

the issue. The whole State is facing water scarcity.

MR. SPEAKER: I have not admitted it. You are speaking without my permission.

SHRI JYOTIRMOY BOSU: I am not speaking at all. I am making only a submission.

MR. SPEAKER: What is the difference between speaking and making a submission?

SHRI JYOTIRMOY BOSU: You must give them directions, Sir—

MR. SPEAKER: I have not admitted it.

SHRI JYOTIRMOY BOSU: Are you not concerned about it, Sir? (*Interruption*) No doubt you must be going through the papers regularly. The situation is alarming. There is scarcity of drinking water. A man has to live on one glass of water every alternate day. There are famine conditions.... (*Interruption*)

MR. SPEAKER: No please. Shri Indrajit Gupta.

SHRI SHYAMNANDAN MISHRA (Begusarai): It is reported that population may have to be transferred from certain areas because of the lack of drinking water. We are very much concerned about it.

SHRI JYOTIRMOY BOSU: Are you not concerned about the famine and scarcity of drinking water, Sir?

MR. SPEAKER: Shri Indrajit Gupta.

12.04 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE
SUPREME COURT JUDGMENT ON MULKI
RULES IN ANDHRA PRADESH

SHRI INDRAJIT GUPTA (Alipore): Sir, I call the attention of the Prime Minister to the following matter of urgent public importance and I request that she may make a statement thereon:

"The situation arising out of the Supreme Court Judgment on Mulki Rules in Andhra Pradesh."

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS AND IN THE DEPARTMENT OF PERSONNEL (SHRI RAM NIWAS MIRDHA): In the former princely State of Hyderabad under a rule forming part of the Hyderabad Civil Service Regulations, no person could be appointed to any Government service, superior or inferior, without specific sanction of the Nizam if he was not a Mulki. One of the grounds for acquiring Mulki status was permanent residence in Hyderabad State for at least 15 years. This provision was continued after merger of the State in 1948, and was subsequently protected under Article 350(b) of the Constitution. At the time of formation of the State of Andhra Pradesh in 1956, one of the points of agreement between the Leaders of Andhra Pradesh and Telangana regions was that the benefits of securing employment in Government service for the people of Telangana region on the basis of local residential qualification would be continued in the new State for the region. The Parliament accordingly passed the Public Employment (Requirement as to Residence) Act, 1957, which, while repealing the Mulki Rules through Section 2, enabled the Central Government under Section 3 to make Rules prescribing requirement as to residence with Telangana area in regard to appointments to any subordinate service or post under the State Government or any local or other authority. In the Rules framed under this Section, requirement of 15 years' residence in Telangana for recruitment to public service in that region was continued for subordinate services and posts of Tahsildars only, while the earlier Mulki Rules applied to all posts—inferior and superior. The Public Employment Act and the Rules framed under Section 3 came into force in 1959 and were to have effect for five years. This period was, however, subsequently extended for two further periods of five years each, i.e., in all for 15 years till March, 1974.

2. The Public Employment Act and the Rules framed thereunder were challenged in the Supreme Court in AVS Narasimha Rao and others Vs. the State of Andhra Pradesh and another, and by its judgment dated March 28, 1969 the Court declared Section 3 of the Act and the Rules framed thereunder in so far as they related to Telangana area to be ultra vires the Constitution. Connected issues were further agitated in various cases in the Andhra Pradesh High Court and in the Supreme Court and finally the Supreme Court in its judgment dated October 3, 1972 has held that section 2 of the Public Employment Act is also bad in so far as it dealt with Telangana area, and that the residential qualification for recruitment to Government service provided under the Mulki Rules continued to be in force in the Telangana area.

