

[Mr. Speaker]

So far as other matters are concerned, there is ample opportunity in this House to discuss them. So I have disallowed this motion.

Shri Sadhan Gupta (Calcutta South-East): My motion was not regarding the law and order part of it.

Mr. Speaker: I have said so. I look into the substance of the motion, not the language of it.

Shri Sadhan Gupta: I have not referred to shootings or anything of that kind in my motion.

Mr. Speaker: I have given the ruling.

STATES REORGANISATION BILL—Contd.

Mr. Speaker: The House will now proceed with further clause by clause consideration of the Bill to provide for the reorganisation of the States of India and for matters connected therewith, as reported by the Joint Committee.

The Minister of Home Affairs (Pandit G. B. Pant): Mr. Speaker, Sir, I had deferred my reply to the points.....

Shri Frank Anthony (Nominated Anglo-Indians): Before the Home Minister starts replying, may I point out that there was a matter that was left over for your decision day before yesterday? There were some amendments in respect of linguistic minorities and the Deputy-Speaker appeared to be of the view that you had either observed or had given a ruling that the amendments with regard to linguistic minorities would be relevant when the Constitution amendment Bill was on the anvil.

Shrimati Rena Chakravarty (Basirhat): That ruling was given by the Deputy-Speaker.

Shri Frank Anthony: That was when Pandit Thakur Das Bhargava raised the question as to whether we

would get an assurance from Government that we would be able to raise all amendments which would be considered relevant in respect of linguistic minorities. Otherwise, we wanted to raise it here.

Mr. Speaker: Let us see. So far as I have looked into the papers, the hon. Deputy-Speaker has given a ruling regarding that and he referred to my ruling earlier on two or three other clauses. I think they can be raised when the Constitution amendment Bill is discussed.

Shri Frank Anthony: All the amendments?

Mr. Speaker: All those amendments which he has tabled. Of course, when they are brought up there, their relevancy or otherwise will be considered.

Shrimati Rena Chakravarty: That was exactly the point.

Mr. Speaker: When we come to those clauses, I will just hear one or two points as to whether they are relevant to that Bill. That is all I can say now.

An Hon. Member: Why?

Mr. Speaker: I have already given my ruling regarding the earlier one, and on the same grounds those are not admissible here. As to whether they can fit in in any other place or not in a particular manner is a matter to be considered at the time when the other Bill comes up. Then these amendments will be considered. They cannot fit in here. Now, we are straying away from the main topic.

Let me put amendment No. 462 to the vote of the House before I call upon the hon. Minister. He has replied to this amendment No. 462. I then said that after this was disposed of, if the hon. Minister wanted to reply to the points regarding boundary and other matters raised here, he might do so. Then the House will proceed with a reply from the hon. Minister regarding clauses 16 to 49 and then voting on the other clauses which have been held over.

There are some amendments which have to be put before amendment No. 462 is to be put to vote. What are those amendments, which any hon. Member wants to be put to the vote of the House, to amendment No. 462 as amended by the hon. Home Minister's amendment No. 521?

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes): May I invite your attention to amendment No. 519?

Mr. Speaker: I am coming to that.

Pandit G. B. Pant: I have given notice of a series of amendments, in order to bring the other clauses in conformity with the amendment that was moved by me.

Mr. Speaker: They may be taken up later on. The hon. Home Minister's amendment No. 521 to amendment No. 462 is before the House. Shri Kamath said that they had got certain amendments to this new amendment No. 521, that is, comprehensive amendment to amendment No. 462. So the numbers of those amendments may be communicated to me to enable me to put them to vote first.

Shri S. S. More (Sholapur): What about clauses 2 to 7?

Mr. Speaker: I am coming to them.

Shri S. S. More: We have certain amendments to clause 7, taking out certain parts from Mysore State so that they may be included in the Bombay State. Unless they are disposed of it will be difficult for you to put this matter to the vote. The amendment to clause 7 should be first put.

Mr. Speaker: The only point is whether it is to be included and excluded or excluded and included.

Shri S. S. More: My submission is in the order of clauses, clause 7 comes before 8 and unless some portion is taken out of the one, it will not be possible for us to say that it must be included in the other. We must follow the sequence of clauses.

Mr. Speaker: I will put amendment No. 521 to the vote of the House. If any part is detached under clause 7 from the Mysore State, I will allow it to be added to clause 8.

Shri Raghavachari (Penukonda): This should not be a bar then.

Mr. Speaker: These will be under clauses 7, 8 and 9. Any portion can be added. I will allow all those amendments subject to the other clauses 2 to 7.

Shrimati Benu Chakravartty: Our amendments were originally to clause 9. I just want to know whether you want to negative that clause and then put 521 or substitute 521 for that clause.

Mr. Speaker: I gave an opportunity of two days for the hon. Members to indicate those amendments which are to be read as part and parcel of amendment 521. At least now they can indicate.

Shrimati Renu Chakravartty: How is that possible?

Mr. Speaker: Let us come to the substance of it. I am not standing on mere technicalities. In the place of the separate States previously mentioned in clauses 8, 9 and 10, there is a composite State covering all these areas. If there is any amendment that a particular area should be removed from this, I am prepared to put it to the vote of the House. This composite State consists of all the three States mentioned in clauses 8, 9 and 10. There can be an amendment to remove any portion from this or to add something, or it may be opposed as a whole. But it is not an amendment. I request hon. Members to indicate those amendments to the original clauses 8, 9 and 10—which I will now treat as amendments to amendment No. 521—which they want to be put to the House separately.

Dr. Lanka Sundaram (Visakhapatnam): Before it is passed or after?

Mr. Speaker: Before.

Shrimati Renu Chakravarty: Sir, I want amendment 13 to clause 9 to be put.

Mr. Speaker: I request hon. Members to give the numbers of only those amendments that fit in with amendment No. 521.

Shri Waghmare (Parbhani): Amendments Nos. 223, 224 and 225, Sir.

Shri H. G. Valshav (Ambad): Nos. 433, 434 and 435 to clause 9.

Shri Altekar (North Satara): Nos. 325, 326 and 327 to clause 9.

Mr. Speaker: I will read these amendments and then put them to the House so that hon. Members may know what the amendments are.

Shri Gadgil (Poona Central): Let us know what the Minister has to say about border disputes.

Mr. Speaker: Amendment No. 13 which is the same as No. 1. What is the reaction of the hon. Minister?

Pandit G. B. Pant: I do not accept it.

Mr. Speaker: The question is:

Page 5—

(i) line 19, before "Thana" insert "Greater Bombay and"; and

(ii) lines 19 and 20, omit

"except the portions specified in clauses (b) and (c) of section 8".

The motion was negatived.

Mr. Speaker: I will now put the amendments of Shri Waghmare to vote. Does the hon. Minister accept them?

Pandit G. B. Pant: No, Sir.

Mr. Speaker: The question is:

Page 5—

for lines 19 to 23, substitute:

"(a) Greater Bombay, Thana, West Khandesh, East Khandesh, Nashik,

Dang, Ahmednagar, Sholapur, South Satara, North Satara, Kolhapur, Ratnagiri, Kolaba and Poona Districts, Chandgad taluka and contiguous Marathi speaking areas of Khanapur, Belgaon, Chikodi, Athani, Raibag and Kukeri talukas of Belgaon district, Supa, Karwar, Halyal talukas and contiguous Marathi speaking areas of Yallapur and Ankola talukas of Kanara district in the existing State of Bombay".

The motion was negatived.

Mr. Speaker: The question is:

Page 5—

for lines 24 to 29 substitute:

"(b) Osmanabad, Bhir, Aurangabad, Parbhani districts, Ahmadpur, Nilanga, and Udgir talukas and contiguous Marathi speaking areas of Bhalaki, Santpur, Aurad and Humnabad talukas of Bidar district, Nanded district except Bichkonda and Jukkal circle of Deglur taluka and Mudhol Bhainsa and Kuber circle of Mudhol taluk and Islapur circle of Boath taluk, Kinwat taluk, Rajpura taluk, and contiguous Marathi speaking areas of Adilabad, Asifabad and Sirpur talukas of Adilabad district and contiguous Marathi speaking areas of Aland taluk of Gulbarga district in the existing State of Hyderabad."

The motion was negatived.

Mr. Speaker: The question is:

Page 5—

for lines 30 to 32, substitute:

"(c) Buldana, Akola, Amaravati, Yeotmal, Wardha, Nagpur, Bhandara and Chanda districts and contiguous Marathi speaking areas of Waraswani, Balaghat, and Baihar talukas of Balaghat district, Sawsar taluk of Chhindwada district, Bhansdehi and Multai talukas of Betul district and Barhanpur taluk of Mimar district in the existing State of Madhya Pradesh."

The motion was negatived.

Mr. Speaker: The question is:

Page 5—

for lines 24 to 29, substitute:

"(b) the villages of Muland and Nahur districts of Thana taluka, Marathwada districts of Auran-gabad, Bhir, Parbhani, Osmanabad and Nanded (except Bich-kunda circle of Deglur taluk; Mudhol, Bhainsa and Kuber circles of Mudhol taluk) and Ahemadpur, Nilanga, Udgir talukas of Bidar district; Bhalki and Hulsur circles of Bhalki taluk; Aurad and Torna circles of Santpur (Aurad) taluk and Ladvanti circle of Humnabad taluk of Bidar district and Islapur circle of Boath taluk, Kin-wat, Rajura and Utnoor talukas of Adilabad district, Bela circle of Adilabad taluk, Ada and Wakadi circles of Asifabad taluk of Adilabad district, in the exist-ing State of Hyderabad; and"

The motion was negatived.

Mr. Speaker: The question is:

Page 5, lines 37 and 38—

after "Udgir taluks" insert:

"Bhalki and Hulsur circles of Bhalki taluk, Aurad and Torna circles of Santpur (Aurad) taluk and Ladvanti circle of Humnabad taluk"

The motion was negatived.

Mr. Speaker: The question is:

Page 5, lines 39 and 40—

after "Rajura taluk" insert:

"Utnoor taluk, Bela circle of Adilabad taluk, Ada and Wakadi circles of Asafabad taluk of Adilabad district"

The motion was negatived.

Mr. Speaker: Let me put amend-ments Nos. 325, 326 and 327 of Shri Altekars.

Shri Nambiar (Mayuram): What are they?

Mr. Speaker: Hon. Members have got all the papers with them.

Shri Altekars: I may be allowed to withdraw my amendments.

Shri K. K. Basu (Diamond Har-bour): I find that the hon. Member is being pressed by some of his friends over there to withdraw the amend-ments now. But they have been al-ready moved.

Mr. Speaker: It is not difficult to allow withdrawal. Otherwise, let me put them to vote:

The question is:

Page 5, line 23—

after "district" insert:

"and Khanapur taluka, and predominantly Marathi speaking area of Belgaum taluka to be determined by a Boundary Com-mission, and Nipani Bhag of Chikodi taluka, or alternatively the predominantly Marathi speak-ing area of Chikodi taluka to be determined by a Boundary Com-mission, and the predominantly Marathi speaking villages conti-guous to Maharashtra State in Athni and Hukeri talukas to be determined by a Boundary Com-mission."

The motion was negatived.

Mr. Speaker: The question is:

Page 5, line 23—

after "district" insert:

"and Karwar and Halyal talu-kas and Supa Peta of North Kan-ara district,"

The motion was negatived.

Mr. Speaker: The question is:

Page 5, line 31—

after "districts" insert:

"Warsoni, Balghat and Baihar tahsil of Balghat district; Saun-sar tahsil of Chindwara district; Bhainsdehi Betul and Multai tahsils of Betul district, and Barhanpur tahsils of Nimar district."

The motion was negatived.

Mr. Speaker: Now I shall put amendment No. 521, moved by the hon. Home Minister, to vote.

The question is:

Pages 5 and 6—

for clauses 8 to 10, substitute:

"8. Formation of a new Bombay State.—(1) As from the appointed day, there shall be formed a new Part A State to be known as the State of Bombay comprising the following territories, namely:—

(a) the territories of the existing State of Bombay, excluding—

(i) Bijapur, Dharwar and Kanara districts and Belgaum district except Chandgad taluka, and

(ii) Abu Road taluka of Banaskantha district;

(b) Aurangabad, Parbhani, Bhir and Osmanabad districts, Ahmadpur, Nilanga and Udgir taluks of Bidar district, Nanded district (except Bichkonda and Jukkalk circles of Deglur taluk and Mudhol, Bhiansa and Kuber circles of Mudhol taluk) and Islapur circle of Boath taluk, Kinwat taluk and Rajura taluk of

Adilabad district, in the existing State of Hyderabad;

(c) Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara and Chanda districts in the existing State of Madhya Pradesh;

(d) the territories of the existing State of Saurashtra; and

(e) the territories of the existing State of Kutch;

and thereupon the said territories shall cease to form part of the existing States of Bombay, Hyderabad, Madhya Pradesh, Saurashtra and Kutch, respectively.

(2) the said Chandgad taluka shall be included in, and become part of, Kolapur district, the said Ahmadpur, Nilanga and Udgir taluks shall be included in, and become part of, Osmanabad district, the said Islapur circle of Boath taluk, Kinwat taluk and Rajura taluk shall be included in, and become part of, Nanded district and the territories comprised in the existing State of Kutch shall form a separate district to be known as Kutch district in the new State of Bombay."

The Lok Sabha divided: Ayes 241; Noes 40.

Division No. 3

Abdullahi, Mulla
Abdus Sattar, Shri
Achal Singh, Seth
Achint Ram, Lala
Achuthan, Shri
Agarwal, Shri H. L.
Agrawal, Shri M. L.
Akkari, Sardar
Ajitkar, Shri
Anandchand, Shri
Anast, Dr.
Anthony, Shri Frank
Anand, Maulana
Babunath Singh, Shri
Badam Singh, Ch.
Balaramaniam, Shri
Baldev Singh, Sardar
Balmiki, Shri
Banerjee, Shri
Bansal, Shri
Barnabas, Shri

AYES

Bastrow, Shri
Basappa, Shri
Bhagat, Shri B. R.
Bhakt Darshan, Shri
Bharati, Shri G. S.
Bhargava, Pandit Thakur Das
Bhatkar, Shri
Bhatt, Shri C.
Bhawani Singh, Shri
Bhonsle, Shri J. K.
Bidar, Shri
Birbal Singh, Shri
Borher, Shrimati Anusuya Bai
Bose, Shri P. C.
Brajeshwar Prasad, Shri
Chandak, Shri
Chandrasekhar, Shrimati
Chavak, Th. Lakshmap Singh
Chatterjee, Dr. Sunilganjan
Chaturvedi, Shri
Choudhary, Shri G. L.

[12-25 P. M.]

Chetiar, Shri Nagappa
Chettiar, Shri T. S. A.
Dabhi, Shri
Damodaran, Shri Natar P.
Das, Dr. M. M.
Das, Shri B.
Das, Shri Ram Dhani
Das, Shri Ramaanda
Das, Shri Shree Narayana
Datar, Shri
Deb, Shri S. C.
Deegan, Shri
Desai, Shri K. N.
Desai, Shri Khandubhai
Deשמח, Dr. P. S.
Dholakia, Shri
Dhusiya, Shri
Dube, Shri R. G.
Dutt, Shri A. K.
Dwivedi, Shri D. P.
Dwivedi, Shri M. L.

A YE

- Echaran, Shri I.
 Elayaperumal, Shri
 Gandhi, Shri Feroze
 Gandhi, Shri M. M.
 Gopobi, Shri V. B.
 Ganga Devi, Shrimati
 Geopati Ram, Shri
 Ghose, Shri S. M.
 Ghosh, Shri A.
 Gidwani, Shri
 Gohain, Shri
 Gopi Ram, Shri
 Govind Das, Seth
 Gupta, Shri Badshah
 Hanada, Shri Benjamin
 Hari Mohan, Dr.
 Hasda, Shri Subodh
 Hembrom, Shri
 Hem Raj, Shri
 Ibrahim, Shri
 Iqbal Singh, Sardar
 Jagjivan Ram, Shri
 Jai Pal Singh, Shri
 Jayshri, Shrimati
 Jhunjhuwala, Shri
 Joshi, Shri A. C.
 Joshi, Shri Jethalal
 Joshi, Shri Lajadhar
 Joshi, Shri M. D.
 Joshi, Shrimati Subhadra
 Jwala Prasad, Shri
 Kurokar, Shri
 Kale, Shrimati A.
 Kasungo, Shri
 Karmakar, Shri
 Kargwal, Shri
 Katiu, Dr.
 Kelappa, Shri
 Keslavaiangan, Shri
 Keskar, Dr.
 Khan, Shri Sadath Ali
 Khedkar, Shri
 Khedkar, Shri G. B.
 Khosmen, Shrimati
 Khuda Baksh, Shri M.
 Kurokar, Shri
 Krishna, Shri M. R.
 Krishna Chandra, Shri
 Krishnamoorti, Shri T. T.
 Kureel, Shri P. L.
 Laakar, Shri
 Lingam, Shri N. M.
 Loken Ram, Shri
 Majhi, Shri R. C.
 Majhi, Shri S.
 Malish, Shri U. S.
 Malviya, Shri B. N.
 Malviya, Pandit C. N.
 Mandal, Dr. P.
 Marcar, Kumari Anpic
 Mathew, Shri
 Mathew, Shri
 Mavalankar, Shrimati Sushila
 Mehta, Shri Asoka
 Mehra, Shri B. G.
 Mehta, Shri Balwant Singh
 Mehta, Shri J. R.
 Meena, Shri Oamodara
 Mimansa, Shrimati
 Mishra, Shri Bihari
 Mishra, Shri L. N.
 Mishra, Shri M. P.
 Mishra, Shri S. N.
 Mishra, Shri R. D.
 Mishra, Shri S. P.
 Misra, Shri V.
 Mohiuddin, Shri
 Morarka, Shri
 More, Shri K. L.
 Mudaliar, Shri C. R.
 Muhammad Shafiq, Chaudhari
 Muniswamy, Shri N. R.
 Murthy, Shri B. S.
 Muthukrishnan, Shri
 Nanda, Shri
 Naskar, Shri P. S.
 Narasimhar, Shri
 Nethwani, Shri N. P.
 Nehru, Shri Jawaharlal
 Nehru, Shrimati Shivrangini
 Nehru, Shrimati Uma
 Nesanaray, Shri
 Nijalingappa, Shri
 Paode, Shri B. D.
 Paode, Shri C. D.
 Pannalal, Shri
 Pannikar, Shri
 Patel, Shri B. K.
 Patel, Shri Raichambhar
 Patel, Shrimati Mamben
 Patil, Shri
 Patil, Shri Shambhugauda
 Pillai, Shri Thannu
 Pocker Sahab, Shri
 Prabhakar, Shri Naval
 Reddi, Shri N.
 Radha Raman, Shri
 Raghubir Sahai, Shri
 Raghunath Singh, Shri
 Raghunath, Shri
 Ramaswami, Shri
 Ram Dass, Shri
 Ram Krishna, Shri
 Ram Setao, Shri
 Ram Shankar Lal, Shri
 Ram Subbas Singh, Dr.
 Rao, Shri
 Ranjit Singh, Shri
 Rao, Shri B. Shiva
 Rao, Shri Seshagiri
 Ray, Shri B. K.
 Reddi, Shri Ramachandra
 Reddy, Shri Jaagobhan
 Roy, Shri Bibhawa Nath
 Rup Narain, Shri
 Sahaya, Shri Syanumohan
 Sabu, Shri Bhagbat
 Sahu, Shri Rameshwar
 Saigal, Sardar A. S.
 Sakseca, Shri Mohanlal
 Samanta, Shri S. C.
 Sen, Shri P. G.
 Sen, Shri R. C.
 Sen, Shrimati Sushama
 Sewal, Shri A. R.
 Shah, Shri C. C.
 Shah, Shrimati Kamkundu Mata
 Shaheenwar Khan, Shri
 Sharma, Pandit K. C.
 Sharma, Shri D. C.
 Sharma, Shri K. R.
 Sharma, Shri R. C.
 Shivanappa, Shri
 Shobha Ram, Shri
 Siddanappa, Shri
 Singh, Shri D. N.
 Singh, Shri G. S.
 Singh, Shri L. Jagatwar
 Singh, Shri M. N.
 Singhal, Shri S. C.
 Sinha, Shri A. P.
 Sinha, Shri Anirudha
 Sinha, Shri Jhulan
 Sinha, Shri Satya Narayan
 Sinha, Shri Satendra Narayan
 Sinha, Shrimati Terkchawari
 Sostak, Shri
 Sodha, Shri K. C.
 Subramanyam, Shri T.
 Subramania Chettiar, Shri
 Sunder Lal, Shri
 Swaminathan, Shrimati Anma
 Syed Mahmud, Dr.
 Tek Chand, Shri
 Tewari, Sardar R. B. S.
 Thomas, Shri A. M.
 Tiwari, Shri V. N.
 Tiwari, Pandit B. L.
 Tiwari, Shri R. S.
 Tiwari, Pandit D. N.
 Uikoy, Shri
 Upadhyaya, Shri Shiva Datt
 Vaidya, Shri M. B.
 Varma, Shri B. B.
 Venkataraman, Shri
 Verma, Shri B. R.
 Vyas, Shri Radhela
 Wodeyar, Shri
 Achalu Shri

[Mr. Speaker]

NOES

T

Basu, Shri K. K.
Biren Dutt, Shri
Chakravarty, Shrimati Renu
Chatterjee, Shri Tushar
Chottopadhyaya, Shri
Das, Shri B. C.
Das, Shri Sarangadhar
Devarathe Deb, Shri
Dey, Shri R.N.S.
Deshpande, Shri V. G.
Gadgil, Shri.
Geddingana Gowd, Shri
Giridhari Bhoi, Shri
Gopalan, Shri A. K.

Gupta, Shri Sadhan
Jaisoorya, Dr.
Kamath, Shri
Kandasamy, Shri
Mahata, Shri B.
Maibi, Shri Chaitan
Moirva, Shri M. K.
More, Shri S. S.
Mukerjee, Shri H. N.
Nambiar, Shri
Nayar, Shri V. P.
Pandey, Dr. Natsar
Raghavachari, Shri
Rao, Dr. Rama

Rao, Shri P. Subba
Rao, Shri T. B. Vittal
Reddi, Shri Esawara
Reddy, Shri B. Y.
Reddy, Shri R. N.
Rishang Keibing, Shri
Singh, Shri R. N.
Siva, Dr. Ganadhas
Swami, Shri Sivamurthi
Verma, Shri Ramji
Wadhware, Shri

The motion was adopted

Mr. Speaker: Amendment No. 521 will stand for clauses 8, 9 and 10, but I am not putting it formally, now because it involves some consequential amendments to the earlier clauses as has been pointed by Shri S. S. More. The Government has given some amendments to clause 2. I will now take clause after clause. First I will put the Government amendments to the vote of the House and then the other amendments, that is, before clauses 8, 9 and 10, whatever consequential amendments may be necessary, I will add them on to this amendment and then put those clauses also to the vote of the House.

Now we will first take up clause 2
Amendments made:

(i) Page 1, line 13—
after "existing State of" insert
"Bombay"

(ii) Page 1—
for lines 17 to 19, substitute:

"State of Bombay, Madhya Pradesh, Mysore, Punjab or Rajasthan, the existing State with the same name,"

(iii) Page 2, line 22—
after "existing State of" insert
"Bombay"

(iv) Page 2, line 24—
omit "Bombay"

(v) Page 2, line 26—
omit "Maharashtra"

(vi) Page 2—

for lines 35 to 40, substitute:

"Part II, and includes in relation to the existing State of Madras, also that State as territorially altered by the said provisions and the Union;"

—[Pandit G. B. Pant]

Mr. Speaker: Now, does any hon Member want me to put his amendment to the vote of the House?

Shrimati Repu Chakravarty: I want amendment No. 146 standing in the name of Shri V. P. Nayar to be put to the vote of the House.

Shri Thann Pillai (Tirunelveli):
Amendment No. 215 may be put.

Shri R. D. Misra (Bulandshahr Distt.): I want to withdraw my amendments Nos. 269 and 271.

Shri Nambiar: We do not allow it.

Mr. Speaker: Amendment No. 269 does not seem to relate to clause 2. Perhaps the hon. Member is referring to all the amendments tabled by him to all the clauses?

Shri S. S. More: Amendments Nos. 41 and 42 may please be put to the vote of the House.

Shri Nesamony (Nagercoil): Sir, my amendment No. 383 may also be put.

Sbri Nambiar: Sir, I request that my amendment No. 147 may be put to vote.

Mr. Speaker: But it is to clause 4, not clause 2.

Shri N. R. Muniswamy (Wandiwash): Amendment No. 270 may also be put.

Mr. Speaker: Now I will put all these amendments in the serial order.

The question is:

Page 1, line 7—

for "1st day of October, 1956" substitute "26th day of January, 1957"

The motion was negatived.

Mr. Speaker: The question is:

Page 1, line 7—

for "the 1st day of October, 1956" substitute:

"a day to be notified by the President after the Boundary Commission to be appointed under the provisions of the Act has decided the boundary disputes."

The motion was negatived.

Mr. Speaker: The question is:

Page 2—

after line 31, add:

"Provided that in the case of the State of Travancore-Cochin, the persons who immediately before the dissolution of the Legislative Assembly were members of that Assembly shall be deemed to be sitting members."

The motion was negatived.

Mr. Speaker: The question is:

Page 1, line 7—

for "the 1st day of October, 1956" substitute:

"a day to be notified hereafter by a special resolution passed by a three-fourth majority of the members present and voting in each House of Parliament."

The motion was negatived.

Mr. Speaker: The question is:
Page 3, line 8—

for "July" substitute "March"

The motion was negatived.

Mr. Speaker: Then there is one amendment by Shri M. S. Gurupadaswamy—No. 59.

The Minister in the Ministry of Home Affairs (Shri Datar): We are accepting that amendment.

Amendment made: Page 1, line 7—

for "the 1st day of October 1956" substitute:

"the 1st day of November, 1956"

—[Shri M. S. Gurupadaswamy]

Mr. Speaker: Now that amendment No. 59 is carried, amendment No. 383 is barred. Now, I will put the remaining amendments to clause 2 to to the vote of the House.

The question is:

Page 1, line 15—

add at the end:

"and in relation to the existing State of Madras, the new State Tamilnad."

The motion was negatived.

Mr. Speaker: The question is:

Page 1, line 21 —

add at the end:

"and in relation to the new State Tamilnad, the existing State of Madras."

The motion was negatived.

Mr. Speaker: The question is:

Page 2, line 23—

omit "Madras".

The motion was negatived.

Mr. Speaker: The question is:
Page 2, line 25—

after "Madhya Bharat" insert
"Madras".

The motion was negatived.

Mr. Speaker: The question is:
Page 2, line 26—

after "Madhya Pradesh" insert
"Tamilnad."

The motion was negatived.

