

LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

977

973

LOK SABHA

Thursday, 26th July, 1956

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12 NOON

ESTIMATES COMMITTEE

MINUTES (1955-56) VOL. 5, No. 1

श्री इ. गो. मेहता (गोहिलवाड़):
मैं एस्टीमेट्स समिति (१९५५-५६) का
कार्यवाही सारांश, खंड ५, संक १ पेश
करता हूँ।

SCHEDULED CASTES AND SCHEDULED TRIBES ORDERS (AMENDMENT) BILL

PRESENTATION OF PETITION

Shri Dasaratha Deb (Tripura East):
I beg to present a petition signed by
74 petitioners, in respect of the Scheduled
Castes and Scheduled Tribes
Orders (Amendment) Bill, 1956.

STATES REORGANISATION BILL

The Minister of Home Affairs (Pandit
G. B. Pant): Sir, I beg to move*:

"That the Bill to provide for the
reorganisation of the States of

India and for matters connected
therewith, as reported by the Joint
Committee, be taken into considera-
tion."

Shri Kamath (Hoshangabad): On a
point of order. Under the Constitu-
tion, this motion itself cannot be moved
by the Minister.

Mr. Speaker: What is the point? I
am not able to follow.

Shri Kamath: When the Lok Sabha
was adjourned *sine die* at the end of
May, the Bill had been referred to the
Joint Committee. Then, the House was
prorogued by the President; Parlia-
ment was prorogued by the President.
Now, the Bill that has come before
the House is different from the one
that went to the Joint Committee.
The procedure that is to be applied
in this case is the procedure in the
House of Commons, except that there
is a saving clause in the Constitution
in Article 107.

Mr. Speaker: We have had enough
discussion about this matter, and this
was raised by the hon. Member him-
self.

Shri Kamath: No. This is entirely
different.

Article 107 (3) says that a Bill pend-
ing in Parliament shall not lapse by
reason of the prorogation of the House.
That is all that is provided for, with
regard to Bills in the House. As
regards the rest, the procedure that
governs such cases in the House of
Commons equally applies to Bills
pending here.

If you would kindly turn to page 30

*Moved with the recommendation of the President.

365 L.S.D.

[Shri Kamath]

of May's Parliamentary Practice, you will find:

"The effect of a prorogation is at once to suspend all business until Parliament shall be summoned again. Not only are the sittings of Parliament at an end, but all proceedings pending at the time are quashed, except impeachments by the Commons, and appeals before the House of Lords. Every bill must therefore be renewed after a prorogation, as if it had never been introduced."

But, as I said, we have got a saving clause in the Constitution in article 107(3). But that is only to the effect that a Bill pending in Parliament shall not lapse by reason of prorogation. And that Article in the Constitution has been incorporated in our rules. Rule 318 of our rules of procedure says:

"On the prorogation of a session, all pending notices, other than notices of intention to move for leave to introduce a Bill, shall lapse and fresh notices must be given for the next session."

Had this Bill come before the House today in the same form, identically in the same form, as it was when the House was prorogued, we could not have raised any objection. But the Bill has been, if not radically, at least substantially altered by the Joint Committee, and therefore the Bill that has come before the House today is substantially different from the Bill that was before the House when the House, rather, Parliament, was prorogued by the President.

This has been very pithily and clearly expressed in Halsbury's *Laws of England* (Second edition—Hailsham edition), Vol. 24. Para 517 at page 268 of this book reads:

"It is a recognised rule of Parliamentary procedure that in addition to bringing a session of Parliament to a conclusion, a prorogation puts an end to all business which is under the consideration of either House at the time of such proro-

gation. In both Houses, therefore, any proceedings either in the House or in any committee..."

Kindly mark the words 'either in the House or in any committee'.

"...of the House lapse with the session, and any bill which does not receive the Royal Assent before Parliament is prorogued must be reintroduced as a new bill in a subsequent session."

This, of course, is modified by article 107(3) of the Constitution, to this extent, namely that the Bill as it was, when the House was prorogued, can be resumed, when the House is resumed by the President.

I would like to urge just one more point with regard to this, and that is that May's *Parliamentary Practice* at page 582 defining what a Select Committee is, says as follows:

"Select Committees are regarded as copies on a small scale of the House, limited in their inquiries by the extent of the authority given

If the House is prorogued by the President, the House cannot meet, and if the House cannot meet, no committee of the House either can meet. Therefore, the proceedings of the Joint Committee, in my judgment, according to the Constitution and the rules that have been framed are null and void, and therefore, the Bill as reported by the Joint Committee, cannot be considered by the House.

Shri S. S. More (Sholapur): My hon. friend has anticipated me; all the same, I hope you will permit me to supplement whatever he has stated.

Ours is not a sovereign parliament in the sense in which the House of Commons is a sovereign parliament. We are strictly regulated by the Constitution. Under the Constitution, we have got some exclusive powers, and we have also some powers shared with the State Legislature. Then, we have some powers...

Mr. Speaker: When points of order are raised, the point has to be stated first, and the hon. Member should not start a general discussion.

Shri S. S. More: The point is this. I shall enunciate the point, and then advance my arguments.

My submission is that the Select Committee, along with the House, when it is prorogued stands in a state of suspended animation, and has no right to function, and cannot carry on any proceedings during the period of prorogation. The House creates the Select Committee, and the House is the father of the Select Committee. When the father ceases to have any power and becomes ineffective.... (Interruptions)

Shri Gadgil (Poona Central): The son succeeds.

Shri S. S. More: I am not concerned about the future of the progeny. I am more concerned here with interpreting the rules.

You will be pleased to see that in the House of Commons, there are standing orders. According to the standing orders,

"A Select Committee may sit, whilst the House is sitting."

Here the word 'may' is nothing but 'shall'. I need not quote again the authorities from May or Halsbury to show that the word 'may' here has the force of 'shall'. The moment the House is prorogued, even the Select Committees which are appointed by the House also stand in a suspended state, and therefore cannot function or carry on proceedings.

Our rules of procedure in this respect are also patterned after the procedure in the House of Commons. Rule 103 of our rules of procedure reads:

"A Select Committee may sit whilst the House is sitting..."

You will find that this is entirely borrowed, both body and soul, from the procedure of the House of Commons.

So, if the particular rule prevailing in the House of Commons, has one interpretation, a similar rule adopted by this House must also be deemed to have the same legal connotation and the same implication. Therefore, I would like to bring to your notice that if the House could not conduct any proceedings after prorogation—because there is a division of power; when the House is prorogued, the President comes in; he has the power of legislation, and our power of legislation is suspended—then much more so should our power of carrying on any proceedings, which lead us to the final stage of legislation, also be deemed to have been suspended. And if any Select Committee unwittingly, without any intention to violate the rules of procedure, sits and applies its mind to the consideration of the Bill, then the whole procedure is *ab initio* void. If it is *ab initio* void, then the Bill which has been recommended to us by the Joint Committee cannot be accepted as a valid legislation.

My submission is that we are an infant democracy....

Mr. Speaker: All that is not necessary. The point of order has merely to be stated and in support, one or two points may be mentioned. There should be no general discussion about our policy.

Shri S. S. More: May I bring to your notice that on previous occasions, for instance, in connection with the legislation regarding Ajmer-Merwara and many others, the Speaker was indulgent enough to hear arguments for two or three days?

Mr. Speaker: I am not prepared to do so.

Shri S. S. More: I accept what you propose to do. But I may bring to your notice that the relevant rule of the House of Commons and our particular rule regarding Select Committees has the same meaning, and if the meaning is the same, then my submission is that the interpretation will be the same, and the limitations on our powers will be the same.

[Shri S. S. More]

As far as the powers of the Select Committee or other Committees are concerned, there is no legislation framed by this House conferring any special power on them which can be a sort of deviation or departure from the procedure in the House of Commons.

I might also bring to your notice one fact. Last Friday when an objection was raised as regards the capacity of Shri Kamath's Resolution to continue after the prorogation of the House, you were pleased to rely on rule 319 of our Rules of Procedure and Conduct of Business. May I point out that this rule 319 is a new rule which has been incorporated in the fourth edition of our rules, and as such, it has no application? It was not there during the previous Parliament. If it is a new rule, it will have to be treated as a new rule, and we cannot treat it as something following a practice which was long in operation.

In the light of these comments, I do support Shri Kamath's point that this House is not competent to take into consideration the Report of a body which is *ab initio* void.

Shri Kamath: The last point I would like to make is that the Resolution which was there previously and the Resolution taken up this session are identical.

Shri R. D. Misra (Bulandshar Distt.): On a point of order. When this point was raised with reference to Shri Kamath's Resolution, you decided that if anybody had got any objection about your ruling or about the interpretation of rules 318, 319 and so on, that matter should be referred to the Rules Committee. If any Member has any objection, he should refer to the Rules Committee. According to my opinion, it was very clear, but as you have given that ruling, I bow before you. All Resolutions lapse, but you said that they do not lapse because of rule 319, though it was framed in 1954 only. But somehow or other, it was said by you that that rule was in force long

before the coming into existence of our Constitution. As far as the Resolution was concerned, it lapsed, but we allowed it. Now today they are raising the very same objection. The Constitution is very clear on this point, that a Bill cannot lapse. It means that this Bill can be proceeded with. It means that the Committee appointed by this House can make a report and deliberate during the time of prorogation. The Report of the Committee is now before us. Therefore, when this point has already been decided by you, can it be raised again now?

Mr. Speaker: It is not a matter of first impression. The other day the same objection was raised when Shri Kamath's part-heard Resolution was sought to be taken up. Then we referred to rule 319. This relates to a Bill. So far as that is concerned, there is a specific statutory provision in the Constitution itself that on the prorogation of Parliament, a Bill shall not lapse. That means the prorogation has no effect so far as that Bill is concerned. It has only this effect that if the House is adjourned, still the Select Committee can meet. Therefore, prorogation has only this meaning, that the House still continues. Of course, so far as the House is concerned, it cannot sit, on account of prorogation, to transact business, because it is not meeting. But then it has this effect as if the House has merely adjourned. So the Select Committee can still go on. So far as prorogation is concerned, the Bill is not in any way affected.

Further, a Bill means all stages of the Bill. Here we were in the Select Committee stage. The only objection that was raised was that the Select Committee had made substantial alterations. If those alterations had not been made, Shri Kamath would have had no objection; we could start the same thing.

Shri Kamath: The same thing.

Mr. Speaker: But in the Select Committee it has not been so altered. It

has not been sent for circulation. Nothing of the kind. Therefore, we are entitled to go on with this Bill. Even if it should be altered in any manner, this House has jurisdiction to take up this matter. The Select Committee can go on even when the House is prorogued, because prorogation has no effect on the pendency of a Bill. Pendency of the Bill means all stages of the Bill. Under these circumstances, I do not agree with Shri Kamath.

So far as rules 102 and 103 are concerned, far from supporting Shri S. S. More, they seem to support the other view.

An Hon. Member: Yes.

Mr. Speaker: Rule 102 says:

"The sittings of a Select Committee shall be held on such days and at such hour as the Chairman of the Committee may fix."

Rule 103 says:

"A Select Committee may sit whilst the House is sitting, provided that on a division being called in the House, the Chairman of the Committee shall suspend the proceedings in the Committee for such time as will, in his opinion, enable members to vote in the division".

These two rules read together only mean this, that normally the Select Committee shall sit without prejudice to the sitting of the House. If perchance, the Select Committee is meeting whilst the House is sitting, it is necessary for the Chairman to adjourn the proceedings in the Committee for such time as will, in his opinion, enable Members to vote in the division. This Committee has been sitting when the House was not sitting. Even if it was sitting when the House was sitting, it was only necessary for the Chairman to suspend the proceedings to enable Members to vote in a division. Therefore, far from standing in the way of this motion being continued, these two rules help towards a decision of this question. The Select Committee can sit though the House is not sitting.

Shri Kamath: On a point of clarification for future guidance. Is it your ruling that a Select Committee can sit irrespective of whether Parliament is adjourned or prorogued?

Mr. Speaker: Yes. First of all, my ruling is that while the House is adjourned, a Parliamentary Committee can sit.

Shri Kamath: When prorogued?

Mr. Speaker: So far as prorogation is concerned, it has no effect on the pendency of a Bill. That is, the Select Committee's proceedings can go on as if the House had not been prorogued.

Therefore, there is no legal objection to going on with this proceeding.

Pandit G. B. Pant: I had occasion to present the Report of the Joint Committee on this Bill on the opening day of this session just ten days ago. I did so in accordance with the directions of this House. Before we had dispersed, I had been instructed to conduct the proceedings of the Joint Committee so as to be in a position to present the Report of the Committee on the opening day. So if there has been any departure from the instructions by the House, I feel sorry. If I have acted according to the directions of the House, any other course of action would perhaps have amounted more or less to a contempt of the House. So I will not go into other matters. Shri Kamath's ingenuity and originality are always there and the House has the benefit of novel points raised by him from time to time.

Shri Kamath: You were not present here yesterday. You were ill. I am glad you are back.

Pandit G. B. Pant: People who had been here had characterised it as childish.

Shri Kamath: Your voice is not clear. I did not hear what you said.

Pandit G. B. Pant: Well, I am not sorry that he did not hear.

Shri Kamath: That is all right—no meant for me, then.

Pandit G. B. Pant: As it is, I hope, every care will be taken to make the best use of the limited time that the House has. Shri Kamath, in particular, has often found that the time allotted for the business of the House by the Business Advisory Committee is inadequate. So, let us economise that time and make the best use of it without raising points which might not be sustained—I will not use a stronger expression.

Shri U. M. Trivedi (Chittor): Sir, I want to make one request to you. The hon. Home Minister has used the word 'childish', if we have heard him rightly, with reference to Shri Kamath. I do not know whether the hon. Home Minister in his capacity as an elder man may use such language. But very strong exception was taken by the other House to the language used by Shri Chatterjee—the word urchin—and very strong objection was taken and a point of privilege was raised. So, I would like to know whether the hon. Home Minister would still stick to the use of that word 'childish' or will he kindly withdraw it.

Pandit G. B. Pant: I referred to the objection; but, so far as Shri Kamath is concerned, I paid a tribute to him for his elderly bearing.

Shri S. S. More: Sir, he is not audible when he tries to be particularly sarcastic. We must know what he says.

Shri Kamath: I won't object to the word 'childish' and I hope he will not object to the word 'senile' if I use it later.

Mr. Speaker: The Minister has said that he used the word in relation to the objection and not in relation to the person.

Shri Kamath: Senile is also an adjective and I may use it later in that sense.

Pandit G. B. Pant: I do not want to hurt the susceptibilities of Shri Kamath.

Shri Kamath: That is better.

Pandit G. B. Pant: I know he is quite a tough person.

Shri Kamath: As if you are not.

Pandit G. B. Pant: I hope he is not very much touched or disturbed by mere words.

Shri Kamath: Nor are you.

Pandit G. B. Pant: I have accepted what you have said. I am prepared to accept what you have said about me.

Shri Kamath: Very well.

Pandit G. B. Pant: As we grow in age we all become senile, more or less.

Shri Kamath: Not every one.

Mr. Speaker: Let there be no such interruptions across the Table. The hon. Member referred to a particular expression and the hon. Minister has said and I have also said that he referred to the matter and not to the person. It must stop there. Let there be no more interruptions.

Pandit G. B. Pant: So far as this motion that I have placed before this House is concerned, the feeling that is uppermost in my mind is one of genuine gratitude to the hon. Members of the Joint Committee. I do not know if it will be presumptuous on my part to say that I owe it to them, to express my appreciation of the very fine and patriotic attitude that was shown by every Member of the Committee during its deliberations. We had very long sittings and the problems with which the Committee was concerned were of a ticklish character. But they were all handled in an objective manner and throughout the proceedings were characterised by a spirit of understanding, accommodation and a desire to look at things from the wider and larger point of view. Continuously there was an effort to adjust the regional demands with the

demands of the country and the supreme necessity of preserving and promoting its unity. The Members of the Committee throughout looked upon these problems not from a provincial or parochial angle but as citizens of this great country who owed, above all, a duty to the preservation of the unity and integrity of India. Everything else was secondary. So, the deliberations of this Committee were conducted in a manner which might well serve as a model for others. I am deeply indebted to the Members of the Committee. I hope that the controversy that had centred round the issues which have arisen out of the States Reorganisation Commission's Report will be viewed by everyone in a similar manner and from a similar angle.

So far as the Report is concerned, it marks one more stage in our onward journey. It will be received by the hon. Members of this House with, I hope, a sense of relief, if not of ratification. The Report was published about 10 months ago. Since then it had been the subject of discussion and the nature of the controversy has covered a wide range. Nevertheless, in spite of the formidable difficulties which we had to face and which were, perhaps, to some extent, inevitable in a matter of this kind, there have been, to a certain extent, got over. The roads were rough, stony and rocky; but, still, we have been able to march ahead and the stage that we have now reached will be one more milestone on the journey. This will, I hope, assume final shape and be embodied in the statute-book before long.

May I also hope that if there are still any points which admit of any improvement, then, efforts will be made so that we may have the goodwill of all in the launching of this scheme. Delay in this matter will be harmful. Even now, I think, constructive activity has suffered a set-back and the sooner the new States are formed the better it will be for all concerned and it will then be possible for all to concentrate on the work of

reconstruction. I earnestly hope that the reorganisation of the States will result in the acceleration of the pace of advancement and reconstruction.

So far as the amended Bill as it has emerged from the Joint Committee is concerned, I trust all will agree that it is an improvement on the Bill as it was originally introduced. It carried almost the general support of the entire Joint Committee except in regard to a few matters. The Joint Committee had to deal with a large number of questions. We often are carried away by some matters which are of importance but which have really eclipsed the rest of the area which has already been covered. The Joint Committee's Report accepts practically all chapters in the Bill relating to incidental matters such as the allocation of funds, liabilities, assets and various other matters which cover the major part of the Bill. With regard to the to the reorganisation of States too, but for one or two States there has been almost unanimity. So, the Joint Committee has accepted by and large the scheme of reorganisation. There are a few minutes of dissent, but they only indicate that but for the points mentioned in the minutes, the rest of the Report is acceptable to everyone. That has, in fact, been said in clear terms. Even the dissentients have accepted that this Bill, as amended by the Joint Committee, is considerably better than the Bill that was introduced in this House. The Joint Committee has made a few important changes. They relate to matters which were of some interest to special constituencies and also to matters which were of a wider character. Some formal changes had to be made so as to bring the Bill in conformity with the provisions of the Constitution. The classification of A and C has again been introduced in the Bill. It does not really mark any departure from the original scheme or intention, but it was considered advisable to retain the words for the present, which will be deleted later on.

Again in accordance with article 4 of our Constitution, the Schedule has

[Pandit G. B. Pant]

been annexed to the Bill and that also carries out the directions of the Speaker.

Apart from that, certain other changes have been made. The State of Andhra Pradesh is now to be called by that name. Andhra-Telangana has now been replaced by this name, which had been recommended by the Legislature of Hyderabad and also by the Andhra Legislature.

The State of Maharashtra will have a Legislative Council. Other States too had in a way shown their keenness for having such Councils, especially Madhya Pradesh and Andhra, but it was not considered desirable to make such a provision in the Bill. The Legislature there can proceed in the usual manner, and on its recommendation, Parliament can take necessary action. As to the State of Maharashtra, as it is the principal successor State to the existing State of Bombay which has a Legislative Council, and as there was a unanimous desire that the Legislative Council should also be provided for Maharashtra, a provision to that effect has been incorporated in the Bill itself.

Shri S. S. More: Was it the unanimous desire of the people or of the Joint Committee?

Pandit G. B. Pant: Of the Members of the Joint Committee.

So far as the number of members of the Maharashtra Legislative Assembly is concerned, it has been raised from 240 to 280, so that every Parliamentary constituency may have 7 Assembly constituencies. In allotting the numbers to the various States, this has been kept in view, and due care has been taken to see that the new constituencies that may have to be demarcated as a result of reorganisation should be the minimum in number, so that the existing constituencies have served in determining the number of members that have been allotted to the new composite States.

Apart from these changes, there have been certain changes with regard to

the High Courts. The Bill has provided that certain States should have a lower scale of salary, such as Mysore and Travancore-Cochin, but it was argued that the new States would be bigger than some of the existing States like Orissa, where the scale of salary which is at present prevailing is in accord with the scales obtaining in other A class States. And also as the Bill contemplates that hereafter Judges of the High Courts may be transferred from one High Court to another, it is desirable that there should be uniformity in the matter of the salary of the Judges.

There was again discussion in the Joint Committee about the problem of Bombay. The dissenting minutes too refer to the Bombay problem. The provision in the Bill was only to the effect that Bombay would be centrally administered. There was some apprehension in some quarters that this unqualified provision in the Bill might mean that Bombay would ever continue to be a centrally administered area. So, it has been definitely stated in the Report that this provision about Bombay being administered by the Centre will be subject to review in five years in accordance with the statement made by the Prime Minister in Bombay itself. So, that is the view of the Joint Committee.

Then, there are certain other matters which are of a minor character and are mentioned in the report of the Committee and in the clauses that are explanatory and attached to the Bill itself. I do not know if it would be necessary for me to refer to the other changes that have been suggested in the Bill.

The Joint Committee has raised the number of Members that had been originally provided for centrally administered areas. Thus, Bombay will have seven Members in the Lok Sabha and five in the Rajya Sabha. Delhi will have five Members in the Lok Sabha and three in the Rajya Sabha. Himachal Pradesh will have four Members in the Lok Sabha and two

in the Rajya Sabha, Tripura and Manipur will have two each in the Lok Sabha and one each in the Rajya Sabha. All legislation for these areas will be the responsibility of the Parliament and so it was considered desirable to raise the number of their representatives and I think that this matter has been treated in a manner which should give them some satisfaction and assurance about the future.

In the dissenting minutes certain points have been prominently mentioned. One of these relates to Bombay to which I have referred. There is also some reference to Himachal Pradesh, to boundary commission and to safeguards for linguistic minorities. The Committee was particularly keen about effective safeguards being provided for linguistic minorities. The proposals framed by the Government were placed before the Committee and they have been attached to the report and an amplified version of that memo will, I hope, be placed on the Table of this House shortly. We are going to issue instructions after the matter has been discussed in this House, if it is taken up by the hon. Members.

I may, however, state that it has been the desire of the Government from the very outset that all reasonable safeguards to protect the interests of linguistic minorities and to enable them to enjoy reasonable facilities should be provided and that no citizen should suffer on account of the language that he speaks. Our Constitution, in a way, recognises fourteen languages and anyone can put any application in any of these languages in any court or address it to any Government. That was the intention that language should not come in the way of the enjoyment of civic rights. So, I hope, appropriate action will be taken in that regard.

A suggestion has been made that some officer like the Commissioner for Scheduled Castes and Tribes should be appointed to look after the matters pertaining to linguistic minorities. It has also been suggested that the report

of such an officer should be made available to Parliament and it should be open to Parliament to discuss it. The question is an important one and I hope it will receive attention. In fact, I had attempted to invite the attention of this House to this vital problem when discussions were held previously, but, on account of other matters which seemed to claim priority over everything else, this did not receive that amount of attention which it deserved.

I have placed the report of the Joint Committee before the House. The Committee did its work very assiduously. The Committee scrutinised the report from one end to the other. Every word, every syllable and every line was examined. After thoroughly reviewing the whole position and considering every question, whether big or small, major or minor, it reached decisions which had the unqualified support of at least forty Members and with regard to only a few of which, certain dissenting minutes have been appended. So, I appeal to the House to accept the recommendations of the Committee with such improvements as may yet be feasible. I do not exactly know if there is much room for any further change; but the collective wisdom of the House may prove more fruitful than one sometimes does not find oneself in a position to estimate. I can only hope that controversies will now subside and be set at rest and that, now that we have reached the penultimate stage, we will be able to get through it with goodwill in an atmosphere of calm and tranquil understanding, actuated by a spirit of accommodation and placing before ourselves ceaselessly the ideal of a prosperous, united and strong India which we hope to achieve under the leadership of our Prime Minister, who, through his democratic ways and other methods.....

Shri Kamath: Question.

Pandit G. B. Pant:...has led the country forward and raised its status all over the world and has filled us all with hope and faith in the future of the country and in our ability to

[Pandit G. B. Pant]

realise the dreams which we had cherished from our childhood.

Mr. Speaker: Motion moved:

"That the Bill to provide for the reorganisation of the States of India and for matters connected therewith, as reported by the Joint Committee, be taken into consideration."

Now, I have received notice of a motion by Shri R. D. Misra, that the States Reorganisation Bill, 1956, as reported by the Joint Committee, be referred to a Select Committee of this House only consisting of 35 members. I say it is a dilatory motion. There are no specific reasons given. Under Rule 323, sub-rule (3) it is said:

"If the Speaker is of opinion that a motion for recommittal of a Bill to a Select Committee of the House or a Joint Committee of the Houses or circulation or recirculation of the Bill after the Select Committee of the House or the Joint Committee of the Houses has reported thereon, is in the nature of a dilatory motion in abuse of the rules of the House inasmuch as the Select Committee of the House or the Joint Committee of the Houses, as the case may be, has dealt with the Bill in a proper manner or that no unforeseen or new circumstance has arisen since the Bill emerged from such committee, he may forthwith put the question thereon from the Chair or decline to propose the question."

As it is, it is a dilatory motion. Has the hon. Member anything to say?

Shri R. D. Misra: First of all, before submitting my point I want to make it clear that it is not my intention in any way to stop the progress of this Bill. I want that the reorganisation of States should come into force as soon as possible. The reason for my bringing this motion is that I find the State Reorganisation Bill is not in conformity with the provisions of the Constitution as it stands. The

law has provided under Article 4 of the Constitution that whenever States are to be reorganised the Constitution should be amended accordingly so that all the provisions of that Bill may be in conformity with the provisions of the Constitution as amended by a Bill under article 4. The Joint Committee says in paragraph 11 of its report that they have brought this Bill in conformity with the provisions of the Constitution, whereas I find within the body of this report that there are provisions which violate the provisions of the Constitution. The report says that there shall be a common High Court for Bombay, Gujerat and Maharashtra, while article 214 says that there shall be a High Court for each State. Therefore, this provision of the States Reorganisation Bill would go against the provisions of article 214. Similarly, there are other provisions which violate the provisions of the existing Constitution. Therefore, I want that this Bill should come within the scope of the Constitution as amended by article 4.

Then, I will refer to one other thing. This Committee was a Parliamentary Committee. There is nothing said as to whether a report of a Parliamentary Committee will be considered or the matter referred back. I do not find anything in our Rules of Procedure. As far as a Select Committee is concerned, there the matter can be referred back to a Select Committee. But when a Bill originates in the Council of States and it has been referred to a Joint Committee after which it comes to this House, in that case that Bill cannot be referred to a Select Committee of this House. This is about the Rules of Procedure.

My difficulty is that the States Reorganisation Bill must contain those provisions which amend the Constitution so as to bring this Bill in conformity with the Constitution as provided in article 4. I welcome this Bill all right. I am in agreement with every provision of the Bill with minor differences here and there. I also

appreciate the Constitution (Amendment) Bill I was thinking that the Constitution (Amendment) Bill will be passed by this House first and thereafter this S. R. Bill will be taken up by the House. But now the position has been upset. The S. R. Bill is being taken up before the amendment to the Constitution. How can we proceed with it according to the present Constitution?

Mr. Speaker: I have heard both the points and I think it is a dilatory motion. So far as articles 3 and 4 are concerned, this matter was pointed out even at the earlier stage that, in so far as an amendment to the Constitution arise out of any changes in the boundaries or new formations of States under article 3 the amendment of the Constitution ought not to be by a separate Bill but it ought to be made by an amendment in the original Bill itself. That was pointed out and those amendments have been carried out. If there is any other provision in a particular clause which is inconsistent with the Constitution and which has not come under the modification suggested under articles 3 and 4 which do not constitute an amendment of the Constitution notwithstanding the effect on account of the explicit provision made in article 4, that objection to a particular clause or any particular portion thereof may be raised at that stage when the clause is before the House to consider whether it is right or wrong. Generally, the suggestion that has been made has been accepted. I do not think it is useful or proper to send it back to any Select Committee, not to speak of a single Select Committee of this House. I rule out this motion as being out of order and dilatory.

Now, so far as the original motion is concerned, 45 hours have been allotted; of course, it is agreed that, in case something more might be necessary, that will always be considered by the Speaker. May I ask how many hours can be allotted for general discussion and how many hours for the clauses?

An Hon. Member: 30 hours and 15 hours.

Mr. Speaker: The clauses are important. We have had a general discussion on these matters from time to time. Therefore, two-third of the time, that is 30 hours, may be allotted for the clauses.

Shri S. S. More: As far as general principles are concerned, we have discussed them on three occasions. Therefore, it would be much advisable to shorten that time and spend more time on the amendments and clauses because they will excite the greatest controversy and they should be given the longest time. That is my submission. Instead of indulging in some general principles, let us confine ourselves to the consideration of the clauses.

Mr. Speaker: So, shall we allot 15 hours for general discussion and 30 hours for the clauses?

Shri Gadgil: I would suggest 20 hours for general discussion and the rest for the clauses. That will be very equitable division.

Mr. Speaker: All right. 20 hours for general discussion and 25 hours for the clauses.

Shri K^smath: We may have general discussion up to the evening of Monday and then we may take up the clauses. We may fix the dates like that.

Mr. Speaker: Let us go on now. It is fixed as 20 hours for general discussion and 25 hours for the clauses. Hon. Members will kindly note that leaders of groups will have half an hour and other hon. Members will have 15 to 20 minutes each.

Shri A. K. Gopalan (Cannanore): Mr. Speaker, Sir.....

Shri C. D. Deshmukh (Kolaba): Sir, I want to ask where one could get an authentic copy of the Prime Minister's statement in Bombay.

1 P.M.

Shri V. G. Deshpande (Guna): Yes: we want the official report of the Prime Minister's speech made in Bombay on the 3rd June, 1956.

