakhs—I am giving figures broadly—I find that about 22 lakhs of people speak other languages. Because I am also interested in similar questions, I desire that when once we have such States we ought to maintain as far as possible the greatest neighbourly feeling. Ultimately a sense of security has also to be instilled in those who do not speak Telugu. It is for this purpose that in the Bill it is provided that so far as the civil servants who are to be brought to the State are concerned, those who are born in the Andhra area would be given preference, not those whose mother-tongue is Telugu. After all, this takes us to the next question so far as linguistic provinces are concerned. We have heard two diametrically opposite views. We have before us the views of a seasoned former Congressman, namely, Shri Kripalani. We have also the views of others, including a number of equally eminent people.

**An Hon. Member:** You have got his advice also.

**Shri Datar:** We have got his advice also. I am particularly making reference to it. In this matter the Government of India is a third party. The Government of India is not wedded either to linguistic provinces nor to any eternal opposition to linguistic provinces. In fact, all the Andhra Members ought to have congratulated the Government of India because this is a province which approximates as much as possible to a linguistic province. So, when there are such views, Government have to take into account all the implications and also the consequences of it. Therefore, I would like to impress on all those who are in favour of linguistic provinces that whenever we have linguistic provinces we have to take a number of precautions. One precaution is to see that Indian unity is never affected, never undermined. Secondly, we have to recognise that there is only one culture. I do not agree with Shri N. C. Chatterjee—with all due deference to him—that there are different cultures. India has

got one culture, a common culture, a harmonious culture, and it is our duty to develop that common culture.

**Shri Sivamurthi Swami:** On a point of order, Sir. Every now and then we hear that Indian unity is shaken by these linguistic provinces. What we are demanding is only provinces on a linguistic basis under Indian nationality. We are not demanding any province separate from India.

**Shri Datar:** My hon. friend is accepting my view. So, there is no difficulty at all. It is always essential. Sometimes we are likely to go wrong. Therefore the emphasis should be on Indian unity.

Secondly, we have to take into account the very unfortunate position that arose in Bellary. During certain periods the feeling ran to such an extent that a Kannadiga thought that an Andhra was his enemy and an Andhra thought that a Kannadiga was his enemy. I desire that all these things should go. The partition that we are having is not a partition between two nations, it is a partition within the framework of the Indian Union and, therefore, we should consider all people as ours even if they do not speak a particular language that I do.

I am glad that the Bill has been received well and I also assure the House that the Government of India will do everything that is possible, so far as this infant State is concerned, to nurture it up and to put it on a good footing. I appeal to Andhra Members to take it in the very spirit in which we are taking and I am sure that this Andhra State will rise high because two thousand years ago I know Andhras ruled almost the whole of the South India and some parts of Bombay. We are still following the Andhra Calendar in Bombay State. Therefore, with all the goodwill that we have, we, the Government of India and I personally, wish the Andhra State all godspeed, and I am confident that it will maintain the great tradition that it had formerly.



**Mr. Deputy-Speaker:** It is not yet 1-15. Mr. C. R. Chowdary.

**Shri Datar:** If it is not yet 1-15, I may be allowed two or three minutes more. I have yet to say something.

**Some Hon. Members:** It is already past 1-15.

**Shri C. R. Chowdary (Narasaraopet):** Mr. Deputy-Speaker, Sir.....

**Mr. Deputy-Speaker:** I think the hon. Member has much to say. The House will now adjourn and meet again at 8-15 tomorrow.

*The House then adjourned till a Quarter Past Eight of the Clock on Tuesday, the 18th August, 1953.*

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