Mr. Speaker: The question is:
Page 1, line 7—

for "the 1st day of October, 1956"
substitute:

"a day as the Central Govern-
ment may, by notification in the
Official Gazette, appoint."

The motion was negatived.

Mr. Speaker: The question is:
Page 2—
for lines 5 to 8, substitute:

"(h) "law" means any law,
ordinance, order, byelaw, rule,
regulation, or other instrument
having the force of law in the
whole or in any part of the terri-
tory of India, passed or made by
any legislature, authority or per-
son having power to make such
a law, ordinance, order, byelaw,
rule, regulation or instrument;"

The motion was negatived.

Mr. Speaker: The question is:

Page 1, line 13 and wherever it oc-
curs in the Bill—

for "Mysore" substitute "Kar-
nataka"

The motion was negatived.

Mr. Speaker: The question is:

Page 2—

omit lines 5 to 8.

The motion was negatived.

Mr. Speaker: The question is:
Page 1, line 13—

Omit "Mysore"

The motion was negatived.

Mr. Speaker: The question is:

Page 1, line 15—

for "existing State of Travancore-
Cochin, the new State of Kerala"
substitute:

"existing States of Travancore-
Cochin and Mysore, the new State
of Kerala and Karnataka respec-
tively."

The motion was negatived.

Mr. Speaker: The question is:

Page 1, lines 20 and 21—

for "and in relation to the new
State of Kerala, the existing State of
Travancore-Cochin" substitute:

"and in relation to the new
States of Kerala and Karnataka,
the existing State of Travancore-
Cochin and Mysore."

The motion was negatived.

Mr. Speaker: The question is:

Page 2, line 25—

after "Travancore-Cochin" insert
"and Mysore"

The motion was negatived.

Mr. Speaker: The question is:

Page 2, line 27—

after "Kerala" insert "and Kara-
nataka"

The motion was negatived.

Mr. Speaker: The question is:

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

The motion was adopted.

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

Mr. Speaker: Now, we take up clause 3. There are no Government amendments to this clause. Does any Member want me to put his amendment to the vote of the House?

Dr. Lanka Sundaram: Amendment No. 217, Sir.

Sbri Raghavachari: Amendment No. 66.

Sbri Bbankargauda Patil (Belgaum South): I beg to withdraw my amendment No. 132.

The amendment was, by leave, withdrawn.

Shri V. P. Nayyar (Chirayinkil): Sir, I rise to a point of order. In regard to the first two groups of clauses, which we have discussed, the hon. Home Minister answered only one point. You were pleased to direct that the Home Minister may answer some other points also. We want to know whether the other points will be answered.

Mr. Speaker: Reply to all the formal amendments is over now. The boundary question arises only after clause 8 is taken up.

Shri V. P. Nayyar: In clause 2, we had an amendment involving certain constitutional issues. It has not been answered. If we go on voting now, there is no end.

Shri Nambiar: I want the name of Madras State to be changed to Tamilnad.

I do not know what the reaction of the Minister is:

Mr. Speaker: His amendment will come under clause 4.

I may straightway say that all the points raised in a debate again and again need not be answered. It is not absolutely necessary to answer all the points raised. It is left to the Minister to answer what he considers important. If he feels that a reply to a particular point is very necessary, he will naturally answer. If he does not answer, the House or the hon. Member concerned may take it that

an answer is not necessary. In important matters of policy, the hon. Minister will certainly answer and I will also ask him whether he has anything to say on those points which are important. Every other detail need not be answered by the hon. Minister and we cannot insist that he should answer every detail.

Dr. Lanka Sundaram: What you said is the normal procedure. But in cases like the present one, an extraordinary procedure was adopted and at every stage, you said—and I am sure the Home Minister agreed—that a reply to the points will be given, before each group of clauses is voted upon. So, the groups of clauses were carried forward. Now, there is a residue of problems such as the Boundaries question and one or two other problems such as the zonal councils. So, it is better that the hon. Home Minister answers the points before we put the amendments to the vote.

Shri V. P. Nayyar: We have already voted upon clause 2 which involved a very important amendment. We could not get an answer at all,

Mr. Speaker: It was voted out.

Shri V. P. Nayyar: If it is an ordinary question with a formal amendment, we would not have insisted upon a reply. But this is a very extraordinary situation, and I had tabled an amendment to clause 2. I am at a loss to understand what the reaction of the Government is on that matter.

Shri Kamath (Hoshangabad): There should not be any hustling, not even any appearance of hustling.

Pandit G. B. Pant: If the hon. Members want me to reply to any particular question, I would gladly do so. I am also prepared to make a few short remarks if they can be of any help to the House. I have absolutely no desire to withhold anything that worries the House or that may enable the House to consider

[Pandit G. B. Pant]

the position of Government with regard to the proposals that have been made. I am entirely at the disposal of the House, and I am prepared to answer anything or to make comments on any point.

I may just make a few remarks about Part II of the Bill, if you, Sir, will permit me. I would not say much.

Mr. Speaker: Yes; before I take up the other groups of clauses, let the hon. Minister answer to points on clauses 2 to 15.

Pandit G. B. Pant: The first thing is about the "appointed day". I have already accepted the amendment of Shri Gurupadaswamy. So, instead of 1st October, this scheme which is incorporated in this Bill will be launched on the 1st of November. I do not think it is necessary for me to explain the reasons. In fact, we will have to labour hard even to get through all the preliminaries by the 1st of November. So, that is the reason why I have accepted that amendment.

Certain proposals have been made in the House about the change in the names proposed for certain States. One is that Mysore should be called Karnataka. As the hon. Members are aware, the Mysore legislature wants 'Mysore' to continue. We considered this question in the Joint Committee and felt that in the totality of circumstances in which this proposal was embodied in the Bill, it would be advisable to retain the name 'Mysore'. The leaders of Mysore were somewhat reluctant to join the other districts which will now form part of the bigger Mysore State. Their reluctance was, however, overcome and they were persuaded to accept this proposal for a bigger Mysore State on the understanding that the name 'Mysore' would be retained. So, in the circumstances, it would not be desirable to make any change.

A suggestion has also been made that for 'Madras' 'Tamilnad' should be substituted. The question was considered by the Madras legislature itself and it did not prefer the name of 'Tamilnad' for Madras. So, we have retained 'Madras'—the existing name of that State.

About Andhra too, several proposals have been made. The original term that was used in the Bill was 'Andhra-Telangana', but, in view of the recommendations made by both the legislatures of Andhra and Hyderabad, it was considered desirable to substitute 'Andhra Pradesh' for 'Andhra-Telangana'. I hope all these changes that have been made will be acceptable to the House.

There was also a suggestion that the groupings of the States, such as Part A, Part B and Part C, should not continue. Of course, we have made it clear throughout that there will be no groupings of the States as A, B and C in future. But we have, for the present, followed the terminology given in the Constitution, and that is why these letters appear. When the Constitution (Ninth Amendment) Bill is passed, then, we will have only States and Centrally administered areas.

The proposals for territorial adjustments exceed 170. Many of them are overlapping. It is obviously impossible for the House to examine these proposals on their merits. No House can deal with these matters of detail in a hurried way. These questions were considered first by the States Reorganisation Commission, and to the extent it was feasible, also by the Joint Committee. I would also remind the hon. Members that the Commission has laid down certain principles which were generally approved by the House, and in the light of the criteria laid down by the Commission, they had carved out these various States. The Commission, in their report, laid down or rather defined these principles with

great precision. Ordinarily, they were not prepared to transfer any area on the basis of less than a district. In special cases, for overwhelming reasons, they were prepared to come down to talukas. They had prescribed that so far as linguistic Proposals were concerned, they would not make any change where the percentage of the people speaking any language was below 70 per cent. It is in accordance with these principles that the Commission reached its decisions. The Government has followed the decisions of the Commission.

1 P.M.

I know that with regard to some of the territorial matters, there is still a strong desire for readjustment. I made an effort in the Joint Committee to secure some sort of an agreement between the Members representing the States concerned. Unfortunately, we did not succeed. Then, similar attempts were also made while the Bill was under discussion in the House, but with no better results. Now, as hon. Members are aware, the zonal councils have been authorised to deal with all these boundary matters pertaining to readjustment of territories lying on the common borders of the States. I hope that when the States are formed, the zonal councils will meet and endeavour to resolve the disputes, because after all, the goodwill of neighbours is of much greater value than a small patch of territory; and, it should be possible for the States concerned to settle these minor differences between themselves.

Dr. Lanka Sundaram: The Madras Government and the Andhra Government sat together for three long years for solving the problems; but, they failed to arrive at an agreement and they asked for a boundary commission. The Mysore Government asked for a boundary commission. How can you expect these Governments to solve their disputes?

Pandit G. B. Pant: It may be so; but, my impression is also slightly

different that, if the States Reorganisation Commission had not been functioning, probably they would have settled their differences.

Some Hon. Members: Yes.

Pandit G. B. Pant: That too came in the way of their resolving the differences between themselves.

Dr. Lanka Sundaram: But, they asked for a boundary commission.

Pandit G. B. Pant: They sometimes asked for it and sometimes they again withdrew their request for a boundary commission. I have no desire, as I said, to come in the way of a satisfactory settlement. I have made such attempts myself and I shall continue to make as much efforts as I can; I may have some sort of connection with the zonal councils also. So, I will strive so far as it lies with me to bring about an understanding between the States concerned.

The question of a boundary commission is also not free from difficulties. Even if we appoint a boundary commission, there is a great deal of tug with sometimes more than the necessary amount of vigour and the relations become somewhat embittered. So, it may be perhaps a counsel of despair. Ultimately one may have to do it, but even if the boundary commission reaches a decision, it does not by itself settle the question. The matter again comes to Parliament. As hon. Members are aware, Dr. Mishra's report about Bellary came to Parliament and he received more of bricks than of bouquets. So, even the findings of a boundary commission need not necessarily prove satisfactory. There may be difficulties even there.

My appeal to the House is this. We have been engaged in a very huge undertaking for the last many months. The country has been subjected to tremendous strain. It requires a little easy time, so that this ferment may subside or evaporate and the tension may be relaxed.

[Pandit G. B. Pant]

There were, in fact, very earnest proposals from prominent Members of this House to the effect that this entire Bill should be kept in abeyance for an indefinite period. If we cannot do that, we can at least for the time being concentrate only on the enormous amount of work that will have to be done after the Bill has been passed and then give a secondary place to the outstanding problems. They must be solved. I do not mean that they should be shelved; they must be solved.

Shri Raghvachari: There should be some agency to solve them.

Pandit G. B. Pant: The agencies are ourselves; we, the Members of this House, belonging to different States, should sit together and solve these problems. But, I say that an effort will be made by the zonal councils. At least, there should be enough time for Members to settle down to business and for normalcy to be restored. After all efforts have been made, if really there are some serious problems which call for special attention, the Government will have to take stock of the situation to see what is necessary, desirable and likely to satisfy the States concerned.

Shri S. S. More: Is it not a fact that even if we do not include a relevant clause providing for the appointment of a boundary commission, the Government, in their own executive capacity, can at appropriate times exercise their powers and appoint a boundary commission or other suitable agency for solving all these problems? That power is ultimately with the Government.

Pandit G. B. Pant: I quite agree.

Srimati Renn Chakravarty: The hon. Minister is not in favour of a boundary commission and says the zonal councils will do that work. According to the clause, decisions in the zonal council will be based on a majority vote. Are we to take it that even on the question of bounda-

ries, there will be voting within the zonal council and on that basis, boundaries will be decided?

Pandit G. B. Pant: The decisions of the zonal councils are not binding; they are only of an advisory character. So, whatever decision is taken by the zonal councils, it will be communicated to the States concerned. It will have, I hope, at least some moral force. But as I said, we will continue our efforts to reach satisfactory solutions. After all, this House has succeeded in reaching decisions.....

Shri Gadgil: Do I understand the Home Minister correctly if I say that if efforts at the mutual level fail, the Government pledges itself to solve this?

Pandit G. B. Pant: I hope efforts will not fail.

Dr. Isaka Sundaram: May I draw the attention of the House to one point of substance in connection with the statement made by the Home Minister? In response to his repeated invitations in the Joint Committee and outside, Members on the Joint Committee and from the House proper met, the latest example being the meeting of 42 Members from Andhra, Karnataka and Maharashtra. After two days' session, a formula was conveyed to the Home Minister under the impression that as a result of those efforts, the Home Minister would bring in consequential amendments to dispose of the boundary disputes between Andhra, Karnataka and Maharashtra. Even after this formula was conveyed to the Home Minister, I find there are no official amendments to bring about a solution of the disputes between Andhra, Maharashtra and Karnataka.

Pandit G. B. Pant: I did not know that the views of some of the Members of this House had been conveyed to me as a mandate for my putting in an amendment. If I had felt that it was of that character.....

Dr. Lanka Sundaram: It was in response to the suggestion of the Home Minister that we met and had a two days' session.

Pandit G. B. Pant: My request was not for a formula, because my own feeling is this. So far as these differences are concerned, they can be settled better if we have no rigid formula than by sticking to a particular formula. Otherwise, we have a formula already, a formula that was proposed by the Dar Commission. That has been approved by the States Reorganisation Commission and we cannot lightly tamper with that. But specific questions can be taken up and settled by the parties concerned without being fettered by any rigid formula. I wanted, not a formula, but a solution of the problems, a settlement of the disputes. Anyway, I am there at the service of the States which have not yet been able to compose their differences. I hope the Zonal Councils will be able to show better results, and if everything fails and if the problem is really of a special significance and there are special circumstances, the Government will take stock of the situation and see how it can be helped.

Pandit Thakur Das Bhargava (Gurgaon): Article 263 may be invoked.

Pandit G. B. Pant: I know which particular article you are referring to. Government has always the authority to appoint a Boundary Commission. It does not require any provision in the law.

Shri R. N. S. Deo (Kalahandi-Bolangir): May I enquire from the hon. the Home Minister, in view of the Bihar Government's insistence on the wishes of the people being the criterion and in view of the fact that Orissa is agreeable to that criterion, what is the reaction of the Government of India and what is standing in the way of satisfying Orissa's demand to the Seraikella Sub-division?

Pandit G. B. Pant: Well, the States Reorganisation Commission, I think,

made their utmost effort to see if they could make any concession in favour of Orissa. They did not find it possible to do so. We are being guided by the report and recommendations of that Commission. And the Orissa dispute cannot, in any case, be regarded as a border dispute. It is something entirely different, much bigger in character. And even if other problems, which are for the adjustment of boundaries, are considered in a different way, I do not think that the bigger problem of Orissa will come within that category.

Shri Saigadhar Das (Dhenkanal-West Cuttack): May I point out that originally, in 1948, when there was a dispute between Bihar and Orissa over that territory, namely the Seraikella Sub-division, the Bavdekar Tribunal was appointed to determine the wishes of the people and to look into other administrative conveniences and so on and so forth. That was never done. And because of the trouble between the two Governments, the Government here decided in favour of Bihar, and the Chief Minister of Orissa at that time surrendered the two ex-States to Bihar. Since then, if the States Reorganisation Commission had determined the wishes of the people, we would have been satisfied. But the Commission did not do so. And then lately, when the Bihar Government has wanted to determine the wishes of the people in other areas, why not in this area? In continuation of that principle a Boundary Commission would ascertain the wishes of the people and their verdict would be final.

Pandit G. B. Pant: I think the States Reorganisation Commission was bigger than the Bavdekar Commission even if it had been appointed and had considered all the relevant aspects of the problem. Anyway, Orissa is not in dispute here. It is quite intact!

Shri R. N. S. Deo: From what the hon. Minister said regarding the S.R.C.s recommendations, may I

{Shri R. N. S. Deo}

point out that the main difficulty standing in the way of the S.R.C. recommending the transfer of the Seraikella Sub-division or any part of it to Orissa was the recommendation for the transfer of Manbhum South to Bengal; and in that case Dhalbhum Sub-division would have become an enclave cut off from the rest of Bihar. But that position has entirely changed as a result of the modified decision of the Government of India to retain Chandil thana and Patamda thana of Barabhum in Bihar. So no longer will Dhalbhum Sub-division be cut off from Bihar, even if this Sub-division is transferred to Orissa. Under these circumstances, the S.R.C.'s recommendations which were based on a different set of circumstances having changed, there is a clear case for reconsideration. May I know the hon. Minister's reaction to this?

Pandit G. B. Pant: Sir, I am sorry that the question has been put—because the answer will not be very helpful. I have reconsidered the matter even in the light of what has now been repeated and feel that the S.R.C. decision need not be disturbed.

Shri Thanu Pillai: May I draw the hon. Minister's attention to the fact that one principle was applied in respect of Kollegal and another in respect of Shenkottah, where an unpopulated area has been divided while in Kollegal it has not been done? And the boundary has been varied in a manner even different from what was intended in the original Bill.

Pandit G. B. Pant: Well, that shows the danger that we would have to face if we again take up these problems and stir up disputes which either have been forgotten or can well be resolved by mutual consultation and agreement.

An Hon. Member: Or suppressed.

Shri Raghavachari: The Home Minister says that things have been

recommended by the Commission. Though they unanimously recommended the transfer of Bellary to Andhra, there is nothing done about it. And our amendments are there. Those principles which are convenient are adopted; those which are not convenient to Government are rejected.

Pandit G. B. Pant: Well, I do not know what is convenient to Government. Government is guided by what is right. (Some Hon. Members: No) And what is right is convenient.

Shri S. S. More: Does it mean that the S.R.C. was not guided by what is right and just?

Pandit G. B. Pant: The S.R.C. was guided and so have been we. But opinions may differ between two persons as to what is right and just.

Dr. Lanka Sandaram: The short point about Bellary is this. Government is committed to implement the unanimous recommendations of the States Reorganisation Commission. There are two weighty sections, voluminous sections of the Report as to why Bellary should go to Andhra. May I know from the hon. the Home Minister as to why Government have rejected that recommendation of the S.R.C. which was unanimous?

Pandit G. B. Pant: Again, I think the question has not been posed in the light of the circumstances which have resulted in the decision that the Government has taken. Bellary has been the subject of adjudication, if we may say so, of investigation previously, and certain proposals had been made. In accordance with those proposals certain territorial adjustments were made and Bellary was transferred to Mysore. Well, the Commission said that for the implementation of the Tungabhadra project it will be desirable to have certain talukas of it transferred to Andhra. The main purpose was to ensure the smooth working of the

Tungabhadra project. The matter was considered in consultation with the leaders of the States concerned, and after adequate guarantee had been obtained for the implementation and smooth working of the Tungabhadra project it was considered proper to maintain the existing arrangement. I do not mean to say that everyone must necessarily accept or agree to this view. But I have given my explanation as to why this decision was taken.

Well, Sir, I think I have stood the cross-examination well

Shri Namblar: You still have to.

Pandit G. B. Pant: I hope there is no particular point on which a reply is wanted from me.

Shri Namblar: What would be the position of the Malabar M.L.As. who are going to discontinue or rather going to become dead on the appointed day due to the fact that the whole of Malabar is going to be added to Travancore-Cochin, which is under the protectorate of the President?

Pandit G. B. Pant: Well.....

Shri V. P. Nayar: I may add to what my hon. friend has said.....

Pandit G. B. Pant: You had your say. Now you want my answer.

Shri V. P. Nayar: Along with that, the hon. Home Minister may be pleased to give an answer to the point raised in amendment No. 146 that persons who immediately before the dissolution of the Legislative Assembly were members of that Assembly be members of the new Assembly and the Assembly be reconstituted.

Pandit G. B. Pant: The position with regard to Malabar and Travancore-Cochin, which will now form the units of a composite State, has been determined in accordance with the developments that have taken place in recent months. At present, Travancore-Cochin has no legislature. Its legislature has been dissolved. The President is running the administration of this State. Now Malabar

is being attached to Travancore-Cochin on the appointed day. The southern taluks are being transferred to Tamilnad and Malabar is being attached to Travancore-Cochin. Now, Travancore-Cochin having no legislature, the members of Malabar by themselves cannot form a legislature. We cannot revive the legislature simply by saying that the old legislature will function again. Unless there are fresh elections a new legislature cannot be formed even in Travancore-Cochin, which is a separate State by itself. Now, are we going to hold elections in Travancore-Cochin now and to have general elections again early next year? Nobody would like to have two elections in the course of a few months.

Shri V. P. Nayar: In that case, after November 1st when the Act comes into force, what is going to be the position of the areas which are going to be tagged on to Travancore-Cochin because there is no provision under the Constitution to extend President's rule from one State to another or portions thereof? What will be the position of that district?

Pandit G. B. Pant: I think that Travancore-Cochin and Malabar will join hands on the 1st of November and will see that the desirability....

Shri V. P. Nayar: The Home Minister has not probably understood the point which I raise.

Mr. Speaker: He has understood the point. Apart from the whole district, one village is added. What happens to Travancore-Cochin will happen to that portion also.

Shri Kamath: On a point of order. The proclamation referred to only Travancore-Cochin State and not to Kerala.

Shri S. S. More: Parliament has the power to extend a proclamation. To that extent, Parliament can extend the ambit of the original proclamation. But my point is that the President's proclamation can be revoked and if the proclamation is revoked, it would also mean—at least

[Shri S. S. More]

some of us hold that view—the revival of the legislature which has been dissolved. But it is a legal point which cannot be discussed across this table. Section 93 of the Government of India Act.....

Mr. Speaker: If it has been suspended, it is another matter.

Shri S. S. More: It is a point which I don't want to argue now. I assume his mind will be open to our argument in the chamber, if necessary.

Pandit G. B. Pant: My mind is always open, I may assure you.

Shri V. P. Nayar: Can we come and discuss with you?

Pandit G. B. Pant: I will be happy.

Shri Namblar: Now, all the M.L.As. from Malabar will have no seat.....

Pandit G. B. Pant: That is not an argument. That is rather a sort of injunction.

Dr. Rama Rao (Kakinada): May I point out to the hon. Home Minister that in connection with the Boundary Commission, as pointed out by Dr. Lanka Sundaram, members of Andhra, Karnataka and Maharashtra met for two days and our Maharashtra friends conceded that certain areas should go to Andhra. But they are not prepared to take the blame or whatever it is. Nobody wants to take the responsibility. In such cases, is it not essential that a judicial award is given through a boundary commission? No one who has got anything is prepared to give it to the other, even if justice demands it.

Pandit G. B. Pant: I think you will not like me to repeat what I have stated. If nobody is prepared to take the responsibility, we will take the responsibility. All of us must be prepared to take the responsibility.

Dr. Lanka Sundaram: Then it is for your shoulders.

Pandit G. B. Pant: I am prepared to take up every responsibility that is entrusted to me.

Shri C. D. Deshmukh (Kolaba): I was not very willing to participate in this question and answer and cross examination but the hon. Home Minister asked a little while ago whether there was anything else he could answer. I wanted to point out that he has not answered any of the points I have raised in regard to the boundary disputes, particularly relating to Belgaum and Karwar and some of the tehsils. He has only dealt with the Point I have made about the zonal council. I pointed out that by following the S. R. C. recommendation we were inflicting avoidable hardship on a very large number of people. Somebody said about four crores of people being affected—I do not know the figures.

Shri S. S. More: Five lakhs.

Shri C. D. Deshmukh: The minorities created by the border disputes were about 40 million, that is, four crores. This particular section contains about 5 lakhs people. Maharashtra has more disputes than any other State because it is constituted, some with Madhya Pradesh, some with Andhra and some with Mysore. Therefore, the total number of people in Maharashtra or who should be in Maharashtra that would be affected must be very large.

An Hon. Member: About a million.

Shri C. D. Deshmukh: I ask: why is it necessary to adhere to other principles when you are dealing with territorial reorganisation? It is just as easy to draw the line with villages as units. I do not want to repeat my previous speech, but I point out that in addition to this argument I used another argument and that is about the non-Maharashtrian population, which in many areas would be unnecessarily included in Maharashtra if you were to follow the S.R.C. recommendations. It is not a question of transferring of

population. They are part of the composite State as it exists today.

I will just add one more word. I very much appreciate the point made by Dr. Rama Rao. We have no disputes with Andhra. We should like to hand over to them the areas that we think rightly belong to them and to receive from them other areas if there are any fit to be transferred. But, I understand—I am not responsible for the Maharashtrian leadership—that they are afraid or apprehensive of handing over certain areas for fear of losing something without getting anything in return elsewhere. It is only that that is preventing them, I imagine. So far as Sirivancha is concerned, since all arguments are in favour of transferring that area to Andhra, it ought to go to Andhra. These matters have not been referred to by the hon. Home Minister.

Shri C. D. Deshmukh: I have already to any specific dispute nor to any particular territorial area. But with regard to these particular areas, Belgaum, Karwar etc. these decisions were taken by Government in consultation with Mr. Deshmukh. He even accepted the principle that is given in the States Reorganisation Commission Report.

Shri C. D. Deshmukh: I have already said that on mature consideration I feel they are wrong.

Pandit G. B. Pant: We have not yet reached that stage and when we also feel that they are wrong, we will revise our opinion. For the rest I have said what I had to say. I am not going to take up individual cases here in the House.

As to the other matters, I wonder if I have got much to say.

Shri Kamath: One last point.

Pandit G. B. Pant: Do not go back to subjects which have been disposed of

Shri Kamath: I always go forward. Do not go back like you. What are the insuperable obstacles to the dis-

solution of the Andhra Assembly and the ordering of fresh elections for the Andhra Assembly along with the rest of Andhra Pradesh in the next year or whenever that comes, instead of amending the Constitution to extend the life of the present Andhra Legislative Assembly? What are the obstacles to that?

Pandit G. B. Pant: The people of Andhra are not anxious to have.....

Shri Nambar: They are anxious.

Pandit G. B. Pant:.....fresh elections.

Shri Gadgil: May I know what politicians are ever eager for elections?

Pandit G. B. Pant: By the people of Andhra.....

Shri Kamath: The Andhra Congress is not anxious.

Shri B. Y. Reddy (Karimnagar): The people are anxious.

Pandit G. B. Pant: The majority of the Members in the Legislature for the time being represent Andhra and they are not anxious whether they belong to the Congress or the P.S.P. or to the Communist Party or any other.

Shri Kamath: Please speak for the Congress, not for the P.S.P.

Pandit G. B. Pant: It is not fair.....

Shri Kamath: What is not fair?

Pandit G. B. Pant:.....to ask a State which had had to undergo the worry, the labour and the expense which every general election involves.....

Shri Gadgil: And the uncertainty also.

Pandit G. B. Pant:.....less than two years ago, to go in for elections again. We cannot agree with that view.

Shri V. P. Nayar: It contradicts what the hon. Home Minister said at the time the President's Proclamation was approved by this House. Then he said: "If general elections are ordered in Travancore-Cochin today, when the

[Shri V. P. Nayar]

new States are formed by October 1, we will have to go in for another general election. Therefore, it need not be held now." That was the answer he gave then. Now the answer seems to be different

Pandit G. B. Pant: That is exactly what I said today, that we cannot have fresh elections now as we will have general elections within a few months, and by the time these elections are completed we will have to go in for the general elections. I think you appreciate what I say but you do not like to say so.