The Prime Minister and Minister of External Affairs and Finance (Shri Jawaharlal Nehru): I made a statement in the course of the meeting of the All-India Congress Committee. The proceedings of the All-India Congress Committee are not placed in this House. It is not normally done. But since the hon. Member desires a copy, I can supply him with the full proceedings.

Shri S. S. More: I may bring to the notice of the Chair one point. The report of the Joint Committee says that the declaration was made by the Prime Minister and not as President or as anybody else of an organisation. If the declaration was made according to the report, as Prime Minister, we are entitled to have a copy of the declaration.

Shri Kamath: Was that statement made by the Prime Minister in his capacity as Prime Minister or as a Congress leader?

Mr. Speaker: This matter will be considered. Let us proceed.

Shri C. D. Deshmukh: My difficulty is this. Paragraph 15 of the Joint Committee's report refers to the statement made by the Prime Minister in Bombay on the 3rd June, 1956 and says that the "decision will be subject to review in five years in the light of the statement made by the Prime Minister". Unless we know what that decision is, it is very difficult to know what the value of the assurance contained in paragraph 15 of the report is.

Mr. Speaker: I will note it and take suitable action.

Shri Kamath: A clarification may be made as to whether the statement was made by him in the capacity of Prime Minister or in the capacity of a party leader only.

Shri V. G. Deshpande: So far as the hon. Member who first put the question on this subject is concerned, he has been assured that a copy will be supplied to him. So far as we are concerned, shall we also be supplied with a copy?

Mr. Speaker: I am not making any difference between one hon. Member and another hon. Member. Shri A. K. Gopalan will now proceed.

Shri A. K. Gopalan: This is a most important Bill in this Parliament. With many a glaring fault, it embodies the victory of a democratic principle and also it is a triumph of the people's movement in this country. The whole credit would have gone to the Government if they had acted wisely and courageously on the principles which they had advocated for the last so many years and then based the reorganisation of the States on those principles. Unfortunately, that has not been done, and as a result of that, as far as some areas are concerned, grave mistakes have been committed and they have caused a national disturbance and also disunity.

During the national movement in this country, this question of reorganisation of the States on a linguistic basis was in the forefront. It was this slogan that inspired the people. The people thought that they should first achieve national freedom and then take up the question of freedom of the linguistic groups to organise themselves on a linguistic basis. But, after the advent of Swaraj, though they were saddled with many intricate problems, they were disappointed, because they found that their hopes about the demand for linguistic States had not been realised. The people also found that not only their hopes were not realised but they understood that their demands had been whittled down and the principles had been bypassed. If all the sections of the people had been united on the basis of this principle and a boundary commission had been set up on the basis of this principle, to find out how best the boundaries could be demarcated,

then, certainly, national unity would have been achieved and it would have certainly prevented the heat and passions and prejudices that we find today all over the country.

Since 1920, the Congress organisation has been formed on the basis of the linguistic formula. In spite of the British administrative units, the Congress organisation has been working on the linguistic basis. But when the Congress came to power, they forgot it. People had to fight for it. I do not want to go into the history of the movement for linguistic States. But we know that it was after 1947 that the brave people of Andhra brought this question into the forefront. The sacrifice of the people of Andhra as well as that of Potti Sriramulu brought the Andhra State into being. After the Andhra State was formed, the appointment of a Commission was announced and even when it was announced, as far as the principles of the redistribution of the States on the linguistic basis were concerned, they were not mentioned. Those principles were by-passed. The Commission then gave its recommendations. Though the Commission said that the reorganisation was not on the linguistic basis, we know that as far as many areas are concerned, the States have been formed certainly on the linguistic basis. The new States are actually linguistic States. These new States are the beginning of a new democracy and a new democratic life in this country and they also start an era of equality between the different groups. This will help the unity and solidarity of the people in this country provided the ruling party does not pitch one group against the other.

I now come to Maharashtra. The most important and the most controversial thing is about Bombay not being added to Maharashtra. To tear Bombay from the Maharashtra area to which Bombay rightly belongs, is certainly an act devoid of principle. It is an action which has been con-

demned not only by the people and by the public opinion of Maharashtra but it is condemned all over India. This action not only injures and maims the body of Maharashtra but also mocks and hurts the heroic and proud people of Maharashtra. Allow me to say that it is an act of political criminality; because, can we achieve the unity of the nation only by appeasing certain vested interests in this country? Can Indian democracy and political decency be sacrificed at the altar of vested interests in this country? The separation of Bombay from Samyukta Maharashtra and the administration of Bombay as a Part C State is something which is a great calamity and which the country will not and should not tolerate. The provision for a separate Bombay city from the new State of Maharashtra and constituting it as a Part C State, I have to say, goes against all accepted notions of democracy and fairplay. Culturally, economically and geographically, Bombay is part of Maharashtra. It is the economic centre and also the capital of Maharashtra. Without Bombay, Samyukta Maharashtra will be a headless trunk. The worst part of the Bill is, according to the present arrangement, three and a half million people inhabiting Bombay will have no right of franchise. There will be no legislature and having a legislature is at the pleasure of the Government. Is there any reason why Bombay should not be added to Samyukta Maharashtra? We find no reason. If there is any reason, it is this: the ruling party wants to appease the big business in Bombay. The big business in Bombay controls the whole economics of Bombay. Most or the majority of the big business in Bombay are those who are not Maharashtrians, and they are non-Maharashtrians. So, the only reason which we can find is that it is only to appease these vested interests in Bombay who hold the economic control of Bombay that the Government have done this thing.

In appeasing the vested interests, the Government are doing one thing.

[Shri A. K. Gopalan]

They are trampling under foot the democratic principles and they are also showing that future democracy in India is blackened, Indian democracy will be darkened if the accepted democratic principles are thrown away for the sake of certain vested interests in this country.

Then there are certain arguments adduced as to why Bombay should be kept as a separate Part C State. These arguments had already been answered. One argument is that Bombay has grown as the capital of a multi-lingual State and not of a unilingual State. The answer to that is, what about Calcutta and Madras. Calcutta was also the capital of a multi-lingual State before. That was the case also with Madras. So, as far as Calcutta and Madras are concerned, they are also cosmopolitan in character. As far as the commerce, industry and trade of these two cities are concerned, they can also be compared to those of Bombay. When a certain attitude is taken towards Calcutta and Madras and other cities, what is the reason for Bombay being treated separately? Another argument is that the Maharashtrians are not in absolute majority in Bombay. That is also fantastic. Considering the figures, it has no significance, because the Marathi-speaking population in the State is 43.6 per cent. and Konkani-speaking 5 per cent.; combined together they form 48 per cent. Take, for instance, Bangalore; there the Kannada-speaking population is only 24 per cent. . .

An Hon. Member: No, no.

Shri A. K. Gopalan: . . . and 32 per cent. are Tamils. Simply because Tamils are more than the Kannada-speaking people, we cannot say that the Bangalore city must also be administered separately. As far as Hyderabad is concerned, 49 per cent. is Urdu-speaking population and 43 per cent. Telugu-speaking. In spite of that, Bangalore is the capital of Mysore and Hyderabad is the capital of Andhra. Nobody has brought forward the argument that because of

this the two cities must be centrally administered and should not be added to their own areas. The principle has been clearly laid down that a city will be included in the territory of that linguistic area which surrounds it, irrespective of arithmetical calculations. This principle has been applied to all other cases except Bombay.

Another argument is about the cosmopolitan nature of Bombay. There are linguistic minorities in States like Madras also and this principle that because of its cosmopolitan nature and the existence of linguistic minorities it must be centrally administered had not been applied to other States. Another argument is that trade and industry in Bombay will be affected. Look at the facts. In Maharashtra, 90 per cent. of the trade is in the hands of non-Maharashtrians. In Poona, 90 per cent. of the wholesale trade is in the hands of Gujeratis and Marwaris, 60 per cent. of the textile industry is in their hands; 30 per cent. of the general business is in their hands. In Sholapur, the majority of the mills are owned by non-Maharashtrians. What about Calcutta and Madras? In Calcutta and Madras also, in some places, the majority of trade and industry is in the hands of those who are not the people of those States. So, as far as trade and industry are concerned also, there is absolutely nothing which prevents Bombay being given to Maharashtra.

Another excuse is that the minorities in Bombay will be oppressed. It is only to hide the conspiracy of the vested interests. There are constitutional guarantees for the minorities. The Maharashtrian leaders also have stated that they are ready to have special safeguards as far as the minorities are concerned. What about Andhra and Telangana? They have dealt with the problems of the minorities by giving special safeguards to them and the linguistic minorities in those areas are certainly satisfied. If that was the reason, the Maharashtrians would have sat down and a set-

tlement could have been arrived at, whereby the apprehensions in the minds of the minorities would be removed. Using the minority to veto the just and democratic demand of the majority is very unscrupulous. It begets nothing but national disruption.

Another reason for the redistribution of the States is the desire of the people. I do not know whether in any other part of India the people have expressed their desire so clearly as it has been done in Bombay in regard to Maharashtra. Blood flowed down the streets and people faced lathi charges every day. 60,000 people offered satyagraha. Not only that; there were big demonstrations where lakhs of people demonstrated and showed their desire that Bombay must be given to Maharashtra. The Bombay Corporation also passed a resolution; some of the members of the Bombay Corporation resigned; the Speaker of the Assembly resigned; some Ministers resigned; and, to add to all this, yesterday the Central Finance Minister also resigned. People agitated every day, in spite of lathi charges and shootings. Certainly in no other part of India has the desire of the people been so strongly expressed as in Bombay in regard to Maharashtra. So, the question of Bombay cannot be turned away saying that it is against the desire of the people.

What happened in Bombay? Even before the announcement of the Government about their decision in regard to Bombay, something happened in Bombay. The Bombay Government wanted to see that even a peaceful agitation about giving Bombay to Maharashtra was not there. I myself went to Bombay and other places and understood what things have happened. As was stated by the ex-Finance Minister yesterday, it was something like "shoot to kill" and "shoot at sight". Even on the 16th, when there was nothing but a peaceful demonstration, there was provocation. People at the head in Bombay understand that it is only provocation that will create violence. There was

calculated provocation when there was a peaceful agitation. They knew that when there was provocation, there would be violence; they also knew that if the unsocial elements and goondas could be stirred up, the whole movement of Samyukta Maharashtra could be slandered as a movement of looters and rioters. They want people to understand that it is a movement which only does looting and rioting, so that the whole case of Samyukta Maharashtra may be blackened. What an amount of repression has been there! Even that strong repression could not stop about 100 persons from demonstrating, because the people of Maharashtra feel that it is their right that Bombay should be given to Maharashtra. As far as other States are concerned, they are more or less linguistic States. So, certainly it is the right of Maharashtra to have Bombay. I do not want to dilate on what happened in Bombay, because it is known already.

As was stated yesterday, even an enquiry was not made. I gave a petition—a memorandum—to the Minister in Bombay that an enquiry must be conducted. I also mentioned the reasons why an enquiry was necessary. Even in this House, not only from this side, but from the other side also, it has been urged that an enquiry must be made. No enquiry has been made, because if it were made, the things that have happened would be known to the people outside. Certainly they will understand what kind of conspiracy was there and the whole background would be known to the public. If anybody says that except in Bombay wherever there was shooting, enquiries have been made, certainly it is true. I understand from reliable sources that a majority of the people arrested were goondas who had been convicted before for many offences. When they were let loose, boys reading books in the verandas were killed. When tear gas was opened and when women in the balconies could not bear it and when they came out, they were shot at sight and were killed. I am saying these things

[Shri A. K. Gopalan]

because when I went to Bombay, I personally understood that these things had happened. When such is the case, not even an enquiry has been made, because they want a slander to be carried against the Samyukta Maharashtra movement. So far as that is concerned, my request to the Home Minister is this: do justice to them; in the name of democratic principles, allow greater Bombay to be part of Samyukta Maharashtra; don't allow bitterness to continue. I have nothing more to say about Maharashtra.

Regarding Punjab I won't say much. As far as Punjab is concerned, what we expected was that Punjab will be divided on linguistic basis. We wanted that there should be two separate linguistic States, one Punjabi-speaking and the other Hindi-speaking. The Hindi-speaking people had unanimously demanded that they should be separated from the Punjabi-speaking areas and their request has not been acceded to by the Government. Then, the Hindi-speaking areas are also the backward areas. The present arrangement partially solves the problem on the principle of linguistic States and I am glad about it.

I will next come to Orissa. I would say that one of the biggest drawbacks of this Bill is the injustice that is done to the Oriya people. Rightly or wrongly, the people of Orissa had been clamouring that as far as the borders are concerned there must be some readjustment. They have said that as far as some areas of Bihar and Madhya Pradesh are concerned they have some claims over them. But the Government of India have not dared to give any consideration to those demands. So what I now say is that a boundary commission should be set up to demarcate the boundaries on the basis of language and on the basis of contiguity, specially looking into the welfare of the tribes.

Next I come to Kerala. As far as Kerala is concerned, that State is

formed more or less on the linguistic basis, though not completely. I do not want now to go into the question of the borders. What I have to say is that if the Kerala State is formed according to the provisions of this Bill then there will be an extension of the President's rule. It will mean the extension of the President's rule to Malabar also. As far as the Malabar M.L.A.s are concerned, they are a part of the Madras Assembly, but they will be asked to go away. I do not know what their future will be. I do not know, but by some provisions of the Constitution the M.L.A.s of Malabar will all be killed as far as their rights are concerned, not physically. When we were discussing the approval of the proclamation of emergency in Travancore-Cochin issued by the President, I referred to this matter. So far as that is concerned, the Constitution has given us two rights; one is to dissolve the Assembly. There is also another alternative and that is instead of dissolving the Assembly, it may be suspended. When we were discussing the Bill on Reorganisation of States I said that when the Kerala State is formed there will be the M.L.A.s from Malabar and they must also be given an opportunity to see whether the President's rule can be ended. It was said the other day in the House that not a single day would the President's rule be continued in any part of India, if possible. If, instead of saying that, the Government certainly believe in that principle, then after the reorganisation of the States they must give an opportunity to the Malabar M.L.A.s for leaving the Madras Assembly. Then, as far as the Malabar M.L.A.s are concerned, the majority of them are non-Congressmen. With the assistance of the members of the T.C. Assembly, the Malabar M.L.A.s may be able to form a Government. So you must give an opportunity to them to see whether the crisis that is there can be solved. It was said that there is a Constitutional crisis and so there was a necessity for the President's rule especially when there is some

readjustment of the boundaries. Then we made a request that the Assembly may be suspended and not dissolved. They did not do it. I do say that it was not done because the Government thought that if the Assembly is not dissolved but only suspended then a situation may arise in which the Congress, perhaps, may not be in a position to continue in power. If that is not so, it would not have been done and an opportunity might have been given. Instead of making Malabar also come under the President's rule, instead of allowing the Malabar M.L.A.s also to lose their rights and allowing the President's rule to continue in Malabar also till the next elections, I submit that it is only right that when the Kerala State is formed the members of the T. C. Assembly as well as the Malabar M.L.A.s are given an opportunity and we must try to see whether the Constitutional crisis that had been there can be solved and a Government can be formed.

As far as Part C States are concerned, they are all Centrally administered. Delhi is one of them. In Delhi there is no electoral apparatus. There must be full democratic set up in Delhi, Tripura, Manipur and other States. I do not mind if there is some difference so far as the set up is concerned. But there must be full democratic set-up in all the States. It should not be like the electoral college in Tripura where once they are elected they have to elect a member to the Parliament and then they have no function at all. There should be some kind of electoral machinery which will be really effective. The machinery may be less expensive but if there is some expenditure, then in those backward areas the Government has certainly to subsidise them.

Coming to the border problems, the most important thing is the boundaries. As far as the Communist Party is concerned, we think that as far as the border question is concerned, it can be decided if we agree to certain principles. If certain principles are agreed to on which the boundaries

can be demarcated, then certainly a boundary commission of five members can be appointed. The principles for demarcating the boundaries must be: the contiguity, taking the village as a unit and the language spoken by the majority of the people. If those principles are accepted, then on that basis all boundary disputes can be solved.

I only want to point out here that there may be difficulties so far as the looking after of the interests of the tribes are concerned. Some tribes may come under one administration and others may come under another administration. The interests and well-being of the tribes should be kept in mind irrespective of whether a particular tribe is attached to this area or that area.

Unless and until a boundary commission is set up and unless and until they go definitely into the question on the basis of certain definite principles, the boundary question and the boundary disputes can never be settled.

Coming to the question of the formation of Zonal Councils, it may appear to be an innocent one. It is only advisory in character. But it will lead, according to our opinion, to the formation of a State above a State which will lead to the formation of a big multi-lingual State. When the Zonal Councils are formed, it is stated, Andhra, Karnataka, Kerala and Tamil Nad will form one zone. The question of the Dakkhina Pradesh is also there. All the areas, all the separate units of the Dakkhin Pradesh are there in the Zonal Council. We oppose the basis on which zonal councils have been constituted. The States of Kerala and Andhra Pradesh are put together. What has Andhra Pradesh to do with the economic and other problems of Kerala? There is not much. It is true, and we appreciate it, that there is necessity for co-operation between the States in economic and other matters, especially in planning. But, do not put Andhra Pradesh and Kerala together; do not

[Shri A. K. Gopalan]

put Assam and Orissa together. There is no necessity for this, because they have nothing to do in common. It will also, in course of time, be a state above state. Our proposal is that these zonal councils should be flexible, without any fixity in number. States having common economic and political interests should be formed into zones.

As regards the minorities, there should be safeguards for them. There are even now safeguards for the minorities. The Constitution has provided safeguards to them. We know and recent events have shown that in spite of the safeguards provided in the Constitution, there is a fear in them that there is no machinery to enforce the safeguards. There should be statutory safeguards for the minorities regarding education up to the secondary stage in their own language, and also in the administration and service commissions, where they form a substantial number. As regards language, they should have these safeguards. This is very important. There are bound to be some linguistic minorities in big cities and industrial areas. It must be seen that they have also the same right of expression and development just like the others. This confidence must be created in them that there is no difference between minorities and majorities as regards development and right of expression. There must be some kind of machinery by which these safeguards may be guaranteed.

One word about the Andhra elections. It is said that there will be no elections in Andhra Pradesh. When there is election all over the country, I think certainly there must be elections in the Andhra Pradesh also. As regards second chambers, we are opposed to them. Bombay and Punjab have also passed resolutions. We think that a second chamber is a waste of money. There is no necessity for them. Second chambers should be abolished.

When two or three States are amalgamated, there will be some

difference in the conditions of service. In Kerala, the conditions of service in Travancore-Cochin and in Malabar will be different. The conditions of service and tenure of service must be guaranteed. If either in Travancore-Cochin or in Malabar or in some other areas that are added the pay scale is higher, it should not be reduced to the level of the other areas where it is less. This must be guaranteed to the services.

I have only to say that, as the children of India, as the inheritors of a mighty tradition in our country which has been found through the ages to have unity in diversity—not stamping out diversity—we have a duty towards our country which has suffered for long. We should all together try to see that our duty towards the country is fulfilled. If that is to be done, I think this House will have to remember that the desire of the people should be accepted and this Bill should be passed in such a way that the people outside this House may think that it is a very welcome Bill.

श्री श्री श्री (मंडला-जबलपुर-दक्षिण) : जो प्रस्ताव इस सदन के सामने माननीय गृह मंत्री जी ने रखा है, उस का मैं समर्थन करता हूँ। स्वराज्य-प्राप्ति के बाद सब से महत्वपूर्ण काम जो हम ने किया, वह अपने संविधान का निर्माण करना था और यद्यपि मैं राज्यों का पुनर्विभाजन एक प्रकार से संविधान का ही एक महत्वपूर्ण अंग था। संविधान परिषद् के समय भी मेरी यह राय थी और उस के बाद भी यह राय रही कि इस कार्य का जल्दी से जल्दी होना आवश्यक था। मैं समझता हूँ कि जिस समय हमारा संविधान बना, उसी समय यदि हम इस विषय को भी ले लेते और उसे उसी समय निबटा देते, तो आज जो मत-भेद चारों ओर हमें दृष्टिगोचर होता है, वह सायद न होता।

कहा जाता है कि इस विवादपूर्ण प्रश्न को इस समय भी नहीं लिखा जाना चाहिये

भा । मेरा इस बात से मत-भेद है । मेरा यह मत है कि यदि भारत को सच्चा भारत रहना है, तो हम एक विदेशी भाषा को अपने सिर पर थोपे रहते और हम देश का विभाजन भाषा के अनुसार न करते, तो यह उचित न होता । भाषा के अनुसार राज्यों के पुनर्विभाजन को हम बहुत पहले ही स्वीकार कर चुके थे और उस समय से अब तक मेरा यह स्पष्ट मत रहा कि भाषा के अनुसार राज्यों का विभाजन आवश्यक है यदि हम भाषा के अनुसार राज्यों का विभाजन न करते तो अंग्रेजी का हमारे देश पर प्रभुत्व रहने वाला था । जिन प्रदेशों में एक से अधिक भाषायें बोली जाती हैं, उन प्रदेशों में जब तक भाषा के अनुसार उन प्रदेशों का विभाजन न होता, तब तक अंग्रेजी का प्राधिपत्य रहता । लेकिन हम ने कम से कम मध्य प्रदेश में इस बात का भी तजुर्बा कर के देखा कि दो भाषायें साथ साथ चल सकती हैं या नहीं । वहां पर हिन्दी और मराठी दोनों भाषायें राजभाषायें मानी गईं और वहां पर सब काम इन दोनों भाषाओं का आधार ले कर हुआ । इसलिये तजुर्बों के आधार पर यह भी सिद्ध हुआ कि हिन्दी और मराठी जिस प्रकार की मिलती-जुलती भाषायें हैं, उस प्रकार की भाषायें भी एक प्रदेश में रह सकती हैं । जो कुछ भी हुआ, अब तो जिस प्रकार प्रवर समिति से हमारे सामने यह विवेक आया, उस से स्पष्ट हो जाता है कि समूचे देश का विभाजन भाषा के आधार पर ही हुआ है ।

एक बात और भी, जिस के कारण इस राज्य पुनर्गठन आयोग की स्थापना और इस विधेयक का आना आवश्यक था । वह यह था कि एक तरफ़ देश में उत्तर प्रदेश के समान महान प्रान्त थे और दूसरी तरफ़ विन्ध्य प्रदेश, दिल्ली, अजमेर और भोपाल के सदृश्य छोटे छोटे प्रान्त थे । देश का इस प्रकार का विभाजन बहुत लम्बे समय तक रहना सम्भव नहीं था । लोग कहते हैं

कि इस प्रकार के प्रान्तों का विलीनीकरण जिस तरह से आन्ध्र को ह्व ने घसस किया, उन्नी तरह राज्य पुनर्गठन आयोग के स्थापित न होने पर भी हो सकता था । लेकिन इतने बड़े प्रश्न का एक न एक दिन निराकरण होना अनिवार्य था और आज जबकि हमारे देश में पंडित जवाहरलाल नेहरू के सदृश्य हमारे नेता हैं, जोकि सारे देश को एक सूत्र में बांधने की क्षमता रखते हैं, उस समय यह प्रश्न भी निबट जाना एक मुक्तिसंगत था । यदि यह प्रश्न आगे को टाल दिया जाता—जैसाकि अभी भी कुछ लोगों की राय है कि इस को आगे को टाल दिया जाये—तो मेरी समझ में उपयुक्त न होता । मुझे प्रवर समिति के इस आभेदन पर एक बात से बड़ा हर्ष है कि उस ने अधिकतर बड़े बड़े प्रान्तों का ही निर्माण किया है । पंडित जवाहरलाल जी का आशय में यह मत था कि छोटे प्रान्त इस देश के लिये अयस्कृत होंगे, पर मुझे हर्ष है कि कुछ दिन बाद उन्हीं ने अपने इस मत में परिवर्तन कर दिया, और हमारे देश में जो नव निर्माण हो रहा है उस दृष्टि से उन्हीं ने यह आवश्यक समझा कि छोटे प्रान्तों के स्थान पर हम बड़े प्रान्तों का ही निर्माण करें । मेरा प्रान्त, मध्य प्रदेश, एक वैसा ही प्रान्त है, जो कि आज बहुत बड़े प्रान्त के रूप में निर्मित हो रहा है ।

इधर उधर कुछ आन्दोलन हुए, कुछ गड़बड़ हुई और अभी भी इधर उधर हमें कुछ मतभेद की बातें सुनाई दे रही हैं । लेकिन इतने बड़े प्रश्न पर इस प्रकार के मतभेद होना, स्वाभाविक था । ऐसे बड़े प्रश्न पर हमारे देश में जितना मतभेद हुआ वह नहीं के बराबर है और आगे चल कर जब इस देश का इतिहास लिखा जायेगा तो जिस प्रकार इस बात पर आश्चर्य प्रकट किया जायेगा कि देश को बिना एक मून्द भी खन बहाये स्वतंत्रता मिल गई, उसी प्रकार वह भी लिखा जायेगा कि स्वतंत्रता के बाद, अपना संविधान बनाने के पश्चात् इतने बड़े

[सेठ गोविन्द दास]

प्रश्न को हम ने कम से कम गड़बड़ी में निबटा दिया ।

यदि हम थोड़ा ध्यान से देखें तो हमें मालूम होगा कि यह संसदें जो हुईं वह भी न होतीं यदि राज्य पुनर्गठन आयोग के प्रतिवेदन को हम जैसा का तैसा स्वीकार कर लेते । हम ने एक विशेषज्ञों का आयोग नियुक्त किया था, अच्छे से अच्छे और निष्पक्ष लोगों को उस में रखा था, और आयोग के प्रतिवेदन के पहले तक हम बराबर यह कहते रहे कि जो प्रतिवेदन उस आयोग का होगा उसे हमें जैसा का तैसा स्वीकार करना चाहिये । मेरा यह मत था और अभी भी मेरा यह मत है कि यदि बिना कामा और सीमीकोलन के बदले हुए हम उस आयोग के प्रतिवेदन को जैसा का तैसा स्वीकार कर लेते और स्पष्ट कह देते कि हम ने एक विशेषज्ञों का आयोग बनाया, उस ने बड़ी मेहनत से, चारों तरफ घूम कर, चारों तरफ गवाहियां ले कर, और चारों तरफ की जितनी चीजें एकत्र की जा सकती थीं उन को एकत्र कर के जो प्रतिवेदन दिया है हम उसे जैसा का तैसा स्वीकार करते हैं, तो कम से कम भारत सरकार के ऊपर इस की कोई जिम्मेदारी नहीं आती कि जो कुछ हुआ वह ठीक नहीं हुआ । पर मुश्किल यह है कि एक तरफ तो हमारे प्रधान मंत्री जी पर यह आरोप किया जाता है कि वे तानाशाही ढंग से काम करते हैं, पर दूसरी तरफ मुझे-ऐसा लगता है कि वे जरूरत से ज्यादा प्रजा-तंत्रवादी हैं । मुझे यह इसलिये लगता है कि उस आयोग के प्रतिवेदन को उन्होंने जैसा का तैसा इसलिये स्वीकार नहीं किया कि उस प्रतिवेदन के जाने के पश्चात् भी वे लोगों की राय जानना चाहते थे, अधिक से अधिक लोगों से इस विषय पर सम्पर्क स्थापित करना चाहते थे, अधिक से अधिक लोगों की इच्छा की पूर्ति करना चाहते थे । किन्तु प्रत्यक्ष उन्होंने ने इस सम्बन्ध में किसे, कितने लोगों से वे किसे, कितने लोगों से

उन्होंने ने इस सम्बन्ध में चर्चा की । और मैं कहना चाहता हूँ कि यदि इस देश में थोड़ी बहुत गड़बड़ हुई तो, वह इसलिये नहीं हुई कि हमारे प्रधान मंत्री तानाशाही से काम लेना चाहते थे, बल्कि वह इसलिये हुई कि वह जरूरत से ज्यादा प्रजातंत्रवादी हैं । मेरा अभी भी यह मत है कि यदि देश में असंतोष है या हुआ तो इस का कारण यह है कि हम ने उस विशेषज्ञों के आयोग के प्रतिवेदन को जैसा का तैसा स्वीकार नहीं किया ।

अब इस विषय में देश में जो संसदें हुईं उन पर यदि हम ध्यान दें तो हमें मालूम होता है कि महाराष्ट्र और पंजाब इन्हीं दो प्रदेशों में यह गड़बड़ हुई है । महाराष्ट्र में जो कुछ हुआ वह बम्बई नगर के कारण है । बम्बई नगर के प्रश्न को इतना ठूल क्यों दिया गया और इतना तूल क्यों दिया जा रहा है, वह कम से कम मेरी समझ में नहीं आया ।

श्री बोलाचत (अहमदनगर, दक्षिण) : न समझ में आयेगा ।

सेठ गोविन्द दास : बम्बई प्रांतिय भारतवर्ष में ही रहने वाला है, उसे भारत वर्ष से बाहर तो नहीं ले जाया जा रहा है । बम्बई किसी प्रदेश में भी शामिल नहीं किया जा रहा है । उस की एक प्रलय इकाई रखी जा रही है : उस को एक ऊंचा पद दिया जा रहा है जैसाकि इस देश के किसी नगर को नहीं दिया गया है, और साथ ही यह भी कहा जा रहा है कि यह केवल पांच वर्ष के लिये है । पांच वर्ष का समय किसी व्यक्ति के जीवन में एक सम्बा समव हो सकता है लेकिन किसी देश या किसी राष्ट्र के जीवन में पांच वर्ष का समय इतना सम्बा क्यों माना जा रहा है, यह मेरी समझ में नहीं आता ।

इस के अलावा इस सम्बन्ध में जो बातें कही जा रही हैं, वे अत्यन्त असोय-

नीय हैं। उन्हीं में से एक चर्चा कल यहां पर हुई। हमारे भूतपूर्व वित्त मंत्री श्री देशमुख जी का यहां पर एक वक्तव्य हुआ। मैं तो उसे सुन कर दंग रह गया। देशमुख जी को मैं बहुत समय से जानता हूँ। वे हमारे प्रान्त मध्य प्रदेश के हैं और हमारे प्रान्त में वे एक आई० सी० एस० अफसर के रूप में काम करते थे। सन् १९३७ में जिस समय पहले पहल कांग्रेस मंत्रिमंडलों की स्थापना हुई, उस समय श्री देशमुख हमारे वित्त मंत्री, श्री दुर्गा शंकर जी मेहता, के सेक्रेटरी थे। मुझे उन का कल का वक्तव्य सुन कर कुछ ऐसा भान हुआ कि कोई एक पुराना आई० सी० एस० का नौकर बोल रहा है; मुझे यह नहीं मालूम हुआ कि भारतवर्ष का भूतपूर्व वित्त मंत्री बोल रहा है। उन्होंने जिस तरह की बातें कहीं उन पर यदि थोड़ा सा भी ध्यान दिया जाये, तो हमें मालूम होगा कि भारतवर्ष के भूतपूर्व वित्त मंत्री के लिये वे बातें बहुत शोभनीय नहीं थीं। और उन्होंने ने अपने लिये सर्टिफिकेट किस का दिया? उन्होंने ने वही सर्टिफिकेट दिया जोकि एक आई० सी० एस० के नौकर को देना चाहिये, अर्थात् लाई वेवल का। वे कहते हैं:

"I accepted the office of Finance Minister in May, 1950, at the repeated requests of the Prime Minister. The House may be interested to know, as some little proof of my disinterestedness, that I had declined a similar offer made previously by Lord Wavell in May, 1946...."