3. Following the Supreme Court judgment, while a demand has been made on behalf of the Telangana region that the 15 years' local residential qualification should be enforced for recruitment to all government service, on the other hand the Andhra region wants that whatever safeguards had been provided earlier to the people of Telangana in respect of employment in Government service is all that should continue. Ever since the judgment was given, consultations have been going on between the leaders of the State and with the Central Government, to find a satisfactory solution of the problem in the larger interests of the State. Before they left Delhi after the first round of talks earlier this month to continue consultations in Hyderabad, the leaders of the State issued a statement expressing confidence that they would reach an agreement within the framework of the composite State of Andhra Pradesh. The talks are still continuing and Government hope that a satisfactory solution acceptable to both the sides will be evolved soon.

SHRI P. VENKATASUBBAIAH: (Nandyal): Sir, before Mr. Indrajit Gupta puts his question, may I say a few words? I made a request to you yesterday. These talks have entered a delicate stage and the Prime Minister and other leaders are very eager to evolve an

agreed solution to this vexed problem which is agitating the minds of the people. I request you to consider whether this can be postponed to a later day so that a proper atmosphere might be created for evolving a formula. I had a talk with Shri Indrajit Gupta also in this connection; it is for your consideration.

SHRI INDRAJIT GUPTA: What did Indrajit Gupta say?

SHRI M. SATYANARAYAN RAO: (Karimnagar): This matter is serious; the law and order situation is bad. The Prime Minister has not made a statement....

MR. SPEAKER: Please sit down; you are speaking without my permission. He suggested to me its postponement. I had been delaying it for a number of days. Because there was some pressure, I admitted it. But I have no objection to postponing it for a few more days.

SHRI INDRAJIT GUPTA: I am not agreeing to it. The reason why I am not agreeing is not that I am one whit less anxious than Shri Venkatasubbaiah that nothing should be done or said which will surcharge the atmosphere with more passion or more agitation. But to suggest or to imply—I do not say that Shri Venkatasubbaiah had that implication in mind, but what he said does imply that—because we will ask some questions here and the government will say something, therefore the situation may get more complicated is a view to which I do not subscribe. My party also does not subscribe to that view. Our not discussing this matter in this House has not prevented things happening outside which are getting worse and worse every day not only in intensity but also in the danger that they represent to the integrity of the country.

The government's statement, on the face of it, gives the impression as though there is no seriousness or urgency in the situation. It is a long historical account of the constitutional and statutory

[Shri Indrajit Gupta]

provisions, as it has evolved and at the end there is found a pious hope that everything would be all right soon. But from the way people are behaving and things are going on every day, I am not so optimistic that if the talks are allowed to go on, drift like this, a mutual agreement will be found out. In that context I am charging the Central Government that they are sitting there and allowing this situation to develop. The fires are raging and if you do not consider this a serious situation, what do you consider a serious situation? Trains are not running, buses are not running and Ministers' planes are not allowed to land at Vijayawada. When will the Central Government consider the situation as serious enough to warrant more active and positive action in order to bring the two contending parties to a mutual agreement?

Therefore, it is a thoroughly unsatisfactory statement in that it says nothing new, it does not give a general inkling of the general line, the general outlook, the general principle along which the Central Government is desirous of tackling the situation. They have said that the two sides are holding discussions and we are hopeful that some agreement will emerge out of it. I think the situation has gone too far now, and we have been silent long enough, and we do not want the situation to reach a point of no return. If no solution is found by the Centre soon, if this matter is not settled in the next two or three days, either by mutual agreement or, if mutual agreement is not possible, then by the Centre boldly taking a decision and announcing it, then a point of no return will be reached in the sense that a demand will be made for the parting of ways and the State of Andhra Pradesh will again have to be bifurcated, and our party does not support that idea, because we want a just solution to be found within the integrated State of Andhra Pradesh. But the Congress Party, the ruling party, both in Andhra Pradesh and at the Centre is doing absolutely nothing to fight to preserve the unity of the integrated State of Andhra Pradesh

by keeping quiet and allowing things to drift.