Shri Sadhan Gupta: Why not say straightaway: "We do not want the Congress to go out of power"?

Shri Kamath: Be honest about it.

Shri V. G. Deshpande (Guna) rose—

Mr. Speaker: There must be an end to this.

Shri V. G. Deshpande: One point I have been raising again and again. I want a reply from the Home Minister with regard to my amendment about the merger of Jhansi, Hamirpur, Banda and Jalaun districts of Uttar Pradesh in Madhya Pradesh. I would like to hear from him at least with regard to Lalitpur which is a pocket in Madhya Pradesh which the great Uttar Pradesh is not prepared to concede.

Dr. Lanka Sundaram: What I have I keep!

Pandit G. B. Pant: The Bill does not contain any proposal about Uttar Pradesh. It was not referred to Uttar Pradesh. It is for Shri Deshpande to pursue it with the Government of Uttar Pradesh to surrender the areas to Madhya Pradesh, but Madhya Pradesh is big enough. Let it function for some time and after it has assimilated and digested the very big loaf that it has now to handle, the time

will come for further assimilation. Anyhow, the time is not ripe yet.

Pandit Thakur Das Bhargava: May I put one question? So far as the zonal councils are concerned, you have kept the border disputes within their jurisdiction. May I just enquire whether these zonal councils will be competent to appoint boundary commissions if they so choose?

Pandit G. B. Pant: You as a lawyer I think, are in a better position to decide that than I am.

Shri S. S. More: They should be called arbitrators.

Mr. Speaker: The hon. Minister said it is only advisory.

Dr. Lanka Sundaram: I am not rising to put any question. This is the lunch interval and you cannot put any amendment to vote. That is the convention. That is why this question hour is going on!

Shri Nambiar: The point about safeguarding minorities has not been answered. That is an important issue because there is so much fear among the minorities that their interests may not be looked after carefully by the new States. Is Government prepared to add any provision to improve the situation?

Pandit G. B. Pant: About safeguards for minorities, I have made the position of Government clear more than once. I do not think it is necessary for me to say more because, as you, Sir, have already ruled, this question will come when the Constitution (Amendment) Bill is taken up. But my anxiety to do all that is reasonably, proper and necessary and feasible to safeguard the interests of linguistic minorities, is no less than that of any other Member in this House.

Shri B. Y. Reddy: Some safeguard must be provided, that is the point.

Mr. Speaker: He has said so. Hon. Members must be attentive. He said

that in this Bill no provision can be made. They will all be considered at the time of the amendment to the Constitution and he says he is no less interested than any other hon. Member.

Shri Nambiar: Even yesterday we had another difficulty. We are amending only article 320 and there we cannot and all other safeguards.

Pandit Thakur Das Bhargava: How does the hon. Member say that? He is entirely wrong. Certainly all the possible safeguards including those described by the S.R.C. will be within its purview. The general subject of linguistic minority safeguards is there in the Constitution.

Shri A. K. Gopalan (Cannanore): The hon. Minister should reply to the whole discussion.

Mr. Speaker: He has replied to clauses 2 to 15. Regarding clauses 16 to 49 he may reply immediately.

Dr. Lanka Sandaram: Why not we adjourn for one hour? It must be a great strain on the Home Minister.

Shri Gadgil: That will allow time for lunch.

Pandit G. B. Pant: About the zonal councils as hon. Members are aware, the provisions have been amplified in the Joint Committee. Now, not only the States which are included in a zone can meet and deal with matters of common interest, but two or more zonal councils also can be invited to deal with problems that may affect them. So, the scope of the zonal councils has been expanded and enlarged. There have been various suggestions about the zonal councils in this House. Some hon. Members have suggested that zonal councils should be given statutory powers and some others that zonal councils should have also executive powers. I do not want to go beyond what we have already provided in the Bill, that is, the zonal councils should, to start with, have only advisory capacity. The States have under the Constitution autonomous powers with regard to matters

which are enlisted in the State List. So, we do not want to encroach upon their domain. But, at the same time, we want to have some agency which would enable the States to combine together for their common development and also for promoting a better atmosphere and for settling matters which might otherwise create bitterness by mutual agreement and adjustment. So, at the present stage I think we should be satisfied with the zones as they are formed. Because of this change in clauses 8, 9 and 10 which now will be substituted by a bigger bi-lingual State for Bombay, all the States that were meant for the Western Zone will now form one State. So, it is proposed that Karnataka should be taken away from the Southern Zone and attached to Bombay.

Dr. Rama Rao rose.

Mr. Speaker: Let him finish all the points he has. Then I will allow hon. Members to put questions.

Dr. Rama Rao: I want to suggest that as a special case we may adjourn now and meet at 2-30 or 2-45.

Shri Kamath: He is labouring under severe strain.

Pandit G. B. Pant: So far as the States mentioned in the Bill are concerned, their representation in the Rajya Sabha hereafter has been indicated. There are some other States such as Assam, Orissa and Uttar Pradesh, provision has been made in the Constitution (Amendment) Bill to enable them to benefit by the rule which determines the quota to be allotted to the different States. Presumably, their representation in the Rajya Sabha or in the Lok Sabha will go up in consequence of the increase in numbers. But they have not been mentioned here, as this Bill does not deal with those States.

The proposal has been made here for setting up a Legislative Council for the new State of Madhya Pradesh. As there is a strong desire, I am prepared to accept the amendment

[Pandit G. B. Pant]

which proposes the establishment of a Legislative Council in the new State of Madhya Pradesh.

Shri Lakshmayya (Anantapur): May I know whether the Andhras' claim for Bellary, Moka and Rupanagudi will be conceded by the Government, since nearly 70 per cent of the people of that area there are Andhras?

Mr. Speaker: Evidently, the hon. Member appears to have come only just now.

Shri Sivamurthi Swami (Kushtagi): May I answer the hon. Member?

Mr. Speaker: Not necessary, I am not allowing hon. Members to reply to other hon. Members.

Shri A. K. Gopalan: I had given notice of a certain amendment to the effect that when the new States are formed....

Mr. Speaker: Let the Minister answer all the points which he has himself noted. Thereafter, I shall allow the hon. Member.

Shri A. K. Gopalan: I thought he had finished.

Mr. Speaker: In the meanwhile, he was interrupted.

Shri B. Y. Reddy: May I ask one thing regarding zonal councils, which he has already dealt with?

Mr. Speaker: Hon. Members may hold themselves in patience for a while. First, let the Minister finish.

Pandit G. B. Pant: It has been suggested, perhaps by Shri M. S. Gurupadaswamy, that the number of associate members prescribed for the Delimitation Commission should be raised from five to seven. I am prepared to accept that proposal too.

Some suggestions have already been made for setting up a Legislative Council for Andhra Pradesh. Andhra Pradesh is not a new State. It will now have a bigger area, when Telangana is added to Andhra Pradesh.

There is the procedure prescribed in the Constitution, which requires that the Assembly should pass a resolution, whenever it desires a Legislative Council to be set up. So as soon as that is done, we will set it up or if the Members of Andhra are really very keen about it.....

Shri B. Y. Reddy: They are not.

Dr. Rama Rao: We are opposed to it.

Pandit G. B. Pant: So there is difference of opinion.

Shri Mohiuddin (Hyderabad City): We are keen about it.

Pandit G. B. Pant: If they are keen about it, we may just consider if a provision can be made in the Constitution (Ninth Amendment) Bill.

Dr. Lanka Sundaram: In the Joint Committee, it was agreed to leave it to the future Legislature of Andhra Pradesh. I hope you are not reopening it now.

Pandit G. B. Pant: I am quite willing to do it. So, I have not stated that it will be set up there.

Shri Keshavalingar (Bangalore North): I want to ask a question in connection with the number of members of the Legislative Assembly of Mysore.

Pandit G. B. Pant: There is a very keen desire, almost a yearning on the part of Mysore Members that 26 more members should be added to the number there has been allotted to their Assembly. Out of regard for their wishes, I am prepared to sur-render my own views. So, they will have 26 more.

Mr. Speaker: Has the Minister finished all the points?

Pandit G. B. Pant: I had not thought even of saying all that I have said.

Dr. Rama Rao: We can rise and again meet at about 2.30 P.M.

Shri A. K. Gopalan: I have tabled an amendment relating to the service conditions of the employees when the new States are formed. It specifies what should be the service conditions, pay and other things, of the government servants when the new States are formed, because the conditions are different in different parts of the country. When a group of people are transferred from one State to another, what should be their position? My amendment provides.

"Provided when the new State is formed, all persons in the service of Government and also in quasi-Governmental institutions and local boards, shall have the minimum pay and allowances equal to the highest of the minimum pay and allowances for that class of officials in the areas which comprise the new State."

I want to add a provision to the above effect. If the Minister could give us some idea about this matter and if he could give us a guarantee that this will be secured, then I do not even want to press my amendment.

Pandit G. B. Pant: So far as that goes, we do not want a single government servant to suffer on account of the reorganisation of States. Every one will I hope, continue to serve in the bigger State which will now include also the area in which he may have been serving. As to his salary and emoluments, no salaries will be reduced. Whatever salary one may be receiving, even if it be higher than the rates which are permissible in other parts of the States which are now unified with that particular area, the higher salary grade should not, on that account, be reduced.

For the future, of course, every State is free to deal with all matters as it likes. We cannot bind their hands. But we do not want anyone's salary to be reduced on the ground that the scales of salary now permissible in certain parts of the States which are now being transferred to the bigger unit are low.

Shri V. P. Nayar: I have given an amendment seeking to introduce a new clause 31-A, for restoring the Assembly which has been dissolved. According to me, this House has approved the President's Proclamation...

Mr. Speaker: This has already been referred to.

Shri V. P. Nayar: That was not the point I wanted to make.

Mr. Speaker: I am not going to allow the hon. Member. There must be an end to this. Shri S. S. More had raised this very point a little while ago.

Shri V. P. Nayar: Will you kindly hear me?

Mr. Speaker: I have heard the hon. Member already.

Shri V. P. Nayar: The point I want to raise has not been referred to so far.

Mr. Speaker: Shri S. S. More has already stated this point that it is open to withdraw the Proclamation and then restore it.

Shri V. P. Nayar: That is not the point that I want to raise. My point is whether Government have considered the possibility of introducing any legislation, because article 4 of the Constitution, according to us, gives us the necessary powers. I want to know whether that aspect has been considered in its legal aspect on the legal side.

Pandit G. B. Pant: Government consider every point before taking a decision.

Shri Pocker Saheb (Malappuram): I would request the Home Minister to clarify one point regarding Malabar. What is the constitutional position of Malabar from 1st November 1956, the appointed day, until the general elections are held? What is the governmental structure for carrying out the administration of Malabar?

Mr. Speaker: This point has already been raised, and it has been answered.

Shri Pocker Saheb: The original Bill had provided that Malabar will be treated on the same basis as other parts. But in the Bill as amended by the Joint Committee, we find in clause 30 the words 'save Malabar', that is to say, that Malabar will be exempted from the operation of this clause, which applies to other new States. Under this clause, members representing certain constituencies which are transferred to a new State shall continue to be members of the new State representing the corresponding constituencies. A further clause is also added that the sitting members from Malabar in the Madras Legislative Assembly shall cease to be members thereof from the appointed day. I have no quarrel with that. But what is the conception of the Government so far as the status of the members from Malabar are concerned as from appointed day until new elections are held? The hon. Home Minister was saying, when a question was put as regards the revival of popular Government in T. C. State, that it was not at all advisable to have elections between the appointed day and the next general elections. But there is a provision in clause 27 of the Bill, which says:

"As soon as may be after the appointed day, bye-elections shall be held to fill the vacancies existing on the appointed day in the seats of Kerala, Madras and Mysore and to the Part C State of Bombay."

Of course, Bombay is removed from that position by an amendment.

Mr. Speaker: What the hon. Member wants to say is this. He finds an inconsistency between the one and the other. As soon as Malabar is detached, the erstwhile members of Malabar in the Madras Assembly cannot be tagged on to any Legislative Assembly because there is none in Travancore-Cochin. All the same, there is another clause which says that bye-elections can be held for filling the existing seats for Madras, Bombay and Kerala. Bombay is now detached. There may be anything so far as Madras is con-

cerned. But what is the position of Kerala?

Shri Pocker Saheb: What is the constitutional position of Malabar? That has to be clarified.

Pandit G. B. Pant: I think I have answered this point. Malabar will form part of the Kerala. It will be governed in the manner in which the rest of Kerala will be governed. When Malabar is merged in Kerala, Malabar cannot have a different set of administrators or a different system of government from the rest of Kerala.

Shri B. Y. Reddy: What will become of those MLAs?

Shri Pocker Saheb: Under article 168 of the Constitution, every State shall have a legislature. What do the Government do with that? As it is, Malabar is left in the air between the appointed day and the date of the general elections.

Shri Kamath: Election emergency.

Mr. Speaker: I think all questions have been answered.

Several Hon. Members rose.

Pandit G. B. Pant: We may take up certain consequential amendments that follow after the acceptance of the date 1st November or 1st October.

Mr. Speaker: I can do so with the voting now.

Shri Kamath: No, Sir. You can not hustle this discussion.

Mr. Speaker: There is no question of hustling. Nobody would have been allowed so much time. A number of questions have been asked. It is unprecedented in this House. I have allowed sufficient number of questions. There is no use using the word 'hustling' in this matter again and again.

Shri Kamath: You assured us that after he finished speaking you would let us raise these points,

Mr. Speaker: I said so. One hon. Member went on delivering a speech here. Now another hon. Member wants to do the same. What is the point in the hon. Member has got?

Shri Kamath: I am constrained to bring this matter to the notice of the hon. Home Minister. You will recall that last time his colleague was busy in an intimate chit-chat with another hon. Member, and it was only when you drew his attention that he listened to us. That is why I must raise these important points with regard to the Delimitation Commission.

My hon. friend, Shri M. S. Gurupadaswamy, and myself referred to this matter. There are two or three points connected with this which, I hope, the Home Minister would carefully consider. One is, why public sittings of the Commission should not be held. You will appreciate that with regard to many States, particularly my own State of Madhya Pradesh, the constituencies, especially parliamentary constituencies, of almost everyone will be affected by this reorganisation, because if one border district is affected, it will lead to repercussions in another, then the adjoining district and so on. In this way, the chain reaction will go on. Therefore, it is very necessary that the Delimitation Commission must hold public sittings at least in those States which are most affected by States reorganisation.

The next point is—both Shri M. S. Gurupadaswamy and myself emphasised this point—that you, Mr. Speaker, should be empowered to nominate associate members of the Commission in each State.

Shri B. S. Murthy (Eluru): Including?

Shri Kamath: I make no distinction. All States, Andhra Madhya Pradesh and so on. You will remember that in the last Parliament, this was so. The speaker was empowered to nominate associate members on the Commission. The Delimitation Commission Act was also passed with some provision of this nature. Now, suddenly this change has been made in this Bill.

Mr. Speaker: It is enough if the point is mentioned. Arguments need not be given, because one or the other of the hon. Ministers in charge of the Home Ministry has been here.

Shri Kamath: The first point is regarding public sittings. The second point is that Mr. Speaker should be empowered to nominate associate members as heretofore. Thirdly, I hope when the matter of nomination of associate members comes—I hope the House will see to it that you are empowered to do so—Opposition Members will be associated with the Commission not merely in mathematical proportion to their numbers in this House, but certainly with regard to the importance of the Opposition in a parliamentary democracy. I hope this will be borne in mind.

Dr. Lanka Sundaram: Pro-rata

श्री श्री बा० जेडकार (बुलढाना-मकोला) : इस बिल में महाराष्ट्र के वास्ते ४० पार्लियामेंटरी सीट्स और २४० असेंबली सीट्स निश्चित की थीं लेकिन सिलेक्ट कमेटी ने इस को दुस्त कर के २४० के स्थान पर २८० असेम्बली सीट्स महाराष्ट्र के लिये निश्चित कर दी थीं। इसी तरह से सिलेक्ट कमेटी ने गुजरात को २२ पार्लियामेंट की सीट्स दी थीं और १५४ असेम्बली की सीट्स दी थीं। अब इस में जो नया बम्बई राज्य बनाया जा रहा है उस को ६६ पार्लियामेंट की सीट्स और ३६६ असेम्बली की सीट्स दी गई हैं। सिलेक्ट कमेटी ने गुजरात को २२ पार्लियामेंटरी सीट्स और १५४ असेम्बली सीट्स दी थीं, और महाराष्ट्र को २८० असेम्बली सीट्स दी थीं। अब इन दोनों में बम्बई को और मिलाना जा रहा है। इसलिये मेरा सुझाव है कि इस संयुक्त राज्य को ३६६ के बजाय ४८० असेम्बली सीट्स देनी चाहिये। मेरा सुझाव है कि सरकार को इस राज्य में भी कर्नाटक की तरह एक पार्लियामेंटरी सीट के पीछे ७ असेम्बली सीट्स देनी चाहिये। मैं आशा करता हूँ कि जैसे कर्नाटक का मामला सहानुभूतिपूर्वक तै किया गया उसी तरह से इस राज्य का मामला भी सहानुभूतिपूर्वक ही किया जायेगा।

Pandit G. B. Pant: The Delimitation Commission will have to do a lot of work within a very limited and short time. So its proceedings should be conducted in a businesslike manner and there should be little disturbance and little interference with the work that it has to do. So far as the sittings go, I do not know if there is any provision in the Bill to the effect that they should meet in camera. If Shri Kamath will tell me which particular clause has that provision, I will just consider that. But I have no recollection of any such clause myself.

Shri K. K. Basu: There was a specific provision for public sittings in the other Act. But there is no such provision in this legislation.

Shri Kamath: I was told by my colleagues who were on the Joint Committee that the matter was raised there and the Home Minister said that it would be difficult to provide for public sittings because it would entail a lot of time which could not be spared for this work.

Pandit G. B. Pant: The Commission will be naturally free to determine its own procedure. It may hold sittings in the manner it chooses.

Shri Kamath: All right.

Pandit G. B. Pant: May I move these amendments?

Shri Kamath: What about nomination of associate members? Your own powers, Mr. Speaker, are being curtailed. What is the point in curtailing your powers, which you have enjoyed for the last five years? These powers should not be curtailed, 2 P.M.

Mr. Speaker: On the other hand anybody who nominates would like to get relieved of the responsibility. There is always that difficulty.

I shall now put the clauses to the vote of the House.

Dr. Lanka Sundaram: You cannot put it till half-past-two.

Mr. Speaker: It is not so. The convention observed is this:

"But if on a division taken on any business between 1 P.M. and 2-30 P.M., it appears that 50 Members are not present, the business shall stand over until 2-30 P.M. the same day or the next sitting of the House, as may be convenient and the next business shall be taken up. The point is that no question will be decided finally which requires a vote of the House between 1 P.M. and 2-30 P.M. if 50 Members are not present, that is, the number of the quorum."

Now more than 50 Members are present here.

I shall take up clause 3. I have been requested to put amendments No. 66, 132 and 217 to the vote of the House.

The question is:

Page 3—
after line 32, add

"(3) As from the appointed day there shall be added to the State of Andhra Pradesh the territories comprised in revenue firkas of Bellary including Bellary Municipal area, Rupanagudi and Moka in the Bellary taluk of the present Bellary District in Mysore. The said territories.

- (a) shall cease to form part of the existing District of Bellary of the State of Mysore, and
- (b) shall be included in and become part of Anantapur District in the State of Andhra Pradesh."

The motion was negatived.

Shri Datar: Amendment No. 132 has been withdrawn already.

Mr. Speaker: Amendment No. 217 is barred. I shall put all the other amendments to the vote of the House.

Mr. Speaker: The question is:

Page 3—

after line 25, insert:

- "(h) Kolar district except Kolar taluk and Malur taluk;
(i) Sirivancha taluk of Chanda district".

The motion was negatived.

Mr. Speaker: The question is:

Page, 3, line 27

for "State of Hyderabad" substitute

"States of Hyderabad, Mysore, Madhya Pradesh and Orissa."

The motion was negatived.

Mr. Speaker: The question is:

Page, 3, line 28—

for "State of Andhra Pradesh" substitute:

The motion was negatived.

Mr. Speaker: The question is:

"State of Andhra".

Page 3—

after line 25, add:

"(h) Kolar District of Mysore."

The motion was negatived.

Mr. Speaker: The question is.

Page 3, line 20—

for "and Jukkal circles" substitute "circle"

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 25—

add at the end—

"Utnoor taluk, Bela circle of Adilabad taluk, Ada and Wakdi circles of Asafabad taluk."

The motion was negatived.

Mr. Speaker: The question is:

Page 3—

after line 25, add:

"(h) Bijapur, Dantevade, Kanta and Anantgarh taluks of Bastar district of Madhya Pradesh."

The motion was negatived.

Mr. Speaker: The question is:

Page 3—

after line 25, add:

"(h) Sironcha taluk of Chanda district;

(i) Revenue circle of Chandra Bandi of Raichur taluka in Raichur district;

(j) Mudhole revenue circle of Sedan taluka, Gurmitkal revenue circle of Yadgl taluka and Miryan revenue circle of Chincholi taluka in Gulherga district."

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 15—

after "Gadwal taluks" insert:

"and revenue circles of Chandrabandi, Raichur and Yergiri".

The motion was negatived.

Mr. Speaker: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Mr. Speaker: We shall now take up clause 4.

Sri Nambiar: I would like my amendment No. 147 to be put to vote

Mr. Speaker: I shall put amendment No. 147 to vote.

The question is:

Page 4, line 2—

add the end:

"hereinafter called the State of Tamilnad".

The motion was negatived.

Mr. Speaker: Now I shall put all the other amendments to the vote of the House.

[Mr. Speaker]

The question is:

Page 4—

after line 2, add:

“and thereupon this State shall be known as the State of Tamilnad.”

The motion was negatived.

Mr. Speaker: The question is:

Page 3—

for lines 33 to 37, substitute:

“4. As from the appointed day, there shall be formed a new Part A State to be known as “Tamil Nad” comprising the existing State of Madras excluding Malabar and South Kanara districts and including Agastheeswaram, Thovala, Kalkulam and Vilavancode taluks of Trivandrum district. Devicollam and Peermede taluk of Kottayam district and Shencottah taluks of Quilon district.”

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 36—

after “Shencottah taluk” insert:

“as it was before the first day of July, 1956.”

The motion was negatived.

Mr. Speaker: The question is:

Page 3, line 36—

after “Quilon district” insert:

“and Devikulam and Peermede taluks of Kottayam district”.

The motion was negatived.

Mr. Speaker: The question is:

Page 4—

for lines 1 and 2, substitute:

“(b) the taluks of Agastheeswaram, Thovala, Kalkulam and Vilavancode shall be constituted into a district and Shencottah taluk shall form part of Tirunelveli district.”

The motion was negatived.

Mr. Speaker: The question is:

Page 4—

for lines 1 and 2, substitute:

“(b) shall be included in, and form part of a new district to be known as Kanyakumari district in the State of Madras.”

The motion was negatived.

Mr. Speaker: The question is:

Page 4—

after line 2, add—

“(c) the taluks of Devikulamand Peermede shall form part of Madurai district.”

The motion was negatived.

Mr. Speaker: The question is:

Page 3 and 4,—

for clause 4, substitutes

“4. (1) As from the appointed day, there shall be added to the State of Madras the following territories, namely:—

(a) the territories comprised in the Agastheeswaram, Thovala, Kalkulam and Vilavancode taluks of Trivandrum district, and

(b) the territories comprised in the Peermedu and Devikulam taluks of Kottayam district; and

(c) the Shencottah taluk (including Puliyyara Hile Pakuthy) of Quilon district; and thereupon the said territories shall cease to form part of the existing state of Travancore-Cochin.

2 (a) The territories specified in clause (a) of sub-section (1) shall form a separate district to be known as Nagarcoil district in the State of Madras;

(b) the territories specified in clause (b) of sub-section (1) shall be included in and become part of Mathurai district in the state of Madras, and

(c) the Sbencottah taluk (including Puliyara Hile Pakuthy) of Qullion district; specified in clause (c) of sub-section (I) shall be included in, and become part of Tirunelveli districts in the State of Madras."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Mr. Speaker: I shall put amendment No. 456 of Shri Sivamurthi Swami to the vote of the House.

The question is:

Page 4, line 12—

after "Kasaragod taluk" insert:

"except the part north of Chandragiri River."

The motion was negatived.

Mr. Speaker: I shall put all the other amendments to vote.

The question is:

Page 4—

for line 12, substitute:

"(ii) the portion of Kasaragod taluk of South Kanara district situated to the south of the Chandragiri river and its northern tributary the Payaswani river;"

The motion was negatived.

Mr. Speaker: The question is:

Page 4—

omit line 12.

The motion was negatived.

Mr. Speaker: The question is:

Page 4—

after line 12, add:

"(iii) Gudaluru taluk of the Nilagiris district."

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 4,—

omit "Part A"

The motion was negatived.

Mr. Speaker: The question is:

Page 4,—

for clause 5, substitute—

"5. (1) As from the appointed day, there shall be added to the State of Travancore-Cochin the territories comprised in—

(i) Malabar District, excluding: the island of Laccadive and Minicoy, and

(ii) Kasaragod taluk of South Kanara district; and thereupon the said territories.

(a) shall cease to form part of the State of Madras;

(b) shall form a separate district to be known as Malabar District;

and the State of Travancore-Cochin shall be known as the State of Kerala."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause was added to the Bill.

Mr. Speaker: There is one amendment to be put to the vote of the House in regard to clause 6. So, I shall put it. The question is:

Page 4, lines 18 and 19—

for "a new Part C State substitute:

"a Union Territory."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Mr. Speaker: I shall take up clause

7.

Shri Sivamarthi Swami: My amendments No. 457, 458, 459, 461 and 484 may be put to the House.

Mr. Speaker: The question is:

Page 4, line 25—

for "State of Mysore" substitute "State of Karnatak"

The motion was negatived.

Mr. Speaker: The question is

Page 4, line 29—

after "Kanara districts" insert:

"Sholapur city, South Sholapur taluka, Akkalkot taluka in Sholapur district and Jath taluka in South Satara district."

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 35—

after "Kasargod taluk" insert:

"South of Chandragiri River."

The motion was negatived.

Mr. Speaker: The question is:

Page 4—

after line 38, add:

"(f) Madaksira taluk in Anantpur district and Adoni, Alur and Raydurga except Telgu majority firkas in Andhra State: 1951 census;"

The motion was negatived.