स्वतंत्र भारतवर्ष के वित्तमंत्री कितने डिस्टिन्ग्विश्ड हैं अपने कार्यों में इस के लिये व सर्टिफिकेट किस का पेश करते हैं? लाई वेवल साहब का। मुझे इस से यह मालूम हुआ कि अभी भी, इसने वर्षों तक भारतवर्ष के वित्तमंत्री रहने के बाद भी, देशमुख साहब अपनी आई० सी० एस० की नौकरी को नहीं भूखे हैं।

इस के बाद कैबिनेट की जो बैठकें हुईं उन का वे जिक्र करते हैं, और उन का जिक्र करते हुए वे कहते हैं कि जो कुछ हमारे प्रधान मंत्री जी ने किया वह किसी कैबिनेट मीटिंग में तै नहीं हुआ था। कैबिनेट की बैठकों में जो कुछ होता है उस सब का कोई रिकार्ड नहीं रखा जाता, वे सब बातें लिखी नहीं जातीं। यहां पर तो बातों पर बहुत होती है और किसी की क्या राय है यह जानी जाती है, और उस राय के बाद प्रधान मंत्री या दूसरे मंत्री अपना एक निष्कर्ष निकालते हैं। और उस निष्कर्ष के अनुसार वे काम करते हैं।

हमारे प्रजातंत्री प्रधान मंत्री के ऊपर यह धारणा करना कि उन्होंने ने जो कुछ किया वह अपने कैबिनेट की राय से नहीं किया, गलत है।

इस के बाद आगे चल कर के वे कुछ और भी बात कहते हैं। वे कहते हैं:

"The aggressive non-violence of many men responsible for the Bombay decision will do far more to disrupt the unity of the country than outbursts of violence."

यह एग्जिक्टिव नान वायलेंस कौन सी चीज है यह मेरी समझ में नहीं आया।

[MR. DEPUTY-SPEAKER in the Chair.]

1.50 P.M.

एग्जिक्टिव नान वायलेंस की बात कह अपने वक्तव्य में बम्बई में जो वायलेंस हुआ बम्बई में जो हिंसा हुई उस को वे प्रोत्साहन देते हैं। चीजें ठिकाने पर आते आते जब हमारे जिम्मेदार लोगों के इस प्रकार के वक्तव्य होते हैं तब जो आज आज बुझी हुई है जिस में अब केवल रास रह गई है उस में से भी चिनगारियां निकलना शुरू होती हैं। इस वक्तव्य में श्री देशमुख ने अपने सिद्धान्तों के सम्बन्ध में भी कहा है। मैं श्री देशमुख का इतिहास बहुत समय से जानता हूँ उस समय से जानता हूँ जबकि

[सेठ गोविन्द दास]

वे एक मामूली घाई० सी० एस० अफसर वे और जब कस में ने उन के सिद्धान्तों की बात सुनी उस वक्त मुझे ऐसा लया मानो कोई घाई० सी० एस० अफसर पुराने भारत की गुलामी के समय में बोल रहा हो । गुलामी के समय में देशमुख साहब के सिद्धान्त वे उस समय की सरकार से अधिक से अधिक प्राप्त करना । हमारे प्रान्त के एक मामूली सैक्रेटरी पद से हटा कर उन्हें रिजर्व बैंक का मबनर बनाया गया और उस के बाद उन को नाइटहुड का खिताब दिया गया । दुख यह है कि स्वतंत्र भारत की सरकार ने यकायक उन को वित्त मंत्री बना दिया । कल का उन का बक्तव्य सुन कर मुझे स्वर्गीय क्रिदवई साहब की एक बात याद आ गई । क्रिदवई साहब हालांकि आज मौजूद नहीं हैं लेकिन मैं समझता हूँ कि उन्होंने ने जो बात उस समय कही थी वह अभी के समय में ठीक है । उन्होंने ने कहा था कि हमारे अन्तिमय स्वतंत्रता के युद्ध में जिन्होंने ने भाग लिया है उन की मनोवृत्ति और जिन्होंने ने उस में भाग नहीं लिया और जो पुरानी सरकार के बड़े बकादार रहे हैं उन की मनोवृत्ति में आकास पाताल का अन्तर है और इसी-लिये भारत के मंत्रिपदों के स्थानों पर केवल उन लोगों को रहना चाहिये कि जिन की मनोवृत्ति उस तरह की हो जिस तरह की कांग्रेस बादियों की या प्रजा समाजवादी दल वालों की या उन लोगों की है जिन्होंने ने कि भारत के स्वतंत्रता संग्राम में भाग लिया था ।

मैंने चीन में एक बात देखी । चीन में वहाँ का सारा निर्माण कार्य इतना सफल क्यों हो रहा है ? उस की सफलता का कारण यह है कि वे लोग जिन्होंने ने कि वर्तमान चीन को माने के लिये हुई अन्ति में भाग लिया था, उन सब अन्तिकारियों को नीचे वे ऊंचे तक के स्थान चीन में प्राप्त है ।

जिन लोगों ने पुराने चीन में काम किया था उन में से आज कोई व्यक्ति चीन में किसी जिम्मेदारी के स्थान पर नहीं है । हमारे यहां पर हम देखते हैं कि चाहे वे हमारे देशमुख साहब वित्तमंत्री हों या चाहे हमारे दूसरे अफसर हों आज वे स्वतंत्र भारत की सरकार के सब से बड़े घालोचक हैं और मामूली बातचीत के दौरान में या अन्य स्थानों पर भी अगर हमारी सरकार की कोई घालोचना करते हैं तो यह अफसर लोग ही करते हैं जोकि पुरानी गुलामी की सरकार में कोई न कोई स्थान रखते थे । इसलिये मैं स्पष्ट कहता हूँ कि यदि इस देश का भागे का काम सुचारु रूप से चलाना है और अगर इस देश में एक ऐसे लोकमत को तैयार करना है जो हमारी सरकार का समर्थन करे तो कम से कम हम को इन पुराने अफसरों से बचने की अत्यन्त आवश्यकता है ...

श्री बि० च० बेशपांडे (गुना) : पढ़े लिखे लोग न लिये जायें ।

सेठ गोविन्द दास : पढ़े लिखे लोगों की इस भारत देश में कमी भी कमी नहीं रही । जिस समय भारत स्वतंत्र नहीं हुआ था और कांग्रेस काम कर रही थी उस समय कांग्रेस से अधिक पढ़े लिखे लोग लिबरल फेडरेशन (उदार संघ) में थे । कांग्रेस वालों से अधिक पढ़े लिखे लोग और बुद्धिमान लोग उस समय की सरकार के साथ थे । इस देश में कमी भी पढ़े लिखे लोगों की कमी नहीं रही, इस देश में कमी सदा देश-भक्तों की रही है और मैं कहना चाहता हूँ कि देश का काम देशभक्तों से चलने वाला है । यह घाई० सी० एस० अफसरों और इस तरह के लोगों से चलने वाला नहीं है ।

श्री बि० च० बेशपांडे : फिर नूह मंत्री महोदय यह घाई० सी० एस० के कैंडिडेट को क्यों नहीं बन्द कर देते और उसकी अर्थाँ क्यों कर रहे हैं ?

सेठ बोकिन्ड बल्ल : जहां तक कि पंजाब की समस्या का सम्बन्ध है, उस के बारे में मैं आप से कहना चाहता हूं कि हिन्दू और सिक्खों का वह जो मतभेद है वह कभी भी मेरी समझ में नहीं आया। मुझे वह जमाना याद है कि जिस समय हिन्दुओं और सिक्खों में कोई भेद नहीं था और सिक्ख हिन्दू समाज का ही एक अंग माने जाते थे। अगर आप सिक्खों के जो दलों गुरु हुए हैं उन की जीवनभाषा को देखें तो आप को मालूम होगा कि उन में और हिन्दुओं के बड़े बड़े आचार्यों और ऋषि मुनियों में कोई अन्तर नहीं था। आप सिक्खों के किसी भी गुरु को ले लीजिये, गुरु नानक साहब को ले लीजिये, गुरु तेगबहादुर को ले लीजिये, गुरु गोबिंद सिंह को ले लीजिये, आप पायेंगे कि उन में और हमारे बड़े बड़े आचार्यों और ऋषि मुनियों में कोई अन्तर नहीं।

यह जो पंजाब में सिक्खों और हिन्दुओं का प्रश्न उपस्थित हो गया है, इस का भी यदि आप इतिहास देखें तो आप को मालूम होगा कि वह भी अंग्रेजी सरकार की हम को देन है। अंग्रेजी सरकार ने सिक्खों और हिन्दुओं को हमेशा अलग अलग रखने की कोशिश की और हिन्दू अलग हैं और सिक्ख अलग हैं, इस प्रकार की भावना उन्होंने ने हिन्दुओं और सिक्खों के दिलों में भरी और आज जो कुछ पंजाब में हो रहा है वह उसी का नतीजा है।

जहां तक भाषा का सवाल है मैं पंजाबी और हिन्दी भाषा में कोई अन्तर नहीं मानता। देवनागरी लिपि और गुरुमुखी लिपि में भी मैं कोई अन्तर नहीं मानता। जहां मैं हिन्दी का बड़ा भारी पोषक रहा हूं वहां साथ ही मैं यह भी कहता रहा हूं कि हिन्दी के साथ साथ अगर हम अपनी मित्र मित्र प्रान्तीय भाषाओं के प्रति अपने कर्तव्य का पालन नहीं करेंगे तो हमारे देश का कल्याण होने वाला नहीं है। पंजाबी

भाषा को दबावा जाये, गुरुमुखी लिपि को दबावा जाय और उस को दबा कर हिन्दी भाषा और देवनागरी लिपि का उत्कर्ष किया जाये, इस का मैं बोर विरोधी हूं। हिन्दुओं और सिक्खों का घाने चल कर के इस प्रकार का भेद रखने वाला नहीं है जैसा कि आज हम को दिखाई दे रहा है। इस प्रकार के प्रसंगों पर मतभेद दृष्टिगोचर होना स्वाभाविक है। पंजाब में जो कुछ हो रहा है मैं समझता हूं कि वह बिल्कुल अस्थायी वस्तु है और पंजाब का निराकरण जिस प्रकार पंजाब का प्रश्न हमारे प्रधान मंत्री जी ने हल किया है उस के अनुसार बहुत शीघ्र हो जायेगा।

जैसा मैं ने आप से निवेदन किया कि इतने बड़े काम में यदि हम को इधर उधर थोड़ी सी गड़बड़ी नजर आती है तो कोई खास बात नहीं है, मैं मानता हूं कि पंजाब और महाराष्ट्र के जो सवाल पेश हैं उन को ले कर कुछ मतभेद है लेकिन तो भी मैं उस को बहुत भारी मतभेद नहीं मानता।

जहां तक हमारे प्रान्त का सम्बन्ध है, उस विषय में मैं कुछ बातें आप के सामने रखना चाहता हूं। हम लोग सदा एक बड़े प्रान्त के पक्षपाती रहे हैं। महाकौशल प्रदेश कांग्रेस कमेटी ने जो अपना प्रतिवेदन राज्य पुनर्गठन आयोग के समक्ष उपस्थित किया था उस में भी हम ने बड़े प्रान्त की मांग की थी। उस में भी हम ने यह कहा था कि हमारे प्रान्त में वर्तमान महाकौशल, मध्यभारत, विन्ध्यप्रदेश और भूपाल को सम्मिलित किया जाये। यह हर्ष का विषय है कि यह सब के सब सम्मिलित हो गये। मेरा तो घाने बढ़ कर यह कहना है कि उत्तर प्रदेश का जो शांसी डिवीजन है वह बुंदेली इलाका है, वहां की भाषा भी बुंदेली है और शांसी, बांदा, हमीरपुर और जासीन यह जो चार जिले उत्तर प्रदेश में हमारे बुंदेलखंड के हैं वे भी उत्तर प्रदेश की इतनी बड़ी आबादी और क्षेत्रफल को देखते हुए

[सैठ मोकिन्द दास]

हमारे प्रान्त में सम्मिलित होने चाहियें। कम से कम जो बल्लिपुर का हिस्सा है, जोकि एक प्रकार से हमारे प्रान्त में सटक सा रहा है, वह हम को मिलना ही चाहिये।

2 P.M.

राज्य पुनर्गठन आयोग ने हमारे प्रदेश की राजधानी का प्रश्न भी हल कर दिया था, और यह बिल्कुल ठीक था

कुछ आत्मश्रेय सबल्य : नहीं, नहीं।

उपाध्यक्ष महोदय : वह अपनी दलील पेश कर रहे हैं, लेकिन फ़ैसला तो हाउस को करना है, इतनी चबराहट क्यों है ?

सैठ मोकिन्द दास : जबलपुर हमारे प्रदेश की राजधानी होनी ही चाहिये थी। हम जबलपुर को उस समय से अपने प्रदेश की राजधानी बनाने का प्रयत्न कर रहे थे जब से कांग्रेस के संविधान में भाषावार प्रान्तों का निर्माण हुआ, सन् १९२० में। जिस समय वर्तमान मध्य प्रदेश के महाकौशल, विदर्भ और नागपुर, यह तीन प्रान्त बनाये गये तब से हम जानते थे कि स्वतंत्र भारत में इस देश का पुनर्विभाजन भाषा के आधार पर होगा। तभी से हम जबलपुर को नये मध्य प्रदेश की राजधानी बनाने का प्रयत्न कर रहे थे।

श्री बि० च० देशपांडे (गुना) : बहुत छोटी बात है।

सैठ मोकिन्द दास : हां, छोटी बात है और इसीलिये मैं कहता हूँ कि हमारी राजधानी का निश्चय होने के बाद हम ने बम्बई की भांति झगड़ा नहीं किया। हमारे नेतृत्व ने एक फ़ैसला किया, उस को हम ने सिर झुका कर स्वीकार कर लिया। यह छोटी बात है, इस में कोई सन्देह नहीं है और इसीलिये, जैसा मैं ने अभी निवेदन किया, हम ने बम्बई की भांति अपने यहां कोई असहोमनीय घटना नहीं होने दी। जब हम इतने दिनों से जबलपुर को राजधानी

बनाने का प्रयत्न कर रहे थे तो स्वाभाविक था कि उस को राजधानी न बनने पर हमें खेद हो और खीम हो। आज भी हमें इसके लिये खीम और खेद है, लेकिन हम अपने अपने खेद और दुःख का, अपने खीम का संवरण करना जानते हैं। हम जानते हैं कि अनुशासन क्या है, हम जानते हैं कि नेताओं के सामने सिर झुका कर उन की आज्ञा का पालन करना क्या है, और इसी लिये आप ने देखा कि जबलपुर के राजधानी होने का हक होते हुए भी, राज्य पुनर्गठन आयोग के प्रतिवेदन में यह सिफ़ारिश होखे हुए भी कि जबलपुर इस प्रदेश की राजधानी हो, जब जबलपुर को राजधानी नहीं बनाया गया, भोपाल को बनाया गया तो हम ने खुशी से सिर झुका कर उसे स्वीकार कर लिया।

कुछ चीजें और हैं, जोकि हमारे मध्य प्रदेश की मांगें हैं। एक तो वहां पर विधान परिषद् अर्थात् अग़र हाउस की आवश्यकता है। हमारा प्रान्त इतना बड़ा हो गया है कि वहां पर हमारी आवश्यकताओं की पूर्ति के लिये अग़र हाउस का होना आवश्यक है। इस सम्बन्ध में हमारे यहां के चारों प्रदेशों के मुख्य मंत्रियों ने और हमारे तीनों प्रदेशों की कांग्रेसों के सभापतियों ने एक संयुक्त मांग की। हमारे प्रदेश के लोगों का भी यही मत था, कि हम को विधान परिषद् दी जाये। हमें बताया गया कि उस में कुछ अड़चनें हैं, अग़र अड़चनें हैं तो हमें उन को कानूनी ढंग से दूर कर लेना चाहिये। लेकिन यदि यह कहा जाता है कि जब हमारे अग़ले आम चुनाव हो जायें, और आम चुनावों के बाद हमारे प्रदेश में जो विधान सभा आयें, वह विधान सभा इस बात को तय करे, तो मैं आप से निवेदन करना चाहता हूँ कि इस तरह से यह बात देर के लिये टल जायेगी, और उतनी देर तक इस चीज का टाकना ठीक नहीं होगा। इसलिये

अपर हाउस देने का जो मामला है उस का निपटारा खीघ्र होना चाहिये ।

हमारे बिदर्भ प्रदेश की कांग्रेस कमेटी के सभापति श्री खेडकर जी ने हमारे कुछ हिस्सों को मांगा है । यह एक ऐसा विषय है जिस पर मेरा यह मत है कि बहुत गरमा गरम बहस नहीं होनी चाहिये । इन हिस्सों को मांगते हुए वे कहते हैं कि वहां मराठी भाषा भाषियों का बहुमत है पर इस मांग के साथ उन्होंने ने गोंदिया और मेलघाट का नाम भी क्यों नहीं लिया (Interruptions).

उपाध्यक्ष महोदय : क्या आपस में ही आप फैसला कर लेंगे ?

सेठ गोविन्द दास : राज्य पुनर्गठन आयोग ने इस सम्बन्ध में एक सिद्धान्त स्थिर किया है और वह यह है कि जिन हिस्सों में ७० प्रतिशत आबादी किसी भाषा भाषियों की हो, वहीं इस प्रकार की मांग हो सकती है । खेडकर साहब ने इस सम्बन्ध में जो अंक प्रस्तुत किये हैं उन से मेरा मतभेद है, मैं कहना चाहता हूँ कि जिन हिस्सों को वे मांगते हैं उन में से किसी में भी मराठी भाषा भाषियों की आबादी ७० प्रतिशत नहीं है । इसलिये मेरा निवेदन है कि आप इस विषय में और नीचे न चले जाइये । जहां पर जो हिस्से हैं, गोंदिया, मेलघाट वगैरह भी, वे वहीं पर रहें । यद्यपि मैं जानता हूँ कि उन के यहां कुछ हिस्से हैं जहां पर कि हिन्दी भाषा भाषियों का बहुमत है और वे हमारे यहां रहें यह उचित है, लेकिन अगर हम इस तरह से गांव गांव तक जायेंगे, गांव गांव का विभाजन करेंगे तो इस की कोई सीमा नहीं रहेगी और आपस की कटुता बढ़ेगी । इसलिये हमें इस का प्रयत्न करना चाहिये कि कम से कम मध्य प्रदेश में, चाहे वह हिन्दी भाषी क्षेत्र हो या मराठी भाषी क्षेत्र हो, कोई कटुता न आने पावे । पुराने मध्य प्रदेश में भी आपस में अब तक कोई मतभेद नहीं है हमारा प्रेमपूर्ण व्यवहार है, कभी प्रकार की कटुता नहीं है । इसलिये

मेरा खेडकर साहब से निवेदन है कि वे इन प्रश्नों को न उठावें तो अच्छा है ।

डा० सुरेश चन्द्र (धीरंभावाद) : मैं आप का अत्यन्त आभारी हूँ कि आप ने मुझे समय दिया । मैं इस विधेयक के बारे में, जो मेरे अपने विचार हैं, तथा जो पहले से हैं और जिन को मैं बाहर भी प्रकट करता रहा हूँ, और अपने सदस्यों के सामने भी प्रकट उभर व्यक्त करता रहा हूँ, उन को रखना चाहता हूँ ।

मैं सदा से यह समझता रहा, जब से यह विधेयक आया और जब से भाषावार प्रान्त बनने की चर्चा हमारे देश में शुरू हुई तभी से मेरी समझ में नहीं आता था, और न आज तक आया है, कि हमारे देश में भाषावार प्रान्त बनाने की क्या आवश्यकता पड़ी । क्यों हमारे देश में इस तरह के रिभागनाइजेसन (पुनर्गठन) की आवश्यकता पड़ी । हो सकता है कि आगे चल कर हमें इस की आवश्यकता पड़ती, लेकिन आज नहीं है ।

इस विषय में मैं अपने पूर्ववक्ता सेठ गोविन्द दास जी से, जिन के प्रति मेरे हृदय में बड़ा आदर है, निवेदन करना चाहता हूँ कि जो उन्होंने ने कहा है कि भाषावार प्रान्त की आवश्यकता थी, पिछले जमाने में शायद गांधी जी ने भी कहा था, कांग्रेस ने भी कहा था कि इस चीज की जरूरत है, मैं उस से सहमत नहीं हूँ । जब मैं छोटा था, तब से ही मुझे कांग्रेस के सहयोग में काम करने मौका मिला और तभी से मैं कांग्रेस का सदस्य शायद रहा हूँ । कांग्रेस के इतिहास से मालूम होता है कि किसी जमाने में शायद यह बात सोची गई होगी, लेकिन ऐसी कोई बात आज हमारे सामने नहीं है जिस से यह मालूम हो कि भाषावार प्रान्तों के बनने से ही हिन्दुस्तान के आजाद होने के बाद के सारे समय तय हो जायेंगे । मैं कहना चाहता हूँ कि अगर हम आज की स्थिति को देखें और जगह जगह के समयों को देखें,

[श्री. सुरेश चन्द्र]

तो उसे ही भाज प्राप्त हो लें, कि मध्य प्रदेश का एक अलग राज्य बन गया है, लेकिन आज जो व्यवस्था पैदा हो गई है उससे मासूम होता है कि आज खाली भाषा के ही आधार पर प्रान्त नहीं बन रहे हैं। यदि आप को भाषावार प्रान्त बनाने से तो भाषा का ही आधार मान कर बनाना था। लेकिन अगर आप रिफॉर्मेशन के विषयक को पढ़ें तो देखेंगे कि इसमें भाषावार के साथ दूसरी चीजें, ऐडमिनिस्ट्रेटिव (प्रशासनिक) आदि की भी दी हुई हैं। आज अगर भाषा के ही आधार पर प्रान्त बन रहे हैं तो फिर जगह जगह पर झगड़े क्यों हो रहे हैं, यह सोच कर मुझे आश्चर्य होता है।

मैं बम्बई गया था, वहां मैं सिर्फ इसलिये नहीं गया था कि मैं महाराष्ट्र की एक कांस्टिट्यूएन्सी (निर्वाचन क्षेत्र) की नुमाइंदगी (प्रतिनिधित्व) यहां पर करता हूं, मैं और जगह भी गया हूं जोकि किसी तरह से भी महाराष्ट्र के हिस्से नहीं हैं, लेकिन एक जगह पर भी मुझे ऐसा नहीं मालूम हुआ कि वहां के लोग यह कहते हों कि बम्बई महाराष्ट्र को नहीं मिलना चाहिये। लाबी के अन्दर भी और इस पार्लियामेंट के अन्दर भी यही कहा जाता है कि महाराष्ट्र के साथ बेइसाफी हुई है। महाराष्ट्र का एक एक बच्चा, एक एक स्त्री और एक एक पुरुष यही कहता है कि आप महाराष्ट्र के साथ न्याय करें और जो कुछ आप ने किया है वह सरासर अन्याय है। कुछ ही दिन हुए हमने लोकमान्य तिलक की जयन्ती मनाई। तिलक कोई महाराष्ट्र के ही नेता नहीं थे, वह तो तमाम भारतवर्ष के नेता थे। उन्होंने ही हमको यह मूलमंत्र दिया कि स्वतंत्रता हमारा जन्म सिद्ध अधिकार है। आज मैं देख रहा हूं कि लोगों में प्रान्तीयता की भावना भर करती जा रही है। मैं आपको विश्वासपूर्वक यह कहना चाहता हूं कि मैं उन व्यक्तियों में से हूं जिन्होंने न कभी अपने अन्दर प्रान्तीयता

की भावना अपने भी है और न ही कभी जातपात की भावना पैदा होने दी है और न ही आज मैं प्रान्तीयता के झगड़े में पड़ने का स्वाहिसमन्द हूं। लेकिन साथ ही साथ मैं यह भी कहना चाहता हूं कि आज जब आप भाषावार प्रान्त बनाते हैं तो महाराष्ट्र के साथ अन्याय न कीजिये। आज यह कहा जाने लग गया है कि महाराष्ट्रीय लोगों के अन्दर राष्ट्रीयता की भावना का अभाव है, जिसको कि मैं बिल्कुल गलत बात मानता हूं। मैं समझता हूं जो लोग ऐसी बात कहते हैं वे उन पर लांछन और कलंक का टीका ही लगाना चाहते हैं क्योंकि महाराष्ट्रीय बम्बई को उन के साथ मिलाने की मांग करते हैं। महाराष्ट्रीयों ने भाषावार प्रान्तों की रचना की भाषाज नहीं उठाई, यह कितनी देर पहले ही आन्ध्र इत्यादि के अन्दर उठ चुकी है। मैं आपको बतलाना चाहता हूं कि महाराष्ट्रीय वे लोग हैं जिन्होंने राष्ट्रीयता की भावना को भारत में सब से पहले संचार किया और उस के हक में सब से पहले आवाज उठाई। यह जो मुख्य बात है इसको हमें किसी भी हालत में नहीं भूलना चाहिये। आज यह कह देना कि उन के अन्दर संकीर्णता आ गई है, आसान है, लेकिन इसको सिद्ध करना बहुत मुश्किल है। आप चाहे पंजाबी हों, चाहे मध्य प्रदेश के रहने वाले हों, चाहे कर्नाटक के रहने वाले हों, आप अपने दिल से पूछ कर बतायें कि क्या महाराष्ट्रीयों के साथ अन्याय नहीं किया गया है? कल जब यहां पर बिहार के हिन्दी भाषा भाषी लोग और बंगाल के बंगाली बोलने वाले लोग बहस कर रहे रहे थे तो कुछ बंगाल की इम्पीरियलिज्म (साध्याज्यवाद) की बात की गई थी और सुभाष चन्द्र बोस का नाम तक भी लिया गया था। मुझे भी सीमास्थ प्राप्त हुआ है सुभाष चन्द्र बोस के साथ काम करने का। वे बहुत बड़े व्यक्ति थे। आज मैं देख रहा हूं यहां पर प्रान्तीयता की भावना की बढ़काने

की कोखिब हो रही है। बात पात की बात हो रही है और इस आधार पर भी लोगों को भड़काया जा रहा है। लेकिन मैं यह साफ तौर से कहना चाहता हूँ कि जब तक हमारे देश में पंडित जवाहरलाल नेहरू हैं, जब तक वह जिन्दा रहते हैं, और जितनी शक्ति उन में है, यदि वह उस का इस्तेमाल करें तो आज भी वह सब मसलों को किसी न किसी तरह से हल कर सकते हैं। यदि ऐसा न हुआ तो मैं समझता हूँ कि इस देश के टुकड़े टुकड़े हो जायेंगे और बात पात को ले कर भारतवर्ष छोटे छोटे हिस्सों में बट जायेगा। यदि ऐसा हुआ तो मैं समझता हूँ जो इतिहास भारत का आज तक रहा है, उसी को हम फिर रिपीट (दोहराना) करेंगे। इस बास्ते यदि हमें एकता बनाये रखनी है तो हमें बातपात और प्रान्तीयता की भावना को त्यागना ही होगा।

वहां तक महाराष्ट्र का सवाल है, वहां के लोगों पर जातीयता या प्रान्तीयता के सांखन लगाना, मेरे विचार में, उचित न होगा। इस समय हमारे प्रधान मंत्री जी वहां पर नहीं हैं और यह जो मेरे विचार है और वह जो मेरी छोटी सी आवाज है, मैं समझता हूँ, इसे उन तक पहुंचा दिया जायगा।

सेठ गोविन्द दास जी ने श्री चि० डा० देशमुख के बारे में एक बात कही है। जो कुछ उन्होंने ने उन के बारे में कहा उस पर मुझे अफसोस है। मैं इस बात को मानता हूँ कि मैं श्री देशमुख को बहुत कम जानता हूँ और बहुत ही कम उन के सम्पर्क में आया हूँ। लेकिन इतना कहे बगैर मैं नहीं रह सकता कि उन्होंने ने जिस ईमानदारी से, जिस योग्यता से और जिस एफिजेंसी से अपना काम किया उस से उन्होंने ने अपना सिक्का जमा लिया है और मेरे विचार में इस सदन का कोई भी माननीय सदस्य इस बात से इन्कार नहीं करेगा। सेठ जी ने यह भी कहा कि वह आई० सी० ए०

और पुरानी मनोवृत्ति के थे। लेकिन मैं उन को बतलाना चाहता हूँ कि हमारे देश के अन्दर ऐसे आई० सी० ए० आखिर भी हुए हैं जिन्होंने आई० सी० ए० के अन्दर रहते हुए भी देश की बहुत सेवा की है।

सेठ गोविन्द दास : ऐसे तोच कितने हैं ?