I may also say one thing here, and I hope the Prime Minister has got her own reports of what is happening there because of the inactivity or passivity of the Central Government. They will say "we are not passive, we are committed to holding talks" and all that. I know that. But I want them to know that the situation is being exploited by the reactionary forces there. The Swatantra Party of Shri Lachanna is reported to have given a call to the masses in Andhra Pradesh raising the slogan that Andhra Pradesh should now be divided, not into two but three different States. It does not figure very much in the press in this part of the country, but if you read the papers of that area it is given wide coverage. They are demanding that there should be one separate Telengana, one separate Rayalaseema State and one State comprising Circars. The *Khamma* landlords who dominate the Swatantra Party and who control that region of Circar area would like to have a small State for themselves also, where all these land ceiling proposals, land reforms and all that, can also be scuttled successfully. You are allowing a sort of vacuum to be created in which all that things are happening.

My questions will arise out of one or two observations. I want to make. First of all, this question of reorganisation of States on a linguistic basis, as a principle, was by and large accepted by everybody. Many people sacrificed their lives and became martyrs in order to bring about the creation of a composite State of Andhra Pradesh. We all pay homage to them; we still pay homage to Sri Ramulu and others. But the principle of linguistic unity in a country like ours has a historical background, historical development and heritage which is being handed down to us, and that is regional backwardness. Regional backwardness within a State, in a certain area, cannot be overcome overnight by just a magic wand. The integration that we wanted on a linguistic

basis has to be not only administrative integration and physical integration but there has to be an emotional integration of the people also. Unless that emotional integration is brought about, the other integration rests on very unstable foundation. It is in this respect, I am sorry to say with all due respect to friends from Andhra Pradesh as a whole that over all these years, since the State of Andhra Pradesh was created, this aspect of development, the emotional integration between the people of two areas that were brought together in the historical context of backwardness prevailing in the old days of Nizam, in that matter, we seem to have utterly failed.

The major act of irresponsibility that has been committed in the present situation is that some people are interested in deliberately distorting the implications of the Supreme Court judgment. The Centre has failed by not speaking out, coming out, authoritatively as to what the interpretation of the Supreme Court judgment is. I know it, on a good authority, when this agitation first began, this time, after the Supreme Court judgment, when young people, students and NGOs took to streets, it was on the basis of an understanding given to them. I do not know how many common people actually read the Supreme Court judgment. Somebody comes and tells them, "This is what the Supreme Court has said. This is what it means" as though the old Mulki Rules in their entirety have been declared valid by the Supreme Court. This is not the position at all. Everybody knows.

I do not want to take much time of the House. I have the Supreme Court judgment with me. The only part of the Rule which the Supreme Court has again held as being valid is Rule 1(b) read with Rule 3. Everybody knows it. It is the question of residential qualification. Rule 1(b) says:

"A person shall be called a Mulki if—

(b) by residence in the Hyderabad State he has been entitled to be Mulki,"
Then, Rule 3 says:

"A person shall be called a Mulki who was a permanent resident of the Hyderabad State for at least 15 years and has abandoned the idea of returning to the place of his previous residence and has obtained an affidavit to that effect on a prescribed form attested by a Magistrate."

This is all that has been upheld.

As a matter of fact, right at the conclusion of its judgment, the hon. Supreme Court has observed:

"We may mention that we are not concerned with the interpretation of the Mulki Rules and their applicability after the adaptation. No such question was answered by the Full Bench or was dealt with by the Division Bench.

It was suggested by the respondents in the appeal that the impugned Mulki Rules are unjust to them. This was strongly denied by the appellants. This is a matter for Parliament and not for us. We are only concerned with their validity."

They have made it quite clear. But unfortunately, my information is that people have been led to believe that the latest judgment of the Supreme Court means that the Mulki Rules are being revalidated, are going to be upheld and are going to be re-applied in such a way that they will cause a great deal of harm, a great deal of hardship, to the people coming from Andhra region.