Mr. Speaker: The question is

Page 4, line 35—

before "South Canara" insert:

"Nilligiri district and Tadwali firka in Coimbatore district, and"

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 28—

for "taluka" substitute:

and Khanapur taluks and predominantly Marathi speaking area of Belgaum taluka to be determined by the Boundary Commission and the Nipani Bhag

of Chikodi taluka or alternatively the predominantly Marathi speaking area of Chikodi taluka to be determined by a Boundary Commission."

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 29—

for "Dharwar and Kanara Districts" substitute:

"and Darwar districts and Kanara district except Karwar and Halyal talukas and Supa peta;"

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 27—

add at the end:

"excluding the territories transferred to the State of Andhra Pradesh by sub-section (3) of section 3."

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 29—

for "Kanara" substitute "Karwar".

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 35—

for "South Kanara district except Kasaragod taluk" substitute:

"South Kanara district except the portion of Kasaragod taluk situated to the South of the Chandragiri river and its northern tributary the Payaswani river."

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 28—

after "Chandgad taluka" insert:

"predominantly Marathi speaking contiguous areas of 180 villages from Khanapur taluka, 83 villages from Belgaum taluka including Belgaum city, 44 villages from Chikodi taluka including Nipani, 22 villages

from Hukeri taluka and 10 vilages from Athani taluka".

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 28—

after "Chandgad taluka" insert:

"and predominantly Marathi speaking contiguous areas of the districts of Belgaum and Kanara to be determined by the Boundary Commission".

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 29—

after "Kanara districts" insert:

"except the whole of Karwar taluka, Hallyai taluka and Supa Mahal."

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 29—

after "Kanara districts," insert:

"Akalkot taluk, South Sholapur taluk and Sholapur city in Sholapur district, Jath taluk of South Satara district and Gadhinglaj and Shirol taluks of Kolhapur district."

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 35—

omit "except Kasaragod taluk"

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 36—

after "Coimbatore district" insert:

"Talavadi firka of Gopichettipalyam taluk in Coimbatore district, Nutri district and Hosur taluk of Salem district."

The motion was negatived.

Mr. Speaker: The question is:

Page 5, lines 2 to 4—

for "and the said Kollegal taluk shall be included in, and become

part of Mysore district, in the new State of Mysore." substitute:—

"and the said Kollegal taluk and Talavadi firka shall be included in and become part of Mysore district and the said taluks of Akalkot, South Sholapur, Jath, Gadhinglaj, Shirol and the territory of Sholapur city shall form a district called Sholapur district in the new State of Mysore."

The motion was negatived.

Mr. Speaker: The question is:

Page 4,—

for lines 28 and 29, substitute:

"(b) Belgaum district except Chandgad, Khanapur, Belgaum, Chikodi (Nipani Bhag), Hukeri and Atbni taluks; and Bijapur district except Karwar, Supa and Haliyal taluks, in the existing State of Bombay."

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 27—

add at the end:

"except Kolar district".

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 25

omit "Part A"

The motion was negatived.

Mr. Speaker: The question is:

Page 4, line 28—

after "taluka" insert:

"and Khanapur taluka and predominantly Marathi speaking area of Belgaum taluka to be determined by a Boundary Commission, and the Nipani Bhag of Chikodi taluka, or alternatively the predominantly Marathi speaking area of Chikodi taluka to be determined by a Boundary Commission, and the predominantly Marathi speaking villages contiguous to Maharashtra State in Athni and Hukeri talukas to be determined by a Boundary Commission."

The motion was negatived.

Mr. Speaker: The question is:
for line 29, substitute:

"and Dharwar districts and Kanara district except Karwar and Halyal talukas and Supa peta, in the existing state of Bombay."

The motion was negatived.

Mr. Speaker: The question is:
Page 4, line 30—
after "Tandur taluks" insert:

"and contiguous Marathi speaking areas of Aland taluka"

The motion was negatived.

Mr. Speaker: The question is:
Page 4, line 32—
after "Udgir taluks" insert:

"and predominantly Marahi speaking contiguous revenue circles of Hulsur and Bhalki in Bhalki taluka, Torna and Aurad in Santpur (Aurad) taluka and Ladnanti circle in Humnabad taluka"

The motion was negatived.

Mr. Speaker: The question is:
Page 4, line 32—
after "Udgir taluks" insert:

"Bhalki and Hulsur circles of Bhalki taluk, Aurad and Torna circles of Santpur (Aurad) taluk and Ladwanti circle of Humnabad taluk"

The motion was negatived.

Mr. Speaker: The question is:
Page 4, line 36—

after "Amindivi Island," insert:—
"Madakasira taluk of Anantapur-district and Thalavadi firka"

The motion was negatived.

Mr. Speaker: The question is:

"That clause 7 stand part of the Bill"

The motion was adopted.

Clause 7 was added to the Bill.

Mr. Speaker: I shall now take up clauses 8, 9 and 10. Amendment No. 521 which substitutes clauses 8 to 10 has already been adopted. There is an amendment No. 118 which seeks to insert a new clause 8A. I shall put it to the vote of the House.— The question is:

Page 5—

after line 15, add:

"8A. As from the appointed day, the offices of the new State of Maharashtra shall be located in the city of Bombay."

The motion was negatived.

Mr. Speaker: Under the amendment No. 521 which has been adopted the amended clause 8 will substitute the present clauses 8 to 10. All the remaining amendments to clauses 8 to 10 are barred.

Mr. Speaker: I will now put to the vote of the House the amendments relating to clauses 11 to 13.

The question is:

Page 6, line 16—

for "Madhya Pradesh" substitute "Mahakoshal"

The motion was negatived.

Mr. Speaker: The question is:

Page 7, lines 14 and 15—

omit "Part A"

The motion was negatived.

Mr. Speaker: The question is:

Page 6, line 16—

omit "Part A"

The motion was negatived.

Mr. Speaker: The question is:

Page 6, line 22—

for "Sunel tappa of Bhanpura tahsil of" substitute—"the"

The motion was negatived.

Mr. Speaker: The question is:
Page 6, line 33—
omit "Part A"

The motion was negatived.

Mr. Speaker: The question is:
Page 7, line 4—

for "Sunel tappa of Bhanpura
tahsil of" substitute—"the"

The motion was negatived.

Mr. Speaker: The question is:
Page 7—

omit lines 9 to 13.

The motion was negatived.

Mr. Speaker: The question is:
Page 6, line 19—

for "districts" substitute "areas"
The motion was negatived.

Mr. Speaker: The question is:
Page 6—

(i) omit line 26,—

(ii) line 28,—

omit "and Vindhya Pradesh"

The motion was negatived.

Mr. Speaker: The question is:
Page 6—

(i) omit lines 21 to 24; and

(ii) omit line 26.

(iii) line 28—

omit "Madhya Bharat, Rajas-
than".

(iv) line 29,—

omit "and Vindhya Pradesh".

(v) omit lines 30 and 31.

The motion was negatived.

Mr. Speaker: The question is:
Page 6, line 35 and 36—

omit "except Sironj sub-division
of Kotah"

The motion was negatived.

Mr. Speaker: The question is:
Page 7, line 7—

omit "Rajasthan"

The motion was negatived.

Mr. Speaker: The question is:
Page 7—

(i) after line 19, add:

"(c) the territories of the exist-
ing State of Himachal Pradesh."

(ii) line 22,—

after "Union" insert—

"Himachal Pradesh."

The motion was negatived.

Mr. Speaker: The question is:

"That clauses 11 to 13 stand part
of the Bill."

The motion was adopted.

Clauses 11 to 13 were added to
the Bill.

Sbri S. C. Deb (Cachar-Lushai
Hills): I have moved an amendment
No. 360 suggesting insertion of a new
Clause 13A, which may be put to the
House.

Mr. Speaker: The question is:
Page 7—

after line 22, insert:

"13A. As from the appointed
day, there shall be formed a Part
A State to be known as the State
of Assam, comprising the fol-
lowing territories namely:—

(a) the territories which im-
mediately before the commence-
ment of this Constitution were
comprised in the Province of
Assam, the Khasi States and the
Assam Tribal area, but excluding
the territories specified in the
Schedule to the Assam (Alteration
of Boundaries) Act, 1951; and

(b) the territory which imme-
diately before the commencement
of this Constitution was being
administered as if it was a Chief
Commissioner's province under
the name of Tripura."

The motion was negatived.

Mr. Speaker: I shall put the other
amendments to vote.

[Mr. Speaker]

The question is:

Page 7—

after line 22, insert:

"13A. A Boundary Commission shall be appointed by the Government to solve the boundary questions so far as the merger of contiguous villages or towns is concerned taking into consideration the languages of these villages and towns on the borders of the States about which there are disputes about their merger."

The motion was negatived.

Mr. Speaker: The question is:

Page 7—

after line 22, insert:

"13A. As from the appointed day, there shall be formed a Part A State to be known as the State of Assam comprising the following territories, namely:—

(a) the territories which immediately before the commencement of this Constitution were comprised in the Province of Assam, the Khasi States and the Assam Tribal Areas, but excluding the territories specified in the Schedule to the Assam (Alteration of Boundaries) Act, 1951;

(b) the territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Tripura; and

(c) the territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Manipur."

The motion was negatived.

Mr. Speaker: I shall now take up clause 14.

Pandit G. B. Pant: I have some amendments to this clause.

Amendment made (a) Page 3—

(i) line 7, for "Gujarat" substitute "Bombay";

(ii) line 8, for "section 10" substitute "section 8"; and

(iii) omit lines 31 to 33; and

(b) Page 9—

omit lines 24 and 25.

—[Pandit G. B. Pant]

Mr. Speaker: Now I will put the other amendments to clause 14.

The question is:

Mr. Speaker: The question is:

Page 9—

Omit lines 24 and 25.

The motion was negatived

Mr. Speaker: The question is:

Page 7, lines 30 and 31—

for "sub-section (1)" substitute:

"Sub-sections (1) and (3)"

The motion was negatived.

Mr. Speaker: The question is:

Page 9, line 21—

add at the end:

"and that part of Kashmir known as 'Azad' Kashmir which is under the illegal occupation of Pakistan".

The motion was negatived.

Mr. Speaker: The question is:

Page 8, line 37—

for "Orissa" substitute "Utkal"

The motion was negatived.

Mr. Speaker: The question is:

Page 9, line 8—

for "West Bengal" substitute "Wanga Desh"

The motion was negatived.

Mr. Speaker: The question is:

Page 7—

for lines 23 to 25, substitute:

"14. Amendment of article 1 and of the First Schedule to the Constitution.

(1) In article 1 of the Constitution—

(a) for clause (2) the following shall be substituted, namely:—

'(2) The States and the territories thereof shall be as specified in the First Schedule.'

(b) As from the appointed day, in the First Schedule to the Constitution, for Part A, Part B, Part C and Part D, the following parts shall be substituted, namely:—"

The motion was negatived.

Mr. Speaker: The question is:

Page 7, line 32—

add at the end:

"and the territory of the commune of Yanam".

The motion was negatived.

Mr. Speaker: The question is:

Page 8, line 12—

add at the end:

"and the territory of the commune of Mahe"

The motion was negatived.

Mr. Speaker: The question is:

Page 8, line 30—

add at the end:

"and the territory now comprised in the erstwhile French settlements of Karaikal and Pondicherry".

The motion was negatived.

Mr. Speaker: The question is:

Page 9—

Omit lines 30 to 34

The motion was negatived.

Mr. Speaker: The question is:

Page 9—

(i) after line 44, insert:

"PART D"

(ii) line 45—

for "6" substitute "1"

(iii) after line 46, add:

"2. The Andaman and Nicobar Islands. The territory which im-

mediately before the commencement of this Constitution was comprised in the Chief Commissioner's Province of the Andaman and Nicobar Islands."

The motion was negatived.

Mr. Speaker: The question is:

Page 9, line 7—

add at the end:

"and the territories comprised in the State of Vindhya Pradesh."

The motion was negatived.

Mr. Speaker: The question is:

(i) Page 7, line 39—

add at the end:

"and also the territory comprised in the State of Tripura; and the territory comprised in the State of Manipur"; and

(ii) Page 9—

omit lines 35 to 44.

The motion was negatived.

Mr. Speaker: The question is:

(i) Page 7, line 39—

add at the end:

"and also the territory comprised in the State of Tripura"; and

(ii) Page 9—

omit lines 40 to 44.

The motion was negatived.

Mr. Speaker: The question is:

(i) Page 8—

after line 6, insert:

"3A. Bombay... The territories specified in section 8 of the States Reorganisation Act, 1956."

(ii) Page 9—

omit lines 24 and 25.

The motion was negatived.

Mr. Speaker: The question is:

(a) Page 8—

(i) for lines 7 to 9, substitute:

"4. Bombay... the territories specified in section 8 of the States Reorganisation Act, 1956";

(ii) omit lines 31 to 33; and

[Mr. Speaker]

(b) Page 9—

omit lines 24 and 25.

The motion was negatived.

Mr. Speaker: The question is:

Pages 7 to 9—

for clause 14, substitute:

"14. Amendment of the First Schedule to the Constitution. As from the appointed day, for the First Schedule to the Constitution the following Schedule shall be substituted, namely:—

"FIRST SCHEDULE"

[Articles 1 and 4]

I. STATES

Name	Territories
1. Andhra Pradesh	<p>The territories which were comprised in Srikakulam, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Nellore, Kurnool, Anantapur, Cuddapah and Chittoor districts and in the Alur, Adoni and Rayadurg Taluks of Bellary district which formed part of Andhra State under section 3 of the Andhra State Act, 1953; and</p> <p>(a) the districts of Hyderabad, Medak, Nizamabad, Karimnagar, Warangal, Khammam, Nalgonda and Mahbubnagar;</p> <p>(b) Alampur and Gadwari taluks of Raichur district; Kodangal taluk of Gulbarga district;</p> <p>(c) Tandur taluk of Gulbarga district;</p> <p>(d) Zahirabad taluk (excluding Niona circle), Nyalkal circle of Bidar Taluk and Narayankhed taluk of Bidar district;</p> <p>(e) Bicikonda and Jukkal circles of Deglur taluk of Nanded district;</p> <p>(f) Mudhol, Bbiansa and Kuber circles of Judhoo taluk of Nanded district; and</p> <p>(g) Adilabad district except Islapur circle of Boah taluk, Kinwai taluk and Rajura taluk of the Hyderabad State added to the State of Andhra under section 3 of the States Reorganisation Act, 1956.</p>
<p><i>Note.</i> Alur and Adoni taluks, were included in and became part of Kurnool district Rayadurg taluk of Anantapur district and the territories specified in (b) (c), (d), (e), and (f) above were included in and became part of Mahbubnagar, Hyderabad, Medak, Nizamabad and Adilabad districts respectively in the State of Andhra Pradesh.</p>	
2. Assam	<p>The territories which immediately before the commencement of this Constitution were comprised in the Province of Assam, the Khasi States and the Assam Tribal areas but excluding the territories specified in the Schedule to the Assam (Alteration of Boundaries) Act, 1951.</p>
3. Bihar	<p>The territories which immediately before the commencement of this Constitution were either comprised in the Province of Bihar or were being administered as if they formed part of that Province.</p>
4. Gujrat	<p>The territories which were comprised in Bhanasamtha district except Abu Road taluka, and Amreli, Mehsana, Sabarcantha, Ahmedabad, Kaira, Pancha Mahals, Baroda, Broach and Surat districts of the State of Bombay, the territories of the State of Saurashtra; and the territories of the State of Kutch formed part of Gujrat State under section 10 of the States Reorganisation Act, 1956.</p>

Name	Territories
5. Kerala	<p>(a) The territories of the States of Travancore-Cochin which immediately before the commencement of this Constitution were comprised in the corresponding Indian State (excluding Agastheswaram, Thovala, Kalkulam and Vilavancode taluks of Trivandrum district and the Spencerthah taluk of Quilon district transferred to the State of Madras by section 4 of the States Reorganisation Act, 1956);</p> <p>(b) the territories comprised in Malabar district (excluding the islands of Laccadiva and Minicoy); and</p> <p>(c) Kasargod taluk of South Kanara district formed part of Kerala State, under section 5 of the States Reorganisation Act, 1956.</p>
6. Madhya Pradesh	<p><i>Note.</i> The territories specified in (b) and (c) above shall form a separate district in the State of Kerala.</p> <p>(a) The territories of the State of Madhya Pradesh which immediately before the commencement of this Constitution were comprised in the corresponding Province or were being administered as if they formed part of that province but excluding Buldana, Akola, Amravati, Yeotmal Wardha, Nagpur, Bhandara and Chanda districts;</p> <p>(b) the territories of the States of Madhya Bharat which immediately before the commencement of this Constitution were comprised in the corresponding Indian States excluding Sunel tappa of Bhanpura Tahsil of Mandasm district;</p> <p>(c) the territory which immediately before the commencement of this Constitution was comprised in the Chief Commissioner's Province of Pantha Piploda;</p> <p>(d) Sirony sub-division of Kotah district of the State of Rajasthan;</p> <p>(e) the territories of the State of Bhopal which were immediately before the commencement of this Constitution being administered as if they were a Chief Commissioner's Province of the same name;</p> <p>(f) the territories of the State of Vindhya Pradesh which immediately before the commencement of this Constitution were comprised in the corresponding Indian State; formed part of the State of Madhya Pradesh under section 11 of the States Reorganisation Act, 1956.</p>
7. Madras	<p><i>Note.</i> Sirony sub-division specified in sub-clause (d) was included in and became part of Bhisla district in the new State of Madhya Pradesh.</p> <p>(i) The territories which immediately before the commencement of this Constitution were either comprised in the Province of Madras or were being administered as if they formed part of that Province, but excluding :</p> <p>(a) Srikakulam, Visakapatnam, East Godavari, West Godavari Krishna, Gunur, Nellore, Kurnool, Anantpur, Giddalur and Chittoor districts and Bellary district (transferred to Andhra State and the State of Mysore under sections 3 and 4 of the Andhra State Act, 1953) ;</p> <p>(b) Malabar district except Laccadive and Minicoy Islands transferred to the State of Kerala under section 5 of the States Reorganisation Act, 1956;</p> <p>(c) Laccadive, and Minicoy Islands of Malabar district and Amindivi Island of South Kanara district which formed a union territory under section 6 of the States Reorganisation Act, 1956; and</p>

[Mr. Speaker]

Name	Territories
	<p>(d) South Kanara district except Kasergod taluka and Amindivi Island, and Kollegal taluk of Coimbatore district transferred to the State of Mysore under section 7 of the States Reorganisation Act, 1956.</p> <p>(2) The territories of Agastheeswaram, Thovala, Kalkulam and Vilavancode taluks of Trivandrum district and Shencottah taluks of Quilon district of the Travancore-Cochin State, former part of the State of Madras under section 4 of the States Reorganisation Act, 1956.</p>
8. Maharashtra	<p>(1) The territories of Thana district (excluding Borivali taluka except the villages of Bhayandar, Dongri, Ghnd, Bunder Kashi, Mire, Rai Murdhe and Uran; and the villages Mulund, and Nahur in Thana taluka), West Khandesh, East Khandesh, Nasik, Danga, Ahmednagar, Sholapur, South Satara, North Satara, Kolhapur, Ramnagri, Kolaba and Poona districts and Changanad taluka of Belgaum district of the State of Bombay;</p> <p>(2) Ahmadpur, Nilanga and Udgir taluks of Bidar district, Nanded district except Bich Konda and Jukhal circles of Begur taluka and Mudhol, Bhiansa and Kuber circles of Mudhol taluk and Jalapur circle of Boath taluk, Kurwat taluka and Rajura taluka of Adilabad district of Hyderabad State; and</p> <p>(3) Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur Bhandara and Chana districts in the State of Madhya Pradesh, formed part of the new State of Maharashtra under section 9 of the States Reorganisation Act, 1956.</p>
9. Mysore	<p>(1) The territories of the State of Mysore which immediately before the commencement of this Constitution were comprised in the corresponding Indian State;</p> <p>(2) Belgaum district except Chandgad taluk and Byapur, Dhacwar and Kanara districts of the State of Bombay;</p> <p>(3) Gulbarga district except Kodagal and Thandru taluka, Raichur district except Alampur and Gadwal taluks, and Bidar district except Ahmadpur, Nilanga and Udgir talukas and Zabirabad taluk except Nima circle, Nyakal circle of Bidar taluka and Narayanabad taluk of Bidar district of the State of Hyderabad; and</p> <p>(4) South Kanara district except Kasergod taluka and Amindivi Islands and Kollegal taluka of Coimbatore district of the State of Madras;</p> <p>formed part of the State of Mysore under section 7 of the States Reorganisation Act, 1956.</p>
10. Orissa	<p>The territories which immediately before the commencement of this Constitution were either comprised in the Province of Orissa or were being administered as if they formed part of the Province.</p>
11. Punjab	<p>(1) The territories which immediately before the commencement of this Constitution were either comprised in the Province of Punjab or were being administered as if they formed part of that Province; and</p> <p>(2) the territories which immediately before the commencement of this Constitution were comprised in the Patiala and East Punjab States Union;</p> <p>formed the State of Punjab under section 13 of the States Reorganisation Act, 1956.</p>

Name	Territories
12. Rajasthan	<p>(1) The territories which immediately before the commencement of this Constitution were either comprised in the State of Rajasthan or were administered as if they formed part of that State; except Sirmy sub-division of Kotah district;</p> <p>(2) the territories which immediately before the commencement of this Constitution were comprised in the Chief Commissioner's Province of Ajmer-Marwar;</p> <p>(3) Abu Road taluka of Banaskantha district of the State of Bombay; and</p> <p>(4) Sunel tappa of Bhanpura taluk of Mandla district of State of Madhya Pradesh;</p> <p>formed the State of Rajasthan under section 12 of the States Reorganisation Act, 1956.</p>
<p><i>Note</i>—The territories referred in sub-section (2) formed a separate district of Ajmer, and the territories referred in sub-sections (3) and (4) were included in and became part of Sirohi and Jhalawar districts respectively.</p>	
13. Uttar Pradesh	<p>The territories which immediately before the commencement of this Constitution were either comprised in the Province known as the United Provinces or were being administered as if they formed part of that Province.</p>
14. West Bengal	<p>The territories which immediately before the commencement of this Constitution were either comprised in the Province of West Bengal or were being administered as if they formed part of that Province and the territory of Chandernagore as defined in clause (c) of section (2) of the Chandernagore (Merger) Act 1954.</p>
15. Jammu and Kashmir	<p>The territory which immediately before the commencement of this Constitution was comprised in the Indian State of Jammu and Kashmir.</p>
<p>II. THE UNION TERRITORIES</p>	
1. Bombay	<p>The territories of—</p> <p>(a) Greater Bombay;</p> <p>(b) Borivali taluka of Thana district except the villages of Bhyandar, Dongri, Ghod, Bunder, Kashi, Mite, Rai Murdhe and Uran; and</p> <p>(c) the villages of Mulund and Nahur in Thana taluka of Thana district of the Bombay State,</p> <p>formed a Union territory under section 8 of the States Reorganisation Act, 1956.</p>
2. Delhi	<p>The territory which immediately before the commencement of this Constitution was comprised in the Chief Commissioner's Province of Delhi.</p>
3. Himachal Pradesh	<p>The territories which immediately before the commencement of this Constitution were being administered as they were Chief Commissioner's Provinces under the names of Himachal Pradesh and Bilaspur.</p>
4. Manipur	<p>The territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Manipur.</p>
5. Tripura	<p>The territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Tripura.</p>

[Mr. Speaker]

Name	Territories
6. The Andaman and Nicobar Islands.	The territory which immediately before the commencement of this Constitution was comprised in the Chief Commissioner's Province of the Andaman and Nicobar Islands.
7. The Laccadive, Minicoy & Amindivi Islands	The territories of Laccadive and Minicoy Islands in the Malabar district and the Amindivi Islands in the South Kanara district of the State of Madras formed a Union territory under section 6 of the States Reorganisation Act, 1956."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 14, as amended, stand part of the Bill."

The motion was negatived.

Clause 14, as amended, was added to the Bill.

Mr. Speaker: Amendment No. 351 of Sri R. D. Misra. The hon. Members want to add a new clause 14A which is practically amending the whole Bill.

I will now put this amendment to vote.

The question is:

Page 8—

after line 46, add:

'14A. Consequential, supplemental and incidental amendments of the provisions of the Constitution.—In order to give effect to the provisions of this Part of the Act the supplemental, incidental and consequential and minor amendments directed in the following schedule shall be made in the Constitution:—

The Schedule

Article 1.—(a) for clause (2) substitute the following "(2) The States and territories thereof shall be as specified in the First Schedule";

(b) in clause (3) for sub-clause (b) substitute the following:—

"(b) the union territories specified in the First Schedule"

Article 3.—In the proviso, omit "specified in Part A or Part B of the First Schedule".

Article 31A.—In sub-clause (a) of clause (2), for "Travancore Cochin" substitute "Kerala".

Article 58.—In the Explanation, omit "or Rajpramukh or Uparajpramukh".

Article 66.—In the Explanation, omit "or Rajpramukh or Uparajpramukh".

Article 72.—In clause (3), omit "or Rajpramukh".

Article 73.—In the proviso to clause (1), omit "specified in Part A or Part B of the First Schedule".

Article 80.—(a) in sub-clause (b), of clause (1), after the word "States", the words "and of the Union territories" shall be added.

(b) in clause (2), after the words "of the States", the words "and of the Union territories" shall be inserted.

(c) in clause (4), the words and letters "specified in Part A or Part B of the First Schedule" shall be omitted; and

(d) in clause (5) for the words and letters "States specified in Part C of the First Schedule" the words "Union territories" shall be substituted.

Article 101.—In clause (3), omit "specified in Part A or Part B of the First Schedule", and for "such a State" substitute "a State".

Article 112.—In sub-clause (d) (iii) of clause (3), for "a Province corresponding to a State specified in Part A of the First Schedule", substitute "a Governor's Province of the Dominion of India".

Article 151.—In clause (2), omit "or Rajpramukh".

Part VI.—In the heading, omit "IN PART A OF THE FIRST SCHEDULE".

Article 152.—For "means a State specified in Part A of the First Schedule" substitute "does not include the State of Jammu and Kashmir".

Article 168.—In clause (1) in sub-clause (a) the word "Bombay" shall be omitted and after word "Madras" the word "Mysore" shall be inserted.

Omit Part VII.

Part VIII.—For the heading "The States in Part C of the First Schedule" the heading "the Union Territories" shall be substituted.

Article 241.—(a) In clause (1), for "State specified in Part C of the First Schedule", substitute "Union territory", and for "such State", substitute "such territory".

Omit article 242.

Omit Part IX.

Article 244.—Omit "specified in Part A or Part B of the First Schedule".

Article 246.—In clauses (2) and (3), omit "specified in Part A or Part B of the First Schedule" and in clause (4), for "in Part A or Part B of the First Schedule" substitute "in a State".

Article 254.—In clause (2), omit "specified in Part A or Part B of the First Schedule".