डा० सुरेश चन्द्र : श्री देशमुख का जवाहरलाल जी के साथ मतभेद हो गया था, कांग्रेस पार्टी के साथ बम्बई के मामले में मतभेद हो गया था लेकिन केवल इसी आधार पर मैं यह कहने के लिये तैयार नहीं हूँ कि वह देश की नजरों से गिर गये हैं। अगर कोई ऐसा कहता है तो मैं इसे मानने के लिये तैयार नहीं हूँ। आज सेठ जी का पंडित नेहरू के साथ जो हत्या को बन्द करने के लिये मतभेद है। पंडित जी ने वहां पर वह कहा है कि सेठ जी को मतभेद रखने का पूरा हक है। इसलिये मैं समझता हूँ कि श्री देशमुख को इस बात का पूरा हक था कि वे अपना मतभेद प्रकट करते। किन्तु श्री देशमुख ने जवाहरलाल जी के प्रति कुछ ऐसी बातें कहीं जोकि अनुचित थीं और जो उन्हें नहीं कहनी चाहिये थीं।

Mr. Deputy-Speaker: I must remind the hon. Member that what he has said about Shri C. D. Deshmukh is not exactly the point at issue. We should rather confine ourselves to the present topic.

Dr. Suresh Chandra: I referred to it because the previous speaker made a reference to it.

Mr. Deputy-Speaker: The hon. Member has already answered it.

Dr. Suresh Chandra: I am sorry.

महाराष्ट्र के अन्दर एक एक बच्चे के अन्दर आज जो भावना है उस को हमारे लिये जोकि महाराष्ट्रीय नहीं है, समझ सकना असान नहीं है। इस बास्ते मैं इस सदन से प्रार्थना करता हूँ कि वह इस

[बा० सुरेश चन्द्र]

प्रश्न पर ठंडे दिल से विचार करे। मैं यह भी कहना चाहता हूँ कि जो हमारे प्रधान मंत्री हैं वह उदार हृदय के धारणी हैं। हो सकता है कि उन को उदार हृदयता के कारण कुछ लोग नाजायज फायदा उठाते हों। लेकिन मैं उन की उदार हृदयता से अपील करता हूँ और पूरे जोर के साथ तथा पूरे अन्तःकरण के साथ प्रार्थना करता हूँ कि वह इस सवाल पर पुनः विचार करें। महाराष्ट्र जो है वह भारत की राष्ट्रीयता का एक मुख्य धन है और उस को हमें निगलेक्ट (उपेक्षा) नहीं करना चाहिये, उस की और लापरवाही नहीं दिखानी चाहिये। तिलक महाराज ने भारतवासियों को एक मूलमंत्र दिया था जिस के बारे में मैं पहले ही कह चुका हूँ। तिलक महाराज आज से सौ बरस पहले इस देश में हुए थे और उस समय हुए थे जबकि भारत के लोग किसी दूसरी ही हवा में रह रहे थे। केवल वह ही नहीं और भी बहुत से महापुरुष महाराष्ट्र ने भारत को दिये और आज भी वह ऐसे ऐसे विद्वान भारत को दे रहा है जोकि भारतीय संस्कृति की सेवा कर रहे हैं। मैं यह नहीं कहता कि दूसरे प्रान्तों ने महापुरुष नहीं दिये, उन्होंने ने भी दिये हैं। तो आज मैं चाहता हूँ कि यह सारा सदन इस बात को समझ ले और इस बात को स्वीकार करे कि महाराष्ट्र की जो जायज मांग है, उस की किसी भी हालत में ठुकराया नहीं जा सकता। यह मैं कोई धमकी देने की गरज से नहीं कह रहा हूँ और न ही महाराष्ट्र की तरफ से कोई धमकी ही इस बारे में दी गई है, लेकिन जो गलत भावना महाराष्ट्र के प्रति हमारे दिल में पैदा हो गई है उसे हमें दूर करना ही होगा। मैं समझता हूँ इस में कोई प्रेस्टीज (आत्म सम्मान) का सवाल नहीं है।

मैं बम्बई में गया हूँ। वहाँ पर मैं गुजराती भाषियों से मिला हूँ, पारसी भाषियों से मिला हूँ और मैं आप को वह बतलाना

चाहता हूँ कि उन में से मुझे किसी ने भी यह नहीं कहा कि बम्बई को महाराष्ट्र में मिला देने से उन को कोई किसी किस्म का नुकसान हो जायेगा। ऐसी दशा में ईमानदारी से, सच्चाई से तथा देशभक्ति की भावना से प्रेरित हो कर मैं यह कहता हूँ और प्रधान मंत्री जी से प्रार्थना करता हूँ कि वह जो निर्णय कर लिया गया है उस को बदलें और महाराष्ट्रियों के साथ न्याय करें। जवाहरलाल जी ने कहा है इस सदन को पूरा अस्तित्व है कि वह इस फैसले को बदल दे। आज वह कहना कि महाराष्ट्रीय डेमोक्रेट (प्रजातन्त्रवादी) नहीं हैं, गलत है। मैं समझता हूँ उन के जैसे डेमोक्रेट आज देश के अन्दर कम ही होंगे। मैं आप को इस बात का भी यकीन दिलाना चाहता हूँ कि जब कभी मौका आवेगा तो आप देखेंगे कि महाराष्ट्र के लोग किसी से पीछे नहीं रहेंगे और आगे ही बढ़ेंगे। मेरी प्रार्थना है कि उन की भावनाओं को आप मत कुचलिये और उन की देश-भक्ति को, भारतीय स्वतंत्रता-संग्राम में की गई उन की कुर्बानियों को मत भूलिये। मेरी इस सदन से और विशेष कर प्रधान मंत्री, पंडित जवाहरलाल नेहरू से, यह प्रार्थना है कि वे भारत की एकता को कायम रखने के लिये, भारतीय संस्कृति को आगे बढ़ाने के लिये, इस प्रश्न पर विचार करें और उस का कोई समुचित हल निकालें। यह ठीक है कि सिलेक्ट कमेटी (प्रवर समिति) ने इस विषय में निर्णय किया है, लेकिन मैं समझता हूँ कि इस पार्लियामेंट (संसद्) को उस की बदलने का पूरा अस्तित्व है और हमें उस को बदल देना चाहिये। सिलेक्ट कमेटी के निर्णय को बदल कर हम को बम्बई को महाराष्ट्र की राजधानी बनाना चाहिये। अगर आप ऐसा करेंगे, तो आप देखेंगे कि किस तरह सारे हिन्दुस्तान में आशाचरण में आनन्द और उत्साह का समावेश हो जायेगा।

में समझता हूँ कि इस सदन को यह बात ही होना कि आज महाराष्ट्र में कितनी गरीबी है। वह ठीक है कि बिहार में भी बहुत गरीबी है और कलकत्ता में भी है, लेकिन मैं आप से निवेदन करना कि आज जरा महाराष्ट्र के बाँवों में जा कर देखिये और वहाँ के लोगों की देशभक्ति की भावना को देखिये। सस्त गरीबी में भी रह कर वे जिस तरह देश की सेवा कर रहे हैं, अन्य स्थानों पर वह आप को कम ही मिलेगा। इसलिये बेरी यह प्रार्थना है कि आप उन लोगों की इस भावना को मत ठुकराइये। महाराष्ट्र ने देशभक्ति और स्वराज्य का जो सन्देश सारे हिन्दुस्तान को दिया—और जिस को सारे हिन्दुस्तान ने स्वीकार किया—उस को मत ठुकराइये और उस को वाद रखिये। उसी भावना के कारण हम लोग आज इस ऊँचे स्थान पर बैठे हैं। उस भावना को कुचलना उचित नहीं है।

Shri Frank Anthony (Nominated—Anglo-Indians): As a member of the Joint Committee I want to pay a very sincere tribute to the hon. Home Minister—I am sorry he is not here—for the outstandingly able and tactful way in which he presided over the deliberations of this Committee. In my many years of parliamentary experience—and I am one of the really older Members of this House—I have seldom come across a Select Committee presided over in this manner. Quite frankly I must say that the Home Minister was not only seized of every provision but almost literally of the significance of every word and every phrase and even when he rejected any point of view, he did it in such a painless and almost charmingly disarming manner as to make a person feel that his proposal had not been rejected.

As the Home Minister has mentioned, there was almost complete unanimity on much the greater part of the provisions of the Bill. My dissenting note to the report is only in respect of one matter, that is, with

regard to the absence of safeguards for linguistic minorities. In my opinion, it is a very important matter. In appending my minute of dissent I did it in a mood of sadness because the spirit of accommodation which was generally shown in respect of other matters was, I felt, in respect of the need for safeguards for linguistic minorities, not there. As I mentioned in my minute of dissent, in my opinion, the Bill is marred; it is disfigured by the complete absence of a single safeguard for linguistic minorities. I use that expression advisedly. I say and I repeat that there is not a single safeguard as such, for the linguistic minorities either in the S.R. Bill or in the Constitution Amendment Bill. Because, in my view, a safeguard postulates a certain provision which has sanctions behind it. A safeguard or a guarantee postulates something which is enforceable. There is not, from that point of view, a single safeguard or a single guarantee. And, this is all the more regrettable because recently, particularly, the All India Congress Committee, the Congress Working Committee, the Prime Minister and the Home Minister have proclaimed over and over again the need not only for ample, not only for specific but also for generous safeguards for the linguistic minorities. Thus, we see this tremendous gap between profession and practice. This profession that the linguistic minorities must be amply and generously safeguarded is offset by the fact that there is no single safeguard in both these measures. I feel that it was not the deliberate intention of Government to have this gap between promise and performance but it is there. And, I say this to the Members of the House that this complete absence is a challenge not only to the conscience of the Government; it is a challenge to the conscience of every Member of this House and, particularly, to the conscience of the majority party.

Perhaps, in replying the Home Minister may say: but we have provided two clauses for the linguistic

[Shri Frank Anthony]

minorities. As I have said in my minute of dissent, I am not here to belittle those clauses. For what they are worth, they will be there. But, what are they worth? The first provision is the provision that the Zonal Councils will consider linguistic minority matters. I am grateful for the change in the phraseology which was made at my instance. Under the original phraseology, only those matters in respect of linguistic minorities will be considered which arose directly out of reorganisation. All matters concerning the linguistic minorities, under the original phraseology, were not within the purview of the Zonal Councils. I pointed out this defect and the Joint Committee re-worded that clause so that every matter concerning linguistic minorities will now be within the purview of the Zonal Councils. But, even with this change of phraseology, what is the effect? What is the sanction, what are the teeth in this provision? It was conceded by Government when I raised this point. Yes; it is all very well. But, let us assume that a grievance is raised by a linguistic minority against a particular State. The Zonal Council machinery is so completely permissive, it is so completely denuded of any teeth that the defending State may refuse to attend a meeting of the Zonal Council and even if it condescends to attend, it may say in the face of the unanimous finding of all the other members that the complaint of the linguistic minority is a valid complaint, it is a substantial complaint, the defending State can ock political snooks at them and can treat the unanimous finding of all the other members with complete and undisguised contempt. What is the sanction? None whatsoever. Some kind of provision is there; but, as a guarantee it is meaningless; it is worthless as a safeguard.

Then, there is also this difficulty. Who is going to raise the matter in respect of a linguistic minority before the Zonal Council? Only those linguistic minorities with political influence will be able to raise it. The

Bihari minority in Bengal will be able to raise a matter because they have got the support of the Bihari majority across the border; the Bengali minority in Bihar will be able to raise the matter because they have got the Bengali majority on the other side of the border. But who will raise a matter on behalf of a linguistic minority which has no political influence? No one. And, however oppressed that linguistic minority may be, however valid its grievance, however discriminated against it may be, it will have to continue to suffer in silence.

I have dealt with the Zonal Councils. They are there; but they have no value because there is not, as I said, any sanction behind. What is the other provision? The other provision will come before this House. It will be in the nature of an addition to the Constitution that it shall be the endeavour of the States and also of local authorities to provide education to linguistic minorities through the medium of their mother tongue. Good, because it is a pious declaration and a pious intention. But what is it worth? We know that almost similar—phraseology has been used in article 45 of the Constitution. Article 45, which is one of the Directive Principles of the Constitution uses almost identical phraseology. It says that the State shall endeavour to provide free and compulsory education. That was passed in 1950. Within a period of 10 years—10 years are almost complete—has any single State endeavoured to provide or provided free and compulsory education? Of course not.

Shri Feroze Gandhi (Pratapgarh Dist.—West cum Rae Bareli Dist.—East): There is Kashmir.

Shri Frank Anthony: Kashmir is sometimes not regarded as a proper part of India. I am not blaming the States. I am only saying that they have not got the resources. What is

the use of the word "endeavour" in this provision? The States will say, "We have not got the resources; how are we to provide education through the medium of the mother-tongue?" Therefore, we will have to wait for decades, generations or centuries before this provision becomes a reality.

We know that the S.R.C.—the three wise men of the S.R.C.—spent a long period of time over this. What have they done? They considered this matter of linguistic minorities as of such importance that they devoted a whole chapter to it—chapter I of Part IV—and they have mentioned that numerous complaints were placed before them, complaints of cultural oppression and economic discrimination. They have even referred to the fact that some States deliberately *mala fide* evolved certain domiciliary qualifications, tests for service in the State in order to deliberately oppress the minorities. They have also recorded the fact that complaints were made to them that even in the face of statutory safeguards, safeguards in the Fundamental Rights Part of the Constitution, minorities have suffered cultural oppression and economic discrimination. They gave this matter their careful consideration. What did they recommend? That is what I want every Member of this House to consider and consider carefully. This was their categorical recommendation. They say that the Governor shall be the agent of the Central Government, that the Central Government shall be responsible to Parliament for the way in which the Governor acts as the agent of the Centre. Finally they have said that the question of linguistic minorities is a matter of national concern, and because it is a matter of national concern, the smaller democracies of the States must be controlled by the larger democracy of the Centre. That is what they have said. The Centre must take powers; this is a national concern; the Centre as such must discharge its duties because it is a matter of national

concern. They have gone on to conclude that because of this, the Centre must take powers to issue directives through the President to the States which will be binding on the States. Have Government done anything like that?

There was a strong feeling, or unanimous feeling in the Committee that there must be a Central agency, that the Central agency must have power; there was also a strong feeling—and I particularly felt—that in this provision, while they have definitely recommended that there must be a Central agency, that the Centre must take powers, they have also said that the Governor must act as the Centre's agent. I am opposed unqualifiedly to the recommendations for many reasons. For instance, I pointed out that it is wrong to bring in a constitutional head into a position of likely conflict with the States. It is wrong to embarrass him. If he is made a primary custodian in a State of minority interests, the minorities will keep running to him the whole time. What will be his position? We know—and you, Mr. Deputy Speaker probably too, because we both have been in this game for many years—what the Instrument of Instructions to the Governors under the 1935 Act amounted to. I know it myself because I used to see how the Instrument of Instructions used to be twisted and corrupted. I referred to them as Instruments of 'Destruction'. Even in the days when some Governors were disposed deliberately to set one minority against another they were not prepared to come into conflict with their Ministers because of the minorities. Today, the Constitution being what it is, they will not act. They will be too weak and afraid. Some of them are too conscious of the fact that they are creatures of the party in power in a particular State. Are they going to act? If they do not act—that is my complaint—what will happen? The complaint will go to the Governor. He will sit on it and put it into cold storage, and the Centre will not even be seized of the matter.

Pandit Thakur Das Bhargava (Gurgaon): If they act, the situation will be worsened.

Shri Frank Anthony: I felt that in the context of the fact that we have created so many more linguistic minorities, we have given so many more hostages gratuitously to cultural, social and political serfdom, deliberately by this legislation, I should have thought that in this position, the Government would have said that in the present context we should at least have a Ministry for linguistic minorities. Because the Government has a blind spot in this matter, it cannot forget the inhibitions which are the hang-over of the attitude towards the old religious minority problem. I conceded, "Do not let us have it". But I suggested a Statutory Minorities Board. Against that is the argument in the S.R.C. itself that they felt that Statutory Minorities Board would be a bad thing, that to have such a quasi-judicial body sitting in judgment over the State would be a bad thing, that it would be a bad thing because it would also make the minorities look beyond their borders. I do not understand this argument at all. The S.R.C. itself has definitely postulated a Central agency. A Central agency implies that the minorities will look to the Centre beyond their borders. I do not understand this position of encouraging the minorities to look beyond the borders. What have we done? If the Government is opposed in principle to the minorities looking beyond the borders, why have they remitted this question of linguistic minorities to Zonal Councils? I say that it is one of the most reactionary things that we have done. It is worthless as a guarantee. I can see as the result of irredentism the majority in Bengal claiming the Bengali-minority in Bihar and the majority in Bihar claiming the Bihari-minority in Bengal. It is true, in an antinational way that a majority in one State will deliberately activate a minority in the other State to make extravagant, exaggerated and impossible demands. We use this cliché

that a minority should not look beyond its borders. Yet we have done it through this Zonal Council device. We are deliberately encouraging the minorities to make extravagant and impossible demands.

When the Commission made this recommendation, which has been rejected in the Bill, that there should be a Central agency, they had no conception of the violent reactions or the evil turn that language passions would take in this country. I do believe that if today those three people were making a recommendation in view of the evil turn which language passions have taken, they would have made much stronger recommendations for more specific safeguards for linguistic minorities. I say this with the utmost respect that the Government cannot run away from or disclaim its responsibilities. I said that—surely mine was not a unique wisdom—when the Andhra Bill was on the anvil here and I opposed it bitterly. I also said that one community will break the heads of another community and that in certain States the women of one minority will not be able to walk with safety because of this evil of linguistic reorganisation. It has come true largely—I hope I prove a false prophet—and I know we have not come to the end of the consequences of this evil thing. We have created so many linguistic minorities. We have deliberately created these conditions. We may try to adopt some kind of ostrich policy. We did it when the Andhra Bill was here. We have gratuitously revived tribal passions.

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes): Do not bring in tribals.

Shri Frank Anthony: I have used it in a metaphoric sense and not in the specific sense which my friend has in mind.

I say this categorically that, if the safeguards which I proposed are not given, the minorities in certain areas will live in political, cultural and

economic helotry. It is not only their right but it is the duty of the Centre to take powers to do certain things and qualify those conditions.

When my proposal for a statutory minorities board was turned down, I made a further proposal, a diluted proposal. I said: let us at least have a linguistic minorities' commissioner making a report to the Parliament and the President shall have power to issue directives, if necessary. Even that was rejected. I cannot understand this attitude at all.

As a last desperate step, I suggested: let us have a simple provision giving the President powers to issue directives when necessary. That also was rejected. What are we left with? The Centre is utterly helpless in this matter. I submit that—absolutely, without any qualification—the President and the Central Government and Parliament are helpless in the matter of linguistic minorities. Unless we have a provision not only in the Bill but in the Constitution itself, giving specific powers to the President, the President cannot lift a little finger. The whole scheme of our Constitution is like that. We have no provision comparable to the American provision whereby the President has got the residuary and over-riding power to issue directives to see that laws are faithfully executed. With regard to the Scheduled Castes and Tribes, there is article 339. The President can issue directives because powers have specifically been given to him. Even when there is an emergency, under article 357, the President can issue a directive because powers specifically to issue directives have been given to him.

What is the position here? The report as it has emerged from the Joint Committee says that the Governors will use their good offices. These good gentlemen may use their good offices. It is not only different from, but opposed to, the recommendations of the S.R.C. The Governors were to act as the agents under a specific machinery and the Centre would in the final analysis

have power. But, the Governors should use their good offices. What will you do if the Governor does not use his good offices and sits on them? Or, what will happen if he uses his good offices and makes a recommendation to the Centre? The Centre will be left sucking its thumb because it is utterly powerless to do anything.

We are told that they are going to examine a proposal for having a Commissioner? What will he be? He will be more worthless than the unfortunate Commissioner for the Scheduled Castes and Tribes at present. At least he has got some statutory power while this Commissioner would not have any such power. What will he do?

Shri Jaipal Singh: Suck his thumb!

Shri Frank Anthony: He will take some of the tax-payers' money but what else will he do? There is no provision even that he should report to Parliament. He may make a recommendation to the Central Government. But, as my friend, Shri Jaipal Singh, said, he and the Government will both suck their thumbs because they have no powers to issue directives. That is the tragedy. I just do not understand the position. I have a strong feeling because all these fulsome promises which are given to the minorities, day in and day out, have been broken, the specific recommendation of the S.R.C. has been deliberately ignored. Why? Because of some perverse, utterly untenable theory of State autonomy. It is so sacrosanct. If the Centre is given powers, it will be an encroachment on State autonomy! Since when have the linguistic minorities become the exclusive concern of the States? I agree, as every sane man will agree, that the minorities must learn to live with the majority. Does that mean that they are going to be surrendered to the tender mercies of the unequal capacity and unequal status of the majority?

Some State Minister said: "I have been a Chief Minister for twenty years." I told him: "You are a big

[Shri Frank Anthony]

man, physically and otherwise. You do not know the pigmies, physically and otherwise, whom I have met in some States." You are going to remit to the tender mercies of such people the fate of the linguistic minorities. I just do not understand this.

The S.R.C. say that the minorities should be of national concern. They have said the larger democracy in the Centre must override the smaller democracy in the States. Why do you reject it? I will tell you, why. Because you concede things only at the end of a kirpan, or at the end of a lathi, at the end of political blackmail. The minorities that use constitutional methods nobody listens to. That is the tragedy.

Here, you are rejecting categorically the recommendation of the S.R.C. What grievance have you got against the linguistic minority that you deliberately ignore and prostitute the recommendations of the S.R.C.? Have you got any grievance against them because they are not prepared to use *dandas*, to burn and kill? Is that why you act so?

I am speaking with feeling because I thought that this was a simple matter. Promises were given. The promises of the Prime Minister, the promises of the Home Minister—are they for international consumption? It is ahimsa at home, ahimsa abroad. The fulsome promises given to the minorities are all perhaps for international consumption and when it comes to actual carrying out of the promises, you reject even the anaemic, diluted recommendation of the S.R.C. People like me feel bitter because we see the way in which things are done, and the way how the constitutional approach is being treated by the Government.

I do not understand this argument that the minorities must not look beyond their borders. I say it is my inalienable right to look to the Centre. I say it is your duty, which you have forgotten, to look after the

minorities; it is the inescapable duty of the Centre and this House to look after the minorities. The States are afraid. Cannot they trust Parliament? What am I asking for? I say this. Let there be a linguistic commissioner reporting to Parliament. It is considered to be some kind of political heresy. Why should not Parliament be remitted with considering that report? You do not trust your President, your Prime Minister and the Parliament in the name of sacred State autonomy!

Shri B. D. Pande (Almora Distt—North-East): We trust; you do not.

Shri Frank Anthony: I do not want him to divert me. I do not want to tell him about the orders which were a flagrant violation of the Constitution. I do not want to tell him that today my schools have been stifled and they are being killed because of the way in which the minority safeguards have been defiled and prostituted. I do not want to tell him all that. You should be in a minority to feel the pinch. This kind of talking philosophy to minorities is a completely unsubstantial problem. We know what the real position is.

Sir, as I have said, who is better qualified than Parliament to consider a linguistic minority report? There will be breaking of heads in Zonal Councils and in States. You know, Sir, better than I do, that certain States are bedevilled by parochial and regional considerations. Is not Parliament representing a cross-section of the people, is it not the best qualified machinery for being the ultimate custodian of such things? The Government says: 'no' in spite of what the S.R.C. has said. I do not understand this. And this is done in the name of State autonomy. If the States do not trust the President, if the States do not trust the Prime Minister, if the States do not trust Parliament, then how do you expect the linguistic minorities to trust the States, after the bitter experience of the way in which safeguards have been ignored and flouted since 1950?

I had moved another resolution asking that a linguistic minority should have the right to affiliate educational institutions administered by them to an examination through the medium of their mother-tongue. I had the unanimous support of the Select Committee. They said it is very desirable, but it was not put into the Constitution. Why? It is a natural corollary to the right that a linguistic minority should have educational institutions of its choice. You have given that as a fundamental right—article 30—that every linguistic minority has a right to have educational institutions of its choice. What have I asked for? Since we have a right to run our own institutions, we should have the right at least to affiliate those institutions to an examination in our mother-tongue. See what has happened. I do not want to name the States. See the way in which this guarantee works. English is my mother-tongue. My schools are the main purveyors of the English medium. But, because of the lingering resentment against Englishmen you transpose that resentment against English. Everything is done openly and insidiously to destroy my schools. You know what happened in Bombay. Other States have told me that after 1957 they will not give us an examination through our medium. What will happen to us? Where will we go? You gave us the right in article 30 to teach through English. We teach almost a million peoples in the country. Now you say that you won't give us an examination. The Travancore-Cochin Government said that they will not let us take the Senior Cambridge Examination. That is what we are suffering from today. The Senior Cambridge Examination is recognised by the Centre, by the States and by the universities. In some cases it is considered as equivalent to the Intermediate examination. The Travancore-Cochin Government deliberately tells me—because the examination is through the medium of English—that I cannot take the Senior Cambridge Examination. The Centre recognises it especially for certain safeguards in respect of Anglo-Indians. I have only

asked for an examination. You proclaim to the world that you are giving me the right to run my own institutions and you kill them in an insidious and dishonest way.

I asked for a provision in the Constitution and the Government said, no. But it was said that it will be referred to the Education Ministry and if they approve of it, it will be put in the Home Ministry's circular. I am grateful, as a member of a minority community in India today, for the small mercy that it may go into the Home Ministry's circular. As I have already said, I know that the Centre is well-intentioned. But the Centre is not taking powers. It goes into the Home Ministry's circular. The Centre has all kinds of good things there. But what is the value of the Home Ministry's circular? It is not worth the paper it is written on, because the Centre is not taking any powers. As I said, if the Centre does not act as the S.R.C. has said and goes on issuing directives, the States may say deliberately: "You can put your advice in your pocket; you can, if you smoke a pipe, put it in that pipe and smoke it". The States will deliberately refuse to accept the advice from the Centre and the Centre will be utterly powerless. That is what we are left with today: advice, pious promises, assurances, meaning precisely nothing in the final analysis. And what have I asked for? What is this bogey, what is this blind spot in the Government make-up? Have I asked for separate electorates; have I asked for quotas in the services; have I asked for reservation of seats, that you consider my request so heinous and unreasonable? What have I asked for? I have asked you to give a right to the Centre to intervene when it considers necessary. I have asked you to give powers to the Centre. You are not prepared to give your own Central Government powers when they consider it necessary to issue directives. Is the Centre going to behave like an urchin, or in a puerile manner? These words are bandied about in this House nowadays. Are they going to keep on issuing directives? They will issue a directive only when a State Government

[Shri Frank Anthony]

is clearly in error, and that is what you are refusing to do. You are refusing to give the Centre that right in the final analysis.

Sir, I must apologise as I have spoken with some heat. This is a vital matter and it is a matter which will affect a large number of people. I am appealing to my friends on all sides. Why do you deny even this small provision that the S.R.C. has categorically recommended? Why do you do it? If this House does it, what will it amount to? It will mean that you will be breaking your promises to the minorities, that you will not have kept faith with them and that all your pretensions to generosity will be meaningless, because, as I have said, in rejecting my several proposals, in rejecting the strong feeling of every Member in the Joint Committee who spoke,—including Kaka Kalelkar; he said that you must have a central agency with powers—in rejecting the recommendation of the SRC, there is no question of being generous; as I said, you are not only not being generous, you are not being elementarily just.

श्री रावे साल ब्यास (उज्जैन) : कई दफा इस मसले पर चर्चा होने के बाद अब फिर राज्य पुनर्गठन का मसला ज्वायंट कमेटी (संयुक्त समिति) की रिपोर्ट (प्रतिवेदन) के साथ हाउस के सामने आया है। कल हमारे भूतपूर्व वित्त मंत्री जी ने जो वक्तव्य दिया उस से तो ऐसा मालूम होता है कि पिछले अधिवेशनों की तरह इस अधिवेशन में भी इस मामले में अधिकतर महाराष्ट्र के मसले को ले कर ही गर्मा गर्मी होने जा रही है और उस का प्रारम्भ कल से हो भी गया है। बिहार का जहां तक सवाल है वह कल ही शुरू हुआ और कल ही समाप्त हो गया, और अब जब ज्वायंट कमेटी की रिपोर्ट आयेगी तभी कुछ होगा। लेकिन जहां तक महाराष्ट्र का सवाल है, उस के बारे में हमारे नेताओं ने, शासन ने तथा दूसरे लोगों ने काफी लम्बे छत्तें तक विचार किया और कई लोगों से रायें भी लीं, और बार बार

सोचने के बाद एक निर्णय किया गया कि पांच साल के लिये बम्बई सेन्ट्रली ऐडमिनिस्टर्ड (केन्द्र द्वारा शासित) क्षेत्र रहे। जैसा हमारे मित्र सेठ गोविन्द दास जी ने बताया, पांच साल का कर्मा किनी राष्ट्र के लिये कोई बहुत बड़ा कर्मा नहीं माना जा सकता। बम्बई को महाराष्ट्र से सींच तो लिया नहीं गया है, यही फैसला किया गया है कि यदि जनता की राय होगी तो कल्प में वह महाराष्ट्र के अन्दर चला जावेगा। इसलिये मैं इसे उचित नहीं समझता कि इस मसले को ले कर हाउस में गर्मा गर्मी से फिर बहस हो और देश का बातावरण खूब हो। ऐसे समय में जबकि हम दूसरे पंचवर्षीय योजना को ले कर आगे बढ़ना चाहते हैं, यदि हम महाराष्ट्र के इतिहास को देखें और सोचें तो पायेंगे कि एक जमाना था जबकि सारे देश की आँखें महाराष्ट्र की तरफ लगी हुई थीं। महाराष्ट्र का क्षेत्र महाराष्ट्र तक ही सीमित नहीं था, सारे देश की ही आँखें उस की ओर लगी हुई थीं और महाराष्ट्र का प्रभाव सारे हिन्दुस्तान में फैला हुआ था। लेकिन दुर्भाग्य की बाग है कि महाराष्ट्र में ही पूना में पेशवा होलकर और सिंधिया के बीच जो आपस में जगड़े और इंटीग्रि (दाकपेच) चले उस के कारण महाराष्ट्र ही गुलाम नहीं हुआ बल्कि सारा भारतवर्ष भी गुलाम हो गया। आज हम देश में देखते हैं कि प्रान्तीयता और जातीयता का बोल बाला है। इस चीज को चाहे हम मानें या न मानें लेकिन यह बात सत्य है। अगर आज किसी भी बड़ी जगह पर कोई बंगाली काम करता है तो उस की इच्छा यही होती है कि उस के डिपार्टमेंट (विभाग) में जैसे भी हो, बंगाली ही बंगाली हों। यदि कहीं पर पंजाबी आफिसर लगा होता है तो वह यही चाहता है कि पंजाबी लोगों की ही नियुक्तियां उस के डिपार्टमेंट में हों।

3 P.M.

एक माननीय सदस्य : यह गलत बात है।

श्री राधे साल व्यास : यह विल्कुल सही है और मैं आप को बतसाना चाहता हूँ...