Now, Sir, I would like to know from the Minister whether he has given his mind to this, how, in the opinion of the Government, does this latest judgment of the Supreme Court, its findings, differ in any way from what was accepted and publicly stated by the Andhra Pradesh Government in the year 1970; what is

[Shri Indrajit Gupta]

the Andhra Pradesh Government in the year 1970; what is the difference between this and the statement made by the Chief Minister, Mr. Brahamananda Reddy, in the Assembly on the 18th of December 1970; at that time, the Chief Secretary was Mr. M. T. Raju, who is now a colleague of ours in Parliament.

In this statement, if I may, with your permission read a few sentences, Mr. Brahamananda Reddy says:

"The full Bench of the Andhra Pradesh High Court has held that the Mulki rules which regulated the conditions of appointment to public services in Hyderabad prior to the commencement of the Constitution shall continue as a valid law in force in the Telengana area of the State in so far as they prescribe a residential qualification of 15 years for the purpose of appointment to the post under the Government or other authority.

"It will be appreciated that Government have consistently adopted as their objective that appropriate safeguards should be provided so as to ensure that opportunities for employment in the Telengana area are reserved for the people of that area. In so far as the recent judgment of the High Court facilitates the implementation of policies designed to achieve this objective, the Government would wish to abide by that judgment."

Finally, Mr. Brahamananda Reddy says:

"The implementation of the High Court judgment will necessarily involve certain administrative changes such as the regionalisation of certain categories of services including gazetted services. It will also be necessary to provide for certain exemptions from the operation of the domiciliary requirement in respect of posts in the Composite Offices such as the Secretariat and Offices of the Heads of Departments located in the twin cities."

"I shall like to add that Government have consulted various State Associations representation services in both

the regions, on the proposal of regionalisation of service cadres and I am glad to say that they are in favour of this proposal"

What water has flowed under the bridge, I do not know, since this position which was taken up and apparently agreed to and accepted by everybody concerned in 1970 and now, the Supreme Court judgment of 1972. They only difference I can find is that, now some people want that the reservation or protection, if you like to call it that way, for the people of Telengana area should be restricted only to the districts of Telengana and not be applicable to the Hyderabad city; Hyderabad city should be made into a separate sort of category left out; there, there should be no reservation or protection; that should apply only to the other districts of Telegana. Why this change now. As far as we are concerned, we find this position quite insupportable.

I would say in conclusion that, I think, there is a basis for solution. I do not want to go about suggesting a formula. After all, it has been made public, now that 79 legislators of Andhra Pradesh, MLAs and MLCs coming from both the regions, coming from different parties including Congress, have come together and jointly signed a statement in which they have suggested a solution on the following basis, which I am supporting:--

"1. The services upto district level should be regionalised.

2. In the composite Departments, i.e., Secretariat and Heads of Departments and other offices of State-wide character, 2:1 ratio should be implemented as between Andhra and Telengana"

This was, I believe, in the Public Employment Act of 1959 also.

(3) The period of this regionalisation should be decided mutually.

Some people say that this period of regionalisation should be indefinite, some people say that there should be a definite time limit put. We have no objection if they can agree mutually to a time limit. If they cannot, the Centre cannot just sit quite and go on saying that they are holding discussions and 'we do not want to impose anything' while buses will be burnt' trains will be stopped and planes cannot land, and, after some time, shooting will begin and all sorts of things will happen. This kind of callous attitude cannot be allowed.

We are of the opinion that the period should be decided mutually or it should be left to be decided by the Central Government.

(4) Educational facilities for the children of the people from the Andhra region who are in Hyderabad city.

Educational facilities should be provided for those children. That provision must be made. There is an apprehension in their minds. It is, I think, a legitimate apprehension, though the larger one is the question of employment. There is also this aspect of it.

I would also propose that the Centre's responsibility is to bring forward a suitable amendment to Article 16(3) of the Constitution—they are quite silent on this. They are not saying anything—so that this provision which enables these qualifications, residential qualifications for the purposes of employment, could be made. Parliament has the powers to make provisions for that in any State. That should be amended so that it can be applied, if necessary, to a part of a State also. Then, the constitutional hurdle can be got over if there is any such. But the Government is not giving any inkling of that whatsoever.