Article 255.—Omit "specified in Part A or Part B of the First Schedule".

Omit article 259.

Article 267.—In clause (2), omit "or Rajpramukh".

Article 268.—In clause (1), for "State specified in Part C of the First Schedule" substitute "Union territory".

Article 269.—In clause (2), for "States specified in Part C of the First Schedule" substitute "Union territories".

Article 270.—In clauses (2) and (3), for "States specified in Part C of the First Schedule" substitute "Union territories".

Omit article 278

Article 280.—In clause (3) omit sub-clause (c) and re-letter sub-clause (d) as sub-clause (c).

Article 283.—In clause (2), omit "or Rajpramukh".

Article 291.—Omit "(1)" and clause (2).

Article 299.—In clause (1), omit "or the Rajpramukh", and in clause (2), omit "nor the Rajpramukh".

Omit article 306.

Article 308.—For "means a State specified in Part A or Part B of the First Schedule", substitute "does not include the State of Jammu and Kashmir".

Article 309.—Omit "or Rajpramukh".

Article 310.—In clause (1), omit "or, as the case may be, the Rajpramukh", and in clause (2), omit "or Rajpramukh", and "or the Rajpramukh".

Article 311.—In clause (2), omit "or Rajpramukh".

Article 315.—In clause (4), omit "or Rajpramukh".

Article 316.—In clauses (1) and (2), omit "or Rajpramukh".

Article 317.—In clause (2), omit "or Rajpramukh".

Article 318.—Omit "or Rajpramukh".

[Mr. Speaker]

Article 320.—In clause (3), omit "or Rajpramukh" and "or Rajpramukh, as the case may be" and in clause (5), omit "or Rajpramukh".

Article 323.—In clause (2), omit "or Rajpramukh" and "or Rajpramukh, as the case may be".

Article 324.—In clause (6), omit "or Rajpramukh".

Article 332.—In clause (i), omit "specified in Part A or Part B of the First Schedule".

Article 337.—Omit "specified in Part A or Part B of the First Schedule".

Article 339.—In clause (1), omit "specified in Part A and Part B of the First Schedule" and in clause (2), for "any such State" substitute "a State".

Article 341.—In clause (1), after "any State" insert "or Union territory", omit "specified in Part A or Part B of the First Schedule" omit "or Rajpramukh" and after "that State" insert "or Union territory, as the case may be".

Article 342.—In clause (1), after "any State" insert "or Union territory", omit "specified in Part A or Part B of the First Schedule" omit "or Rajpramukh" and after "that State" insert "or Union territory, as the case may be".

Article 348.—Omit "or Rajpramukh".

Article 356.—In clause (1), omit "or Rajpramukh" and "or Rajpramukh as the case may be".

Article 361.—In clauses (2), (3) and (4) omit "or Rajpramukh and in clause (4) omit "or the Rajpramukh".

Article 368.—Omit clause (21), and for clause (30) substitute—

"(3) 'Union territory' means any Union territory specified in the First Schedule and includes any other territory comprised within the territory of India but not specified in that Schedule".

Article 367.—In clause (2), omit "specified in Part A or Part B of the First Schedule" and "or Rajpramukh".

Article 368.—Omit "specified in Parts A and B of the First Schedule."

Second Schedule.—(a) In the heading of Part A and in paragraph 1, omit "specified in Part A of the First Schedule";

(b) in paragraph 2, omit "so specified";

(c) in paragraph 3, for "such States" substitute "the States";

(d) Omit Part B;

(e) in the head of Part C, omit "of a State in Part A of the First Schedule" and for "any such State" substitute "a State".

(f) in paragraph 8, omit "of a State specified in Part A of the First Schedule" and for "such State" substitute "a State"; and

Fifth Schedule.—(a) In paragraph 1, omit "means a State specified in Part A or Part B of the First Schedule but";

(b) in paragraph 3, omit "or Rajpramukh";

(c) in paragraph 4, in sub-paragraph (2), omit "or Rajpramukh, as the case may be" and in sub-paragraph (3), omit "or Rajpramukh".

(d) in paragraph 5, in sub-paragraphs (1) and (2), omit "or Rajpramukh, as the case may be", in sub-paragraph (3), omit "or Rajpramukh" and in sub-paragraph (5), omit "or the Rajpramukh".

Sixth Schedule.—In paragraph 13, in sub-paragraph (2), for "Part IX", substitute "Part VIII", and for "territory specified in Part D of the First Schedule" substitute "Union territory."

Seventh Schedule.—In List I,—
in entry 32, omit "specified in Part A or Part B of the First Schedule."

The motion was negatived.

Mr. Speaker: Are there any amendments to clause 15?

Shri Sivamurthi Swami: I have amendment No. 486.

Mr. Speaker: The hon Member wants to insert 'of State' after 'name'. The Constitution must refer to these States by name and if the State changes its name, then it won't appear in the Constitution.

Shri Sivamurthi Swami: After passing a resolution it will refer to the Centre.

Mr. Speaker: A modification of the Constitution can be done only by the Centre; and, in some cases, it has to send it later on to the various State Legislatures. The hon. Member wants to reverse the process and says that it cannot amount to a change of the Constitution. The amendment is out of order.

Shri H. G. Vaishnav: Sir, I have my amendments 364 and 365.

Mr. Speaker: These refer to the Boundary Commission.

Shri K. K. Basu: We have got also amendments for the Boundary Commission. But it must come as a separate clause 15A. I do not know whether it can form part of clause 15.

Mr. Speaker: Yes; these amendments are also for adding a new clause 15A.

Shri K. K. Basu: But you have not put clause 15 to the vote.

Mr. Speaker: The question is:

"That clause 15 stand part of the Bill."

The motion was adopted.

Clause 15 was added to the Bill.

Mr. Speaker: There are these two amendments of Shri Vaishnav for the Boundary Commission.

Shri K. K. Basu: We have our amendment No. 429.

Shri Sivamurthi Swami: I have my amendment No. 487.

Mr. Speaker: All these refer to the Boundary Commission. I will put the earliest to vote.

Shri K. K. Basu: Sir, we are not sure about the thing because we do not know what he has said. He might have tried to explain away something. Unless we read the two together it may not be possible to vote. The basic principle of it may be decided. There may be something in his amendment to which we may not subscribe.

Mr. Speaker: How can I put a principle only? I have to put an amendment. If the hon. Member wants to have any other amendment put, he can say so; that will be all right. If this amendment is lost the other amendments will be barred.

Shri K. K. Basu: That is why I...

Mr. Speaker: I am sorry. The principle in all these amendments is the same—Boundary Commission. I will put 364.

The question is:

Page 10—

after line 4, insert:

"15A. Boundary Commission. Notwithstanding anything contained in this Part, the disputes regarding the inclusion of any areas or the borders of the States, shall be determined by the Boundary Commission to be appointed for the purpose, by the President and the findings of the Commission shall be final."

Those in favour will please say 'Aye'.

Some Hon. Members: 'Aye'.

Mr. Speaker: Those against will please say 'No'.

Some Hon. Members: 'No'.

Mr. Speaker: I think the 'Noes' have it.

Some Hon. Members: The 'Ayes' have it.

Mr. Speaker: I will ask the hon. Members to rise in their seats.

Shri Kamath: Under the new rule you will have to ring the bell, Sir.

Shri K. K. Basu: It is a very vital issue; it is a difference in principle

Shri Kamath: I may submit that Shri Raghavachari said that he would be here in the House at 2-30. Therefore, this may be taken after 2-30; many hon. Members are not here.

Shri V. P. Nayar: We are seeking division for the sake of principle also

Mr. Speaker: I will put it after 2-30. I do not think the hon. Minister wants a snap vote. This will stand over.

Shri Kamath: Snap or no snap, they will have it their own way.

An Hon. Member: Government must have a majority.

Shri B. S. Mnrthi: Not for the Government to be formed by Shri Kamath.

Mr. Speaker: Let there be no discussion. The amendments renew clause 15A will stand over.

Shri Kamath: Wait and see.

Mr. Speaker: The question is:

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 16 was added to the Bill.

Mr. Speaker: Now clause 17.

Amendment made: Page 10—

for lines 19 to 22, substitute:

"(d) the Western Zone, comprising the States of Bombay and Mysore; and

(e) the Southern Zone, comprising the States of Andhra Pradesh, Madras and Kerala."

—[Pandit G. B. Pant]

Shri K. K. Basu: We have another amendment, 156.

Mr. Speaker: The question is:

Page 10, line 22—

for "Madras" substitute "Tamilnad".

The motion was negatived.

Mr. Speaker: I will now put the other amendments to vote.

The question is:

Page 10—

for clause 17, substitute:

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

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

(i) line 12, omit "Rajasthan"; and

(ii) line 15, for "and Madhya Pradesh" substitute "Madhya Pradesh and Rajasthan"

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

for clause 17, substitute:

"17. As from the appointed day, there shall be a Zonal Council for each of the following three zones namely:—

(a) the Eastern Zone, comprising the States of Punjab, Rajasthan, Gujarat, Kashmir, Uttar Pradesh and the Part C States of Delhi and Himachal Pradesh;

(b) the Western Zone, comprising the States of Madhya Pradesh, Bihar, Orissa, West Bengal, Assam and the Part C States of Manipur and Tripura; and

(c) the Southern Zone, comprising the States of Maharashtra, the Part C State of Bombay.

Andhra Pradesh, Madras, Mysore
and Kerala" 4.3

The motion was negatived.

Mr. Speaker: The question is:

Page 10, line 12—

for "Rajasthan" substitute
"Uttar Pradesh"

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

for lines 14 and 15 substitute:

"(b) the Central Zone, com-
prising of Gujarat, Rajasthan and
Madhya Pradesh"

The motion was negatived.

Mr. Speaker: The question is:

Page 10, line 20—

for "Gujarat" substitute "And-
hra"

The motion was negatived

Mr. Speaker: The question is:

Page 10, lines 21 and 22—

omit "Andhra Pradesh"

The motion was negatived.

Mr. Speaker: The question is:

"That clause 17, as amended,
stand part of the Bill."

The motion was adopted.

Clause 17, as amended, was added
to the Bill.

Mr. Speaker: Now I will take up
amendments to clauses 18 to 24 to-
gether.

The question is:

Page 10, line 35—

for "the Eastern Zone" substitute:

"the zone of which Assam is a
member"

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

after line 18, add:

"(d) five members of the
House of the People to be elected
by the members of the House

representing the member States
on the basis of proportional
representation.

(e) ten members of the Legis-
lative Assemblies of the member
States to be elected by the Legis-
latures themselves on the basis
of proportional representation."

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

for lines 26 to 31, substitute:

"(b) the Chief Minister of
each of the States included in the
zone;"

The motion was negatived.

Mr. Speaker: The question is:

Page 10, line 33—

for "two members" substitute
"one member"

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

after line 37, add:

"(e) a member of the biggest
opposition party of each of the
States included in the Zone."

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

omit line 13.

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

omit lines 16 to 18.

The motion was negatived

Mr. Speaker: The question is:

Page 11—

omit lines 10 to 18.

The motion was negatived

Mr. Speaker: The question is:

Page 10, line 25—

after "Union Minister" insert:

"who is also a member of the
Cabinet"

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

after line 37, add:

“(e) a member of the biggest opposition party in the legislature of each of the States included in the Zone”

The motion was negatived.

Mr. Speaker: The question is:

Page 10, line 31—

for “hominated” substitute
“elected”

The motion was negatived.

Mr. Speaker: The question is:

Page 11, lines 37 to 39—

for “by a majority of votes of the members present and in the case of an equality of votes the Chairman or, in his absence any other person presiding shall have a second or casting vote.” substitute:

“by unanimous concurrence of the representative members or the interested States.”

The motion was negatived.

Mr. Speaker: The question is:

Page 11, line 23--

after “shall meet” insert “at least twice a year”.

The motion was negatived.

Mr. Speaker: The question is:

Page 11, line 31—

add at the end “in alphabetical order”

The motion was negatived.

Mr. Speaker: The question is:

Page 11—

for lines 36 to 39, substitute:

“(4) All questions at a meeting of a Zonal Council shall be decided by a majority of two-thirds of votes of the members present.”

The motion was negatived.

Mr. Speaker: The question is:

Page 12, line 21—

for “Chairman” substitute
“Council”.

The motion was negatived.

Mr. Speaker: The question is:

Page 12—

omit lines 25 to 27.

The motion was negatived.

Mr. Speaker: The question is:

Page 12, line 20—

omit “a Joint Secretary”

The motion was negatived.

Mr. Speaker: The question is:

Page 13—

for lines 8 and 9, substitute:

“(b) inter-State transport;
and”

The motion was negatived.

Mr. Speaker: The question is:

Page 13—

for lines 6 and 7, substitute:

“(a) any matter of common interest in the field of economic development and social welfare”.

The motion was negatived.

Mr. Speaker: The question is:

Page 13, line 9—

after “transport” insert “or inter-State canal or river disputes”.

The motion was negatived.

Mr. Speaker: The question is:

Page 13, line 8—

omit “border disputes”

The motion was negatived.

Mr. Speaker: The question is:

Page 12, line 26—

before “Each Zonal Council” insert:

“Except as hereafter provided”

The motion was negatived.

Mr. Speaker: The question is:
Page 13—

after line 11, add:

"(d) any other matter referred to the Council for advice by the Central Government or any of the States concerned."

The motion was negatived.

Mr. Speaker: The question is:
Page 13—

after line 11, add:

"(3) A Zonal Council shall be competent to exercise such other powers as may be delegated to it by the Union or State Government or any other authority."

The motion was negatived.

Mr. Speaker: The question is:

(i) Page 13, line 17—

after 'Chairmen' insert:

"to be nominated by the President."

(ii) Page 13, line 17—

omit "thereof"

The motion was negatived.

Mr. Speaker: I shall now put clauses 18 to 24 together.

The question is:

"That clauses 18 to 24 stand part of the Bill."

The motion was adopted.

Clauses 18 to 24 were added to the Bill.

Mr. Speaker: Then there is new clause 24A.

The question is:

Page 13—

after line 24, insert:

"24A Notwithstanding the foregoing provisions, if any State is dissatisfied with the recommendations of the Zonal Council in regard to border disputes or linguistic minorities, and represents to the Government of India for the appointment of Boundary

Commission or for arbitration, the Government of India shall appoint a Boundary Commission or Tribunal consisting of Judges of the Supreme Court or High Courts for investigating into and adjudicating upon such representation, and the Government of India shall take necessary steps to implement the award of such Commission or Tribunal as the case may be."

The motion was negatived.

Mr. Speaker: The question is:
Page 13—

after line 24, insert:

"24A. Recommendations of the Zonal Councils—(1) The recommendations of the Zonal Councils shall be submitted to the President who shall cause every recommendation made by the Zonal Councils under the provisions of this part of the Act together with an explanatory memorandum as to the action taken thereon to be laid before each House of Parliament.

(2) The recommendations of the Zonal Councils relating to a State shall be submitted to the Governor of the State who shall cause them with an explanatory memorandum as to the action taken thereon to be laid before the House or Houses of the Legislature of the State."

The motion was negatived.

Mr. Speaker: Is there any amendment to clause 25?

Pandit G. B. Pant: I beg to move:

(a) Page 13—

for line 35, substitute:

"4. Bombay 27"; and

(b) Page 14—

(i) omit lines 2 and 10; and

(ii) for line 15, substitute:
"208".

Shri Kamath: I beg to move:

"That in the amendment proposed by Pandit Govind Ballabh

[Shri Kamath]

Pant printed as No. 530 in List No. 44 of Amendments--

(i) in the proposed part (a) for "4. Bombay 27" substitute:

"4 Bombay 30".

(ii) in proposed part (b) (ii) for "208" substitute:

"211".

The second part follows as a consequence of the first part. If the first part is accepted, then it is an arithmetical consequence that 208 will become 211 or 214 will become 211.

May I invite the attention of the hon. Home Minister and the House to the original provision with regard to Gujarat, Maharashtra and Bombay separately? Of course, we know that Bombay was treated as a special case and the seats were increased because it was going to be a Centrally administered territory. The seats were deliberately increased in order to give some solace to the people of Bombay. In the original provision, Gujarat got 11, Maharashtra 17 and Bombay 5, and the total comes to 33. According to the Government amendment, instead of 33, it will be 27, which is not only less than the total but less than the total of Gujarat and Maharashtra, that is, less than 28. I want to substitute the figure by 30—11 Gujarat, 17 Maharashtra and 2, instead of 5, for Bombay. I commend this motion for the acceptance of the House. If this is accepted, the other part automatically follows, that is, the number 208 or 214 will become 211; that is simple arithmetic.

I may submit that we have created this new so-called national bilingual State, and the people on whom this has been inflicted should not be made to feel that insult is added to injury. A few days ago the people of Bombay were shot down into the Bombay C State, and now it is in Ahmedabad that the people are being shot down into this new national bilingual State. Government should not kill people who have to shoulder the burden of

this new State. I do hope that Government will strictly instruct the Bombay Government not to resort to repression, to force this new State down the throats of the Gujaratis and Maharashtrians. Let them live amicably; let Government promote friendliness between them and not shoot them into friendliness for this new State.

Mr. Speaker: If three more members are added, all these will disappear! I do not know how it is all relevant here.

Shri Kamath: This is another matter, Sir. This new national bilingual State has been brought into being, and then on top of this the people are being shot down to accepted this; and the number of seats is also being reduced.

Shri K. K. Basu: No more frustration should be added.

Shri Kamath: Let Government be fair at least in this matter. If they want to shoot them down....

Mr. Speaker: You cannot bring it in here....

Shri Kamath: I only refer to it, and I want that justice should be done to the people of Bombay State.

Paadit G. B. Pant: The seats have been allotted according to a uniform principle. In fact, according to the existing principle, the first five million are allotted one seat per million, thereafter one seat is allotted per two million. When there are three or four separate States, they get a larger number of seats. When they are combined together, they will get less, and that is the penalty which one has to pay for greatness. When you become bigger, you do not claim a greater share but you want to be generous to others. But so far as the existing members are concerned, whatever their number, we will try to accommodate them and I hope

successfully, and no one will be required to vacate his seat. I do not know how we can depart from the general principle.

Mr. Speaker: The general principle for the whole country is that for the first five million, there will be one member per million and for the subsequent two million, there will be one member. If it is a smaller State, a fraction here or a fraction there may yield a larger number. That is the only difference.

Shri Kamath: For verification only. If you please work out this little arithmetic, you will find that Gujarat gets 11, Maharashtra 17, and Bombay, inflated for the sake of Central administration, 5....

Mr. Speaker: This is a tapering one.

Shri Kamath: Can we have the computation made by the Home Minister, how the figure was arrived at? I am not satisfied that it should be less than the total of Maharashtra and Gujarat; at least it should be equal to the total of Maharashtra and Gujarat, which is 28.

Mr. Speaker: The hon. Member is aware that in the case of supertax, if you have Re. 1 more, you will have to pay Rs. 100 or so.

Pandit G. B. Pant: It has been worked out on that principle.

Mr. Speaker: I do not think the principle is questioned. If there is anything wrong in the calculation, we will see about it. If there is a grammatical mistake, it can always be corrected. In case there is a difference of one or two, I will see what I can do—for 27 it may be 28.

Shri Kamath: The figure 33 has come to the figure 27.

Mr. Speaker: This is the principle on which it has to be worked out.

Shri Kamath: I have a suspicion that there is some wrong calculation here.

Mr. Speaker: It can be corrected, if it is found that it should be 28, even at the third reading stage.

Shri Sadhan Gupta: Let us have the population figures.

Pandit G. B. Pant: I think the hon. Member should have consulted the population figures. They are not confidential.

Mr. Speaker: So far as this amendment and this clause is concerned, I will put them to the vote after fifteen minutes. In the meantime, the hon. Member can satisfy himself about the figures. The officers also seem to be here. We shall now take up clause 26.

Amendments made: (i) Page 14, line 17—

omit "Pradesh".

(ii) Page 14—

omit lines 22 to 26.

(iii) Page 15—

omit lines 5 to 11.

(iv) Page 15—

(i) line 13, for "two" substitute "four";

(ii) lines 14 and 15—

omit "such one of the eighteen sitting members representing the State of Madras"; and

(iii) line 18, omit "eleven of"

Page 15—

after line 28, add:

"Provided that if the number of sitting members representing the State of Rajasthan is less than nine, such one of the sitting members representing the existing State of Bombay as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill one of the seats allotted to the new State of Rajasthan."

Page 15—

for lines 29 to 33, substitute:

"(10) The five sitting members representing the States of Saurashtra and Kutch and the

[Mr. Speaker]

sitting members representing the existing States of Bombay, Hyderabad and Madhya Pradesh who have not been allocated under sub-sections (1), (4), (7) and (9) to Andhra Pradesh, Madhya Pradesh, Mysore or Rajasthan shall, as from the appointed day, be deemed to have been duly elected to fill the twenty-seven seats allotted to the new State of Bombay."

—[Pandit G. B. Pant]

Mr. Speaker: I shall now put all the other amendments to vote

The question is:

Page 14, line 21—

add at the end "in the Council of States".

The motion was negatived.

Mr. Speaker: The question is: Page 14, line 26—

add at the end "in the Council of States".

The motion was negatived.

Mr. Speaker: The question is: Page 14, line 32—

add at the end "in the Council of States".

The motion was negatived.

Mr. Speaker: The question is: Page 14, line 38—

add at the end "in the Council of States".

The motion was negatived.

Mr. Speaker: The question is: Page 15, line 4—

add at the end "in the Council of States".

The motion was negatived.

Mr. Speaker: The question is: Page 15, line 11—

add at the end "in the Council of States"

The motion was negatived.

Mr. Speaker: The question is: Page 15, line 19—

add at the end "in the Council of States".

The motion was negatived.

Mr. Speaker: The question is: Page 15, line 23—

add at the end "in the Council of States"

The motion was negatived.

Mr. Speaker: The question is: Page 15, line 28—

add at the end "in the Council of States".

The motion was negatived.

Mr. Speaker: The question is: Page 15, line 33—

add at the end "in the Council of States".

The motion was negatived.

Mr. Speaker: The question is: Page 15—

after line 33, insert:

"(10A) The sitting member representing the State of Manipur and Tripura shall as from the appointed day be deemed to have been duly elected to fill the seat allotted to the Part C State of Tripura."

The motion was adopted.

Mr. Speaker: The question is: Page 15—

after line 33, insert:

"(10A) The sitting members representing the States of Assam, Bihar, Uttar Pradesh, Orissa, West Bengal, Jammu and Kashmir, Delhi and Himachal Pradesh shall, as from the appointed day be deemed to have been duly elected to fill six, twenty-one, thirty-one, nine, fourteen, four, one and one seat out of seven, twenty-two, thirty-four, ten,

fifteen, four, three and two seats allotted to them respectively".

The motion was negatived.

Mr. Speaker: The question is:

"That clause 26, as amended, stand part of the Bill."

The motion was adopted.

Clause 26 as amended, was added to the Bill.

Mr. Speaker: Clause 27.

Amendment made: Page 15, lines 39 and 40—

for "Kerala, Madras and Mysore and to the Part C State of Bombay" substitute:

"Kerala and Madras"

—[Pandit G. B. Pant]

Mr. Speaker: Now, I shall put all the other amendments to vote.

The question is:

Page 15, line 37—

for "As soon as may be after the appointed day," substitute:

"Immediately after the General Election after the appointed day,"

The motion was negatived.

Mr. Speaker: The question is:

Page 15, lines 39 and 40—

for "Kerala, Madras and Mysore and to the Part C State of Bombay" substitute:

"Assam, Bihar, Kerala, Madras, Mysore, Orissa, Uttar Pradesh, West Bengal and to the Part C States of Bombay, Delhi, Himachal Pradesh and Manipur."

The motion was negatived.

Mr. Speaker: The question is:

Page 15, line 40—

for "State of Bombay" substitute:

"States of Bombay, Delhi, Himachal Pradesh and Manipur".

The motion was negatived.

Mr. Speaker: The question is:

"That clause 27, as amended, stand part of the Bill."

The motion was adopted.

Clause 27 as amended, was added to the Bill.

Clause 28 was added to the Bill.

Mr. Speaker: Clause 29.

There is an amendment No. 124 to this clause. I shall put it to the vote of the House.

The question is:

Page 16—

for clause 29, substitute.

"29. Nothing in Part II shall be deemed to affect the constitution of the existing House of the people or the extent of the constituency of any sitting member of that House; but the duration of the existing House of the People stands extended for a period not exceeding one year from the 12th May, 1957."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 29 stand part of the Bill."

The motion was adopted.

Clause 29 was added to the Bill.

Mr. Speaker: Clause 30.

Amendment made: Page 17, line 2—

for "Gujarat" substitute "Bombay"

—[Pandit G. B. Pant]

Shri Datar: There is another amendment—No. 594. Shall I read it?

Mr. Speaker: Why not? I must have some respite also.

Shri Datar: I beg to move: -

Page 17—

after line 3, insert:

"(4A) The office of member of the Council of Advisers constituted for the State of Kutch under

[Shri Datar]

section 42 of the Government of Part C States Act, 1951, is hereby declared to be an office of profit under the Government of India which shall not disqualify its holder for being elected under sub-section (4) or for becoming a member of the Legislative Assembly of Bombay as provided in that sub-section."

Shri K. K. Basu: Why is it necessary?

Pandit G. B. Pant: They are called advisers. (Interruptions.)

Mr. Speaker: The office of a Minister is not an office of profit for the purposes of the Government of India Act. Likewise, these advisers also are brought in.

Shri Sadhan Gupta: Kutch is being merged into the new State of Bombay. How does the office of the adviser still subsist?

Pandit G. B. Pant: There will be advisers at the time of election. They will continue. They would not be disqualified on account of their being advisers.

Shri Sadhan Gupta: Elections are coming in February as far as we understand. The new States will come into being on the 1st of November. Between November and February, how can there be any advisers in respect of Kutch?

Pandit G. B. Pant: I see some point in the objection. But I see no objection in this redundant provision being put in.

Mr. Speaker: They are afraid that the advisers will continue.

Pandit G. B. Pant: They will not continue; that is correct. The law officers have suggested it and so we have put it.

Shrimati Biju Chakravarty: Is the Government going to keep the Council of Advisers? As far as we are concerned, we understand that it will not be so.

Pandit G. B. Pant: No.

Shrimati Biju Chakravarty: In that case, I presume that there would not be any necessity for this amendment.

Pandit G. B. Pant: Presumably not; but, still it has been considered advisable to have it by way of caution. (Interruptions.)

Mr. Speaker: All right. This will also stand over for consideration. At first sight it may appear to be irrelevant. But the officers have considered it necessary and so let us also consider it.