श्री ड० यू० त्रिवेदी : यह विल्कुल सही है ।

श्री राधे साल व्यास : कि एक दफा मैं लोकस्ट आर्गेनाइजेशन (टिड्डी विनाश संगठन) का अध्ययन करने के लिये राजस्थान गया था और एस्टीमेट्स कमिटी (प्राक्कलन समिति) के एक सदस्य की हैसियत से गया था । वहाँ पर लोगों ने मुझ से यह शिकायत की कि उन के डिपार्टमेंट का जो हैड है वह एक सिल है और वह सिलों को ही रखना पसन्द करता है और रखता है । जहाँ पर भी मैं गया वहाँ पर ही मुझे यह शिकायत सुनने को मिली । मैं यह नहीं कहता कि यह बुराई उसी में ही थी लेकिन इस तरह की बुराई भारतवर्ष के कोने कोने में फैली हुई है । चाहे कोई गुजराती हो, चाहे महाराष्ट्रीय हो, बंगाली हो चाहे बिहारी हो, सभी के बारे में यह बात कही जा सकती है । यह चीज केवल जातीयता और प्रांतीयता के ही कारण है, इस बात से भी कोई इन्कार नहीं कर सकता । इस बीमारी से कोई बचा हुआ नहीं है, कोई बरी नहीं है, कोई बंचित नहीं है । इसी के कारण भारत का बटवारा हुआ । आज हमें काश्मीर सबक सिखा रहा है और हमें उस से सबक लेना चाहिये । वहाँ पर मुसलमानों की ज्यादा आवादी होते हुए भी, उस ने भारत के साथ रहने का दृढ़ संकल्प कर रखा है और इस का फ़ैसला भी कर लिया है । आज हम सब प्रांतों के लोग एक साथ रह सकें, या प्रांतीयता की भावना से ऊंचे उठ कर कार्य कर सकें, इस की कम आशा ही नज़र आती है । लेकिन मैं पूछना चाहता हूँ कि क्या हमें इस का प्रयत्न नहीं करना चाहिये कि यह बुराई जो हमारे अन्दर चुस आई है, इस को हम निकाल बाहर करें और अन्धकार की ओर हम देश को ले जायें ? अगर कोई आशा की किरण भी तो वह कम्पोजिट स्टेट्स

(संघचित राज्य) के निर्माण से ही थी कि सिफ़ारिश राज्य पुनर्गठन आयोग ने की थी । मैं समझता हूँ कि बम्बई प्रदेश जैसा कि उस के बारे में सिफ़ारिश की गई थी । उसी के मुताबिक कायम किया जाता । दूसरे यह और भी ज्यादा अच्छा होता कि विदर्भ को धलय न रख कर उसे मध्य प्रदेश में ही रखने दिया जाता ताकि मध्य प्रदेश की एक कम्पोजिट स्टेट बन सकती । राज्य पुनर्गठन आयोग ने यदि विदर्भ को धलय प्रान्त का रूप देने के बजाय मध्य प्रदेश में ही रखने की सिफ़ारिश की होती तो ख़ासतः इस का उतना विरोध न होता और बम्बई प्रदेश भी जैसा कि सिफ़ारिश की गई थी, कायम रह सकता था । जब देश मुलाम था तो महाराष्ट्र के लोगों ने इसे आजाद कराने में बहुत बड़ा हिस्सा लिया । जो बुराईयाँ अब पैदा हो गई हैं उन से निकलने की यदि किसी ओर आशयें थीं तो वे महाराष्ट्र की ओर ही थीं । महाराष्ट्र के लोग ही आप को ऐसे मिलेंगे जोकि हिन्दुस्तान के सभी प्रांतों में, गुजरात में, मध्य प्रदेश में, साठव (दक्षिण) में तथा दूसरे हिस्सों में जा कर बसे हुए हैं और चुल मिल कर वहाँ पर कार्य कर रहे हैं ।

श्री फ़िरोज गांधी : पंडित पंत को ही देख लीजिये ।

श्री राधे साल व्यास : बहुत ही अच्छा उदाहरण दिया गया है । पंडित पंत महाराष्ट्रीय हैं और कई बयों तक उन्होंने ने उत्तर प्रदेश का शासन चलाया है और वहाँ के मुख्य मंत्री रहे हैं । केन्द्र का तो कहना ही क्या, वहाँ पर तो सभी प्रांतों के लोग मंत्रियों के पदों पर नियुक्त किये गये हैं ।

तो मैं धरुं कर रहा था कि महाराष्ट्र की ओर हम बड़ी बड़ी आशयें लगाये बैठे थे । अभी भी समय बीता नहीं है, महाराष्ट्र को देश को बहुत धाने बढ़ाना है । वह जो प्रांतीयता और जातीयता की बुराई देश में चुस गई है, यदि इस को कोई दूर कर सकता है तो वह महाराष्ट्र ही कर सकता

[श्री राधे नारायण]

है। उसी का ऐसा इतिहास रहा है और उसी को इन को दूर करने के अवसर मिले हैं और वही सब के साथ जुल मिल कर रहा है। लेकिन यह दुर्भाग्य का विषय है कि आज महाराष्ट्र एक बिल्कुल छोटे से दायरे में अलग जा कर बसना चाहता है। मैं समझता हूँ यह न केवल महाराष्ट्र के लिये ही दुर्भाग्य की बात है बल्कि तारे देश के लिये यह भी बातक सिद्ध होगी। इस-लिये मैं समझता हूँ महाराष्ट्र को अब भी ऊंचा उठ कर यह करना चाहिये कि महाराष्ट्र के जितने भी हिस्से हैं उन को अलग अलग न रख कर दूसरी स्टेट्स में मिला कर कम्पो-जिट स्टेट्स (संघनित राज्य) का निर्माण करें और ऐसा झण्ड (घाघार) तैयार करें, ऐसी जमीन तैयार करें कि आगे चल कर प्रान्तीयता की भावना खत्म हो और सब भाषा भाषी लोग आपस में मिल जुल कर रहना सीखें जब ऐसा होगा तभी देश की एकता सही मानों में कायम होगी तथा देश की रक्षा हो सकेगी जिसको कि राज्यों का पुनर्गठन करते वक्त मुख्य आधार माना गया है।

उपाध्यक्ष महोदय, इतना कहने के पश्चात् मैं कुछ अपने नये राज्य यानी मध्य प्रदेश के बारे में कहना चाहता हूँ। जो विधेयक हमारे सामने प्रस्तुत किया गया था उस में यह प्राविजन (उपबन्ध) था कि मध्य प्रदेश के लिये एक सैजिस्लेटिव काउंसिल (विधान परिषद्) हो। लेकिन ज्वायंट कमिटी (संयुक्त समिति) ने इस चीज को हटा दिया है। मैं नहीं समझ सका कि ज्वायंट कमिटी के सामने ऐसी कौन सी चीज थी जिस के आधार पर उस ने मध्य प्रदेश के लिये सैजिस्लेटिव काउंसिल न रखने की सिफारिश की है। मेरी कुछ मित्रों से बात हुई है। उन का यह कहना है कि यदि वहां की सैजिस्लेटिव असेम्बली दो तिहाई बहुमत से यह निर्णय करेगी कि वहां पर सैजिस्लेटिव काउंसिल डी टो वहां पर इसे कायम किया

जा सकता है। लेकिन क्या यह मायिनी है कि वह असेम्बली इस बात की सिफारिश करे और क्या पार्लियामेंट उस की सिफारिश आगे बढाए ऐसा नहीं कर सकती है? अगर ऐसा नहीं हो सकता है तो मेरी समझ में यह बात नहीं आती है कि महाराष्ट्र के लिये किस तरह से सैजिस्लेटिव काउंसिल कायम करने का फैसला किया जा सकता है। यह दलील कि महाराष्ट्र स्टेट जो बनेगी वह बम्बई की प्रिंसिपल सफसेसर स्टेट (मुख्य उत्तराधिकारी राज्य) होगी, सही नहीं है। यह सफसेसर स्टेट (उत्तराधिकारी राज्य) है लेकिन एक प्रिंसिपल स्टेट (मुख्य राज्य) नहीं। इस प्रिंसिपल (मुख्य शब्द को मैं समझ नहीं पाया हूँ। बम्बई स्टेट के तीन हिस्से होंगे। कुछ हिस्सा तो कर्नाटक में जायगा, कुछ महाराष्ट्र में जायगा और कुछ गुजरात में जायगा और बुद बम्बई स्टेट को सेंट्रली ऐडमिनिस्टर्ड एरिया (केन्द्र द्वारा शासित क्षेत्र) रखा जायगा। जब ऐसी बात है तो यह सभी स्टेट्स उस की वारिस हुई न कि अकेला महाराष्ट्र। तो यह जो महाराष्ट्र स्टेट बन रही है वह एक बिल्कुल नई स्टेट बन रही है। महाराष्ट्र में विद्यमान का हिस्सा भी मिला है, मध्य प्रदेश का हिस्सा भी मिला है और हैदराबाद का मराठवाडा का हिस्सा भी मिला है और इन सब को मिला कर एक महाराष्ट्र स्टेट का निर्माण किया जाना है। इस वास्ते यह कहना कि वह बम्बई स्टेट की उत्तराधिकारी है, सही नहीं है। यदि महाराष्ट्र के लिये सैजिस्लेटिव काउंसिल कायम करने के बारे में कोई स्काचट पैदा नहीं हो सकती तो मैं नहीं समझता किस तरह से मध्य प्रदेश के लिये एक काउंसिल कायम करने के बारे में स्काचट पैदा हो सकती है। मैं चाहता हूँ इस बारे में हमारे गृह मंत्री एम्बो-केट जनरल (महा अधिकारी) से सलाह ले लें और अगर वाकई में कोई स्काचट है तो मुझे कोई एतराज नहीं है। लेकिन अगर महाराष्ट्र के लिये कोई स्काचट नहीं है तो

मध्य प्रदेश के बारे में भी कोई स्काचट पैदा नहीं हो सकती। तो मैं कहना चाहता हूँ कि महाराष्ट्र के लिये जिस के लिये कि मूल विधेयक में कोई प्राविजन (उपबन्ध) लेजिस्लेटिव काउंसिल कायम करने के लिये नहीं था, उस को तो दे दिया गया है लेकिन मध्य प्रदेश के केस में इसे हटा दिया गया है।

श्रीमन्, मध्य प्रदेश के लिये काउंसिल बनाने के बारे में कुछ तथ्य हैं जोकि मैं आप को बतलाना चाहता हूँ। चारों राज्यों के मुख्य मंत्रियों ने विचार विमर्श करने के बाद भारतीय प्रशासन को यह राय दी कि नये मध्य प्रदेश में जोकि एक बहुत बड़ा प्रदेश बनने जा रहा है एक लेजिस्लेटिव काउंसिल (विधान परिषद्) होनी चाहिये और यही कारण है कि पहले जो बिल हमारे सामने आया था उस में इस की व्यवस्था की गई थी। इस के बाद जब वह विधेयक चारों राज्यों की असम्बलियों को गया तो उन के सामने वह चीज थी। नहीं तो मैं समझता हूँ वह प्रस्ताव पास हो कर उन की राय उस के पक्ष में पहले ही जाहिर कर दी गई होती। लेकिन जब वह विधेयक वहाँ गया और उन्होंने उस से सहमति प्रकट की तो इस के मानी यह है कि वहाँ की विधान सभाओं ने अपनी रायें उस के बारे में दे दी हैं और वे रायें मध्य प्रदेश के लिये एक लेजिस्लेटिव काउंसिल रखे जाने के पक्ष में हैं। ऐसी स्थिति में वहाँ पर इस बारे में नया मत लेने की कोई आवश्यकता नहीं है। अगर लेजिस्लेटिव काउंसिल को वहाँ कायम करना हमारे कांस्टीच्यूशन (संविधान) के विरुद्ध नहीं है, तो फिर मैं नहीं समझता हूँ कि उस को वहाँ रखने में क्या बाधा जापति हो सकती है। हाँ, अगर मेरे मित्र डा० नंका सुन्दरम् यह कहें कि उन के राज्य में लेजिस्लेटिव काउंसिल न हो, तो वहाँ न रखी जाय। इस में मुझे कोई एतराज नहीं है। लेकिन हमारे वहाँ तो सभी लेजिस्लेटिव काउंसिल को चाहते हैं। पार्लियामेंट के अधिकतर मेम्बरों की यही

राय है। साक्ष्य देखापड़े लाह्व उस को न चाहें।

श्री उ० न० त्रिवेदी : कोई भी लेजिस्लेटिव काउंसिल को नहीं चाहता है।

श्री राधे काल ब्जस : माननीय सदस्य राजस्वान के हैं। जब तक वह भांके और वहाँ के सदस्यों की सम्मति वहाँ पर प्रस्तुत न करें, तब तक उन को वह कहने का हक नहीं है कि मध्य भारत के लोग लेजिस्लेटिव काउंसिल नहीं चाहते हैं। वह बतायें कि कहाँ लोगों ने इस का विरोध किया है। जब असेम्बली के साकने वह विधेयक गया था, तो किसी भी पार्टी ने इस बात का विरोध नहीं किया। यह ऐसी बात है कि जिस का स्वागत सब लोगों ने किया है। यह चीज वहाँ पर रखी ही इसलिये गई थी कि लोगों ने इच्छा प्रकट की थी और मांग की थी।

इस अवस्था में मैं माननीय गृह मंत्री से नम्रतापूर्वक निवेदन करूंगा कि इस सम्बन्ध में जो अमेंडमेंट्स (संशोधन) दी गई हैं, उन पर वह और विचार करें और कानून को देखें। यदि आवश्यकता हो, तो वह कानून विधेयकों की राय ले लें। अगर वह कांस्टीच्यूशन (संविधान) के खिलाफ हो, तो इस विषय में मुझे कुछ भी नहीं कहना है। लेकिन अगर कांस्टीच्यूशन में स्काचट न आती हो, तो उस के लिये वह हमारी अमेंडमेंट (संशोधन) को स्वीकार करने की कृपा करें।

इन सबों के साथ मैं अपना कथन समाप्त करता हूँ।

Swami Ramanada Tirtha (Gulberga): The States Reorganisation Bill will go into the statute-book in a few weeks time and therefore, when it is being discussed at his final stage, it is imperative on the part of every member of the House to decide in his own mind what the final shape of the Bill should be. I do not want to take much time of this House, because I

[Swami Ramananda Tirtha]

know there are a number of Members who would like to contribute to the discussion.

I have very carefully gone through the minute of dissent of my friend, Shri Frank Anthony, and I candidly confess that I am converted to his point of view. As a result of the re-organisation of the States, we are creating linguistic minorities in a number of places in the country and it is but natural that there would be apprehensions, at times unfounded; but, the apprehensions have to be allayed and it is this supreme body alone which can inspire confidence into the hearts of the linguistic minorities. I therefore support the minute of dissent which Shri Frank Anthony has appended to this report.

There is another small matter. As regards the zonal councils, I am of the opinion that the boundary disputes should not come within the purview of the zonal councils. The good work that is expected of the zonal councils will be marred if settlement of boundary disputes is included in their functions. I think the House, in its wisdom, will delete that portion of the powers of the zonal councils which relate to the boundary disputes.

I would plead for one more point. I am of the opinion that boundary commissions are quite necessary, not only as a result of the present Bill, but there is something else also. The Andhra State has been formed and disputes have been continuing in regard to the border areas between the Madras State and the Andhra State. Now, when new States on the basis of language are being formed, there will be and there are bound to be—as there are now—many disputes about boundaries between Andhra and Madras, Kerala and Karnatak, Karnatak and Maharashtra, Maharashtra and Madhya Pradesh and between other States also. So, I think it would be in the fitness of things to have boundary commissions to decide all these questions. Let this House

lay down a set of principles and let them be applied uniformly to all the disputed areas; then, whatever be the decisions, they should be accepted by all concerned. I think that is very essential. Let us not feel shy about it, because the situation demands it. If the Maharashtrians, the Karnataks, the Malayalees or the Telugu-speaking people feel that there is a dispute and it has not been resolved, that will be a continuous process of disturbance, psychological as well as political. Therefore, I plead with all the sincerity that I can command that this House should boldly take a decision and appoint boundary commissions wherever border disputes are there.

Lastly, I come to the question of Bombay. Perhaps many will expect a long speech from me; but, I am going to be very brief, because everything has been settled and nothing more need be said. At this stage, when a final decision is going to be taken, I ask in all humility, what is it that is compelling the separation of Bombay city from Maharashtra? To this moment, no convincing argument has been advanced. At least I am not aware of any. I do not know how the Joint Committee in its wisdom has recommended a Centrally administered Bombay. Many of the members of the Joint Committee were of the opinion that it should go to Maharashtra. But, if they have changed their opinion now, they can do so. But, if you want to do justice, there is a genuine feeling which must be considered. Don't call it anti-national if I say that Bombay should legitimately go to Maharashtra. To call me anti-national, I think, would be most unfair. Do not slander the sentiments. You may call it inopportune, but Bombay legitimately, naturally, democratically and in fairness should go to Maharashtra. If it does not go to Maharashtra today, some other day it will have to go. That is patent; that is clear; that will be fair. If a feeling of injustice continues to remain in that part of the country, I ask, is it in the interest of the healthy development of democracy in this land?

Is it not a national issue? Is it an issue of the Maharashtrians alone? I fail to understand why Maharashtrian sentiment is being offended in this way. The House will be surprised to know that by birth I am not a Maharashtrian; I have forgotten my caste, community and language; everything has evaporated. I am looking at this problem from the national point of view. What on earth is the argument to bifurcate, to separate Bombay city from Maharashtra. Well, I have differed from the Prime Minister on the issue of the disintegration of Hyderabad. I felt sincerely. The disintegration of Hyderabad has come. If there is truth, if there is any justice, if the natural development indicates the process, well, today or tomorrow Bombay shall have to be included in Maharashtra. Don't call it anti-national, I will plead with everybody, not with my Gujarati friends alone. It is not a question between the two. To this day I have not been able to understand why this question of Bombay is being talked about as between the Gujaratis and the Maharashtrians. It is not so. Certainly not. Well, it is an irony of fate that the best friends are today not on speaking terms. Well, that is a passing phase, I hope. When this Bill comes to the Statute book, we shall be in the same democracy as Indians, not as Maharashtrians, Gujaratis, Biharis and Bengalis. That is certain. So I appeal to the House even at this last stage: don't make this Bombay issue one which will continue to create troubles because when the feeling of injustice takes hold of a section of the people, well, they are living creatures. If you feel that no injustice is being done to Maharashtra by keeping Bombay city as such, I don't plead. But if your conscience tells you in fairness that Bombay is part of Maharashtra—geographically it belongs to it and the Prime Minister also agrees there—and if geography is in favour of Bombay going to Maharashtra, then what else is there which stands in the way of its merger with the hinterland?

An Hon. Member: Party politics.

Swami Ramaswami Thirha: I am appealing to the sense of justice. If the Select Committee has not been able to do that, well, this House can take boldness and courage in both hands and reverse the decision or the recommendation of the Select Committee in this respect. I would state my own position very clearly. If section 8 is retained as it is, I am a conscientious objector to that action and I will not be able to support it.

श्री वि० व० देशपांडे : भाज बृह मंत्री जी के भाषण से और उन के समर्थकों के भाषण से कम्लेसेंसी (आत्म संतोष) प्रकट हो रही है और सदन में यह भावना व्यक्त की जा रही है कि राज्य पुनर्रचना के विषय में अब देश में बहुत मतभेद नहीं है। परन्तु मैं इस दृष्टिकोण से सहमत नहीं हूँ। मैं समझता हूँ कि उन की भाँति बन्द नहीं है। उन के कल तक जो सहयोगी थे वे उन को छोड़ कर चले गये हैं। हम ने बम्बई का वायुमंडल देखा है। पंजाब में भाज जैसा अमानत वायुमंडल है वह भी हम जानते हैं। जड़ीसा में उत्पन्न नहीं हो रहा है किन्तु इस कारण यह नहीं समझ लेना चाहिये कि वहाँ उद्विग्नता, दुःख और उदासी नहीं है। भाज आपने राज्य पुनर्रचना के कारण देश में इस प्रकार की शक्तियों को मुक्त कर दिया है कि जिन से देश का एकत्व क्षतरे में पड़ गया है। मैं मानता हूँ कि शायद इस कानून के बनने के पांच साल बाद यह विवाद समाप्त हो जाये और हम फिर एक देश की भावना से रहने लगे। परन्तु मैं यह कहना चाहता हूँ कि इस बात की जिम्मेवारी कांग्रेस दल पर है कि उस ने अपने दलीय स्वार्थों के कारण देश की एकता को भंग करने वाली शक्तियों को मुक्त किया है। हम देखते हैं कि स्थान स्थान पर इसी नीति का अनुसरण किया जा रहा है। पहले हम पढ़ा करते थे कि तेलंगाना जो बनेगा उस में बीदर जिला जायेगा। लेकिन बाद में उस में से मराठी तालुके निकाल दिये गये। कारण यह था कि वहाँ पर कम्युनिस्ट और कांग्रेस

[श्री वि. प. देशपांडे]

दलका संतुलन था। पश्चात् जब वह जिला प्रांश में विसाया गया तो मराठी तालुके उस में से छोड़ दिये गये। यदि इसी प्रकार की राजनीति से देश का शासन किया गया तो मैं समझता हूँ इस से देश को फायदा नहीं होगा। हम ने बार बार कहा कि प्राप बम्बई में जायें और वहाँ के लोगों को एकत्र करके उन की राय लें। ऐसी कोई बात नहीं है कि बम्बई का प्रश्न हल नहीं हो सकता। प्रन्तु हम देखते हैं कि यहां तो जान बूझ कर लोक राज्य का गला घोंटा जा रहा है। कल तक देशमुख साहब के स्तुति पाठ किये जाते थे, लेकिन आज जब वह चलन हो गये तो कहा जाता है कि वे धार्मिक सी० एस० थे, वे सराब थे। कहा जाता है कि जब तो परीक्षा लेकर निरक्षर को रखा जायेगा, हम को बुद्धिमान धादमी नहीं चाहिये। मिनिस्टर्सों मंत्रियों की राय ली नहीं जाती, उन को विश्वास में लाया नहीं जाता। मंत्रिमंडल के विषय में जो सेठ गोविंद दास कहते हैं उस पर मुझे विश्वास नहीं है। उन को इस बात का पता नहीं कि वहाँ पर क्या होता है। श्री सी० डी० देशमुख को पता है और जो कुछ उन्होंने कहा है उस का प्रधानमंत्री ने विरोध भी नहीं किया है। इसलिये जो कुछ देशमुख साहब ने कहा है उस को मैं मानने के लिये तैयार हूँ।

प्राप जान बूझ कर जम्म पर नमक छिड़कते हैं जबकि प्राप बम्बई में जा कर कहते हैं और शोषणा करते हैं कि पांच साल तक बम्बई केन्द्र द्वारा शासित रहेगा। सेठ गोविंद दास जी जो बड़े उदार हैं वे कहते हैं कि बम्बई भारतवर्ष से बाहर तो नहीं जा रहा है। लेकिन जब बरहानपुर का प्रश्न आता है तो वे कहते हैं कि इस को मत सुधो, नहीं तो लड़ाई हो जायेगी। ऐसे उदार सेठ गोविंद दास जी कहते हैं कि पांच साल में क्या हो जायेगा। मैं आज इस का उत्तर देने वाला हूँ। वह जो पांच साल की बात कही जाती

है इस में पूर्वीपतियों का बहुवंश है। अगर अनुभव में या एक नवम्बर को बम्बई का महाराष्ट्र से अलग कर दिया गया तो इस का परिणाम यह होगा कि २० हजार महाराष्ट्रीय जो कि सैन्टेटेरिएट (अधिवास) में काम करते हैं अगले परिवारों सहित वहाँ से चले जायेंगे, जिस का अर्थ होगा कि एक लाख धादमी कम हो जायेंगे चाप वाला जिले के ३२ गांव भी लेना चाहते हैं वहाँ कारखाने हैं। दो साल में वहाँ से भी बहुत से लोग चले जायेंगे और इस समय जो बम्बई में ४३ प्रतिशत महाराष्ट्रीय हैं उन की यह संख्या नहीं रहेगी। मैं तो कहता हूँ यह तो एक पूर्वीपतियों की साजिश है जिस के शिकार श्री देशमुख जी हो गये। मुझे पता नहीं कि यह कह तक ठीक है, लेकिन कहा जाता है कि उन के चले जाने से बहुत से लोग खुश हैं। आज देश के बहुत से पूर्वीपति खुशी मना रहे हैं कि एक मंत्री जो कि राष्ट्रीय करा के पक्ष में था वह चला। वे समझते हैं कि पंडित नेहरू की बेनी में अनेक ऐसी चीजें हैं कि जिन के कारण वर्तमान अर्थव्यवस्था चलती रहेगी। आज देश में इस प्रकार की बातें चल रही हैं। आज महाराष्ट्र की जनता यह समझती है कि पांच वर्ष बाद बम्बई उस को मिलने वाला नहीं है। वह समझती है कि यदि बम्बई मिल सकता है तो आज ही मिल सकता है। मैं महाराष्ट्र का नागरिक और मतदाता हूँ और मैं महाराष्ट्र के दृष्टिकोण को आपके सामने रखना चाहता हूँ। आज महाराष्ट्रीय कहते हैं कि हम अभी बम्बई को ले कर रहेंगे, और उन की इस मांग के साथ कोई उड़कता नहीं है। प्राप ने देखा होगा कि किस प्रकार से शान्ति के साथ बातें चल रही हैं। आज प्राप यह कह कर जम्म पर नमक छिड़कते हैं कि बम्बई में जो हिंसा हुई उस का समर्थन श्री देशमुख कर रहे हैं। मैं कहता हूँ कि श्री देशमुख ने वित्त मंत्री के पर से इसलिये त्यागपत्र दिया है क्योंकि प्राप की पुस्तक ने और प्राप की सरकारने बम्बई में जो हिंसा

की और ८० लोगों को मोली से मार दिया और चूंकि वे सरकार की इस हिंसा की कार्यवाही का समर्थन करने में असमर्थ हैं इसलिये उस के विरोध स्वरूप उन्हीं ने अपने पद से त्यागपत्र दिया है ।

जहां तक कि बम्बई को महाराष्ट्र प्रदेश में मिलाने की मांग का सवाल है मैं यह चीज बिल्कुल स्पष्ट कर देना चाहता हूं कि महाराष्ट्री जनता बम्बई को महाराष्ट्र में मिलाने के लिये पांच वर्ष तक ठहरने को तैयार नहीं है क्योंकि आप की साक्षिप्त और आप की नीति उन को स्पष्ट है कि बम्बई मिल सकता है तो आज मिल सकता है और वे आप की साक्षिप्त में आने वाले नहीं हैं । मैं इस सदन के सम्मुख महाराष्ट्रियों की भावना रख रहा हूं जब मैं यह कहता हूं कि वे बम्बई को महाराष्ट्र में मिलाये बिना दम न लेंगे और उस के लिये बराबर प्रयत्न करते रहेंगे । अब भी समय नहीं गया है और सरकार को सम्बन्धित लोगों से बातचीत कर के इस समस्या का हल निकालना चाहिये और कोई फार्मूला इस समस्या को हल करने के वास्ते बना सकती है लेकिन यह देखने में आता है कि कांग्रेस उच्च सत्ता और पंडित जी को तो बस आगामी चुनाव में कांग्रेस को किस तरह जिताया जाय, इस की चिन्ता सवार है और इसी दृष्टि से वे हर एक मसले को हल कर रहे हैं । पंडित जी ने पाटस्कर फार्मूला भी नहीं माना । मैं ने तो बुना है कि अभी उस दिन रात को पंडित जी के पास कांग्रेस का एक डेप्युटेशन (प्रतिनिधि मंडल) गया और कहने लगा कि आप कुछ अच्छी सोचना कर दें नहीं तो हम हारने वाले हैं । उन का कहना है कि बम्बई अगर हम दिये देते हैं तो हम हारने वाले हैं क्योंकि विरोधी शक्तियां कहेंगी कि बम्बई इसलिये हमें मिला क्योंकि हम ने उस के लिये आन्दोलन किया । उन को फिक इस चीज की नहीं है कि बम्बई महाराष्ट्र को दिया जाय या न दिया जाय बल्कि कांग्रेस उच्च सत्ता की आंच आगामी चुनावों पर है कि कैसे

कांग्रेस उस में विजयी हो और वही कारण है कि आज बम्बई के बारे में अज्ञान हो रहा है ।