Finally, I am not at all satisfied with the statement given here. No indication whatever has been given in that about the general line of approach which they wish to take. The moment the country

reads that this matter is going to be raised in Parliament, perhaps in to-day's Radio we may hear or in tomorrow's papers we will read that more trains have been stopped and more buses have been burnt because they know this thing is being debated in the Parliament and nobody is saying anything and the Government is silent and the Central Government is refusing to take any responsibility and the two wings of the Congress Party, based on regions, are fighting with each other on this matter and the Swatantra Party is taking advantage of it and is saying, 'Let us have three States—one Circars, one Rayalaseema and one Telangana'. Wonderful state of affairs! You are handing over the whole thing to these Khamma landlords while you are talking about land reforms and all that. So kindly throw some light on this matter and let us know.

My final question is: if they cannot come to a mutual agreement—if a mutual agreement is possible, I will be very happy—but if no mutual agreement is arrived at, how long are you going to wait and allow the situation outside to go from bad to worse? My question would be: are they prepared or not, or, by the end of this week, latest by Friday, if they cannot come to a mutual agreement, then the Centre must give a decision and see to it that that decision is implemented in the matter of finding a just solution within the integrated State of Andhra Pradesh so that this matter may be satisfactorily settled.

SHRI JYOTIRMOY BOSU (Diamond Harbour): A very brief speech within a very limited time.

SHRI RAM NIWAS MIRDHA: A number of points have been raised by the hon. Member. It has been stated that the Central Government is not treating this matter very seriously. The matter is really serious and the Central Government feels that it be dealt with all expedition and seriousness. But, it has to be admitted that the matter does involve very delicate and important issues which have to be thoroughly thrashed out. And what the Government has been doing is to assist

[Shri Ram Niwas Mirdha]

in the process of consultation among the interests involved and those processes are still continuing and consultations are going on and we do hope that some mutually agreed solution or at least, a broad consensus, would emerge as a result of these discussions. The seriousness which Government attach to the subject may be seen from the fact that Shri Chavan went to Hyderabad and met the various parties and various interests and various associations is regard to this matter. Consultations are still continuing in Delhi and it is not as though Government is trying to procrastinate or remain inactive or is not doing anything in the matter. The matter is really very serious and is of a delicate nature and it has to be dealt with keeping this aspect in view. After all, no solution can be imposed on the people of Andhra Pradesh, unless a vast majority agree to it. That can only be done through the democratic process of consultation which is going on.

MR. SPEAKER: I allowed more time to the first speaker.

SHRI P. VENKATASUBBAIAH: Arising out of the points raised by Mr. Indrajit Gupta, I have to ask certain questions. He suggested some matters for solution of the problem, but, I do not know whether his views are at variance with some of his colleagues in Andhra. The Member of the State Council of the CPI unfortunately takes a different stand.

SHRI INDRAJIT GUPTA: Don't worry about that; I am the spokesman of the party here.

SHRI P. VENKATASUBBAIAH: This telegram is from Mr. Bhadram, a Member of the Rajya Sabha and is an important Member of the State C.P.I. It says:

"Representatives of 12 trade unions including railway, port, etc., urged Government to take immediate decision providing education and employment right in twin cities in Andhra Region and safeguards to Telengana on 1956 gentlemen's agree-

ment basis within the integrated State."

SHRI INDRAJIT GUPTA: What is wrong with that?

SHRI P. VENKATASUBBAIAH: He has raised certain issues. I will come to this a little later. I would like to give the background before I put the question.

MR. SPEAKER: Please be brief.