Pandit G. B. Pant: The point is this. So far Kutch is concerned, 5 men have to be returned to the Bombay Legislature on the appointed day to represent Kutch. Kutch has no representative today in any Legislature. So, elections will have to be held to return 5 members to the Bombay Legislature on the appointed day. Therefore, some sort of election will have to be held before that date.

Mr. Speaker: If on the appointed day some 5 people have to be returned to represent Kutch, these Advisers are not to be made ineligible merely because they are Advisers. The disqualification ought to be removed. So, thereafter they would not be Advisers.

Shri K. K. Basu: Before the appointed day how can they have election? The right is to accrue on the appointed day. This does not come into effect till that day. We have only to hold elections thereafter and so the disqualification comes in only after that day.

Shri C. C. Shah (Gohilwad Sorath): It is stated in clause 30 that 'the election of the members of the electoral college for Kutch will be held as soon as may be after the commencement of this Act,' so that it will be even before the appointed day, or, rather, it has to be before the appointed day, and then they will become members from the appointed day.

Therefore, on the day the election will be held they will be holding the office of Advisers and so it is necessary to remove this disqualification.

Mr. Speaker: All right. I will now put amendment No. 594 to the vote of the House.

The question is:

Page 17—

after line 3, insert:

"(4A) The office of member of the Council of Advisers constituted for the State of Kutch under section 42 of the Government of Part C States Act, 1951, is hereby declared to be an office of profit under the Government of India which shall not disqualify its holder for being elected under sub-section (4) or for becoming a member of the Legislative Assembly of Bombay as provided in that sub-section."

The motion was adopted.

Mr. Speaker: I shall put the other amendments.

The question is:

Page 17—

after line 10, add:

"(6) In article 170 of the Constitution the following clause (5) shall be added, namely:—

"(5) Notwithstanding anything contained in the preceding clauses of this article the Legislative Assemblies of the States specified in the First Schedule to the Constitution as amended by the States Reorganisation Act, 1956 shall, as from the day the States Reorganisation Act, 1956, comes into force, be constituted in accordance with the provisions of section 30 of the aforesaid Act."

The motion was negatived.

Mr. Speaker: The question is:

Page 17—

after line 3, add:

"Provided that the office of Adviser in Kutch, under the Gov-

ernment of Part C States Act, 1951, shall not disqualify, and shall be deemed never to have disqualified, the holder thereof for being elected as, or for being a member of the Legislative Assembly of Gujrat."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 30, as amended, stand part of the Bill."

The motion was adopted.

Clause 30, amended, was added to the Bill."

Mr. Speaker: I shall now put amendments to clause 31 to the vote of the House.

The question is:

Page 17, line 14—

for "transferred" substitute "entire".

The motion was negatived.

Mr. Speaker: The question is:

Page 17, lines 13 to 16—

for "assembly constituencies into which the transferred territory in that state is divided in the order referred to in sub-section (2) of section 48 as if those seats had become vacant." substitute:

"assembly constituencies in the whole of the State of Andhra Pradesh"

The motion was negatived.

Mr. Speaker: The question is:

"That clause 31 stand part of the Bill."

The motion was adopted.

Clause 31 was added to the Bill.

Mr. Speaker: There are two amendments No. 448 and 488 seeking to insert a new clause 31A. I think it is beyond the scope of this Bill.

Shrimati Renu Chakravarty: Why, Sir?

Mr. Speaker: I will put amendment No. 448 to the vote of the House.

The question is:

Page 17—

after line 22, insert:

“31A. When a general election is next held in the Part C States of Delhi, Himachal Pradesh, Manipur and Tripura—

- (i) Himachal Pradesh and Delhi shall continue to have State Legislatures as they had prior to the passing of this Act; and
- (ii) Tripura and Manipur shall have State Legislatures formed of members to be elected from the same constituencies as returned members to the electoral colleges prior to the passing of this Act.”

Dr. Rama Rao: The amendment seeks to establish a democratic set-up.

Mr. Speaker: Those in favour of this amendment will please say ‘Aye’.

Some Hon. Members: ‘Aye’.

Mr. Speaker: Those against will please say ‘No’.

Several Hon. Members: ‘No’.

Mr. Speaker: I think the ‘Noes’ have it. The motion is negatived.

Some Hon. Members: The Ayes have it.

Several Hon. Members: The Noes have it.

Mr. Speaker: All right. Now it is past 2-30. This is the appropriate time for us to go back to amendment No. 364 seeking to insert new clause 15A.

Hon. Members will kindly resume their seats. I shall now put amendment No. 364 moved by Shri H. G. Vaishnav seeking to insert new clause 15A to the vote of the House. The other two amendments numbers 432 and 487 by Shrimati Renu Chakravarty and Shri Sivamurthi Swami will follow.

The question is:

Page 10—

after line 4 insert:

“15A. *Boundary Commission*— Notwithstanding anything contained in this part, the disputes regarding the inclusion of any areas or the borders of the States, shall be determined by the Boundary Commission to be appointed for the purpose, by the President and the findings of the Commission shall be final.”

The Lok Sabha divided: Ayes 37; Noes 145.

Division No. 4.

AYES 2-50 P.M.

Basu, Shri K. K.
Bijoy Dutt, Shri
Chakravarty, Shrimati Renu
Chatterjee, Shri Tushar
Das, Shri B. C.
Das, Shri Saranaditya
Dasartha Deb, Shri
Dey, Shri R. N. S.
Deshpande, Shri V. G.
Girdhari Bhoi, Shri
Gopalan Shri A. K.
Gupta, Shri Sadhan
Kamath, Shri

Keshavnagar, Shri
Mahata, Shri B
Maiti, Shri Chaitan
Mishra, Shri
Mitra, Shri M. K.
More, Shri S. S.
Mukerjee, Shri H. N.
Munishwamy, Shri N. R.
Nambiar Shri
Nayer, Shri V. P.
Newamony, Shri
Pandey, Dr. Natabar

Raghavachari, Shri
Rao, Dr. Rama
Rao Shri P. Subha
Rao, Shri T. B. Vittal
Reddy, Shri Ramchandra
Reddy, Shri B. Y.
Rishang Keishing Shri
Sundaram, Dr. Lauka
Swami, Shri Sivamurthi
Vaishnav, Shri H. G.
Verma, Shri Ramji
Waghmare, Shri

NOES

Abdullahai, Mulla	Jhunjhunwala, Shri	Ram Suran, Shri
Abdus Satter, Shri	Jogendra Singh, Sardar	Ram Shankar Lal, Shri
Achal Singh, Seth	Joobi, Shri A. C.	Ram Subbag Singh, Dr.
Agrawal, Shri M. L.	Joobi, Shri Krishnacharya	Rane, Shri
Ajit Singh, Shri	Jwala Prasad, Shri	Reddy, Shri Jnanadhar
Azad, Shri Bhagwat Jha	Kailolkar, Shri	Roy, Shri Bishwa Nath
Babunath Singh, Shri	Kale, Shrimati A.	Sahu, Shri Bhagabat
Balesubramaniam, Shri	Kamango, Shri	Sahu, Shri Ramabhar
Balmiki, Shri	Kesliwal, Shri	Saxena, Sardar A. S.
Berman, Shri	Katham, Shri	Samsani, Shri S. C.
Barupal, Shri P. L.	Keleppan, Shri	Sen, Shri P. G.
Bhakt Darshan, Shri	Khan, Shri Sadath Ali	Sen, Shrimati Sushama
Bharati, Shri G. S.	Khoongar, Shrimati	Sewal, Shri A. R.
Bhargava, Pandit Thekar Das	Kiralkas, Shri	Shah, Shri C. C.
Bhatti, Shri C.	Krishna, Shri M. R.	Sharma, Pandit Balakrishna
Bidari, Shri	Lotan Ram, Shri	Sharma, Pandit K. C.
Birbal Singh, Shri	Majhi, Shri R. C.	Sharma, Shri D. C.
Bose, Shri P. C.	Malviya, Pandit C. N.	Sharma, Shri K. R.
Barajeshwar Prasad, Shri	Mandal, Dr. P.	Sharma, Shri R. C.
Chandak, Shri	Mathew, Shri	Shastri, Shri Algu Rai
Chandrasekhar, Shrimati	Mavalankar, Shrimati Sushila	Shukla, Pandit B.
Chasek, Th. Lakshman Singh	Mehra, Shri Babwant Simba	Siddananiappa, Shri
Chaturvedi, Shri	Mehra, Shri J. R.	Singh, Shri D. N.
Chaudhary, Shri G. L.	Mishra, Shri Bibhuti	Singh, Shri M. N.
Chettiar, Shri Nagappa	Mishra, Shri L. N.	Singhal, Shri S. C.
Das, Shri B.	Mishra, Shri S. N.	Simha, Shri K. P.
Das, Shri B. K.	Mishra, Shri R. D.	Sinha, Shri Satya Narayan
Das, Shri Ram Dhani	Mohiuddin, Shri	Simha, Shrimati Tagbarwar
Das, Shri Ramnandan	Morison, Shri	Siva, Dr. Gangadhar
Das, Shri Shree Narayan	More, Shri K. L.	Snatak, Shri
Datta, Shri	Murthy, Shri B. S.	Subramanyam, Shri T.
Dholakia, Shri	Mutnabrahman, Shri	Sunder Lal, Shri
Dube, Shri U. S.	Naskar, Shri P. S.	Surya Prasad, Shri
Dubey, Shri R. G.	Natawaker, Shri	Swaminadhan, Shrimati Amma
Dwivedi, Shri M. L.	Nathwani, Shri N. P.	Syed Mahmud, Dr.
Echaran, Shri I.	Nehru, Shrimati Shrivivasi	Tandon, Shri
Elyogopurmal, Shri	Nehru, Shrimati Uma	Tek Chand, Shri
Gandhi, Shri Ptrose	Pande, Shri B. D.	Tewari, Sardar R. B. S.
Gandhi, Shri V. B.	Panpala, Shri	Thomas, Shri A. M.
Ganga Devi, Shrimati	Patelkar, Shri	Tiwari, Shri R. S.
Ganpati Ram, Shri	Patel, Shri B. K.	Tiwary, Pandit D. N.
Ghosh, Shri S. M.	Patil, Shri Chandrapada	Ujjeji, Shri
Hamada, Shri Brajram	Pillai, Shri Thana	Vaishji, Shri M. B.
Hazimohar, Dr.	Prabhakar, Shri Nival	Venkataraman, Shri
Haide, Shri Subodh	Rachiah, Shri N.	Venna, Shri B. R.
Hembron, Shri	Radhwan, Shri	Vidyalakkar, Shri A. N.
Hera Rai, Shri	Raghubath Singh, Shri	Vyas, Shri Radheji
Rushim, Shri	Ram Krishnan, Shri	Wodeyar, Shri
Jayashil, Shrimati		

The motion was negatived.

Mr. Speaker: Amendments Nos 429, 487 and 403 relate to the same matter, namely the Boundary Commission, with some further details. Evidently, Mr. Basu wanted me to put the amendments to find out whether the House accepts the principle or not. The principle, evidently, has been negatived. I shall put these amendments to the vote of the House.

The question is:

Page 10—

after line 4, insert:

"15A. (1) Notwithstanding the foregoing provisions of this Part, one or more Boundary Commissions shall be appointed by the Central Government to go into various disputes about boundaries and their inclusions

[Mr. Speaker]

and exclusions from the various States

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

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

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

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

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

after line 4, insert:

"15A. Nothing in the provisions of this Part shall affect the power of the Central Government to alter or adjust the extent and boundaries of any State by appointing a judicial Commission or Commissions on linguistic and economic basis."

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

after line 4, add:

"15A (1) *Boundary Commission.*— For fixing the boundaries of the States, the Union Government shall appoint a Boundary Commission.

(2) The Boundary Commission shall fix the boundaries by treating a contiguous revenue village as a unit."

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

after line 4, insert:

"Boundary Commission

15A. The Government of India shall, before the 1st day of January, 1957 appoint one or more Boundary Commission or Commissions, consisting of Judges of the Supreme Court or High Courts, to go into the existing border disputes of different States, and such Commission or Commissions shall after due investigation, give awards on the disputes in accordance with the following principles—

- (i) wishes of the people of the disputed area or areas concerned;
- (ii) their historical economic, linguistic and cultural affinities; and
- (iii) considerations of administrative convenience;

and thereupon, the Government of India shall take necessary steps to implement such awards."

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

after line 4, insert:

"Boundary Commission

"15A. The Government of India shall, before the end of 1956, appoint a Boundary Commission consisting of Judges of the Supreme Court or High Courts, to go into the claims of Orissa for the inclusion of the border areas of—

- (a) Singhbhum Sadar Sub-division and Seraikella Sub-division of Singhbhum district of Bihar; and

- (b) the 'Sankara Tract' of Raigarh district of Madhya Pradesh, and the Sraipali, Basna, Mainpur and Deobhog thanas of Raipur district of Madhya Pradesh, and the Jagdalpur and Kondagaon tehsils of Bastar district of Madhya Pradesh;

in the State of Orissa. The Boundary Commission shall after investigating

the claims, give awards in accordance with the following principles—

- (i) the wishes of the people of the respective areas;
- (ii) their historical, economic, linguistic and cultural affinities; and
- (iii) considerations of administrative convenience;

and thereupon the Government of India shall take necessary steps to implement such award or awards."

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

after line 4, insert:

"Boundary Commission

15A. The Government of India shall before the first day of January, 1957 appoint one or more Boundary Commission or Commissions consisting of Judges of the Supreme Court or High Courts to go into the existing border disputes of different States, and such Commission or Commissions shall after due investigation, give awards on the disputes in accordance with the following principles:

- (i) contiguous revenue village shall be treated as a unit of fixing boundaries;
- (ii) wishes of the people of the disputed area or areas concerned;
- (iii) their historical, economic, linguistic and cultural affinities; and
- (iv) considerations of administrative convenience;

and thereupon, the Government of India shall take necessary steps to implement such awards".

The motion was negatived.

Mr. Speaker: The question is:

Page 10—

after line 4, add:

"Part IIA

BOUNDARY COMMISSION

15A. Boundary Commission.—The Government of India shall appoint a Boundary Commission before the 1st day of January, 1956 consisting of five Judges of the Supreme Court of India or High Courts of States to settle or decide the border disputes between two or more States according to the following principles—

- (i) Contiguity of the disputed area to any of the proposed States;
- (ii) Linguistic, historical, cultural and or economic affinities;
- (iii) Wishes of the people of the disputed area;
- (iv) Administrative convenience;
- (v) Interests of tribes;
- (vi) A revenue village as a unit, if necessary;
- (vii) Minimising discontent among people as far as possible.

Provided that nothing in the foregoing provisions of this section shall be deemed to affect the power of a State Government to alter after the appointed day the name, extent and boundaries of any district or division in the State."

The motion was negatived.

3 P.M.

Mr. Speaker: Now clause 22.

There is the Government amendment No. 530 and also amendment No. 561 by Shri Kamath.

Shri Kamath: The Home Minister has been good enough to pass on the figures regarding the population to me. I find that the population of the new Bombay State is 48.26 million. I remember it has been propounded here that for the first 5 millions one seat per million, and

[Shri Kamath]

above that one seat for every 2 millions would be given. That was the principle, if I remember aright. I would like to know whether it is the floor or the ceiling.

Pandit G. B. Pant: That is the general principle except where the State is very small and where special concessions may have to be given. One seat per million up to the 5 millions and one seat for every 2 millions above that is the general principle. It is neither the ceiling nor the floor. That is the ordinary principle that is uniformly applied in the case of all States of fair dimensions.

Mr. Speaker: I will first put Shri Kamath's amendment No. 581 to vote.

The question is:

That in the amendment proposed by Pandit Govind Ballabh Pant printed as No. 530 in List No. 44 of Amendments—

(i) in the proposed part (a) for "4. Bombay 27" substitute: "4. Bombay 30".

(ii) in proposed part (b) (ii) for "208" substitute "211"

The motion was negatived.

Mr. Speaker: I will put the Government amendment No. 530. The question is:

(a) Page 13—for line 35, substitute:

"4. Bombay 27" and

(b) Page 14—

(i) omit lines 2 and 10; and

(ii) for line 15, substitute "208".

The motion was adopted.

Mr. Speaker: I shall now put all the other amendments to the vote of the House.

The question is:

Page 14—

(i) line 2, for "17" substitute "22"; and

(ii) omit line 11.

The motion was negatived.

Mr. Speaker: The question is:

Page 14, line 1—

for "Madras" substitute "Tamilnad".

The motion was negatived.

Mr. Speaker: The question is:

Page 13, line 32—

for "18" substitute "19".

The motion was negatived.

Mr. Speaker: The question is:

Page 13, line 33—

for "6" substitute "7".

The motion was negatived.

Mr. Speaker: The question is:

Page 13, line 34—

for "21" substitute "22".

The motion was negatived.

Mr. Speaker: The question is:

Page 14, line 3—

for "Mysore" substitute "Karnataka" and for "12" substitute "11"

The motion was negatived.

Mr. Speaker: The question is:

Page 14, line 4—

for "9" substitute "10".

The motion was negatived.

Mr. Speaker: The question is:

Page 14, line 7—

for "31" substitute "34".

The motion was negatived.

Mr. Speaker: The question is:
Page 14, line 8--
for "14" substitute "16".

The motion was negatived.

Mr. Speaker: The question is:
Page 14, line 11--
for "1" substitute "3".

The motion was negatived.

Mr. Speaker: The question is:
Page 14, line 12--
for "1" substitute "2".

The motion was negatived.

Mr. Speaker: The question is:
Page 14--
for lines 13 and 14, substitute--
"19. Manipur 1
20. Tripura 1"

The motion was negatived.

Mr. Speaker: The question is:
Page 14, line 15--
for "214" substitute "226".

The motion was negatived.

Mr. Speaker: The question is:
"That clause 25, as amended,
stand part of the Bill".

The motion was adopted.

Clause 25, as amended, was added
to the Bill.

Mr. Speaker: There is amendment
No. 448 for the addition of a new
clause 31A by Shrimati Renu Chakra-
varthy, Dr. Rama Rao and others.

Shrimati Renu Chakravartty: Be-
fore you put it to the vote of the
House, I should like to submit that
we have had no opportunity to hear
anything from the Minister as to
what he really feels about this very
important amendment. It was stated
to us by Dr. Katju that at the time of
the reorganisation of the States, we

would be told finally whether any
democratic set-up would be given to
Part C States. We were looking
forward to some assurance from the
hon. Minister, but he has not given
any reply.

Pandit G. B. Pant: This matter
will, I think, come up when the
Constitution (Ninth) Amendment
Bill is taken up, because there is a
clause relating to that there. So, I
did not speak at any length on this
subject. But we intend to have
legislative councils of the regular
type in these States. That is the re-
commendation of the Commission. If
they were to have legislatures of the
ordinary type, then there would be
no point in bringing them under
Central administration. But, we pro-
pose to take suitable steps for the
association of the people in local
administration; we are preparing
suitable schemes.

Shri S. S. More: May I know
whether that scheme will be a legis-
lative scheme and whether it will be
brought before the House?

Pandit G. B. Pant: That scheme
will be framed in accordance with the
Constitution and it will certainly be
brought to the notice of the House.

Shri K. K. Basa: When the relevant
articles of the Constitution are dis-
cussed, if a full-fledged picture of the
mind of the Government is given to
us, it will be easier for us to discuss
them.

Pandit G. B. Pant: I will bear the
suggestion in mind.

Mr. Speaker: At least a skeleton of
the scheme may be given. I will now
put amendment No. 448 to the vote of
the House.

The question is:
Page 17--

after line 22, insert:

"31A. When a general election is
next held in the Part C States of

(Mr. Speaker)

Delhi, Himachal Pradesh, Manipur and Tripura—

(i) Himachal Pradesh and Delhi shall continue to have State Legislatures as they had prior to the passing of this Act; and

(ii) Tripura and Manipur shall have State Legislatures formed of members to be elected from the same constituencies as returned members to the electoral colleges prior to the passing of this Act."

The motion was negatived.

Mr. Speaker: There is one other amendment. I shall put it.

The question is:

Page 17—

after line 22, insert:

"31A Till the general election is next held in the State of Kerala, the members of the Legislative Assembly of Travancore-Cochin State who were members on date of dissolution of that Assembly by Proclamation of the President representing the areas of Travancore-Cochin State now included in Kerala, together with the members of the Legislative Assembly of the State of Madras representing areas of the existing Madras State included in the new State of Kerala shall constitute the Legislative Assembly of Kerala:

Provided that those members of the dissolved Assembly of the State of Travancore-Cochin representing areas which are to be transferred to the State of Madras by this Bill, shall be deemed to be members of the Legislative Assembly of the State of Madras."

The motion was negatived.

Mr. Speaker: There is one amendment to clause 32. I shall put it.

The question is:

Page 17—

after line 28, add:

"(2) To clause (1) of article 172 of the Constitution, the follow-

ing proviso shall be added, namely:—

'Provided that where by virtue of the provisions of the States Reorganisation Act, 1956 new assemblies are constituted in accordance with the provisions of the said Act the period referred to in clause (1) of this article shall, from the day when the said Act comes into force, be deemed to have commenced in accordance with the provisions of sections 31 and 32 of the said Act.'

The motion was negatived.

Mr. Speaker: The question is:

"That clause 32 stand part of the Bill".

The motion was adopted.

Clause 32 was added to the Bill.

3-8 P.M.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: There is a Government amendment No. 532 to clause 33. I shall put it to the vote of the House.

Amendment made: Page 17—

omit lines 36 to 39.

—[Pandit G. B. Pant].

Mr. Deputy-Speaker: I shall put the other amendment to the vote of the House.

The question is:

Page 18—

after line 5, add:

"(3) As from the appointed day, the following proviso shall be added, in article 178 of the Constitution, namely:—

'Provided that where by virtue of section 30 of the States Reorganisation Act, 1956 the Assemblies of the States are constituted, the provisions of section 33 of the said Act shall, notwithstanding anything contained in this article, apply in the election of the

Speaker and Deputy-Speaker of every Assembly."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 33, as amended, stand part of the Bill".

The motion was adopted.

Clause 33, as amended, was added to the Bill.

Clause 34 was added to the Bill.

Mr. Deputy-Speaker: Now, new clause 34A. Amendment No. 247 of Shri R. C. Sharma.

The question is:

Page 18—

after line 13, insert:

34A. "Madhya Pradesh Legislative Council.—(1) As from such date as the President may by order appoint, there shall be a Legislative Council for the new State of Madhya Pradesh.

(2) In the said Council there shall be 72 seats of which—

(a) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (a), (b) and (c) of clause (3) of article 171 shall be 24, 6 and 6 respectively;

(b) the number to be filled by persons elected by the members of the Legislative Assembly in accordance with the provisions of sub-clause (d) of the said clause shall be 24; and

(c) the number to be filled by persons nominated by the Governor in accordance with the provisions of sub-clause (e) of that clause shall be 12.

(3) As soon as may be after the commencement of this Act, the President, after consultation with the Election Commission, shall by order determine—

(a) the constituencies into which the said new State shall be divided for the purpose of elec-

tions to the Council under each of the sub-clauses (a), (b) and (c) of clause (3) of article 171;

(b) the extent of each constituency; and

(c) the number of seats allotted to each constituency.

(4) As soon as may be after the appointed day, steps shall be taken to constitute the said Council in accordance with the provisions of this section and the provisions of the Representation of the People Act, 1950 and the Representation of the People Act, 1951:

Provided that the election referred to in clause (b) of sub-section (2) shall be held only after the general election to the Legislative Assembly of the new State of Madhya Pradesh has been held."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That new clause 34A be added to the Bill".

The motion was adopted.

New Clause 34A was added to the Bill.

Mr. Deputy-Speaker: Now clause 35.

Amendments made:

(1) Page 18, line 16—

for "Maharashtra" substitute "Bombay".

(2) Page 18—

after line 16, insert:

"(1A) Until the said Council has been reconstituted in accordance with the provisions of sub-sections (3) and (4) of this section and summoned to meet for the first time, the said Council shall consist of—

(a) all the sitting members of the Legislative Council of the existing State of Bombay, except those representing the Belgaum

[Mr. Deputy-Speaker]

(Local Authorities'), Bijapur (Local Authorities') and Dharwar (Local Authorities') constituencies; and

(b) 25 members to represent the territories specified in clauses (b), (c), (d) and (e) of subsection (1) of section 8 who shall be chosen in such manner as may be prescribed."

(3) Page 18—

(i) for line 17, substitute:

"(2) After such reconstitution as aforesaid, there shall be 72 seats in the said Council of which—"; and

(ii) line 26, for "10" substitute "12".

(4) Page 19, line 4—

for "Maharashtra" substitute "Bombay".

—[Shri Datar]

Mr. Deputy-Speaker: I shall put the other amendments to vote.

The question is:

Pages 18 and 19.—

for clause 35, substitute:

"35. As from the date of the constitution of new assemblies soon after the next general election, the Legislative Councils if they are functioning in any States shall cease to exist."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 18—

for lines 14 to 16, substitute:

"35(1) As from such date as the President may by order appoint, there shall be a Legislative Council for each of the States of Maharashtra, Andhra Pradesh and Madhya Pradesh."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 35, as amended, stand part of the Bill".

The motion was adopted.

Clause 35, as amended, was added to the Bill.

Clause 36 was added to the Bill.

Mr. Deputy-Speaker: Now clause 37.

Amendment made: Page 20, line 40—

for "Maharashtra" substitute "Bombay".

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

Page 20, line 17—

for "Mysore" substitute "Karnataka".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 37, as amended, stand part of the Bill".

The motion was adopted.

Clause 37, as amended, was added to the Bill.

Mr. Deputy-Speaker: Now clause 38.

Shri Datar: I beg to move:

Page 21, line 28—

for "Maharashtra" substitute "Bombay".

Shri Tek Chand (Ambala-Simla): There are other amendments also. There is, for instance, amendment No. 449. With respect to amendment No. 449, I only wish to say that whatever be the quota of PEPSU, that may remain intact, even if it means a reduction in the quota for Punjab. If Punjab can have less, PEPSU can have 8 today. If the hon. Home Minister is pleased to consider that, that will avoid a good bit of labour.

Mr. Deputy-Speaker: May I know the reaction of the Minister?

Pandit G. B. Pant: If there are any PEPSU members.....

Mr. Deputy-Speaker: I am from PEPSU.

Shri Bansal (Jhajjar—Rewari): With your permission I may point out that in the amendment it has been provided that PEPSU's quota will be six. If it is made into 8, I am told that the members from PEPSU will have no objection and that can be incorporated very easily without changing the spirit of the particular provision. I, therefore, suggest to the hon Home Minister and to you, because you just now said that you are also from PEPSU.....

Mr. Deputy-Speaker: I could only say that much, not further.

Shri Bansal: Anyway, I request the hon. Home Minister.....

Mr. Deputy-Speaker: Let us hear Government's reaction.

Pandit G. B. Pant: If PEPSU members have no objection to substituting "8" for "6", I have no objection.