मैं स्वामी रामानन्द तीर्थ से पूर्ण सहमत हूं जब वे कहते हैं कि बम्बई के विषय में कोई भी युक्तिवाद करना आवश्यक नहीं है । आज देश में बम्बई के विषय को के कर दोनों तरफ से दलीलें पेश की गई हैं और मैं समझता हूं कि हमारा जो विरोधी पक्ष है उस की ओर से कोई भी दलील ऐसी नहीं दी जा सकी है जिस के कि कारण हमें अपने मत में परिवर्तन करना आवश्यक मानुम पड़े । आज मैं केवल महाराष्ट्र की ही भावना व्यक्त नहीं कर रहा हूं बल्कि दिल्ली बहर में और अन्य अन्य स्थानों में जहां जहां मैं घूम कर आया हूं जनता की भावना यही है कि बम्बई को महाराष्ट्र में जाना चाहिये और कांग्रेस सरकार ने बम्बई के विषय में जो निर्णय किया है उस का परिणाम देश के एक राष्ट्रीयत्व पर बड़ा भयंकर होने वाला है । आप कहते हैं कि सब बातों का फैसला हो गया है लेकिन मुझे तो ऐसा नहीं दिखाई पड़ता है । आप के दल और आप की पार्टी में भले ही कोई फैसला हो गया हो तो हो गया हो लेकिन बाहर तो मुझे कोई फैसला हो गया हो ऐसा दिखाई नहीं देता । पंजाब के बारे में हम ने देखा कि अकाली आप का विरोध कर रहे थे और चूंकि एलेक्जान नवदीक आ रहे हैं इसलिये आप ने अकालियों को बुला कर उन से एक समझौता कर लिया, मैं अकालियों से आप ने जो बातचीत की उस का विरोधी नहीं हूं और ऐसा कर के आप ने बहुत अच्छा किया । मैं कहता हूं कि किसी भी मसले का हल करने के लिये आप विरोधी लोगों को बुलाइयें और उन से बातचीत कर के कोई हल तलाश करने की कोशिश कीजिये लेकिन ऐसा करते वक्त आप का यह सोचना कि अकालियों से समझौता कर केने पर सरकार राड़ेवाला और उन के बहुत सारे साथी कांग्रेस में शामिल हो जायेंगे और पंजाब में कांग्रेस का प्रभाव

[श्री वि० ए० देशपांडे]

काफ़ी बढ़ जायगा, इस चीज़ पर ध्यान रख कर साठ गांठ करना उचित नहीं है। आप अगर वास्तव में पंजाब की समस्या को ठीक तरह से हल करना चाहते थे तो सभी विरोधियों को बुला कर उन से बात कर के फैसला करना चाहिये था लेकिन आप ने अकालियों के सामने झुक कर अपना मतलब साधना चाहा है और आप सिक्कों में तोड़फोड़ कर के अपने दलगत और व्यक्तिगत स्वार्थ को साधने की कोशिश कर रहे हैं और बाक़ी जो लोग वहां पर हैं उन पर किस प्रकार का अत्याचार हुआ है, यह चीज़ में स्वयं देख कर आया हूँ। जहां तक हिन्दू और सिक्कों के बीच मतभेद का मद्दाल है मैं पहले से ही इस मत का हूँ और सेठ गोविंद दास को मुझे यह बताने की आवश्यकता नहीं है कि सिक्क और हिन्दू राष्ट्र के एक महान् और अविभाज्य अंग हैं और पंजाबी भाषा और गुरुमुखी लिपि यह दोनों संस्कृत की पुत्री हैं और यह जो पंजाब का विभाजन जातीय भावनाओं पर कर रहे हैं, यह आप ठीक काम नहीं कर रहे हैं। यदि महाराष्ट्र के अन्दर मराठवाड़े और विदर्भ के लिये डेवलपमेंट कौंसिल (विकास परिषद्) बन सकती हैं तो पंजाब में हिमाचलप्रदेश के वास्ते डेवलपमेंट कौंसिल (विकास परिषद्) क्यों नहीं बन सकती है। अगर आप में ताकत होती तो आप यह पंजाबी सूबे को हटा सकते थे परन्तु आप की तो वही धोकेबाजी की बात रहती है और अगर मौलाना साहब के शब्दों में कहूं हालांकि मुझे उन शब्दों का अर्थ नहीं मालूम, वही पुरक़रेव तख़्तम्यल (बोलेपूरत कल्पना) वाली बातें आप की ओर से की जाती हैं। हिन्दुओं को तो आप यह कह कर संतुष्ट करना चाहते हैं कि आप को महापंजाब दे दिया है और सिक्कों को यह कह कर अपने साथ मिलाया चाहते हैं कि तुम को पंजाबी सूबा दे दिया है जबकि हज़ीक़त कुछ और ही है। हिन्दुओं ने महा-पंजाब की मांग भी आप के सामने रखी लेकिन आप ने गुप्तपान अकालियों से एक

समझौता कर लिया और हिन्दुओं के सामने यह फ़ार्मूला भी नहीं रक्खा जिस को आप मान कर आप ने अकालियों के साथ सेंटिलमेंट (फैसला) किया और उस के विरोधस्वरूप हिन्दू नेता हंगर स्ट्राइक (भरण इत) करने पर मजबूर होते हैं। आप ने क्या समझौता किया है यह किसी को पता नहीं है। मैं यह जब बिल पढ़ता हूँ तो मुझे तो बड़ा गुस्सा आता है कि बातें तो आप बहुत सम्झी चौड़ी और डेमोक्रेसी (लोकतंत्र) की करते हैं लेकिन इस में पंजाब के रीजनल फ़ार्मूले (प्रदेश सम्बन्धी सूत्र) का कहीं नाम तक नहीं है केवल यह कहा गया है कि कांस्टीट्यूशनल अमेंडमेंट (संविधान संशोधन) बिल (विवेक) में अध्यक्ष को इस प्रकार का अधिकार दिया जायगा कि वहां क्या किया जायगा। अब किसी को पता नहीं है कि यह रीजनल फ़ार्मूला क्या है ऐसी कुछ बातें सुनी हैं कागज़ में पढ़ी हैं लेकिन नोट नहीं लिये जा सकते हैं। अब एक रीजनल कमेटी में प्रस्ताव पेश होता है और पूरी असेम्बली उस प्रस्ताव के विरुद्ध जाती है तो गवर्नर को अधिकार है कि दोनों में से किसी को माने, यह पार्लियामेंटरी डेमोक्रेसी का मखौल उड़ाया जा रहा है और कांस्टीट्यूशन का यहां गला घोंटा जा रहा है। हम ने जान-बूझ कर एक बहुमत के राज्य की कल्पना कर के एक असेम्बली बनवाई और उस के बनने के पश्चात् आप एक नया फ़ार्मूला निकाल देते हैं और यह नया फ़ार्मूला इस बिल के अन्दर नहीं है।

बम्बई के बारे में श्री रिपोर्ट में लिखा दिया गया है कि प्राइम मिनिस्टर (प्रधान मंत्री) साहब ने २ जून या ३ जून को जो घोषणा की थी उस के प्रकाश में यह सब बातें होंगी। जब श्री देशमुख ने सवाल किया कि उस की प्रति किसी को मिली नहीं और क्या वह हम को सप्नाई की जायगी तो कहा जाता है कि अखबार में पंडित जी की स्पीच पढ़ जो उस से सब मालूम हो जायगा।

मेर कहना यह है कि जब उस का इस विषय में समावेश नहीं है तो उस पब्लिक जल्से या मीटिंग में कही हुई बात का क्या मूल्य रह जाता है। पांच साल के बाद यदि आप चुन कर यहां गवर्नमेंट में नहीं आये और कोई दूसरा दल पावर में आता है तो उस के सामने कांग्रेस कमेटी की एक सभा में कही हुई बात का क्या मूल्य रहेगा। सच्ची बात तो यह है कि आप बिसों में ऐसी बड़ी बड़ी बातें नहीं लाना चाहते।

आप ने हैदराबाद के अन्दर पांच साल तक उर्दू को कम्पलसरी रक्खा है लेकिन तेलगू का जानना आवश्यक नहीं समझा है। Knowledge of Telugu would not be compulsory. सच बात तो यह है कि आप ने इस प्रकार की डिक्टेटरशिप (एकाधिकार) और मनमानी चलाई है कि जिस का कहना नहीं। इस पालियामेंट में बिल तो पास करेंगे लेकिन पालियामेंट को यह पता नहीं कि पंजाब का रीजनल फ़ार्मूला क्या है। मैं सिक्कों के खिलाफ़ नहीं हूँ और मैं पंजाबी भाषा के भी खिलाफ़ नहीं हूँ उल्टे मैं कहता हूँ कि पंजाब के लोगों की भाषा पंजाबी है और पंजाबी भाषा को उन्नत करने के लिये सबको प्रयत्न करना चाहिये लेकिन आप के जो यह काम करने का तरीका है वह मुझे कतई पसन्द नहीं है और यह जो विधेयक बनाया है यह किस प्रकार से बनाया है वह मेरी समझ में नहीं आता है। फिर यह कहा गया है कि कांस्टीट्यूशनल (अमेंडमेंट बिल संविधान संशोधन विधेयक) में प्रेसीडेंट को कुछ कार्यवाही करने का अधिकार देंगे। एक टाइप रिटन कागज़ दाखिल किया गया है कि रीजनल कौंसिल ऐसी बनेगी, यहां की कमेटी इधर बनेगी और यहां की कमेटी उधर बनेगी और यह बिल कुछ आप ने इस तरह का बनाया है कि इस के कारण पंजाब में मार पिटाई चल रही है और पंजाब में लड़ाई झगड़े चल रहे हैं और हम देखते हैं कि जैसे जब इंड्र का सिंहासन किसी तपस्वी की तपस्या के बल से डोलने लगता है तो उस

की आंस खुलती है और वह अपने सिंहासन को बचाने के लिये तपस्या को बंद करने की कोशिश करता है और अप्सरायें मेकना शुरू करता है, ठीक उसी तरह जब कांग्रेस का सिंहासन डोलने लगा तो उस ने भी इंड्र वाली चाल चलना शुरू कर दी। लेकिन जब इंड्र का सिंहासन हिलता है तो अप्सरायों का जाना शुरू हो जाता है। यहाँ पर भी यही हुआ, कांग्रेस में चले आओ, हम अपना कानून तोड़ देंगे, तुम को मिनिस्ट्री दे देंगे, यह अप्सरी सम्मोहिनी रम्या बहाने पहुंच जाती है और उसी के कारण यह सब बातें होती हैं, आप देश की एकता की तरफ ध्यान नहीं देते। होशियारपुर में जब गड़बड़ी हो गई तब आप ने इन्क्वायरी कमेटी (जांच समिति) बैठाई, लेकिन बम्बई के बारे में आप कोई इन्क्वायरी कमेटी नहीं बिठला रहे हैं। और होशियारपुर में भी जो कमेटी बनाई है वह उन के दल की ही है, कोई जुडिशल इन्क्वायरी (न्यायिक जांच) रखने के लिये आप तैयार नहीं हैं। आप लोगों से पूछते नहीं हैं, दूसरे दलों के पास जाते नहीं हैं। हिन्दुस्तान के अन्दर केवल आप की पंच वर्षीय योजनायें चल रही हैं, यानी पांच पांच साल के पश्चात् चुनाव जीतने की योजनायें। आज आप के दिल के अन्दर सिर्फ यह पंच वर्षीय योजनायें ही चल रही हैं और जो कुछ आज देश में हो रहा है उन का ही आस परिणाम है। इसी नीति से आप राज्य पुनर्गठन का आयोजन कर रहे हैं और इसी कारण देश में तमाम बातें हो रही हैं और जनता की बात कोई सुनता नहीं है। हमारी मध्य भारत की एसेम्बली ने यह प्रस्ताव पास किया कि हम मध्य भारत वाले मध्य प्रदेश में नहीं मिलना चाहते, हमारा प्रान्त अलग नहीं जाना चाहिये, लेकिन किसी ने भी उन की बात सुनी नहीं, पंत जी से मैं ने कहा, पंडित जी से मैं ने कहा कि देखिये कि मध्य भारत में क्या हो रहा है, पालियामेंट (संसद्) की प्रोसीडिंग्स (कार्यवाही) में लिखा हुआ है कि उन्होंने ने कहा

[श्री वि० च० देवपांडे]

कि बात ठीक है, ऐसेचली में तफ़ीर सब ने की, लेकिन दे डिड माट फ़ाइट थान रि स्ट्रीट्स (उन्होंने वलियों में दंगा नहीं किया) वे मोम रास्ते पर लड़े नहीं इसलिये फ़िती वे उन की बात नहीं मानी । मैं धाप को बतलाना चाहता हूँ कि बम्बई में भी बुरी हालत ब्यालियर की होने वाली है । बम्बई में तो जो तीन लाख महाराष्ट्री हैं वह चले जायेंगे । वहां के गुजरातियों और मार-बाड़ियों के खिलाफ मैं भी नहीं हूँ, यदि बम्बई में महाराष्ट्री नहीं रहेंगे तो वहां की ध्रायिक स्थिति बिगड़ेगी नहीं, लेकिन ब्यालियर के विषय में मैं बताना चाहता हूँ कि १ अक्टूबर, १९५६ को, जिस तांघे वाले को ध्राच १०० मिलता है, उस को ६ ध्रा० ही मिले । हर एक काम करने वाले की ध्रायिक हालत बिगड़ने वाली है । जो पंच वर्षीय योजना ध्राप की ध्रा रही है उस के लिये वहां के लोगों के जीवन निर्बाह का कोई विचार नहीं हो रहा है । कहा जा रहा है कि वहां मिलिटरी (सेना) के दफ़तर जायेंगे, मैं ने काटजू साहब से पूछा तो उन्होंने ने कहा कि मिलिटरी तो एक्सपर्ट्स (विशेषज्ञों) का मामला है, इसलिये वह कैसे जा सकता है, फिर कहा गया कि एकाउंटेंट जनरल (महालेखापाल) का ध्राफिस जायेगा, पी० एम० जी० का ध्राफिस जायेगा । सब कुछ कहा जा रहा है लेकिन वहां पर कारखाने ध्रादि चलाने की कोई बात नहीं है । ध्राफिस तो वहां के इस तरह से बांट दिये हैं कि कुछ पूछिये मत । हार्ड कोर्ट ६ जगहों पर रक्खा जा रहा है । हमारे सेठ गोविंद दास कह रहे थे कि क्या बम्बई बाहर बाने वाला है ? लेकिन वहां पर जबलपुर में हार्ड कोर्ट, रायपुर में हार्डकोर्ट, ब्यालियर में हार्ड कोर्ट, इंदौर में हार्ड कोर्ट, रोवा में हार्ड कोर्ट । जिस प्रकार से प्रसाद बांटा जाता है उस प्रकार से वहां पर हार्ड कोर्ट बांटा जा रहा है और ध्रापनी पार्टी की दृष्टि से सारी बातें चल रही हैं। मध्य भारत विधान सभा का प्रतिवेदन लब्ध तो मुझे ठीक नहीं समता, उस का प्रतिवृत्त ध्राप

पढ़ कर देखिये । उस को पढ़ने के उपरान्त यह पता लगेगा कि वहां की जनता मध्य प्रदेश में जाने के पक्ष में नहीं है । कांग्रेस पार्टी यह समझती है कि जनता के बाने कांग्रेस पार्टी है । पंत साहब के दरबार में जा कर मैं ने देखा, बार एसोसिएशन (बिचि जीवी सन्धा) के मोम भी बने, डेढ़ घंटे तक लड़े रहे, मैसूर के मोम भी बने थे, बोले क्या बात है, कहा गया कि हम बार एसोसिएशन की तरफ से ध्रावे हैं । "अच्छ, ध्राप की जो सास बातें हैं वह तत्काल जी ने मुझे बता दी हैं, मैं तत्काल जी से बात कर लूंगा ।" "हम भी कुछ बात कहना चाहेंगे ।" "इस वक्त तो ध्राीर समंय नहीं है ।" वह बेचारे क्या करते चले गये । इधर तत्काल जी से कहा जाता है कि तुम को मिनिस्ट्री चाहिये ? अच्छा हम तुम को मिनिस्टर बना देंगे । मैं कहना चाहता हूँ कि इस तरह से पार्टी के अन्दर के लोगों को लुप्त करने के लिये यह सारी चीजें हो रही हैं, राज्यों की वास्तविक पुनर्रचना के लिये यहां पर कुछ नहीं किया जा रहा है । इस कारण मैं मध्य भारत की ध्राीर से फिर से कहुंगा ध्राीर मांग करना चाहता हूँ कि मध्य भारत की जनता बहुत परेशान है । ध्राभी हमारे भाई कह रहे थे कि ध्राब तो जो कुछ होना था वह हो चका ध्राीर यह मसला तय कर लिया गया है, ध्राब लोगों को इस ध्राीर को समझाने की कोशिश करनी चाहिये । इस प्रकार से मध्य भारत के लोगों को दबा दिया गया । मैं मध्य भारत की जनता की ध्रावाज ध्राप को बताना चाहता हूँ कि मध्य भारत वाले मध्य प्रदेश में नहीं मिलना चाहते हैं ।

कुछ माननीय सदस्य : यह गलत है ।

श्री श्री० च० देवपांडे : मध्य भारत के मोम ब्यालियर की राजधानी नहीं छोड़ना चाहते हैं, वे लोग मध्य प्रदेश के साथ नहीं मिलना चाहते हैं ।

वहाँ तक घायल करने में उपस्थित बिल का उद्देश्य है, और जो कुररी करते हैं, वह सब सत्तावेच (सब) धार्येन सब में बतारुना । परन्तु एक ही बात कहना चाहता हूँ कि देश की भावी रचना करते समय धन्य धन्य हर एक वर्ग का विश्वास नहीं लेते हैं और वहाँ के लोगों की सम्भावना के साथ पुनर्निर्माण नहीं किया जायेगा तो धन्य धन्य कर देश की एकता की सुरंग खाने का काम करेंगे । अनेक प्रतिवेदनों में यह बात दी जा चुकी है । हो सकता है कि धन्य धन्य कांग्रेस पार्टीयों पर दबाव डाल कर और एसेम्बलन के स्टीम रोसर से और पैसों के जोर से जनता में ऐसा आभास पैदा कर दें कि देश में सान्ति का निर्माण हो गया है, परन्तु मैं बता देना चाहता हूँ कि जिस प्रकार से धन्य देश के भावी पुनर्रचना के प्रश्न की ओर देख रहे हैं, पुनर्रचना कर रहे हैं, उस के कारण देश का नुकसान होने वाला है । धन्य भी समय बीत नहीं गया है । इस विषयक के स्वीकृत होने के पूर्व धन्य इस में क्रान्तिकारी परिवर्तन कीजिये ।

Shri Mehdiuddin (Hyderabad City):
Those of us who are strongly opposed to reorganisation of States on a linguistic basis had a feeling from the beginning that as soon as the re-mapping of India began there would be trouble all over the country, and it has proved to be correct. Up to October, 1955, we were progressing in an atmosphere of calmness, undisturbed by unnecessary sentimental outbursts. We had the confidence that we were progressing economically and that we would progress more rapidly in future. But what is the position, what is the picture of India since October, 1955, when the Report of the States Reorganisation Commission was published? I need not go into those details, but unfortunately the decision that linguistic States have got to be established has been taken, and we must go through it with as little bitterness, as little sentiment, as little feeling of injustice as possible.

The problem of Bombay is still on the anvil. The Joint Committee has, of course, decided that Greater Bombay will remain a Centrally administered area. I am afraid that this decision has not satisfied a large number of either Members in this House or people outside this House. A more satisfactory solution has to be found. Swami Ramananda Tirtha who just spoke was very sentimental about this question, and I can see that there are grounds for being sentimental. But still I appeal to him to take initiative in the matter and bring about a composite State of Maharashtra and Gujarat and Vidarbha, with Bombay as capital. I think that will be the best solution under the present circumstances. It would have been the best solution in any other case also, but here it is the best solution under the present circumstances. I hope statesmen like Swami Ramananda Tirtha will take initiative and do something to achieve that objective.

The Joint Committee, of which my hon. friend Dr. Jaisooriya was a Member, has not agreed to the proposal that Legislative Councils should be established in the new Madhya Pradesh and Andhra Pradesh. The argument advanced is that when the new State comes into existence, the Legislative Assembly of that particular State will take the necessary action and pass the resolution with the necessary majority for the establishment of the Legislative Council. As far as I know, the Andhra Legislative Assembly as well as the Hyderabad Legislative Assembly have already passed the necessary resolutions with the required majority, for the establishment of Legislative Councils. I do not think that it is desirable to postpone the establishment of Legislative Council either in the new Madhya Pradesh or in Andhra Pradesh. That will only be a dilatory move. I hope the amendment given notice of in this respect will be accepted by the House.

Another important matter on which I wish to say a few words is in regard to the linguistic minorities with spe-

[Shri Mohiuddin]

cial reference to urdu. The States Reorganisation Commission have made it very clear in their report that the safeguards that have been provided in the existing Constitution have proved inadequate and ineffective. They say:

"It was strongly urged before us that the safeguards for minorities embodied in the Constitution have proved inadequate and ineffective.... Whatever the merits of this assertion, we have to take into consideration the fact that large sections of public opinion, both among the proponents and the opponents of linguistic States, favour the strengthening of the existing constitutional guarantees to linguistic minorities."

That is the definite recommendation of the Commission. The need for strengthening the safeguards is obvious, from the report of the Commission.

The Commission have laid down certain principles regarding the safeguards for linguistic minorities. One of the principles laid down by them at page 208 of their report is that:

"While minorities are entitled to reasonable safeguards to protect their educational, cultural and other interests, it has to be borne in mind that such safeguards should not so operate as to perpetuate separatism or to impede the processes of natural assimilation;"

I entirely agree that the process of natural assimilation should be stimulated, and the necessary atmosphere should be provided for that natural assimilation, or as Shri Jawaharlal Nehru has usually said, the emotional integration of all the people and all the communities in India.

But what are the necessary safeguards? The absence of safeguards is itself an impediment to the necessary natural assimilation. So long, their had been no safeguards in practice there have been no safeguards, and

when I speak of linguistic minorities, of course, I refer particularly to the Urdu minorities. The absence of safeguards does in itself create a feeling of injustice. It creates a feeling that linguistic minorities like the Muslims, for instance, who speak Urdu, and others who speak Urdu, do not receive equal treatment at the hands of the State Government or the local governments. That feeling of injustice, that feeling of lack of equal treatment is itself a strong impediment to emotional integration or natural assimilation.

Taking these two aspects into consideration that on the one hand, the safeguards should not unnecessarily be excessive or should not create a feeling of separatism—I agree entirely that we should not provide such safeguards—and on the other that the absence of safeguards is itself undesirable and impedes the process of natural assimilation, I think we should arrive at some compromise, and that compromise must be a practical one. The Commission has recommended that the safeguards for linguistic minorities must be adopted in the Constitution and there must be some agency to look after their implementation. An agency for implementation of those safeguards is absolutely necessary. Otherwise, the safeguards that may be provided for in the Constitution will be only paper-safeguards.

The Joint Committee have said—and the note which has been given by the Home Ministry on the linguistic minorities, and which has been included as an appendix to the report of the Joint Committee also says—that the Home Ministry will circulate the State Governments the resolution of the Provincial Education Ministers' Conference of 1949. Now, that resolution was passed seven years ago by the Ministers themselves, and it has remained absolutely a paper resolution; it has had no effect whatsoever. A reiteration of the same resolution will not be of any use in the future.

4 P.M.

Now, the amendment to the Constitution provides that every State will make an endeavour as far as primary education is concerned to provide that education to the children of the linguistic minorities in that particular language. The President has been given discretion to issue a directive if that provision is not carried out. This directive is already there in the Constitution. Under article 347 of the Constitution, on a demand being made in that behalf, the President can issue a directive regarding the use of any particular language as official language for the whole State or part of a State.

In U.P., a large number of persons, whose mother tongue is Urdu, had submitted a petition to the President about three years ago to issue a directive under article 347 of the Constitution. No action was taken by the President or by the Central Government on that petition. That petition was signed by about 21 lakh persons. Twenty-one lakhs is not a small number. It is a very big number, and a petition by 21 lakh persons was ignored by the Central Government and no action was taken.

On the 12th April 1956, six months after the Report of the Commission was submitted, a Starred Question was asked in this House (Starred Question No. 1400) whether Government had received any memoranda regarding certain languages being given the status of regional languages. Shri Datar, Minister in the Ministry of Home Affairs, replied:

"Representations have been received from certain bodies and individuals for the recognition of Sindhi, Nepalese and Urdu as regional languages. No action has been taken in the matter as it was considered that there was no case for the issue of a directive by the President under article 347 of the Constitution".

I asked by way of a supplementary question as to what is the number of signatures contained in the petition

about Urdu submitted to the President. The Minister replied:

"I am not aware of the exact number of signatures; but I know that some associations have made representations so far as Urdu is concerned—the All-India Urdu Conference and the *Anjuman-e-Tarakki Urdu*."

I am surprised that the Minister should not even know the number of signatures appended to a petition, a petition which was signed by over 21 lakh persons from U.P., and that he should be pleased to ignore such a petition.

Now, the principle of a directive was already there in article 347. Now another clause is being added in which the States will be asked to make 'endeavour' to provide primary education in the mother tongue of the linguistic minority groups. The President will be given the power to issue such a directive to the States. But these provisions will remain ineffective. There are no means of implementing them.

I would like to draw your attention to one fundamental principle. When a directive is issued by the President, the Central Government, on whose advice the directive has been issued, becomes responsible to this House for the implementation of that directive. When that directive has been issued, the responsibility for the implementation thereof rests with the Central Government and the responsibility then descends on this House to see that that directive is implemented. Now, I ask what is the agency for the implementation of that directive. I ask this because the Central Government know that if they issue the directive, they must carry it out. They always hesitate to issue such a directive. When they hesitate to issue such a directive—and I am sure they rightly hesitate to issue a directive—the provision made in the Constitution Amendment Bill will remain ineffective, unless at the same time Government provide for some agency to implement it. That agency

[Shri Mohiuddin.]

is essential if any directive issued by the President is to be implemented.

Therefore, I suggest that we should very carefully consider the linguistic minorities problem, especially about Urdu—of course, I attach equal importance to others. The problem is and must be of national importance. We must see that because this is of national importance, there is some agency provided for the implementation of the principles that have been laid down. I suggest that a Minorities Commission must be provided for in the SR Bill.

Shri U. M. Trivedi: Mr. Deputy-Speaker, this is the third time that an opportunity is being offered in this House to express views on this question of States reorganisation. Unfortunately, although this is the third opportunity, every time it so happens that our rules of procedure require that all that can be said about this Bill must be said in a very fixed and short time. So naturally one cannot express one's views as explicitly as one may desire. With these few words, I will now revert to the subject under discussion, but with this request added that if I overstep the limit of time I will ask your indulgence and the indulgence of the House. Sir, I for one wish that the Government of the day had not committed this blunder of bringing about the States Reorganisation Bill and had waited for another 20, 30 or even 50 years in appointing the States Reorganisation Commission.

Shrimati Renu Chakravarty (Basirhat): Why, at all?

Shri U. M. Trivedi: I am of the opinion that we should not have reorganisation at all. We committed this serious blunder in yielding to sentiment at a weak moment when the death of Shri Ramulu was reported and the Andhra State was created. That day we sowed the seeds of dissension in our country and these seeds are now bringing about these petty dissensions which are so apparent. Everyone was talking in very big terms that he is not communal, he is

not parochial, that he is broad-minded, that he believed in the world being one and that he believed in *Vishva-bandhutva*; and all these things have disappeared and evaporated into thin air and the most parochial attitude is at the forefront. Look at Bengal, look at Bihar, look at Orissa, Bombay, Maharashtra, Andhra, Tamil Nad; wherever we cast our eyes the same position is before us. Who has brought about this feeling? Are we not responsible to have done this mischief by bringing about States reorganisation? Had we had a strong Centre, probably, these difficulties would never have been felt and these dissensions would not have appeared. We do remember a day not very far back before 1937 when Bombay was, to put it in proper language, a pentalingual State. The Kanarese were there; the Maharashtrians were there; the Gujaratis were there, the Sindhis were there and on top of all these we had the people of Aden speaking the Arabic language. They were also included in the province of Bombay and yet the administration of Bombay was going on. Now, the seeds of dissension have gone so deep that one begins not only to argue with the other but to hate the other community which speaks a particular type of language. This hatred has become very strong in Bombay; it has become very strong in Bihar; very strong in Orissa and it is no less strong in the Punjab. Why all this feeling? Have we ceased to be Indians overnight? Or, are we going to cease to be Indians overnight? We have to apply our minds to this. My cry will be a cry in the wilderness because we have sown these seeds and we have now to reap the harvest. At least many of our elder statesmen and some who ought to be called detached politicians have expressed their views, when our Constitution was being framed, that we should rather have a unitary form of Government. I very strongly support that idea and I still believe that the country would have grown bigger and bigger had we adopted that. Our own Constitution envisages it. Ours is a peculiar Constitution and as a

constitutional lawyer I feel that it is a unique Constitution in the history of the world. Here is a Centre of a peculiar type, overriding the provisions made by the States, overriding the wishes of the States and carrying on administration. (Interruption). As it is the foundation of a unitary Government is there and it would be for us only to take it further. We could have saved several tons of money for the country and taxation would not have gone up such as it has gone up today. To enjoy separate Legislatures for all the States, to have separate Ministries for all the States our expenses are being pushed up. To pander to the whims of certain people, to satisfy the fancies of certain others, we are shifting capitals from one place to another. There are huge buildings available at Gwalior. All these offices could have been located at Gwalior. In Madhya Bharat we started fighting. The Indore people wanted it there; the Gwalior people wanted it at Gwalior and now to set at rest this trouble we think of some other solution and say: Let it go to Bhopal. The result is that about Rs. 9 crores will have to be spent to bring about the buildings to locate the capital at Bhopal and the buildings at Gwalior will go waste and not used. The same story can be said about the various High Courts that are to be formed. For satisfying the fanciful desires of people like Seth Govind Das, they are going to have one Bench of the High Court at Jabalpur, one at Raipur, one at Rewa, one at Gwalior and another at Indore. I do not know, by what name will these be called. God alone knows. This is the kind of parochial outlook that is being shown about this whole show. Once we have brought about these linguistic dissensions, they are going deeper and deeper. Look at the Punjab and Andhra-Telangana. What are we having? We are changing the Constitution to help the dissensions. We are dividing ourselves in such a manner that we are not going to trust the very Legislatures which we are going to form. We are not going to be ruled by the Legislatures. We

would like to have the same narrow-mindedness which was there at the time the British were here. The Hindus are to be separated from the Sikhs; the Urdu-speaking people are to be separated from the Telugu-speaking people in Hyderabad. They will have Regional Committees; the Regional Committees will decide particular questions. The Regional Committees will approve of particular actions and then the Governor will decide whether a particular course is the proper course. Then only will the Legislature come into the picture, and decide what should be done for a particular minority of a linguistic type. Why differentiate between the same type of people living in the country and who have lived together having absolutely no differences? I have not been able to understand the differences that are now being made. In making our laws, we have been saying a Hindu shall be a Jain, a Sikh and all that. I have not understood the difference between a Hindu and a Jain. An Agarwal gives his daughter in marriage to a Jain and a Jain gives his daughter to a Hindu. A Jain is merely the follower of a certain dogma; he has no separate religion. Why give such importance to these things? Sikhs get married to Hindus and the Hindus to Sikhs. After all the word 'Sikh' comes from the word 'Sishya' which means a disciple; a Sikh is a disciple of Guru Gobind Singh; that is all. We are trying to create difference between those persons who have been living as brothers and what is the cause of all this? Because of the political desire to have as many Ministers as possible of a particular community. It is only the desire for more jobs.