SHRI P. VENKATASUBBAIAH: Andhra Pradesh had two calamities, one was God-made and another was man-made. The Supreme Court judgment is a man-made calamity. It has created great tensions. It has roused the feelings of the people in both the regions. Entire life is paralysed; trains are stopped; there have been bandhs everywhere. I would like to quote what they have said in their judgment. They said:

"We are not concerned with the implementation of Mulki rules and the applicability after the adaptation."

They are not concerned with what would be the consequences of the judgment they have made. About law also I would like to say this. What is meant by 'superior services' and 'inferior services' in the erstwhile Nizam State? I would like to say 'superior services' so far as the Hyderabad Act is concerned....

SHRI ATAL BIHARI VAJYAPEE (Gwalior): Why cannot we have a general discussion? No questions are being asked.

MR. SPEAKER: Even I am sorry to allow this also.

SHRI P. VENKATASUBBAIAH: The words 'superior' and 'inferior' services are defined in article 37(a). And who are the officers who come under superior and inferior services? They are officers holding appointments recognised to be clerical by the Government in the Department concerned, head constables, jamadars, savars, teachers, compounders, midwives, dafedars

etc. This is the definition. It should not be construed that the definition given in the Public Employment Act with regard to inferior and superior services was, as Shri Indrajit Gupta had been pointing out, different. The Public Employment Act has embodied the spirit of the mulki rule without disturbing the integrity of the State. As a matter of fact, integration has taken place on certain principles, now called the gentlemen's agreement.

MR. SPEAKER: The hon. Member may kindly ask a direct question now. I had allowed the introduction for the first speaker, but now the hon. Member should ask a direct question.

SHRI P. VENKATASUBBAIAH: In view of the fact that the Supreme Court has created a situation, may I know whether Government will take immediate steps to see that the matter is reviewed on the various issues that are engaging the attention of the Andhra public?

As regards regionalisation of services, up to the level of tehsildar, which has been agreed upon in the Public Employment Act, to which also Shri Indrajit Gupta has made a reference in the House, may I know whether the two-third population of Andhras will be given a sense of equality and status and a sense of belonging in their own capital city of Hyderabad, and whether they could get equal opportunities? They do not plead for any preference, but they want to be treated just like any other citizen in any other State capital. May I know whether that aspect of the matter is going to be given a thought to so that they are given equal opportunities?

The income that has accrued from Hyderabad city by the investments and the efforts made by the Andhra public also has gone up from Rs. 5 crores to about Rs. 35 crores. May I know whether that amount would be allowed to be spent on the development of the Hyderabad city? Wherever there are economic disparities and regional imbalances, it is bound to create trouble. That is why we are pleading. When Rayalaseema was

integrated with Andhra, we only pleaded for economic development of these areas but not statutory safeguards in order to function as a State within a State or an Assembly within an Assembly. What is the position of the regional committee? It is a miniature Assembly, a parallel Assembly having a separate budget. Further, all the Bills if they concerned the Telengana region even by remote implication, have to go to the regional Assembly, and if there is an difference of opinion, it has to be referred to the Governor. May I know whether these inbuilt restraints on the proper integration of the State will help in emotional integration? May I know whether in its place, a board for economic development of the region could not be constituted wherever there is a backward area? I can quote figures to show how developmental activities have taken place in Telengana for the last sixteen years. I do not grudge it. I welcome it because I come from a backward region and I also welcome such developmental activities. As a matter of fact, the scope and jurisdiction of the Telengana Regional Committee has been extended and they have been asked to go into the service matters such as employment and recruitment also. I would like to know whether this is going to be continued.

Thirdly, I would ask whether the time has not come to review the position regarding the gentlemen's agreement which formed the basis of the Public Employment Act which constituted the Regional Committee and see wherever there is backwardness it should be eradicated and proper emotional integration promoted. Unless these restraints are removed, there is no scope for emotional integration.

I am not going into the service aspects of the matter, but if no time-limit is put it will certainly perpetuate this state of affairs. As a matter of fact, according to the Public Employment Act, 1974 is the limit put by the Act of Parliament. The

[Shri P. Venkatsubbaiah]

question is whether this should be carried beyond 1974 or it should be done away with so that a proper atmosphere is created.