Pandit Thakur Das Bhargava: I sent in this amendment under the impression they were content with six as this number was mentioned in Clause 38. Then, ultimately I was told that PEPSU members did not want this six but wanted more. We do not want to injure PEPSU. Let them have any number they like, eight or even nine, I do not mind. When more Members are there and the strength is increased from 46 to 48, they can have one more, that is nine instead of eight. I think it is an arrangement which would benefit all because all that election will be avoided. You know, Sir, the Council of State as well as these councils are continuous bodies. We do not want those persons who have been elected six months ago to lose their seats. And the new Members have also to lose their seats after a few months.

To avoid all that I will appeal to my PEPSU friends to agree to eight or nine as they please, and it will be made available.

Shri Aji Singh (Kapurthala—Bhatinda—Reserved—Sch. Castes): We agree if the number is made nine.

Some Hon. Members: Eight.

Pandit Thakur Das Bhargava: Nine subsequently when two more are added. Today eight.

Pandit G. B. Pant: Will you kindly defer it for some time. These persons may meet together and see if they can agree.

Mr. Deputy-Speaker: Clause 38 is held over, but I shall put amendment 580 which is formal and consequential to the vote of the House.

The question is:

Page 21, line 26—

for "Maharashtra" substitute "Bombay".

The motion was adopted.

Mr. Deputy-Speaker: Now, clause 39.

Amendment made: Page 21, line 28—after "new State of" insert "Bombay"

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 39, as amended stand part of the Bill"

The motion was adopted.

Clause 39, as amended, was added to the Bill.

Mr. Deputy-Speaker: New clause 40.

Amendment made: Page 21, line 34—after "new State of" insert "Bombay"

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 40, as amended, stand part of the Bill".

The Motion was adopted.

Clause 40, as amended, was added to the Bill.

Mr. Deputy-Speaker: Clause 41. I shall put amendment 347 to vote.

The question is:

Page 22, line 4—

omit "Part A State and of each Part B"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 41 stand part of the Bill"

The Motion was adopted.

Clause 41 was added to the Bill.

Clause 42 was added to the Bill.

Mr. Deputy-Speaker: Now, clause 43.

Amendments made: (i) Page 22, line 20—for "Gujarat" substitute "Bombay"

(ii) Page 22, lines 21 and 22—for "Maharashtra, Mysore, Punjab, Rajasthan and Bombay" substitute "Mysore, Punjab and Rajasthan"

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 43, as amended, stand part of the Bill"

The Motion was adopted.

Clause 43, as amended, was added to the Bill.

Clause 44 was added to the Bill.

Mr. Deputy-Speaker: I shall now put the amendments to clauses 45 and 46 to the vote of the House.

Mr. Deputy-Speaker: The question is:

Page 23, line 19—

for "five persons" substitute "seven persons".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 23, line 19—

after "Central Government" insert:

"on the recommendations of the Speakers of the Lok Sabha and the respective Vidhan Sabha".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 23, line 21—

add at the end:

"keeping in view the party composition of the membership of the House of the People belonging to the State and also the membership of the State Vidhan Sabha as the case may be."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 23—

after line 15, add:

"Provided that changes so made shall not materially alter the existing Parliamentary and Assembly Constituencies"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 23—

omit lines 22 to 25.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 23—

for lines 22 to 25, substitute:

"Provided that two-fifth of such persons shall be chosen, so far as practicable from among others

who were not associated with the former Commission in delimiting constituencies in any part of the territories of the new State."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 23, line 22--

for "practicable" substitute "possible"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 23--

after line 27, add:

"Provided that the unanimous opinion of the associate members shall be binding on the Commission".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 23, line 19--

for "five persons" substitute "nine persons"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That Clauses 45 and 46 stand part of the Bill."

The motion was adopted.

Clauses 45 and 46 were added to the Bill.

Clause 47 was added to the Bill.

Mr. Deputy-Speaker: The question is:

Page 23, line 41--

after "1956" insert:

"publish it in the Gazette of India and in the Gazette of State concerned".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 48 stand part of the Bill."

The Motion was adopted.

Clause 48 was added to the Bill.

Mr. Deputy-Speaker: Now clause 49.

Amendment made:

Page 25--

for lines 4 to 13, substitute:

1. Andhra Pradesh Bombay and Mysore
2. Bombay Andhra Pradesh, Madhya Pradesh and Mysore
3. Kerala Madras
4. Madhya Pradesh Bombay
5. Madras Kerala and Mysore
6. Mysore Andhra Pradesh, Bombay and Madras.

—[Shri Datar]

Mr. Deputy-Speaker: I shall now put the other amendments to the vote of the House.

The question is:

Page 25, line 4--

for "Mysore" substitute "Karnataka"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 25, line 11--

for "Mysore" substitute "Karnataka"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 25, line 12--

for "Mysore" substitute "Karnataka"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 25, line 5--

for "and Bombay" substitute "Bombay and Rajasthan"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 25, line 7—

after "Maharashtra" add "and Rajasthan"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 49, as amended, stand part of the Bill."

The motion was adopted.

Clause 49, as amended, was added to the Bill.

Mr. Deputy-Speaker: The First Schedule we will take up afterwards. Now, we shall go to clause 50.

Amendments made: (1) Page 25— omit lines 16 to 18.

(2) Page 25—

(i) line 20, after "existing States of" insert "Bombay"; and

(ii) line 22, after "new States of" insert "Bombay"

—[Shri Datar]

Mr. Deputy-Speaker: I shall now put the other amendments to the vote of the House.

The question is:

Page 25—

(i) lines 17 and 18, for "the States of Gujarat and Maharashtra and for the Part C State of Bombay" substitute:

"the State of Maharashtra"; and

(ii) after line 18, insert:

"(1A) A new High Court for the State of Gujarat shall be constituted as from the appointed day."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 25—

(i) line 21, after "Punjab" insert "Mysore and Rajasthan";

(ii) line 22, after "Punjab" insert "Mysore and Rajasthan"; and

(iii) line 25, for "for each of the new States of Kerala, Mysore and Rajasthan" substitute:

"for the new State of Kerala"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 25, line 16—

omit "and for the Part C State of Bombay".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 50, as amended, stand part of the Bill".

The motion was adopted.

Clause 50, as amended, was added to the Bill.

Mr. Deputy-Speaker: I shall now put amendments to clauses 51 to 54 to the vote of the House.

The question is:

Page 25—

for lines 26 to 29, substitute:

"51. (1) As from the appointed day, the Courts of the Judicial Commissioner for Ajmer, Bhopal, Kutch and Vindhya Pradesh and the High Courts of Madhya Bharat, Saurashtra, Travancore-Cochin, Patiala and East Punjab States Union and Hyderabad shall cease to function and are hereby abolished."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 28—

for lines 1 to 6, substitute:

"(2) The President may, after consultation with the Chief

Justice of India and the Chief Justice of the High Court for that State, by notified order, provide for the establishment of a permanent bench of that High Court at one more place within the State other than the principal seat of the High Court and for any matter connected therewith."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 28--

after line 35, add:

"(3) Notwithstanding anything contained in the provisions of this Part and save as hereinafter specifically provided, the advocates practising in or attorneys acting in the Courts situated within the territories transferred to other States by the provisions of Part II of this Act shall be deemed to have been recognised as such in the High Courts of the States to which the territories are transferred unless the advocates and attorneys, within a period of 12 months, from the appointed day, elect, by appropriate applications, to practise or act in the High Courts new or existing, as the case may be, in which they were originally enrolled."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clauses 51 to 54 stand part of the Bill."

The motion was adopted.

Clauses 51 to 54 were added to the Bill.

Clauses 55 to 59 were added to the Bill.

Mr. Deputy-Speaker: Now, clause 60.

Amendments made:

(1) Page 27, line 35--

for "State of Maharashtra" substitute: "new State of Bombay"

(2) Page 27--

for lines 41 to 43, substitute:

"the High Court for the new State of Bombay (referred to in this Act as the High Court of Bombay) shall as soon as may be after such certification be transferred to the High Court of Bombay."

(3) Page 28--

(i) for line 4, substitute "of Bombay"; and

(ii) lines 7, 16, 20, 22 and 27, for "at Bombay" substitute "of Bombay"

—[Shri Dasg]

Mr. Deputy-Speaker: The question is:

"That clause 60, as amended, stand part of the Bill."

The motion was adopted.

Clause 60, as amended, was added to the Bill.

Mr. Deputy-Speaker: I shall now put clauses 61 to 67 to vote.

Shri Nekkamoy: There is an amendment to clause 67 to be put to vote separately.

Mr. Deputy-Speaker: All right. I shall first put the amendments to clauses 61 to 66 to vote.

The question is:

Page 32, line 4--

add at the end "and Mysore"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 29, line 31--

omit "existing".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clauses 61 to 66 stand part of the Bill."

The motion was adopted.

Clauses 61 to 66 were added to the Bill.

Clause 67.

Mr. Deputy-Speaker: Clause 67.

Amendment made:

Page 33—

after line 23, add:

“(5) Subject to any rule made or direction given by the High Court at Madras, any person who immediately before the appointed day is an advocate entitled to practise in the High Court of Travancore-Cochin as may be specified in this behalf by the Chief Justice of the High Court at Madras having regard to the transfer of territories from Travancore-Cochin to Madras, shall be recognised as an advocate entitled to practise in the High Court at Madras”.

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

Page 33—

after line 23, add:

“(5) Any person in the territories transferred from Travancore-Cochin to Madras who immediately before the appointed day is an Advocate entitled to practise in the High Court of Travancore-Cochin shall as from the appointed day be recognised as an Advocate entitled to practise in the High Court of Madras”.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

“That Clause 67, as amended, stand part of the Bill”.

The motion was adopted.

Clause 67, as amended, was added to the Bill.

Mr. Deputy-Speaker: There is only one amendment to the group of

clauses 68 to 72. I shall put it to vote now.

The question is:

Page 34—

after line 31, add:

“(3) In the territories transferred from Travancore-Cochin to the State of Madras, if half the amount provided in the budget for execution of public works has not been spent the balance of any such amount shall be transferred to the State of Madras on the appointed day”.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

“That clauses 68 to 72 stand part of the Bill”.

The motion was adopted.

Clauses 68 to 72 were added to the Bill.

Clause 73

Mr. Deputy-Speaker: Now, Clause 73.

Shri Datar: I am moving only amendment No. 547. I am not moving amendment No. 548.

Amendment made:

Page 35—

Omit lines 1 to 4:

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

“That clause 73, as amended, stand part of the Bill”.

The motion was adopted.

Clause 73, as amended, was added to the Bill.

Clause 74 was added to the Bill.

Mr. Deputy-Speaker: Clause 75.

Amendments made:

(1) Page 35, line 25—

for “Gujarat” substitute: “Bombay”.

(2) Page 35, line 25—for “25-79” substitute “8-58”.

—

—[Shri Datar]

Mr. Deputy-Speaker: I shall put the other amendments to vote.

The question is:

Page 35, line 27—

for "248·04" substitute "275"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 35, line 31—

for "232·38" substitute "252·90"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 35, line 35—

for "24·65" substitute "25·60"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 35, line 39—

for "289·80" substitute "345"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 75, as amended, stand part of the Bill".

The motion was adopted.

Clause 75, as amended, was added to the Bill.

Clause 76 was added to the Bill.

Mr. Deputy-Speaker: Clause 77.

Amendment made: Page 36, line 32—for "of the States" substitute: "having jurisdiction over the whole of the existing State".

—[Shri Datar]

Mr. Deputy-Speaker: I shall now put the other amendment to vote.

The question is:

Page 36—

after line 37, insert:

"(2A) The normal indent of supplies made before the 31st of March, 1956 by the hospitals and other institutions in the territories

of Travancore-Cochin transferred to State of Madras shall be met by the Government of Travancore-Cochin before the appointed day. All sections of the departments in the transferred territory which have been abolished since 31st March, 1956 shall be restored with their personnel and stores before the appointed day".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 77, as amended, stand part of the Bill".

The motion was adopted.

Clause 77, as amended, was added to the Bill.

Clauses 78 to 81 were added to the Bill.

Mr. Deputy-Speaker: Clause 82.

Shri Nesanmoy: I would like my amendment No. 412 to be put to vote.

Mr. Deputy-Speaker: Are Government accepting it?

Shri Datar: No.

Mr. Deputy-Speaker: The question is:

Page 32—

after line 12, add:

"(3) The Travancore Minerals Company in the territory transferred from Travancore-Cochin to the State of Madras shall from the appointed day pass to the State of Madras.

(4) On and from the appointed day such number of vehicles of all categories of the State Transport Department of Travancore-Cochin plying in the territories transferred to State of Madras shall pass to the State of Madras along with all garages, workshops, waiting sheds and offices and the Madras State shall operate those vehicles."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 82 stand part of the Bill".

The motion was adopted.

Clause 82 was added to the Bill.

Mr. Deputy-Speaker: Clause 83.

Amendments made:

(1) Page 38, lines 13 and 14—

for "each of the existing States of Bombay and Hyderabad" substitute "existing State of Hyderabad".

(2) Page 38, lines 36 and 37—

for "in the case of Bombay or Hyderabad" substitute "in the case of Hyderabad".

(3) Page 39, line 15—

after "sinking fund" insert "or depreciation fund".

(4) Page 38, line 16—

for "30th day of September" substitute "31st day of October".

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 83, as amended, stand part of the Bill".

The motion was adopted.

Clause 83, as amended, was added to the Bill.

Mr. Deputy-Speaker: New clause 83A.

Amendment made:

Page 39—

after line 25, insert:

"83A. Refund of taxes collected in excess: The liability of an existing State to refund any tax or duty on property, including land revenue, collected in excess shall be the liability of the successor State in which the property is situated, and the liability of an existing State to refund any other tax or duty collected in excess shall be the liability of the successor State in whose ter-

ritories the place of assessment of that tax or duty is included."

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That new clause 83A be added to the Bill".

The motion was adopted.

New Clause 83A was added to the Bill.

Mr. Deputy-Speaker: As there is only one amendment to the group of clauses 84 to 101, I shall put it to vote now. Then, I shall put all these clauses.

Page 40—

after line 27, insert:

"(2A) On and from the appointed day any contract for the exploitation of timber from the territories transferred to the State of Madras from Travancore-Cochin stipulating for the removal of timber to any depot outside the said territories shall be void and any such timber removed after the 2nd day of May 1956 or its value thereof shall pass to the State of Madras."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clauses 84 to 101 stand part of the Bill".

The motion was adopted.

Clauses 84 to 101 were added to the Bill.

Mr. Deputy-Speaker: Clause 102.

Amendments made:

(1) Page 43, line 42—

omit "Saurashtra".

(2) Page 44, line 2—

omit "Gujarat".

(3) Page 44—

for lines 27 to 35, substitute:

"(6) As from the appointed day the Financial Corporations established under the State Financial Corporations Act, 1951, for

the existing States of Bombay and Saurashtra shall stand amalgamated and shall be deemed to be the Financial Corporation established under the said Act for the new State of Bombay.

(7) After consulting the Governments of the existing States of Bombay and Saurashtra, the Central Government may before the appointed day, by notified order, provide for the constitution of the Board of Directors of the Financial Corporation for the new State of Bombay and for such consequential, incidental and supplemental matters as may, in the opinion of the Central Government, be necessary to give effect to the provisions of subsection (6).

(8) The new State of Bombay shall be liable to pay to each of the new States of Mysore and Rajasthan on account of its share of the paid-up capital of the Financial Corporation for the existing State of Bombay such amount as the Central Government may, by order determine."

—[Shri Datar]

Mr. Deputy-Speaker: I shall now put all the other amendments to this clause to vote.

The question is:

Pages 43 and 44, line 43 and lines 1 and 2 respectively—

for "shall be deemed to be the Financial Corporations established under the said Act for the new States of Madhya Pradesh, Punjab, Rajasthan, Gujarat and Kerala, respectively" substitute:

"shall be abolished"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 44—

omit lines 3 to 9.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 44—

omit lines 31 to 35.

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 102, as amended, stand part of the Bill".

The motion was adopted.

Clause 102, as amended, was added to the Bill.

Clause 103 was added to the Bill.

Mr. Deputy-Speaker: Now clause 104.

Amendments made:

(1) Page 46—

omit lines 19 and 20.

(2) Page 46, line 25—

omit "Saurashtra".

(3) Page 46, line 27—

omit "Gujarat".

(4) Page 46, lines 30 and 31—

for "Hyderabad or Madhya Bharat" substitute "Hyderabad, Madhya Bharat or Saurashtra".

(5) Page 46—

(i) lines 6, 23 and 26, for "October" substitute "November"; and

(ii) line 32, for "30th day of September" substitute "31st day of October".

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 104, as amended, stand part of the Bill".

The motion was adopted.

Clause 104, as amended, was added to the Bill.

Mr. Deputy-Speaker: Now clause 105.

Amendment made:

Page 46, line 37—

for "October" substitute "November".

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 105, as amended, stand part of the Bill".

The motion was adopted.

Clause 105, as amended was added to the Bill.

Mr. Deputy-Speaker: Now clause 106.

Amendments made:

(1) Page 48, line 13—

for "Gujarat" substitute "Bombay".

(2) Page 48, line 8—

for "October" substitute "November".

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 106, as amended, stand part of the Bill".

The motion was adopted.

Clause 106, as amended, was added to the Bill.

Clause 107 was added to the Bill.

Mr. Deputy-Speaker: Now clause 108.

Amendment made:

Page 49, line 18—

for "October" substitute "November".

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That clause 108, as amended, stand part of the Bill".

The motion was adopted.

Clause 108, as amended, was added to the Bill.

Mr. Deputy-Speaker: Clause 109.

Shri A. M. Thomas (Ernakulam): Amendment No. 561 is for deletion of

the clause. So the clause has only to be put and negated.

Mr. Deputy-Speaker: Yes, The question is:

"That clause 109 stand part of the Bill".

The motion was negated.

Mr. Deputy-Speaker: The question is:

"That clauses 110 to 112 stand part of the Bill".

The motion was adopted.

Clause 110 to 112 were added to the Bill.

Mr. Deputy-Speaker: The question is:

Page 52—

after line 19, add:

"(3) On and after the appointed day the Sree Padmanabhaswamy Temple at Trivandrum shall not have any right, claim or interest in respect of any holding in the territories transferred under section 4 except to $\frac{8}{13}$ (eight and one-third) times the net aggregate of rent as compensation which shall be collected by State of Madras from the respective landholders and paid to the Sree Padmanabhaswamy Temple. The compensation shall be determined by compensation officers appointed by the State of Madras."

The motion was negated.

Mr. Deputy-Speaker: The question is:

Page 52, line 17—

for "37.5 to 13.6" substitute "46.5 to 4.5".

The motion was negated.

Mr. Deputy-Speaker: The question is:

"That clause 113 stand part of the Bill".

The motion was adopted.

Clause 113 was added to the Bill.

Clauses 114 and 115 were added to the Bill.

Mr. Deputy-Speaker: Clause 114.

Shri A. K. Gopalan (Cannanore): I do not want to press my amendment. But I would like to get some clarification. The Home Minister while replying said today that the highest salary would not be reduced. In the new States there will be two kinds of salaries for the same job. I want to know whether the salaries of those who are in the lower category would be raised to that of the higher category.

Shri Datar: Whatever salary is drawn by a particular officer in any part of the State that is going to be transferred to another State would continue to be drawn by him. Subsequently, the State Government might take up the question of having a uniform scale of pay. Then a choice or option would be given to the particular officer. He can either accept the new unified scale or can continue on the old scale.

Shri A. K. Gopalan: I am not saying about officers. There are teachers who are getting very low salaries.

Shri Datar: I use the word 'officers' in the sense of 'government servants'.

Shri V. P. Nayar (Chirayinkil): This is not a matter to be decided by each State, because in all regions the same problem is there. That is why we want the Government of India to lay down a condition. This is not confined to one State alone.

Shri Datar: It would be difficult for the Government of India to do that.

Shri K. K. Basu: We only want to know this simple information. As you know, there are primary school teachers throughout India. Now we are setting up new States more or less in the category of Part A States. Therefore, if in the old Travancore-Cochin State the pay of the primary teachers is much less than that pre-

valent in a Part A State, when the new State has more or less the status of a Part A State, they must have all the benefits of a Part A State.

Mr. Deputy-Speaker: That may be a question for the reorganised State to consider. It would not be a question arising out of reorganisation for the whole of India.

Shri A. K. Gopalan: Not for the whole of India, only where new States are formed.

Shri Mahabala: May I have a clarification?

Mr. Deputy-Speaker: Let the first point be disposed of. The hon. Member wants to know whether those persons in the same job or category of jobs whose pay is lower than that of some other person coming from a different area doing the same job, will have their salaries raised to that of those drawing the higher pay.

Shri K. K. Basu: As you are now raising the status of the State.

Shri Datar: What you have stated is theoretically possible. Take the case of the four or five taluks going from Travancore-Cochin to Madras. It is quite likely that the scales of pay in respect of the one might be higher or lower. (Interruptions). What I would point out to this House is that so far as the question of reorganisation is concerned, all that we can lay down is that the pay-scales of a government servant shall not be varied to his disadvantage on account of reorganisation. Beyond that it is not possible for us to go. And, as I stated, the State Government would be interested in having a unified scale of pay. Even then this particular government servant who has come over from another State will have the option either to accept this scale or to continue to draw in the same scale as he was drawing before.

Shri Neelamony: May I have another clarification?

Mr. Deputy-Speaker: Has the hon. Member, Shri Gopalan, the leave of the House to withdraw his amendment?

The amendment was, by leave, withdrawn.

Shri Mohiuddin: When Government servants are transferred from one State to another there must be an assurance that they will not be retrenched. This is more important than the salary.

Mr. Deputy-Speaker: There is no amendment about that.

The question is:

"That clauses 116 to 118 stand part of the Bill."

The motion was adopted.

Clauses 116 to 118 were added to the Bill.

Mr. Deputy-Speaker: Now clause 119.

Amendments made:

(i) Page 55, line 9—

for "of Mysore" substitute "of Bombay, Mysore".

(ii) Page 55, line 13—

omit "Bombay".

(iii) Page 55, lines 21 and 22—

for "Gujarat, Madhya Pradesh, Maharashtra" substitute "Bombay, Madhya Pradesh".

—[Pandit G. P. Pant]

Mr. Deputy-Speaker: The question is:

"That clause 119, as amended, stand part of the Bill."

The motion was adopted.

Clause 119, as amended, was added to the Bill.

Mr. Deputy-Speaker: Now I will put amendments to clauses 120 to 130.

The question is:

Page 57, line 4—

omit "for a period of six months from that day".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 58—

after line 20, add:

"(2) The President may be ordered to appoint an ex-judge or judges to settle the boundary disputes referred to him by States concerned within a year after the appointed day."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clauses 120 to 130 stand part of the Bill."

Shri A. M. Thomas: Sir, in page 57, line 31, clause 126, I have noted a correction—"that" for "the".

Mr. Deputy-Speaker: Is it an amendment in the name of the hon. Member?

Shri A. M. Thomas: No, Sir: it is only a correction.

Mr. Deputy-Speaker: Then, it can be made at a subsequent time.

Now, the question is:

"That clauses 120 to 130 stand part of the Bill."

The motion was adopted.

Clauses 120 to 130 were added to the Bill.

Mr. Deputy-Speaker: The question is:

Page 58—

after line 34, add:

"(3) Notwithstanding the repeal of the Government of Part C States Act, 1951, it shall be lawful for the President to make an order applying to any Union Territory all or any of the provisions of that Act with such adaptations and modifications as may be specified in the order.

(4) The order referred to in sub-section (3) shall remain in force until the law referred to in clause (1) of article 240 is made by Parliament and shall be deemed to be the law made under that article."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 131 stand part of the Bill."

The motion was adopted.

Clause 131 was added to the Bill.

Mr. Deputy-Speaker: Now the amendment No 257 re New Clause 132.

The question is:

Page 58—

after line 34, add:

"132. The Central Government shall within three months after the formation of the new States appoint Boundary Commission to demarcate boundaries of and settle the dispute of claims and counter claims of border areas of all new States and particularly to settle border disputes of Madras, Andhra and Karnataka."

The motion was negatived.

Mr. Deputy-Speaker: There are certain amendments that will be needed as consequential amendments. Attention has not been directed towards those things. I will draw the attention of the hon. Minister to clause 11(1)(a).

Shri V. P. Nayar: It is not our duty.

Mr. Deputy-Speaker: When the Parliament is passing an Act, we must be as careful as possible.

In clause 11, sub-clause (1)(a), there is a reference to section 9. It has to be amended.

Shri Datar: What is the amendment, Sir?

Mr. Deputy-Speaker: There is no amendment. I am only drawing the attention of the hon. Minister to the

fact that further scrutiny is required in order to find out whether any numerals and such other things require changes. Here, I think, it would now be 8 and not 9. The hon. Minister might have it looked into so that, in the third reading, we might have the necessary amendments made.

Shri E. N. S. Deo: May I seek a clarification, Sir?

Mr. Deputy-Speaker: What about clause 38 which was held over? Can we take it up just now?

Shri Datar: Yes, Sir.

Shri E. N. S. Deo: May I seek a clarification? There was an amendment, 503 for the addition of a new clause 24A. That related to boundary disputes but was different from the amendment on the general question of Boundary Commissions.

Mr. Deputy-Speaker: At that stage the Speaker enquired whether there were any other amendments. Probably the hon. Member was not in his seat and it could not be pressed. Now, it is too late.

Shri E. N. S. Deo: Those amendments were regarding clause 15A. This is regarding 24A.

Mr. Deputy-Speaker: But we have passed beyond 131.

Shri E. N. S. Deo: We went back to 15A after passing so many clauses.

Mr. Deputy-Speaker: What is the number of the amendment?

Shri E. N. S. Deo: No. 503.

Mr. Deputy-Speaker: It is too late now, as the hon. Member himself will appreciate.

Shri E. N. S. Deo: But we went back to 15A after passing so many other clauses.

Mr. Deputy-Speaker: It is now too late; but if the hon. Member is very

[Mr. Deputy-Speaker]

particular, I will allow him as a special case. Should I put it to the House?

Shri E. N. S. Deo: Yes, Sir.

Mr. Deputy-Speaker: This is amendment 503, an amendment in the names of Shri Sarangadhar Das, Shri Rajendra Narayan Singh Deo, Dr. Nataraj Pandey, Shri Bijoy Chandra Das and Shri Girdhari Bhoi.

Page 13,—

after line 24, insert:

"24A. Notwithstanding the foregoing provisions if any State is dissatisfied with the recommendations of the Zonal Council in regard to border disputes and represents to the Union Government for appointment of a Boundary Commission, the Union Government shall appoint a Boundary Commission consisting of Judges of the Supreme Court or High Courts for investigation into and adjudicating upon such representation, and the Union Government shall take necessary steps to implement the award of such Commission."