Why should Bombay be separated from Maharashtra? Why not whole of Bombay be kept together? It is only the desire to have pre-eminently a particular type of people to become Chief Ministers. I cannot tolerate a Gujerati becoming the Chief Minister; I cannot tolerate a Maharashtrian becoming the Chief Minister and so on. These are the things at the root of all these troubles in our country. I for one

[Shri U. M. Trivedi.]

would say that it would have been much better if we had not brought this Bill before this House. Since it has been brought and once the desire of the party in power has been expressed, the voice of no one whatsoever or howsoever great he might be will prevail. If the voice of people like Shri C. D. Deshmukh could not prevail, the voice of people like me will not prevail; it is not possible that it will prevail.

Pandit K. C. Sharma (Meerut Distt.-South): Your voice is stronger than that of Shri Deshmukh.

Shri D. C. Sharma (Hoshiarpur): Why are you so pessimistic?

Shri U. M. Trivedi: If my friends do not disturb me, I assure them that I will not also disturb them.

Mr. Deputy-Speaker: That will be a mutual agreement between you, and I am prepared to come to an agreement with him if the hon. Member so desires it.

Shri U. M. Trivedi: It is only the desire to be called some sort of big guns or some sort of persons who can be counted in this world and to derive political advantage by remaining in a particular party or by remaining in power that all these creations are being made.

Let us examine the question of the appointment of Legislative Councils. I do not understand this. Countries where democracy is being worked are doing away with bicameral legislatures; at least a trial is being made. In England, the House of Lords is practically a nonentity. Similarly here also when our discussions started, we had a desire to do away with bicameral legislatures. We had taken a wise step in not having bicameral legislatures in various States. But as soon as this Bill is brought in, we are trying to introduce bicameral legislatures in Maharashtra; we are going to have them in Madras, Andhra, Mysore and Punjab. In PEPSU there is no Upper House; in Saurashtra there is no Upper House; so also in Bhopal and in many other

places. It is most wonderful that we are not going to give a Legislative Council for Madhya Pradesh, which is the biggest State in the whole of India. I see no reason for a Legislative Council being provided in these new States which are being formed. The Upper Houses have already served their purpose. The days are gone when these people, the Khan Bahadurs and Rai Bahadurs, can be counted as big guns. It is the small man whose voice should count, and it is his voice that should carry weight with the Government. Why are these people being put there merely as show boys? Even here also, the time is coming very shortly when the Rajya Sabha may be done away with. That time may not be very far away. There is no need for us to create Legislative Councils in the various States where they do not exist. At least, they should not be created in the new States which are being formed.

Now I come to a very small problem and that is about the creation of several High Courts and abolition of several High Courts. I have not understood the reasoning behind this provision, that is in clause 50 and the clauses following. The High Courts which are already in existence are to be abolished. The High Court of Rajasthan, the High Court of Kerala and the High Court of Mysore are three examples. Other High Courts with the same name are going to be created—in Mysore, Kerala and Rajasthan. If the new High Courts are to be created with the same name and with all the paraphernalia of the previous High Courts, why abolish them? What is behind the mind of the Joint Committee in this matter? We have not been able to fathom it. No doubt the proposal was agreed—the one which was made at the time of consideration of this Bill when referring it to the Joint Committee that the invidious distinction in salaries of Judges which was made at the time of the introduction of the Bill, would be done away with and that there would be no distinction in the salaries of the various Judges of the High Courts. If that principle has

been accepted, I cannot now understand why you are doing away with some High Courts and then resurrect the same High Courts again. Probably the reason might be that those who have been appointed as Judges in the old High Courts of the B States have the stamp of 'B' State upon them. The PEPSU High Court Judges have also delivered nice judgments. I cannot see why the guarantee that was given to them under the Constitution is to be done away with. They will have to go away now and they are to be treated as if they are mere clerks whose services can be dispensed with at any time.

Shri C. D. Pande (Naini Tal Distt.—cum Almora Distt.—South-West cum Bareilly Distt.—North): They will be re-appointed.

Shri U. M. Trivedi: You have not read the Report.

Mr. Deputy-Speaker: I request the hon. Members not to settle the quarrel or dispute among themselves. They may refer it to me and I am prepared to be the arbiter.

Shri U. M. Trivedi: If they are to be re-appointed, then I would like an unequivocal statement from the mouth of any member of the Government and not from the mouth of Shri C. D. Pande. Why are you abolishing it? Is it because it is a High Court of a B State? Now you are creating a High Court of an A State. Actually it is called the High Court of Rajasthan or Kerala or Mysore whether it is a B State or an A State.

I heard that the judges of Madhya Bharat are shivering in their boots and they are saying, "Where are we to go? Our High Court is going to be abolished. There is absolutely no provision as to where we will be sent." The same is the case with PEPSU High Court and the Saurashtra High Court. It may be that same appointments were made on political grounds and on some pulls; it has happened in A States also. But why do you pick and choose the B States? During the period 1955-56, the appointments made of Judges are not the appointments of the best—luminaries in the profession.

If you do not apply that empirical formula of appointment in the case of those who are in the A States, do not look with suspicion upon the other. . . .

Pandit Thakur Das Bhargava: clause 51(3) of the Bill deals specifically with this question of appointment of the Judges. It says that they shall be appointed again.

Shri U. M. Trivedi: I have read it as Pandit Bhargava has read it. Pandit Bhargava is an honest man and I am also trying to give him the same impression. But I have found out that that is not the interpretation to be put.

Mr. Deputy-Speaker: Let us agree then that two honest men disagree.

Pandit K. C. Sharma: They have the same honesty but not the same intelligence.

Shri U. M. Trivedi: Let Pandit Bhargava in that case, persuade the Government to make an unequivocal statement that they will be re-appointed as Judges. Then we will all be happy about it.

One very pertinent question which I would like to put to the hon. Minister is this and I will request him to apply his mind to it. After all, the creation of a district and the boundaries of a district are always in the hands of the State in which the district is situated. But this Bill has gone out of its way in the case of Kutch and Ajmer. Why should it be laid down that Kutch should be a district? Again why should it be laid down by statute that Ajmer should be a distinct district: Is it in the minds of the framers of the Bill that the separatist tendencies shall continue to remain even after they form part of the States with which they are merged? Or is it the idea to take such units out of the area with which they are merged at some later date and form some other units? I cannot understand the propriety of making such a suggestion and exercising a power which is not vested in this Parliament under the Constitution. It would be wise if the Government opens its eyes to the crisis

[Shri U. M. Trivedi.]

and brings about the Indians together and does not go on creating dissensions on linguistic considerations, dissensions from regional committees and dissensions that will grow from the zonal councils. At the time when the zonal councils were proposed, I pleaded for a unitary form of Government. They will be white elephants on our heads without having to discharge any particular type of duties. They want to create some more Rao Bahadurs and Khan Bahadurs to declare to the world that they are big persons.

Therefore, I will say that the Government will do well to find out a formula whereby people will not look with suspicion against each other and it should amend the Bill so that they may try to come together and think that they can be better by having bigger and bigger States. If a big Madhya Pradesh can be formed with such a big area, there is no reason why Gujarat, Maharashtra and Karnataka cannot join together. Similarly, there is no reason why the old Punjab, PEPSU, Himachal Pradesh and Delhi should not join together and form one unit. I still urge upon the Government to look into this so that the creation of these new States may be done away with by such measures as the Government may take to enlarge the territories of the various existing States.

Shrimati Jayashri (Bombay—Suburban): I would have whole heartedly supported this Bill if it had come with the original S. R. C. bilingual Bombay State. Imagine what a powerful State it would have been with Maharashtra and Gujarat combined. But, alas, that is not to be. The annals of history have to reveal the wisdom of this move. We have to accept the second best and I am glad to say that the proposal that has been suggested is for having a separate Maharashtra, a separate Gujarat and a Centrally-administered Bombay city. I could not understand the argument of Shri Gopalan when he said that a great calamity would fall on Maharashtra if Bombay city did not become the capital of Maharashtra. I can under-

stand the apprehensions if the city had been joined to Gujarat; then there would have been some grievance. But, here the city is going to remain and it is not going to run away to Pakistan or any other country. It will be there, like a mother to both Maharashtra and Gujarat. Both are going to get the benefit from this city, both will be able to gain by selling their raw materials and the prosperity of the city will be shared by both Maharashtra and Gujarat.

I do not want to enter into the old arguments of Maharashtra being the hinterland or Gujarat being the hinterland and Bombay being the nerve centre of the whole of India. It has been repeatedly argued in this House. I feel there is no ground for any grievance when our Prime Minister has promised that after five years this issue will be decided by the citizens of Bombay city. I should say that the Maharashtrains should now settle down and look to making the big Maharashtra State prosperous. I wish good luck and God-speed to them in this effort.

The zonal council would be a sort of meeting ground for them for solving their grievances and for bringing them together for economic, linguistic and other considerations and they will be a link between these various States. It is a very good proposal and I support it.

The other thing which will bring these States together is the High Court. I agree with the Joint Committee that there should be one common High Court for these States. This will keep all those who are at present practising in Bombay. They will not lose their practice; they will be there and their expert advice will be available to all the people of Gujarat, Maharashtra and Bombay City also. So, I do not see what the Maharashtra State is losing in this proposal.

I would now refer to the argument that some of the Members advanced in support of their demand for an enquiry on the firing in Bombay. Especially,

Deshmukh spoke about this yesterday. I am very sad I have to say something about this because the bona fides of the Chief Minister are doubted. I suppose the Members knew why the firing took place. The answer was given by the Chief Minister in the Bombay Assembly. I have got the reply here and with your permission, I may read out what he has said. I am reading from a Press report.

"The Chief Minister was replying to the criticism during the two-day debate on the Governor's address, that Bombay police had indulged in indiscriminate firing. Referring to the criticism against the force used by police to quell the city disturbances, Mr. Desai said it was true that 76 persons had lost their lives. But, because of that, it could not be said the fire opened by police was 'indiscriminate'. To him even the death of a single person would be a matter of personal concern. The death of so many persons would, therefore, be a matter of serious concern to him."

Then again, another report says:

"The Chief Minister said there was large-scale looting and arson and attempts were also made to 'browbeat' the people of certain localities to make them agree to the inclusion of Bombay in Maharashtra. He pointed out that the Bombay Municipal Corporation only yesterday sanctioned more than Rs. 23 lakhs for property destroyed during the riots."

The same report says that, referring to an allegation by a member the Chief Minister said that some of the women were also molested in the streets. All these things had happened during that time and we are surprised that responsible people should again and again demand an inquiry into this firing. We are very sorry that all these things happened. It is a very tragic thing. But we should now try to forget all those things. I

should have expected that the Members would use a word of sympathy for those who were murdered. Some shop-keepers were brought out from their shops and murdered. Nobody has spoken a word of sympathy for those who have lost their bread-winners. All are saying that the firing was not necessary. I would even now say that such things should not come from responsible people. It is the words spoken by leaders that have created this atmosphere. Therefore, I would suggest let this atmosphere cool down. Let a short time be given for the people to come together, let a short time be given for the people to appease themselves. After that we can expect, when the tempers cool down, that a decision can be taken about the city of Bombay. I do not say that it should go either to Gujerat or Maharashtra. Whatever may be the decision taken, and here I again say that a responsible Commission was appointed which has come to a decision that Bombay City cannot belong to a unilingual State. I should have expected that we would rest satisfied with that decision. I once again appeal to all the Members to abide by the present decision of having it centrally administered, as far as Bombay City is concerned.

Then I have one point more. I am sorry I have to deal with one district. It is not on linguistic basis that I am asking this. I am asking this only from the point of view of the welfare of that district. I request the hon. Minister to give thought to the demand of the people of the Dang District. Sir, it is a very backward district. It is inhabited by Bhils. Their language is Bhilli. It is neither Gujerati nor Marathi. We can at the most say that it resembles more Gujerati. If it goes to Maharashtra and it is properly administered, then there is no grievance. But the people there are afraid. Sir, I have got this map here from where we can see that the whole of Sahyadri Mountains are lying between this Dang and Maharashtra. Even now this place is administered from Surat. It has got trade with

[Shrimati Jayashri.]

Surat The communication is also with Surat district. I am surprised why it has been taken in the Maharashtra State. It is not from a linguistic point of view that I am saying this. Whatever the language may be, from the point of view of the welfare of the district we should see that no injustice is done to these backward people. They perhaps have not any leader at present to bring their grievances before the House. But I am sure the Members here will do them justice and will take a decision about that district keeping in view the welfare of the people there.

श्री नन्ब लाल शर्मा (सीकर) : जिस राज्य में, जिस राष्ट्र में, धर्म के अनुसार शासन होता है, उस राज्य में किसी प्रकार का कष्ट या आपत्ति जनता पर नहीं आती है। राम के शासन काल में किसी प्रकार आपत्ति-व्याधि जगत में नहीं थी।

माननीय उपाध्यक्ष महोदय, इस राज्य पुनर्गठन के विषय पर यद्यपि मैं पहले भी दो तीन बार इसी सदन में अपने विचार प्रकट कर चुका हूँ और अब इस विधेयक को पढ़ने के बाद भी मेरा यह दृढ़ निश्चय है कि इस बिल को यदि हम अब भी त्याग दें तो राष्ट्र के कल्याण के लिये, देश के कल्याण के लिये बहुत अच्छा होगा। मैं ने पहले भी कई बार निवेदन किया है और आज फिर करता हूँ कि किसी राजनीतिक विद्वेष अथवा राजनीतिक पक्षपात के कारण मैं ऐसा नहीं कह रहा हूँ। महाराष्ट्र, उड़ीसा, पंजाब, बिहार, बंगाल इत्यादि जिधर भी हम दृष्टि डालते हैं सभी ओर एक ही वस्तु हमें देखने को मिलती है और हम कहते हैं कि यह केवल बीज मात्र है। आप ने इस विषय बुझ को बोया तो निश्चित ही आप विषय बुझ का फल भी भाँगेगे और आप कोई दूसरे नहीं हैं। एतावत: चाहे आप इस समय कांग्रेस पार्टी में हों परन्तु इस राष्ट्र के नागरिक होने के नाते जो कष्ट आप के स्थिर पड़ेंगे, वे कष्ट मेरे स्थिर भी पड़ेंगे और

दूसरों के स्थिर भी पड़ेंगे। इस के साथ ही यदि भारत का विघटन हो गया तो आप की जो द्वितीय पंच वर्षीय योजना है वह बरी की बरी रह जायगी। कुछ समय हुआ हमारे गृह मंत्री महोदय श्री पंत जी ने यह शब्द कहे थे कि सन्तु हमारे द्वार पर विहाद की आवाज लया रहा है और हम यहां चर्चा चला रहे हैं। इसलिये मैं निवेदन करता हूँ कि आप अब भी इस दुष्प्रयत्न का परित्याग कर दें। इन सब चीजों को देखते हुए मैं इस बिल का हृदय से विरोध करता हूँ। मैं चाहता हूँ कि उपयुक्त समय आने पर आप लोग अपने कार्य संचालन के लिये राष्ट्र के कल्याण के लिये, राष्ट्र को संगठित करने के लिये कोई सिद्धान्त बनायें। परन्तु यह भाषावार प्रान्त बनाने का प्रश्न भी आप ही ने सड़ा किया है, हम ने सड़ा नहीं किया। अपने सड़े किये हुए प्रश्न के विषय में आज आप को ही पश्चाताप हो रहा है, क्योंकि आप ने अब उस का फल देख लिया है।

महाराष्ट्र के सम्बन्ध में बहुत कुछ कहा जा चुका है। और अब यह है कि फोड़े पर एक और फोड़ा आ गया और वह है श्री देशमुख का त्यागपत्र। मैं समझता हूँ कि इस विषय में श्री त्रिवेदी ने ठीक कहा है कि अगर आप ने उन की नहीं सुनी, तो इस बात की आशा नहीं है कि आप किसी और की सुनेंगे।

पंडित कृ० चं० शर्मा : हम आप की सुनते हैं।

श्री नन्ब लाल शर्मा : मैं जानता हूँ कि शर्मा जी मेरी सुन रहे हैं, लेकिन यह भी तथ्य है कि वह तभी तक सुनेंगे, जब तक कि उन के हाथ में कुछ करने का अधिकार नहीं है। और जिस दिन वह अधिकार हो जायगा, तब वह ऐसा नहीं कहेंगे। राज्य का मद बढ़ी जल्दी स्थिर पर चढ़ जाता है।

मैं यह कह रहा था कि जब महाराष्ट्र की नहीं सुनी जा रही है, तो फिर हमारी क्या सुनी जायगी? महाराष्ट्र और बम्बई

के सम्बन्ध में अभी भगवती भीमती जब्ती ने कहा है कि ममल में नहीं जाता बम्बई न मिलने से महाराष्ट्र का क्या नुकसान हुआ। यह तो वही बात है कि किसी की नाक काटने से क्या नुकसान होता है? उस के प्राण तो नहीं जाते? मैं निवेदन करना चाहता हूँ कि नुकसान यह हुआ कि नाक शरीर का एक अंग है और वह अंग आप ने शरीर से अलग कर दिया है। हाँ, यह आप ने ठीक किया कि किसी की नाक काट कर किसी दूसरे के मुख पर नहीं लगाई। और फिर प्रश्न यह भी है कि दूसरे ने वह नाक काटने के लिये कहा ही कब था? मेरा गुजरात से कोई विद्वेष नहीं है और न ही महाराष्ट्र के प्रति कोई पक्षपात है, क्योंकि न मैं गुजराती हूँ और न महाराष्ट्रीय। मुझे तो वे दोनों बन्धु के समान हैं। लेकिन अगर गुजरात ने बम्बई को मांगा होता तो बम्बई के केस का अध्ययन गुजरात की दृष्टि से करना हमारा कर्तव्य हो जाता। स्थिति यह है कि उस की ओर से मांग नहीं हुई और महाराष्ट्र के मुख के ऊपर नासिका के रूप में बम्बई पड़ा हुआ है और महाराष्ट्र के ही शरीर का अंग है। इस बात को आप भी स्वीकार कर रहे हैं, कमीशन भी स्वीकार कर रहा है कि बम्बई महाराष्ट्र का अंग है और जियोग्राफिकली (भौगोलिक दृष्टि से) महाराष्ट्र के अन्तर्गत है। महाराष्ट्रीय उस के चारों ओर रहते हैं और वहाँ उन की जन संख्या ४३ प्रतिशत है। आज इस का भी स्पष्टीकरण कर दिया गया है और वह यह है कि बहुत अधिक संख्या में महाराष्ट्रीय बम्बई सिटी में इसलिये नहीं रह पाते हैं कि वहाँ रहने के लिये स्थान नहीं मिलता है वे लोग दिन भर बम्बई में काम करते हैं और रात्रि बाना वगैरह स्थानों में चले जाते हैं। ऐसी परिस्थिति में मैं नहीं समझता कि बम्बई को महाराष्ट्र से अलग करने का क्या कारण है।

यह भी कितने खेद की बात है कि अब महाराष्ट्र के साथ वह व्यवहार किया जा

रहा है, जिस को adding insult to injury (जसे पर नमक छिड़कना) कहते हैं। उस को कहा जा रहा है कि बम्बई उस को नहीं मिला, तो उस को क्या नुकसान हुआ, पांच वर्ष के बाद फिर इस प्रश्न को देख लेंगे। यह तो वैसे ही है कि किसी की सड़की या बीबी छीन ली और जब मामला मैजिस्ट्रेट के सामने पेश हुआ, तो कहा कि हम दोनों समझौता कर लेंगे, अभी दो चार रोज यह स्त्री हमारे पास ही रहने दो, उस के बाद फैसला कर लेंगे कि वह किस के पास रहे। क्या यह महाराष्ट्र के साथ मजाक नहीं है? क्या इस तरह किडनीपिय (अपहरण) को कनडोन (भाफ) करना उचित है? मैं महाराष्ट्रीयों की भावनाओं को उभारना नहीं चाहता हूँ, लेकिन मुझे खेद है कि अन्याय कर के कहा जा रहा है कि किसी प्रकार का अन्याय नहीं हुआ है।

इस के साथ ही साथ यह भी कहा जा रहा है कि वहाँ पर लूट-मार हुई, क्रल्ल हुए, यह हुआ और वह हुआ। इस सम्बन्ध में भी देशमुख के वक्तव्य में बहुत कुछ प्रकाश डाला जा चुका है, परन्तु मेरा कहना केवल यह है कि कम से कम जांच कर के यह तो देख लिया जाता कि महाराष्ट्रीय दोषी हैं, गुजराती दोषी हैं अथवा गवर्नमेंट दोषी है। जो भी दोषी होता, वह सामने आ जाता और हम लोग कह सकते कि अमुक व्यक्ति दोषी है, उस को दंड दिया जाना चाहिये। लेकिन आज महाराष्ट्रीय को केवल महाराष्ट्रीय होने के नाते कनडेम (बुरा ठहराना) करना और कहना कि उस ने यह गुंडाबंदी की है और वह ज्यादाती की है, मेरे विचार में महाराष्ट्रीय के चरित्र के साथ अन्याय करना है। इसलिये मैं स्पष्ट रूप से निवेदन करना कि अच्छे धादमी और बुरे धादमी सब जगह रहते हैं। हो सकता है कि कुछ दुष्टों ने यह कृत्य किये हों। हो सकता है कि कुछ राष्ट्र-विरोधी संस्थाओं वहाँ काम कर रही हों और उन्होंने ने स्थिति का अनुचित लाभ उठा कर लोगों को भड़काया हो और

[श्री नन्द लाल शर्मा]

ऐसी हरकतों की हों, जिस से महाराष्ट्र और बम्बई के नाम पर कलंक लगे। इस दशा में बिना किसी प्रकार की जांच के किसी को दोषी ठहराना नितान्त अनुचित बात है। बम्बई में लोग चाहे सरकार की मोनी से भरे हों या गुंडों के हाथों भरे हों या अपमानित हुए हों, किसी के भी द्वारा सम्पत्ति की हानि हुई हो, हम को उस के लिये खेद है, लेकिन प्रश्न तो यह है कि हम स्पष्ट रूप से अपराध किस के ऊपर करें ? उस के लिये जांच की आवश्यकता है और वह की जानी चाहिये थी।

इसी प्रकार का व्यवहार पंजाब के साथ भी हुआ। होशियारपुर की घटनाओं की चर्चा पिछले दिनों स्थान स्थान पर होती रही है। इस सम्बन्ध में जन संघ के ऊपर बहुत बौद्धिक पड़ती रही है। अगर जन संघ उन घटनाओं के सम्बन्ध में अपराधी हो, जन संघ के कार्यकर्ता अपराधी हों, तो उन का पक्षपात करने की मेरी अभिलाषा नहीं है। मैं यह भी नहीं चाहता हूँ, कि महापंजाब बने या पंजाबी सूबा बने, लेकिन मैं अवश्य चाहता हूँ कि अगर हमारी मां, बहिन, बेटा का अपमान हो, तो उस की अच्छी तरह जांच होनी चाहिये और हर एक मां, बहिन, बेटा की इज्जत की रक्षा करना जैसे हमारा कर्तव्य है, वैसे हर कांग्रेसी का भी कर्तव्य है, सरकार का भी कर्तव्य है। मां, बहिन, बेटा हम सब की हैं, इसलिये इस विषय में हम को अपने कर्तव्य से व्युत् नहीं होना चाहिये। हम को यह समझ लेना चाहिये कि हिन्दू और सिख एक लम्बे काल से पंजाब में इकट्ठे रहते आ रहे हैं, लेकिन कभी भी उन में ऐसा झगड़ा नहीं हुआ, जैसा कि आज हो रहा है—जिस का कि बीज डाल दिया गया है। स्वयं मास्टर तारसिंह ने कई बार कहा है कि हिंदू और सिख भाई हैं, उन में किसी प्रकार का विरोध नहीं है। फिर भी वहां पर राजनीतिक स्वार्थ बना कर बहु झगड़ा सड़ा कर दिया गया और उस झगड़े

की प्रतिक्रिया जयरा में बड़े जीवन रूप में हुई है, उस का बड़ा भयंकर रूप बना हुआ है। जब हम होशियारपुर गये, तो हम को यह रिपोर्ट मिली कि जिस समय एक सब इंस्पेक्टर आफ पुलिस एक हिन्दू माता की मोदी से गिरे हुए बरस डेढ़ बरस के बच्चे के सिर पर अपना बूट मारने लगा, तो समीप ही सड़े एक हिन्दू सिपाही ने लाठी से मार कर उस के पैर को वहां से हटा दिया। वह बच्चा तो दूँ गया, लेकिन उस सिपाही की जो दुर्दशा हुई, वह बड़ी दर्दनाक है, बड़ी कष्टाजनक है। बहुत से लोगों ने मिस कर उस को पीटा, क्या हुआ, क्या नहीं हुआ, इस प्रश्न में इस समय मैं नहीं जाऊंगा। मैं इस प्रश्न में भी नहीं जाऊंगा कि कौन दोषी है और कौन नहीं। मैं उस सब-इंस्पेक्टर को भी नहीं जानता और उस सिपाही को भी नहीं।

श्री च० ब० पांडे : सिर्फ सुनी हुई बात है ?