4 P.M.

Shri Das: Already a specific amendment was put before the House regarding Boundary Commission. I think this is barred.

Shri Gadgil (Poona Central): The amendment that has been negatived is a general Boundary Commission. If it refers to a particular area, I humbly think that it is not barred. What does it matter? A matter of five minutes' discussion.

Mr. Deputy-Speaker: The amendment seeks to have a Boundary Commission if a particular State feels aggrieved by the advice given by the Zonal Council. This is not the boundary disputes that we have been discussing before.

Pandit Thakur Das Bhargava: This is quite a different matter.

Mr. Deputy-Speaker: It is not the same thing. Therefore, I will put it to the vote of the House. No discussion is required as we have had enough of it.

The question is:

Page 13—

after line 24, insert:

"24A. Notwithstanding the foregoing provisions if any State is dissatisfied with the recommendations of the Zonal Council in regard to border disputes and represents to the Union Government for appointment of a Boundary Commission, the Union Government shall appoint a Boundary Commission consisting of Judges of the Supreme Court or High Courts for investigation into and adjudicating upon such representation, and the Union Government shall take necessary steps to implement the award of such Commission."

Those in favour will please say 'Aye'.

Some Hon. Members: 'Aye'.

Mr. Deputy-Speaker: Those against will please say 'No'.

Some Hon. Members: 'No'.

Mr. Deputy-Speaker: I think the 'Noes' have it. The motion is negatived.

Shri E. N. S. Deo: The 'Ayes' have it.

Mr. Deputy-Speaker: If the hon. Member wants to have a division, I have no objection. Does he like to have a division? I do not think he wants it. Therefore, the 'Noes' have it, and the motion is negatived.

The motion was negatived.

Shri Sivamurthi Swami: Regarding clause 129, I want to refer....

Mr. Deputy-Speaker: We have already finished with that clause.

Pandit Thakur Das Bhargava: May I seek a clarification from you, Sir?

Mr. Deputy-Speaker: Let us finish these Schedules before that.

Pandit Thakur Das Bhargava: I have to go to another Committee shortly, and if you will kindly allow me, let me have my say now.

Yesterday you were pleased to say that after the hon. Home Minister has replied in regard to this matter of safeguards, the question will then be taken up. Unfortunately, it appears—I have been informed so—that today after the question hour, this matter was raised again. Very probably the hon. Speaker had not read what you were pleased to say yesterday, and in disregard of all that, the question was raised—at that time I was not present. Although I had got an assurance from you that after the hon. Home Minister has finished his speech, this question will be taken up, because all these amendments are mine for the insertion of new sub-clauses 119A to 119G, this question was raised here. It appears that some remarks were made by the hon. Speaker to the effect that these matters related to the Constitution Bill and at that time it would be seen whether these questions about safeguards could be discussed or that these questions could be discussed subject to their admissibility or something like that. My humble submission is that we have heard even the hon. Home Minister. He was pleased to say that he is very anxious about the question of minorities and their safeguards and this has been the attitude of the Prime Minister also. As you know, the S.R.C. Report contains one full chapter about it and the Commission have discussed the question of safeguards to minorities in detail. My humble submission is that when the States Reorganisation Bill is being discussed, it is absolutely relevant that all those matters relating to States must be discussed now. But this matter is relegated to the Constitution Bill. As a matter of fact, the Constitution

(Ninth Amendment) Bill is also an offspring of the States Reorganisation Bill. If that is so, either we should be allowed to move those amendments here or there, but we should not be—I do not want to use any strong language—deprived of our rights to move these amendments relating to various safeguards for minorities.

Mr. Deputy-Speaker: The hon. Member may be deemed to have used that strong word which he has in mind, although there is no need for using it. I will make the position clear. The hon. Member took up his objection. The hon. Speaker ruled that this could not be covered under this Bill, and we will see when we take up the Constitution (Ninth Amendment) Bill. Then the same objection was raised when I was in the Chair, and I also held the same view that it may be relevant when we discuss the Constitution (Ninth Amendment) Bill, but we cannot take it up so far as the States Reorganisation Bill is concerned. There was some objection then and I did say this much that when the hon. Home Minister makes a reply, questions might be put to him, and if he agrees or gives us an indication, perhaps we might reopen the matter. The hon. Home Minister also has given the same indication that this is a subject which can be discussed or incorporated in the Constitution (Ninth Amendment) Bill and not here. Today also the same objection was raised and the Speaker has again ruled that this would be discussed and considered when we will take up the Constitution (Ninth Amendment) Bill.

Pandit Thakur Das Bhargava: Please forgive my interruption. You were pleased to tell us that even in the Constitution Bill all these questions relating to minorities and their safeguards could be discussed. From that I conclude that the whole matter pertaining to the minorities will be allowed to be discussed. My appeal to you and the hon. Minister was that so far as the general safeguards for minorities are concerned, they

{Pandit Thakur Das Bhargava}

will not be ruled out on any plea. I take it and I want to put it on record that under those circumstances this order was made. Otherwise, before this Bill is finished, I must say that my prayer may be reviewed and I may be allowed to move my amendments regarding general safeguards for minorities. If at that time, this objection about admissibility is going to be taken, I am perfectly within my right to raise any matter relating to the reorganisation of States.

Mr. Deputy-Speaker: I appreciate the tenacity of the hon. Member, but I am afraid I cannot give the guarantee that it would not be ruled out at that time. How can the Speaker or the Chairman give that guarantee? As to what would happen to a thing which is to come afterwards no guarantee can be given now. He will have my sympathies and see what happens at that time if I am in the Chair...

Can we take up the schedules now? But before that, I am told that clause 38 was held over.

Shri Datar: It was held over for consideration by the members of the two States. They wanted to consider the question amongst themselves with a view to evolving an agreed solution. The members concerned are not here.

Shri Ram Krishan (Mohindergarh): We are here.

Shri Datar: He does not know what my hon. friend, Shri Iyengar says. Shri Iyengar suggested that possibly they are considering the matter, but one of the parties to such consideration is here—the hon. Member.

Shri Ram Krishan: We have considered the proposition; but we have not agreed to it.

Pandit Thakur Das Bhargava: If one hon. Member says he has not agreed, the other hon. Member may say that the others have agreed to it. Others agreed outside.

An hon. Member: No, Sir.

Pandit Thakur Das Bhargava: They have certainly agreed.

Mr. Deputy-Speaker: One says he has not agreed, and another says they have agreed. Both may be right, but how can we decide whether there is an agreement in the matter or not?

Pandit Thakur Das Bhargava: It is for the hon. Members to decide.

Shri N. R. Muniswamy: But they wanted a unanimous decision.

Shri Datar: When the hon. Member, who ought to have been consulted in the matter says that there was no agreement, that means that there was discussion and there was no agreement. Under the circumstances it is very difficult to keep the matter pending.

Mr. Deputy-Speaker: Shri Tek Chand is not here himself. Anyhow, let me put clause 38, as amended, to the vote of the House. First I will put amendment No. 449 to clause 38.

The question is:

Page 21—

for clause 38, substitute:

“38. Punjab Legislative Council:—

(1) As from the appointed day, there shall be a Legislative Council for the new State of Punjab.

(2) In the said Council there shall be 46 seats of which—

(a) 16 shall be filled by persons elected in local authorities' constituencies of the State;

(b) 3 shall be filled by persons elected in a graduates' constituency of the State;

(c) 3 shall be filled by persons elected by a teachers' constituency of the State;

(d) 16 shall be filled by persons elected by the members of the Legislative Assembly of the State from amongst persons who are not members of the Assembly; and

(e) 3 shall be filled by persons nominated by the Governor of the State in accordance with the provisions of clause (5) of article 171.

(3) Notwithstanding anything contained in sub-section (2)—

(a) all the sitting members of the Legislative Council of the existing State of Punjab elected in council constituencies or by the members of the Legislative Assembly of that State or nominated by the Governor of that State shall, on the appointed day, become members of the Legislative Council of the new State and be deemed to have been elected thereto in the corresponding council constituencies of the new State or by the members of the Legislative Assembly of the new State, or nominated thereto by the Governor of the new State, as the case may be; and

(b) as soon as may be after the commencement of this Act, six persons shall be elected in the prescribed manner by the members of the Legislative Assembly of the existing State of Patiala and East Punjab States Union from amongst persons who are not members of that Assembly, the persons so elected shall become members of the Legislative Council of the new State of Punjab and such three of them as may be determined in the prescribed manner shall be deemed to have been elected thereto in a local authorities constituency of the new State and the other three shall be deemed to have been elected thereto by the members of the Legislative Assembly of the new State.

(4) The term of office of any person who becomes a member of the said Council under clause (a) of sub-section (3) shall be the same as his term of office in the Legislative Council of the existing State of Punjab would have been if this Act had not been passed; and in order

417 L.S.D.

that as nearly as may be one-third of the members of the said Council may retire on the 26th day of April, 1956 and on the expiration of every second year thereafter, the Governor of the new State shall, after consultation with the Election Commission, make by order such provision as he thinks fit in regard to the term of office of the members elected under clause (b) of sub-section (3)."

The motion was negatived.

Mr. Deputy-Speaker: Now I will put clause 38, as amended to the vote of the House.

The question is:

"That clause 38, as amended, stand part of the Bill."

The motion was adopted.

Clause 38, as amended, was added to the Bill.

Mr. Deputy-Speaker: Now, we take up the Schedules. First Schedule.

Amendment made: (i) Page 59, line 10--

for "Gujarat" substitute "Bombay".

(ii) Page 59--

omit line 12.....

(iii) Page 59, lines 13, 14, 15, 21 and 22--

for "Maharashtra" substitute "Bombay".

—[Shri Datar]

Mr. Deputy-Speaker: The question is:

"That the First Schedule, as amended, stand part of the Bill."

The motion was adopted.

First Schedule, as amended, was added to the Bill.

Second Schedule was added to the Bill.

Mr. Deputy-Speaker: We shall now take up the Third Schedule.

Amendment made: Page 80--

(i) for line 16, substitute:

"4. Bombay....66..... 306";

and

(ii) omit lines 20 and 28.

—[Shri Datar]

Shri V. P. Nayar: Sir, I have an amendment No. 162.

I beg to move:

Page 60, line 17—

for "18" substitute "19" and

for "126" substitute "133".

The other day, you will remember we had about five hundred amendments. I own that this amendment slipped out. It is a very important amendment. As they are, the number of membership for the Lok Sabha and the Assembly are 18 and 126 respectively. From the population figures that I have before me, if we calculate, the membership comes to 18½. It means that we should be entitled to 19 seats and if it is multiplied by seven, we should be having 133 seats in the Assembly. If that proposal is not acceptable, I submit that the multiple may be raised from 7 to 8. As the Home Minister will readily agree, Travancore-Cochin is perhaps the smallest State in area and there should be no difficulty in doing this because, the hon. Minister, very rightly agreed to an increase in the number of members of the Mysore Assembly. Even from arithmetical justification, we can lay claim for an Assembly of more than 133 seats. I, therefore, request the hon. Home Minister to either change 18 into 19 or change the multiple from 7 to 8.

Shri Keshavalegar: He agreed after a long persuasion.

Shri V. P. Nayar: I suppose the Minister has been hearing me. It is a question of numbers. If the increase in the number of Members for the Lok Sabha is not possible, as it will create further problems of distribution among other areas, the multiple may be increased from seven to eight. You are already having this in smaller States. In Assam, the multiple is nine; even in Madhya Pradesh it is eight. So, the claims of Travancore-Cochin for a bigger number are absolutely justified.

Shri Datar: I am afraid I cannot accept the amendment.

Shri V. P. Nayar: Why?

Mr. Deputy-Speaker: It would have been much better if the hon. Member had gone to the Minister and sat with him and discussed this with him.

Shri V. P. Nayar: I discussed it with the Home Minister.

Shri Keshavalegar: Mysore stands on a different footing altogether.

Shri Datar: All the States stand on the same footing.

Shri Siddananjappa (Hassan-Chikmagalur): I have also my amendment No. 504.

Mr. Deputy-Speaker: Has the hon. Member given notice?

Shri Siddananjappa: I gave notice on the 6th.

Mr. Deputy-Speaker: 504 is not one of those amendments about which intention to move was expressed.

Shri Keshavalegar: Mine is acceptable to Government. This is a consequential amendment.

Shri Datar: If it is a consequential amendment, we may accept it. It appears to be consequential.

Mr. Deputy-Speaker: If the Government accepts it, I will allow it.

Amendment made: Page 60, line 21—

for "182" substitute "208".

—[Shri Siddananjappa]

Shri Keshavalegar: In view of amendment No. 504 to Third Schedule consequential amendments are necessary in clause 37 and I have moved that amendment. I have just now given the amendment with the special permission of the Speaker.

I beg to move:

Page 20—

- (i) line 27, for "45" substitute "52"
- (ii) line 31, for "15" substitute "18"
- (iii) line 34, for "15" substitute "18"
- (iv) line 37, for "7" substitute "8"

Mr. Deputy-Speaker: Are the Government accepting it?

Shri Datar: Yes.

Mr. Deputy-Speaker: The question is:

Page 20—

- (i) line 27, for "45" substitute "52"
- (ii) line 31, for "15" substitute "18"
- (iii) line 34, for "15" substitute "18"
- (iv) line 37, for "7" substitute "8"

The motion was adopted.

Mr. Deputy-Speaker: Now the other amendments to Schedule III.

The question is:

Page 60—

for lines 13 to 26, substitute:

1. Andhra Pradesh	45	315
2. Assam	12	108
3. Bihar	57	342
4. Gujarat	23	161
5. Kerala	39	133
6. Madhya Pradesh	37	296
7. Madras	42	210
8. Maharashtra	41	246
9. Mysore	27	189
10. Orissa	21	147
11. Punjab	23	161
12. Rajasthan	23	164
13. Uttar Pradesh	89	445
14. West Bengal	35	245

The Motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 60—

- (i) line 31—
for "2" substitute "3"
- (ii) line 32—
for "2" substitute "3"

The Motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 60, line 21—

for "182" substitute "234"

The Motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 60, line 17—

for "18" substitute "19" and
for "126" substitute "133".

The Motion was negatived.

Mr. Deputy-Speaker: The question is:

"That the Third Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Third Schedule, as amended, was added to the Bill.

Mr. Deputy-Speaker: We now take up the Fourth Schedule.

Amendments made: (i) Page 61—
(i) for line 29, substitute:

Bombay 12:57
1.19"; and

(ii) omit line 33.

(ii) Page 61, line 34—

for "3:03" substitute "2:90"

(iii) Page 62, line 6—

for "2 per cent" substitute "1 per cent."

(iv) Page 63—

(i) for line 8, substitute:

"Bombay 18:10
1:00"; and

(ii) omit line 12.

(v) Page "36, line 13—

for "3:97" substitute "3:74"

(vi) Page 64, line 13—

for "Gujarat" substitute "Bombay"

(vii) Page 64, line 21—

for "Maharashtra" substitute "Bombay"

(viii) Page 64, line 36—

for "Gujarat" substitute "Bombay"

(ix) Page 60, line 42—

after "excise" insert "for the half year"

(x) Page 61, line 20—

after "excise" insert "for the half year"

(xi) Page 61—

after line 39, add:

"(3) For the purposes of this section—

(a) the first half and the second half of the financial year commencing on the 1st day of April, 1956, shall be deemed to be the first seven months and the

[Mr. Deputy-Speaker]

remaining five months, respectively, of that financial year;

(b) the distributable Union duties of excise for the first half and for the second half of the said financial year shall be deemed to be seven-twelfths and five-twelfths, respectively, of the distributable Union duties of excise for that said financial year."

(xii) Page 63--

for lines 19 to 21, substitute;

"(4) For the purposes of this paragraph—

(a) the first half and the second half of the financial year commencing on the 1st day of April, 1956, shall be deemed to be the first seven months and the remaining five months, respectively, of that financial year;

(b) the net proceeds of taxes on income for the first half and for the second half of the said financial year shall be deemed to be seven-twelfths and five-twelfths, respectively, of the net proceeds of such taxes for that financial year."

(xiii) Pages 63 to 65--

for lines 22 to 40, 1 to 40 and 1 to 5 respectively, substitute:

"5. (1) In accordance with the provisions of clause (1) of article 275, there shall be charged on the Consolidated Fund of India—

(a) in the first seven months of the said financial year, as grants-in-aid of the revenues of each of the States specified below, the sum specified against it:

(i) For general purposes—

Assam	58.33 lakhs of rupees
Mysore	23.33 lakhs of rupees
Orissa	43.75 lakhs of rupees
Punjab	72.92 lakhs of rupees
Saurashtra	23.33 lakhs of rupees
Travancore-	
Cochin	26.25 lakhs of rupees
West Bengal	46.67 lakhs of rupees

(ii) For the expansion of primary education—	
Bihar	48.42 lakhs of rupees
Hyderabad	23.33 lakhs of rupees
Madhya	
Bharat	10.50 lakhs of rupees
Madhya	
Pradesh	29.17 lakhs of rupees
Orissa	18.67 lakhs of rupees
Patiala and	
East Punjab	
States Union	5.25 lakhs of rupees
Punjab	16.33 lakhs of rupees
Rajasthan	23.33 lakhs of rupees

(b) in the remaining five months of the said financial year, as grants-in-aid of the revenues of each of the States specified below, the sum specified against it:

(i) For general purposes—

Assam	41.67 lakhs of rupees
Mysore	16.67 lakhs of rupees
Orissa	31.25 lakhs of rupees
Punjab	52.08 lakhs of rupees
Bombay	16.67 lakhs of rupees
Kerala	16.93 lakhs of rupees
Madras	1.82 lakhs of rupees
West Bengal	33.33 lakhs of rupees

(ii) For the expansion of primary education—

Bihar	34.58 lakhs of rupees
Andhra	
Pradesh	9.62 lakhs of rupees
Mysore	2.41 lakhs of rupees
Bombay	12.10 lakhs of rupees
Madhya	
Pradesh	20.98 lakhs of rupees
Orissa	13.33 lakhs of rupees
Punjab	15.42 lakhs of rupees
Rajasthan	16.56 lakhs of rupees

(2) There shall also be charged on the Consolidated Fund of India—

(a) in the first seven months of the said financial year, as grants-in-aid of each of the States of Mysore, Saurashtra and Travancore-Cochin, the sum by which the total of the amounts payable to that State under subparagraph (2) of paragraph 3 of this Order and under sub-section (2) of section 3 of the Union Duties of Excise (Distribution) Act, 1953 falls short of 201.25 lakhs of rupees, 160.42 lakhs of rupees and 163.33 lakhs of rupees, respectively; and

(b) in the remaining five months of the said financial year, as grants-in-aid of each of the States of Mysore, Bombay, Kerala and Madras, the sum by which the total of the amounts payable to that State as additional percentages under subparagraph (3) of paragraph 3 of this Order and under sub-section (2) of section 3 of the said Act falls short of 143.75 lakhs of rupees, 114.58 lakhs of rupees, 105.38 lakhs of rupees and 11.29 lakhs of rupees, respectively.

(3) Any sum or sums payable under this paragraph shall be in addition to any sum or sums payable to the States under each of the provisos to clause (1) of article 27c."

—[Shri Datar].

Mr. Deputy-Speaker: The question is:

"That the Fourth Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Fourth Schedule, as amended, was added to the Bill.

Mr. Deputy-Speaker: We now take up the Fifth Schedule.

Amendment made:

Page 65, lines 21 and 22—

for "the second half of the financial year 1956-57" substitute:

"the period commencing on the appointed day and ending on the 31st day of March, 1957."

—[Shri Datar].

Mr. Deputy-Speaker: The question is:

"That the Fifth Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Fifth Schedule, as amended, was added to the Bill.

Mr. Deputy-Speaker: We will now take up the Sixth Schedule.

Shri Sivamurthi Swami: I beg to move:

(i) Page 86—

after line 34, add:

"(6A) University and other educational societies."

(ii) Page 67—

after line 7, add:

"(16) Exhibitions of State Jagirs of Government.

(17) Archaeological institutes or centres of the State Government."

Mr. Deputy-Speaker: The numbers of these amendments were not indicated at the time when Members were asked to indicate the numbers of amendments which they wanted to move. Anyhow I will allow the hon. Member. He may speak on his amendments.

श्री शिवमूर्ति स्वामी : उपाध्यक्ष महोदय, मैं खुसूसन हैदराबाद के बारे में कहना चाहता हूँ। हैदराबाद के जो जागीरदार बनीरह थे उन की जागीर कर्नाटक, या तेलंगाना या महाराष्ट्र में थीं और उन का हैडक्वार्टर हैदराबाद था। इन इलाकों का रूपया हैदराबाद की यूनिवर्सिटी और दूसरे एजुकेशनल इंस्टीट्यूशंस में लगा है। अब वह हिस्सा दूसरे राज्यों में जा रहा है। इसलिए मेरे अमेंडमेंट का मकसद यह है कि अर्थक्यालाजीकल डिपार्टमेंट का सामान, भोजन पर लिखी हुई पुस्तकें आदि सामान जोकि हैदराबाद में जमा है वह कर्नाटक वालों के इस्तेमाल के लिये खुला रखा जाये।

दूसरे मैं यह कहना चाहता हूँ कि कर्नाटक की कोपल जागीर के करोड़ों रुपये खर्च कर के हैदराबाद में एग्जिबीशन बनाई गई है। यह बूकि कर्नाटक के पैसे से बनाई गई है इसलिए उसे मैसूर राज्य को या कर्नाटक को ट्रांस्फर कर दिया जाये या कर्नाटक वालों के इस्तेमाल के लिये खुला रखा जाये।

Shri Datar: Sir, may I point out that there are technical difficulties in the acceptance of these amendments. The hon. Member will kindly see that the institutions that have been referred to in the Sixth Schedule are all Government institutions or public insti-

[Shri Datar]

tutions, while the hon. Member wants similar facilities in respect of universities. Universities are autonomous bodies. After that the hon. Member has used a highly comprehensive expression "and other educational societies". They are likely to be private bodies or they are likely to be institutions conducted by local bodies and others.

Shri Sivamurthi Swami: You may say "Government bodies."

Sbri Datar: It is not possible for us to exert any pressure on such bodies which are either autonomous or which are carried on by local bodies.

Then he has further gone on in amendment No. 590 to say "Exhibitions of State Jagirs of Government". That also is a matter with which Government is remotely, if at all, connected. Then he says: "Archaeological institutes or centres of the State Government." So far as that matter is concerned, it is a matter for negotiations between the States. Under these circumstances, it is not possible at this stage to accept either of these two amendments.

Mr. Deputy Speaker: The question is:

Page 66—

after line 34, add:

"(6A) University and other educational societies."

The motion was negatived.

Mr. Deputy Speaker: The question is:

Page 67—

after line 7, add:

"(16) Exhibitions of State Jagirs of Government.

(17) Archaeological institutes or centres of the State Government."

The motion was negatived.

Mr. Deputy Speaker: The question is:

That the sixth Schedule stand part of the Bill."

The motion was adopted.

The Sixth Schedule was added to the Bill.

Clause 1, the Enacting Formula, and the Title were added to the Bill.

Sbri Gadgil: May I make a request, Sir?

Shri Datar: Sir, I shall make the motion first.

I beg to move:

"That the Bill, as amended, be passed."

Shri Gadgil: Sir, I want to make a request that, instead of.....

Mr. Deputy Speaker: Let me place the motion before the House.

Motion moved:

"That the Bill, as amended, be passed."

Shri Gadgil: My humble submission is, in the course of the last 3 or 4 hours I do not know how many amendments have been passed. Therefore, it is but natural for my hon. friend the Minister just to review the amendments passed and if there are any lacunae left he may come tomorrow with a few amendments here and there. I, therefore, suggest that the third reading be taken up tomorrow.

Sbri Kamath: May I add a word, Sir? I am saying this on the strength of rule 131. Here, in this case amendments of a very substantial nature, very fundamental amendments, have been made in the Bill. Unilingualism has been abandoned in favour of bilingualism. Therefore, it is very unfair, I would suggest, to take up the third reading today itself when such very vital amendments have been made to the Bill, and nothing would be lost if it is postponed for tomorrow. The third reading of the Bill is important and, if the House is ready we may now take up the other River Boards Bill.

Mr. Deputy Speaker: Is the hon. Minister ready with the formal

amendments that may be necessary for the third reading?

Shri Datar: I am not yet ready, Sir.

Mr. Deputy-Speaker: Then we shall have to postpone it till tomorrow and we may take up the next business.

Shri Kamath: And about the time, Sir, for third reading, I would suggest very earnestly that it should not be less than 4 hours.

Mr. Deputy-Speaker: That we will decide when we take it up. Now this will stand over till tomorrow and we will take up the next business.

RIVER BOARDS BILL

The Minister of Planning and Irrigation and Power (Shri Nanda): I beg to move*

"That the Bill to provide for the establishment of River Boards for the regulation and development of inter-State rivers and river Valleys, as passed by Rajya Sabha, be taken into consideration."

Shri V. P. Nayar (Chirayinkil): Sir, I have to submit a very important matter. I submit that under certain provisions of the Constitution this Bill cannot be discussed in the manner in which we seek to discuss it now.

Mr. Deputy-Speaker: That will be considered when the motion is made. When an hon. Member brings forward a motion he has to support that motion. After he has done that, the motion will be placed before the House and then an occasion arises when objections to that can be taken so far as that motion is concerned. The hon. Minister may continue.

Shri Nanda: Sir, I need not take a very long time over this part of the proceedings in respect of this legislation. The House adopted a motion

for the reference of this Bill to a Joint Committee on the 14th September last year with instructions to submit a report by the 21st November. I am happy to say that the Joint Committee has submitted a unanimous report within the short time allotted to them for the purpose, after taking into consideration all the suggestions made in both the Houses in April last year.

After that, this Bill was taken up in the Rajya Sabha and it was passed with very slight modifications. I shall explain very briefly the alterations that were made in the Bill in the Joint Committee. I shall take up one chapter after another.

In chapter I, there is no change made. In chapter II, there are some verbal alterations, in clause 4(1) and clause 5 (2). There is also a verbal alteration in clause 11(2). It is in the nature of a clarification. In clause 9, there is a slight change. That also is in the nature of a clarification. Instead of the word 'constitution', the word 'appointment' has been used. It makes the position very clear and makes it more precise. There are two changes in clause 11 (1) and (2). They are also in the nature of clarifications. These changes are all of a very minor nature.

Changes of a somewhat substantial character have been made in chapter III. In this chapter, in clause 14, the original wording of the Bill provided that the notification shall be made in the official gazette but there was no reference to any consultation with the Governments interested. In order to bring it into line with clause 4 (1) it has now been provided that this notification should also be made after consultation with the Governments interested.

There is a change in clause 15(2) that the Board shall consult the Governments interested and the Central Government in respect of the scheme and after considering their suggestions