श्री नन्द लाल शर्मा : अगर मैं वहां पर होता, तो एक डंडा मुझे भी लग जाता, लेकिन मैं ने उस स्थान पर जा कर लोगों से पूछा, अपनी आंखों से सब स्थिति देखी, लोगों की चोटें देखीं। यह सिर्फ सुनी सुनाई बात नहीं है। मैं ने कई माताओं और देवियों की जंगायें और टांगें देखीं, जिन पर तेरह चौदह दिन के बाद भी लाटियों के निशान और नील पड़े हुए थे और एक देवी की कंधे की हड्डी भी टूटी हुई देखी और वहां की मेडिकल एसोसियेशन की रिपोर्ट भी देखी। मैं ने वहां अपने मित्र, श्री दीवान चन्द शर्मा को भी पूछा, लेकिन चूंकि वह चंडीगढ़ गये हुए थे, इसलिये उन से बातचीत न हो सकी। मैं और भी अधिकारियों से मिला और उन से बातचीत की। यह सब कुछ होने पर भी मैं किसी प्रकार की दुर्भावना से किसी व्यक्ति पर, भयवा किसी दल पर भयवा किसी सम्प्रदाय विशेष पर कोई आरोप लगाना नहीं चाहता हूँ। मेरा

कहना तो केवल यह है कि इस के द्वारा जो विद्येय की ध्वनि मड़कने वाली है, उस से हमारे राष्ट्र को हानि पहुंचे बिना नहीं रहेगी ।

यही उड़ीसा के बारे में है । बिहार बंगाल के बारे में घाय कल धीर उस से पहले भी सुन चुके हैं और आगे भी सुनेंगे । क्या वस्तु बंगाल को मिलनी चाहिये, क्या बिहार को मिलनी चाहिये और क्या इन प्रदेशों से छीननी चाहिये यह प्रश्न तो बाद को सड़ा होगा । कल हमारे सामने बिहार के बन्धुओं ने अपना पक्ष रखा और कहा कि उन के साथ अन्याय हो रहा है । उधर बंगाली बन्धु कहते हैं कि हमारे साथ अन्याय हो रहा है । इस का परिणाम यह हो रहा है कि पास पास के रहने वालों में शत्रुता की भावना पैदा हो रही है ।

एक माननीय सदस्य : शत्रुता नहीं है ।

श्री नन्द लाल शर्मा : शत्रुता के क्या कोई सींग पूंछ होती है । शत्रुता यही है कि किसी की जमीन छीनी जा रही है, किसी का मकान छीना जा रहा है । यही शत्रुता है, और शत्रुता क्या होती है ।

यदि मुझे सरकार की नीति पर शंका नहीं करनी है तब भी मुझे यही निवेदन करना है कि इस बिल को कुछ समय के लिये टाल दिया जाये । दूसरी बात शंका की आती है । उस सम्बन्ध में मैं यह निवेदन करना चाहता हूँ कि इस जॉनल काउंसिल (प्रादेशिक परिषदों) को देखने के बाद मेरे दिल में शंका और दुःख होती है । कुछ लोगों ने इन काउंसिल को पसन्द भी किया है कि दो दो और चार चार प्रदेशों को इन के द्वारा मिला दिया जायगा । परन्तु यदि देखा जाये तो मालूम होगा कि इन काउंसिल में एक भी सदस्य निर्वाचित नहीं होगा, सब नामिनेटड होंगे । यही गवर्नमेंट को राय देंगे और इन की रिपोर्ट किसी असेम्बली

के नामने नहीं रखी जायगी । यह तो प्रजा-तंत्र का बला बोटने का उपाय मालूम होता है ।

एक माननीय सदस्य : ऐसा नहीं है ।

श्री नन्द लाल शर्मा : मेरा मुख है इतलिये मैं कहता हूँ कि दस हाथ का हिरन होता है । किन्तु मैं इस बिल में एक भी धारा ऐसी नहीं पाता जिस में यह दिखाई दे कि इन काउंसिल का एक भी सदस्य निर्वाचित होगा, चाहे वह पार्लियामेंट (संसद्) के द्वारा निर्वाचित हो या और किसी प्रकार निर्वाचित हो । ये लोग तो चीफ मिनिस्ट्रों (मुख्य मंत्रियों) के, प्राइम मिनिस्टर (प्रधान मंत्री) के या वहाँ के किसी अन्य मिनिस्टर के नामिनेटेड (नाम-निर्दिष्ट) लोग होंगे, या आफिसर्स के नामिनेटेड लोग होंगे । यह बिल्कुल एक आफि-शियल सफिल (सरकारी विभाग) बन जायेगा । यह तो एग्जीक्यूटिव (कार्य-पालिका) और लेजिस्लेचर (विधान मंडल) के बीच एक बड़े संघर्ष का कारण हो सकता है । सरकार लेजिस्लेचर की शक्ति को इस तरह दबाना चाहती है और इस के लिये यह मार्ग अपनाया गया है । यदि आप इस चीज को इस बिल में रख कर पास कराना चाहते हैं तो मैं कहूँगा कि इस में कुछ संशोधन करना चाहिये और निर्वाचन का भाव इस में रखना चाहिये ।

मैं ने प्रवर समिति के मतभेदों के कुछ अंशों में देखा है । मेरा निश्चय है कि हिमाचल प्रदेश को पंजाब से अलग रखना अनुचित है । हो सकता है कि कुछ व्यक्तियों को अपनी कुर्सी जाने का खतरा दिखाई दिया हो और इसलिये उन्होंने ने इस को पंजाब से अलग रखने का प्रयत्न किया हो । यह सीमावर्ती क्षेत्र है, इस के उत्तर में भी सीमा है, पश्चिमी में भी सीमा है और यह शत्रु देशों से घिरा हुआ है । इन को हम मित्र देश कहते हैं वे भी अपनी सेनाओं को फैला फैला कर हमारी सीमाओं की

[श्री नन्दलाल शर्मा]

घोर बढ़ते जा रहे हैं। ऐसी परिस्थिति में भी हम इस इलाके को सी० प्रदेश बना कर केन्द्र शासित रखना चाहते हैं। ऐसा करने से यह प्रदेश कमजोर हो जायेगा। मैं समझता हूँ यह अनुचित होगा। सब बातों को देखते हुए यही उचित मालूम होता है कि हिमाचल प्रदेश को पंजाब के साथ मिलाना चाहिये। पर ऐसा क्यों नहीं किया गया यह इस बिल को बनाने वाले ही जानते होंगे। कमीशन ने इस को पंजाब में मिलाने के पक्ष में रिपोर्ट दी थी, पर उस को स्वीकार न कर के यह परिवर्तन किया गया है। यह अनुचित है। मेरा विश्वास है कि मेरी इन बातों पर ध्यान दिया जायेगा। आवश्यकता पड़ेगी तो मैं इस के लिये संशोधन भी रखूंगा। किन्तु इस समय तो मुझे केवल इतना ही कहना है कि मैं इस विधेयक का हृदय से विरोध करता हूँ और सरकार से निवेदन करता हूँ कि इस को लौटा ले। उपयुक्त समय आने पर, जबकि दूसरी और तीसरी पंच-वर्षीय योजना द्वारा देश को समृद्ध बना लिया जाये, तब इस पर विचार किया जाये। उस समय तक राज्यों का पुनर्गठन करने की आवश्यकता नहीं है।

Shri Nesamony (Nagercoil): The Joint Committee have done a very good job in redrawing the map of India, but my complaint is that they have not adopted the same principles in the settlement of the boundaries for the various States. Particularly, I should like to say a few words about the Shencotta taluk. This is the taluk which is proposed to be transferred from Travancore-Cochin to Madras.

It was unfortunate that no Member of that area was included in the Joint Committee which settled the fate of the Tamil taluks of Travancore-Cochin and consequently our case was decided *ex parte*. The agreements of the Travancore-Cochin State and the Madras State were made over our heads without our knowledge without consulting us; and, most of the things

became a *fait accompli* at the time when the Bill was put before this House by the Joint Committee. The Madras Government, probably because of the conflicting opinions about the Dakshina Pradesh and because they lost heart after the communique of the Government announced on the 16th January that the taluks of Devikulam and Peermade were denied to them, were indifferent and said "yes" to everything that was proposed to them. In para 294 of their report, the S. R. C. have said:

"The Shencottah taluk is partly an enclave in Tirunelveli district of Madras State and the percentage of Tamil-speaking people in this taluk is about 93. Physically and geographically it belongs to Tirunelveli district in which it should now merge."

I underline the words "physically and geographically it belongs to Tirunelveli District". On the 16th January, when the Government issued a communique denying the rights of Devikulam and Peermade to be merged with the Madurai District and that of a portion of the Shencottah taluk with the Tirunelveli District, the whole of Tamil Nad protested irrespective of party affiliation. That was characterised as foolish on the floor of the House. But, the fact remains that it was an insult to the Tamils, and that we suffer because the principles varied with territory and territory and with region and region. The words used in the communique issued on the 16th January were "the western-most portion of the Shencottah taluk lying to the west of the Western Ghats". But subsequently when the Bill was introduced here, that wording was changed and they said "Puliyara Hill pakuthy". When this Bill went before the Joint Committee, probably, there were none in that Committee who knew the geography of that place. They said, well, delete "excluding Puliyara pakuthy". They deleted this on the 2nd of July.

It is stated on page 4 of the report of the Joint Committee that the Travancore-Cochin Government has, on the 1st of July, transferred a territory along the watershed line and added it on to an adjoining taluk. The Travancore-Cochin Government has sabotaged the deliberations of the Joint Committee. The Madras Government agreed to it. I do not know at whose instance it was done. Some person might have had a brain wave and in his ingenuity he discovered that it was along the watershed line, an imaginary line. I am thankful that they did not think of longitudes and latitudes. Where is this imaginary line? It is a range of hills. Where is this line, nobody knows. What are the portions that have been transferred, nobody knows, except that the communique says that a portion of this taluk has been added on to the adjoining taluk. On the 2nd of July, the Committee sat for deliberation. This action, whether of the Travancore-Cochin Government or the Madras Government or of the Central Government, is a breach of privilege of this House. When the Joint Committee was seized of the question, there has been this readjustment of territory between the Travancore-Cochin Government and the Madras Government. I may even say that it is a contempt of this High Court of Parliament, whoever may be guilty. Not that I move that action must be taken for contempt; I say, constitutionally, this is a breach of privilege of this House, and a contempt of the High Court of this Parliament. I submit that the rights of the people have been bartered away. Why? For no fault of theirs. They demanded that they should be merged with the Madras State. The S.R.C. gave their verdict that physically and geographically they formed part of Tirunelveli district. Where is this watershed line? The railway line from Shencottah to Trivandrum pierces through this area. The road from Trivandrum to Shencottah passes through this area. There are gaps. Where is the watershed line? It is not an impenetrable forest

where people cannot go. It can be approached through a number of roads. Most of the approaches are from Shencottah and not from the Travancore side. What is the watershed here? They say, watershed line. There is one river, a tributary of another river, which has its origin in one of the hills. It is the Achankoll river. That forms the boundary between Shencottah taluk and Quilon taluk. That is now considered to be the watershed line. There is another hill stream which joins a big river down below. That is said to be the watershed line. Just for the sake of these two hill streams, to bring in the principle of watershed line is absolutely unwarranted, is most inequitable and unjust. This is a thing that must be rectified. I believe the Home Ministry would consider this matter very seriously. We are all aggrieved by this. The economic life of the people of Shencottah is bound up with these hills. Their green manure is got from here, their grazing grounds are here, their implements of husbandry are made from here and their fuel is gathered from these forests. They are denied all these privileges. They are told, you must go leaving the land. I submit this is most inequitable. This decision calls for reconsideration.

At the instance of the Central Government, the two Governments have agreed that there must be a division along the watershed line. I ask in all humility, when Peermade and Devikulam have been denied to us, why not the principle of the watershed line be adopted there. If straightening the boundaries be the determining factor, why not give us Peermade and Devikulam taking into consideration the straightening the borders of Madura and Coimbatore districts? If it is a matter of economic development, why not the Periyar basin which is a game sanctuary be given to the Madras State? The Central Government is aware of the scramble that is going on regarding Parambikulam. The catchment area is in the Madras State and only one of the several dams is

[Shri Nesamony.]

going to be constructed in Travancore-Cochin State. All parties, the communists, the R.S.P., the K.S.P. and P.S.P. are up against the Madras Government. They say that they would not allow us to even go through the territory to survey the area. That is the attitude of Travancore-Cochin. You set aside all principles. The Joint Committee says, so far as Shencottah is concerned, it is along the watershed line and if it is Devikulam and Peermede, it cannot be given and it must go to Travancore Cochin State. I fail to see the wisdom of this decision.

There is another great injustice done to us in clause 4. I refer to the power given to the State Government to create districts. In the matter of Coorg, in the matter of Ajmere it is said that it shall be constituted into separate districts. In the case of the four taluks which comprise nearly 800 square miles of territory and 8½ lakhs of people, they are added on to Tirunelveli which is already a big district. Nobody cared to find out whether these four taluks could form one unit of administration from the point of view of law and order, communications, medical aid, etc. Nobody looked into the matter because they are not in possession of the facts. Still, this is a discrimination between one State and another, as is evident at every page of this report. If you stick to a principle, that principle must be accepted and applied to all the States and there should not be any discrimination.

I endorse every word of what Shri Frank Anthony said so far as the minorities are concerned. As our area is being proposed to be integrated with Madras according to the present distribution of States, a large majority of the Tamils have been left in the Travancore-Cochin State. It would be about 10 lakhs.

Shri Achuthan Gangannur): What about the Malayalees in the four taluks?

Shri Nesamony: I am coming to that; do not be in a hurry. We will safeguard you. The same things that we claim must be given to all Malayalees. It is our bitter experience that the Malayalee Government which was there did not give us freedom to educate our children in our mother tongue. Consequently, the people whose mother tongue has been Tamil have been turned into Malayalees. We fought against it. I may tell you that during the last four years the schools where Malayalam was taught are now becoming Tamil schools. There was a time when everybody was compelled to learn Malayalam because no provision was made for Tamil. When provision is made every one will take to his mother tongue, so that adequate provision has to be made in the Bill itself as Shri Frank Anthony has said. Do not leave it to the local Governor or the Zonal Council. There must be a provision in the Bill itself to guarantee the rights of the minorities so far as their education and culture are concerned.

I have appraised the Home Ministry also of a lacuna in the States Reorganisation Bill in respect of the advocates of the southern areas which are being integrated with Tinnevely District and I have proposed an amendment to that clause. I believe that it will receive the proper attention of the Home Minister.

Shri K. G. Deshmukh (Amravati West): The Bill as it has emerged from the Joint Committee, as was expected, contains no major changes, except only a few minor changes here and there. Still, I welcome some of the changes especially in respect of Maharashtra. As you know, there was a great agitation in Maharashtra over some points regarding the recommendations of the States Reorganisation Commission and afterwards a series of incidents have happened and today the final proposal is before us. I welcome the proposal contained in clause 9 of the Bill regarding the formation of Maharashtra to a great extent.

The Commission had recommended the formation of two States as far as the Marathi-speaking people were concerned. One was Vidarbha and the other was not a pure uni-lingual State but a bi-lingual State, to call it correctly in the language of my friend Shri S. K. Patil, a balanced bi-lingual State with Gujarat and Maharashtra. After that in Vidarbha as well as in Maharashtra there was a great agitation regarding this recommendation because since long there has been a legitimate demand in Maharashtra to bring together all the Marathi-speaking people in one area with Bombay as its capital. Though Bombay is not there today, Maharashtra is there and to that extent I welcome that proposal. Of course, I know that all sections, and especially the Marathi speaking people, are not very much satisfied, but as far as Vidarbha is concerned, it has satisfied to some extent. Of course, in Vidarbha also there is a great demand, and it is legitimate also, that Bombay should be included in Maharashtra, and I hope our Home Minister, though not now, will consider this demand after some time.

Shri V. G. Deshpande: Not now.

Shri K. G. Deshmukh: I will come to the question of Bombay at the end of my speech.

Firstly, I would like to make out some point; about the boundaries of the proposed State of Maharashtra. Today I have heard from Seth Govind Das about some of the border disputes between Maharashtra—Vidarbha and Madhya Pradesh. I was surprised to find my respected friend Seth Govind Das criticising my friend Dr. Khedkar who is the President of the Vidarbha Provincial Congress Committee. He went to the extent of saying that the President of the Vadarbha Provincial Congress Committee was unnecessarily speaking on these border areas at this time, and for a peaceful atmosphere it is better not to discuss the border area problem at this stage. I wonder when Seth Govind Das was eager to discuss this question at all. I know from my own experience that Dr. Khedkar requested him repeatedly, as

he happens to be the President of the Mahakosal Provincial Congress Committee, and also Pandit Shukla, the Chief Minister of Madhya Pradesh, to adjust some areas which are claimed by Vidarbha from Mahakosal. I can say from the figures in the handbook of census figures published by Government that Berhampore which is a taluk in Nimar District of Madhya Pradesh, contains a Marathi-speaking population of 72 per cent. I wonder how, after reading this also, Seth Govind Das says that there is no area in Mahakosal or Madhya Pradesh which contains more than 70 per cent. of Marathi-speaking people. Because he has got that Taluk with him he can say, we should not demand it, but is he prepared to sit around a discussion table with friends from Vidarbha? I can give a guarantee that my friend Dr. Khedkar is ready to sit. Only a few days ago, he had requested Seth Govind Das and Pandit Shukla, but nobody turned up in Delhi or Nagpur to discuss this problem, and still they say we should not raise this question now.

In the same way, there are some other taluks in Madhya Pradesh which the Marathi-speaking people or Vidarbha can claim on grounds of population, though the majority may not be 70 per cent. There is one taluk called Sansar, another called Multai, and there are other border revenue circles with a majority of Marathi-speaking people which have been included by this Bill in Madhya Pradesh. I wonder how the Commission recommended some of these taluks and revenue circles to be included in Madhya Pradesh. In the case of Vidarbha they have committed a great injustice as far as the border problem is concerned, because in the recommendation they have said that they are taking the district as the unit in respect of Vidarbha. Only eight districts have they given to the proposed Vidarbha, and no taluks or revenue circles were broken up for the sake of the formation of Vidarbha, while in other cases they have broken up taluks and revenue

[Shri K. G. Deshmukh]

circles, and in the case of Bombay we see in clause 8 of this Bill that some villages of Thana and Borivalli taluks have been broken up and given to the Centrally administered Bombay. So, there is no set up principles which seem to demarcate these boundaries, and therefore I would request the Home Minister at least at this stage to consider the appointment of a boundary commission. It is no use saying that no boundary commission will be appointed, that the people concerned should sit together and settle the matter amicably. How is it possible to bring a man who has gained to an amicable settlement? It is human nature that a man who has gained is naturally reluctant to come to a settlement; the man who wants it moves about him but he says "No, no." So, you should settle this matter if possible by arbitration. That is not practicable in my opinion. The only solution to this border problem is the appointment of a boundary commission. I will go to the extent of saying that you may provide that the decision of the commission will be final and that there will be no appeal, as we have made it in the case of the constituencies delimited by the Delimitation Commission. Why not do it here also? Why is the Government afraid of this? There will be no dispute after the findings which will be final. Some High Court Judge or other impartial person can be appointed, to go to the disputed areas and settle the problem. This is the only solution to bring about an atmosphere of calmness. Otherwise, even after the formation of the States, disputes and rivalry will continue for all time. Therefore, with all the force at my command, I would urge the Home Minister to appoint such a boundary commission.

Now, I come to the provision regarding High Courts, which is contained in clause 50. It has been provided therein that there will be a joint High Court for the States of

Gujarat and Maharashtra and for the Part C State of Bombay. I do not know why this arrangement has been made. I heard my hon. friend Shri R. D. Misra, who is a good lawyer and a constitutionalist also, saying that this is not also in accordance with the Constitution. I do not know the relevancy for his saying so, because I have not read the relevant article which he mentioned. But from the practical point of view, I can say that the proposed arrangement is not a feasible solution.

As you know, the States of Maharashtra and Gujarat are going to be two separate States, and as such, their local laws are bound to be different, both local laws as well as revenue laws. In the face of this, to say that all these three States, including the Part C State of Bombay, will be under the jurisdiction of one High Court, will not, in my opinion, bring about a peaceful solution. From the point of view of the administration of justice and the convenience of the people also, it will not be a feasible solution.

I would, therefore, urge the Home Minister to provide for three separate High Courts for these three States. One point that has been made in favour of a joint High Court is that Government are anxious to keep up the high standard and traditions which the Bombay High Court has maintained all along. I do appreciate the anxiety on the part of Government in this regard. But I can put forward another solution to achieve the same objective in view. I hope my Gujarat friends will not look at it with suspicion. The solution that I am suggesting is that the jurisdiction of the Maharashtra High Court can be extended to the Bombay city for a period of five years. At least for five years, this experiment could be tried. In this way, the standard of the Bombay High Court could be kept up; and at the same time, there could be also separate

High Courts for the two States of Maharashtra and Gujarat.

5-33 P.M.

[Mr. SPEAKER is the Chair]

So far as Gujarat is concerned, there will not be any difficulty either, because in Saurashtra, there is already a High Court functioning, and that High Court can very well serve the needs of the new Gujarat State, and Government would not be put to difficulty of establishing a new High Court for them.

I am very much thankful to the Joint Committee for the provision they have made in connection with the Legislative Council for the State of Maharashtra. In the original Bill, such a provision was not there. As you know, Maharashtra is going to be a very big State with a population of nearly three crores, including that in Marathwada. The setting up of a Legislative Council will serve the different interests of the different regions of Maharashtra, and the varied people will be able to represent their interests in that Council.

I am also thankful to the Home Minister for having embodied the Nagpur agreement in the present Bill. Before the formation of these States, there was an agreement entered into between the respective leaders of Marathwada, Nagpur, Vidarbha and Maharashtra, in connection with the safeguarding of the interests of the backward areas in the respective regions. Almost all the big leaders had signed that agreement. In the original Bill, there was no provision to this effect. From the Vidarbha area, there was a demand from certain sections for the establishment of regional council. As far as this proposal is concerned, I am opposed to it, especially so far as Maharashtra is concerned, because I believe that the establishment of regional councils in Maharashtra is bound to create a separatist mentality in the different regions of this State. Therefore, the best solution was to

365 L.S.D.

have embodied this agreement somehow or other in the present Bill. I am satisfied that the essence of this agreement has been accepted by making provision for three separate development boards for these three different regions.

I now come to the most heated question of the Bombay city. Much has been said already on this matter, and rather, it has become the centre of discussion on the floor of this House. So, I would not go into the details of it or its merits. Much has been said already in regard to this matter both inside this House and also outside. The only point that I would like to stress is that up till now, whether in the House or outside in the press, no sound argument has been advanced by the people concerned or the persons interested, for keeping the Bombay city out of the State of Maharashtra.

Even if we look at this question from the Government's point of view, we shall find that the Prime Minister has already agreed that the Bombay city belongs to Maharashtra geographically. If you will read clause 8 of the Bill also, you will see how the city of Bombay is a part of Maharashtra. Clause 8 defines the new Part C State of Bombay as comprising the following territories:

"(a) Greater Bombay,

(b) Borivali taluka of Thana district, except the villages of Bhayandar, Dongri, Ghod Bunder, Kashi, Mire, Rai Murdhe and Uttan, and

(c) the villages of Mulund and Nalur in Thana taluka of Thana district."

So, you will see that the new State of Bombay consists of Greater Bombay plus some villages and talukas of Thana district. In other words, I might say that this city of Bombay has stretched its hands, fingers and legs into the Maharashtra area. That is but natural. It must form part of Maharashtra, in the interests of its

[Shri K. G. Deshmukh.]

future growth. So, if you do not include the city of Bombay in Maharashtra, it will adversely affect the growth of the Maharashtra State and also the growth of the Bombay city itself, because Bombay has not much land otherwise on which to grow. Therefore, I would urge with all the emphasis at my command that the city of Bombay should be merged with Maharashtra.

If any difficulty is felt in that regard, I could give a solution to that even at this late stage. If there is any difficulty to merge it with Maharashtra at present, then it can be under Central administration for a definite period of two or three years, and thereafter, it should automatically merge with Maharashtra, if it is not settled otherwise by Parliament. I hope Government will give due consideration to this solution which I have suggested.

Shri M. S. Gurupadaswamy (Mysore): The Bill has as many as 131 clauses and six schedules, and many of the provisions are either unnecessary or extraneous to the matter of reorganisation. I say 'unnecessary' because I feel that the provision, particularly dealing with the question of Legislative Councils, is not treated properly. I feel that I am voicing the opinion of many here when I say that Legislative Councils are not necessary in the new set-up. Many arguments may be advanced in support of this argument; I do not want to adduce all those arguments, but I will confine my remarks to one or two points.

Everybody here will agree with me that the second chambers in the various States are not fulfilling the historic role for which they were established by the Constitution-makers. Much of the work that is transacted by the Legislative Councils is being discharged properly and adequately by the Assemblies. So it would be proper to do away with this costly machinery which has outlived its purpose. Therefore, I oppose all the

provisions which relate to the establishment of Legislative Councils in the States.

I said that certain provisions in the Bill are extraneous. Last time, when I was speaking on the Bill before it was referred to the Joint Committee, I said that the Zonal Councils are quite outside the question of reorganisation of States. If the Government feel strongly that there should be Zonal Councils, then the matter could have been discussed and deliberated upon in a calmer atmosphere more thoroughly at a later stage. So I feel that Zonal Councils are extraneous; in my opinion, they are unnecessary. What is the purpose of setting up these Councils?

They are meant to be advisory, or consultative bodies, and many of the matters which have been entrusted to these Councils in the Bill do not in any way serve the broader purpose which has been kept in view, the purpose of the integrity and unity of the country.

You, Sir, may remember that reorganisation is not at all a disintegrating move. On the other hand, reorganisation of States will strengthen the unity of the country instead of disintegrating it. The idea of Zonal Councils will rather import into the scheme of reorganisation a disruptive element.

If these Zonal Councils become more and more powerful, in course of time they may become more powerful than the States and they may even become more powerful than the Central Government. If then the Central Government become weak, or unstable, these Zonal Councils may become Zonal States and the whole of India may be disintegrated that way. It may or may not happen, but however I feel that at the present moment, the Zonal Councils are unnecessary and quite extraneous for the purpose of reorganisation of States.

Regarding the delimitation of constituencies, I may say that the provisions in the Bill are far from satisfactory. In many areas the whole picture will be disturbed because of a through and great change brought about as a result of this reorganisation. Especially in Karnataka and in certain other areas, there will be great change. The summary powers and summary procedure contemplated in the Bill will not help us in bringing about proper delimitation. I feel that the procedure that has been contemplated in the Delimitation Act should be incorporated to the very letter in this Bill. According to the present Bill the Delimitation Commission may take the help of associate members, and after considering the delimitation proposals, they need not hear public opinion. They may not sit in public. They may not invite public comments on their proposals. So I feel that it would do a lot of injustice in the matter of delimitation. By the experience we have had in the past, I feel it will not be safe to entrust most of the powers to the Delimitation Commission and await their decision. I feel that the more elaborate procedure contemplated in the original Act of 1952 should be followed to the fullest extent even in this case.

Secondly, according to the Bill, five associate members may be nominated by the Central Government. I feel that even here an amendment is required. Instead of five, there should be seven, and, as far as possible, the existing associate members, that is, those associate members who served as such in the past, should be appointed as associate members in future.

Apart from these, I may draw the attention of the House to one or two problems of my own State, the new State of Mysore. I am happy that Karnataka is going to be formed. But, unfortunately, some of the areas which ought to form part and parcel of the new Karnataka State have been left out. Maybe due to oversight, maybe due to negligence; but, anyway, I do not know the reason why some of the areas which ought to

have been in the new Karnataka State have been left out.

I may draw the attention of the House to the case of Talwadi firka in Coimbatore district. That firka is entirely a Kannada area. 95 per cent. of the people speak Kannada. There is no dispute about it. Even the Madras Government would say that the people in Talwadi firka speak only Kannada language and there is no objection in any quarter if it is included in the Karnataka State. So, I feel that Talwadi firka in Coimbatore district which is just adjacent to Mysore district may be included. I have tabled an amendment for this purpose.

Secondly, there is the case of the Madakasira taluk in Anantapur district. Nearly 60 per cent. of the people in Madakasira speak Kannada and it is surrounded by the Mysore State. The people of Madakasira have, in all the borders, to meet Kannada people and they have got much in common with the Mysoreans. I do not think there is any dispute about the majority of the people speaking Kannada. I was told that a decision was almost taken to join Madakasira taluk to Mysore State but, somehow or other, some extraneous pressure was brought in and it was not added to Mysore State. If it is so, I am very sorry. I feel that the case of Madakasira should be considered very sympathetically and at this stage itself it should be included in the new Karnataka State.

Thirdly, I wanted to draw the attention of the Minister to the question of Kasergode. The question of Kasergode has caused a lot of tension in that area. Hundreds of people had come from that area to Delhi to represent their case but without any avail. So unfortunately, those people had to go away disappointed. I am not asking for the entire Kasergode taluk to be included in the new Karnataka State. I only want that portion up to the Chandragiri river, adjacent to Karnataka to be included in the new Karnataka State. I know my Malayalee friends may feel hurt.

Shri A. M. Thomas Ernakulam: What about Belgaum?

Shri M. S. Gurupadaswamy: I will come to it. I feel that the hon. Member will agree with me that people who stay in that particular area north of the Chandragiri river speak Kannada and public opinion is in favour of joining it with Karnataka.

An Hon. Member: Are you from that area?

Shri M. S. Gurupadaswamy: I am not from that area. That is why I take a dispassionate view of things.

Shri A. M. Thomas: Can the hon. Member enlighten this House with regard to the percentage of Kannada-speaking people there?

Shri M. S. Gurupadaswamy: I am told that in that area north of the Chandragiri river about 55 to 60 per cent. speak Kannada.

Shri A. M. Thomas: Only 18 per cent.; even according to their own report it is only 18 per cent.

Shri M. S. Gurupadaswamy: That is wrong. I feel that public opinion in that area is for joining with Karnataka.

An Hon. Member: Not at all.

Shri M. S. Gurupadaswamy: There are several other matters which are of minor character. I feel that a Boundary Commission should be set up to settle them. I feel that the Zonal Councils cannot possibly deal with these questions because the purpose of these Zonal Councils is entirely different. The Zonal Council cannot function as Boundary Commissions.

I want now to deal with the question of Bombay. Most of the Members have spoken on it and the debate on the S.R. Bill has become, somehow or other, a debate on Bombay and Bombay alone. It is quite natural that my hon. friends from Maharashtra feel strongly about the matter. It has taken the toll of a Minister only yesterday. Many people

in the Bombay Assembly have resigned on this issue, and it has created a crisis. Though the Bombay issue appears to be a small matter, I may say this has let loose a crisis which has enveloped the whole of India. It has become a national issue. The Government should not treat this issue in a cavalier fashion. We felt very sorry yesterday when we heard Shri Deshmukh stating that this issue, and even the wider issue, I suppose, or reorganisation was not discussed in a democratic manner by the Prime Minister. The Prime Minister has said very often that he is a great believer in democracy. May I draw his attention to one of his famous essays, written about himself? In that he says, if Jawaharlal turns a fascist, what will happen to the country? He has answered it himself. He has said that it will be a great tragedy for the country. May I ask him humbly whether he should not remember the very essay he has written and take lessons from it?

It is very astonishing that the Prime Minister should make a statement of policy in Bombay on a party platform. He said that he made that announcement in Bombay and he was ready to submit all the proceedings. I am astonished to know how the proceedings of a particular party could have any value for the House. How can he submit the proceedings of the A.I.C.C. before the House and how can we take cognizance of those proceedings? I am very sorry that he is not making any distinction between the party and the Government. By mistake or by oversight or in a hurry he might have said that he made the policy statement in Bombay. It is unfortunate that such a thing should happen and it is a great blunder that the Prime Minister has committed.

I feel that if the Congress High Command had taken all the other political parties in the country into confidence and called a Round Table Conference to discuss the entire matter threadbare,....

Shri K. K. Basu (Diamond Harbour): Even the Cabinet Minister is not consulted.

Shri M. S. Gurupadaswamy:.....then their decision would have been democratic, and much of the trouble, much of the chaos and muddle that is prevailing in the country today would have been avoided. Unfortunately, the Congress High Command or the few people who man that High Command, thought that by solving the question of reorganisation of States themselves, they would be strengthening their party. But it was a great mistake that they have committed. They thought that by successfully implementing the recommendations of the States Reorganisation Commission, they would be able to destroy the opposition. But even there, they were mistaken. On the other

hand, the forces let loose by the Congress as a consequence of their decision were beyond their control and were beyond their expectations.

Shri Raghunath Singh (Banaras Distt.—Central): It is past six now.

Mr. Speaker: I give every Member twenty minutes to speak. I am prepared to sit for five minutes more.

Shri M. S. Gurupadaswamy: I want about ten minutes more.

Mr. Speaker: In that case, the hon. Member can continue tomorrow.

6-02 P.M.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, the 27th July, 1956.