I want to make one thing clear, that everybody belonging to whichever part of Andhra, is committed to an integrated State. I do not agree with what Shri Indrajit Gupta said. Immediately after the Supreme Court judgment, the Prime Minister took immediate steps. Shri Chavan had been to Hyderabad. He held consultations with people there. The central leadership has correctly held the opinion that a solution must be evolved amongst the people; they do not want to impose a solution, they do not want to interfere. That is their stand, that is the stand of the State and it has been appreciated by one and all. The Andhra people have got complete confidence in the handling of the situation by the Prime Minister. They have never questioned this, nor has the State Government taken any steps against this.

These are the three points to which I want answers. A proper application of mind has to be there. There should be restraint exercised to see that a proper atmosphere is created and we take steps for eradication of poverty and backwardness wherever it exists by constituting a Development Board completely and wholly designed for development of the area, not for administrative purposes nor for acting as an Assembly within an Assembly with a separate budget and so on, as these steps would only accentuate regionalism.

SHRI RAM NIWAS MIRDHA: He has not asked any question nor sought any information. He has stated a particular point of view. I do not want to say anything on that. This is a view held by certain sections of people. The only question he asked was whether there is proper application of mind. On the part of Government, we are seriously considering it. As regards the hon. member, he can ask himself the same question.

SHRI P. VENKATASUBBAIAH: I have raised three points. He says I have not asked any questions.

MR. SPEAKER: Shri S. B. Giri.

SHRI S. B. GIRI (WARANGAL): It is most unfortunate that comrade Indrajit Gupta, without knowing the facts in Andhra and the Telengana regions, said that this movement has been started by the landlords.

SHRI INDRAJIT GUPTA: I did not say that. I said landlords are taking advantage of it; that is a different matter.

SHRI S. B. GIRI: That is his opinion.

SHRI VENKATASUBBAIAH: referred to the Public Employment Act. He forgets that it has been struck down on the initiative of the Andhra employees; the Telengana people are not responsible for that. I am unable to understand why the Mulki Rules, which have been upheld by the Supreme Court, have not been implemented so far, as it was the decision of the Government of Andhra, to go in appeal to the Court over the decision of the fuller Bench of the Andhra High Court. Thus the decision of the Supreme Court is binding legally and morally on the Government of Andhra Pradesh. Why has not Government implemented so far the decision of the Supreme Court regarding the Mulki Rules?

My submission is this. I think my hon. friend Shri Indrajit Gupta has also referred to what is happening in Telangana. I do not want to refer to it. I do not know why Mr. Chavan had gone to Hyderabad in the month of October. It was a State problem. The Centre has nothing to do with the problem. He has tried to—(Interruption)—bring about a solution. My submission is that before the formation of Andhra Pradesh, the Mulki rules were in force. At that time, the Nizam was not there. It was the Congress rule from 1952. And then, all along they have been implementing them.

Then, before the integration also, the States Reorganisation Commission had made an observation. I will quote something—

MR. SPEAKER: This is not a general debate. Please confine yourself to the question.

AN HON. MEMBER: It is very important matter. (*Interruption*).

SHRI S. B. GIRI: I have been elected by the Telangana people. At the time of the merger of Telangana with Andhra Pradesh such a fear was entertained, and the States Reorganisation Commission itself had given expression to it. The States Reorganisation Commission said:

"The apprehension felt by the educationally backward people of Telangana was that they may be swamped and exploited by the more advanced people of coastal area,"—

That is, the Andhra Pradesh region.

"The real fear of the people of Telangana is that if they join Andhra they will be unequally placed in relation to the people of Andhra, and in their partnership, the major partner will derive all the advantages, while Telangana itself may be converted into a colony by the enterprising coastal Andhra."

This is what the States Reorganisation Commission had observed. But unfortunately, we have been denied separate Statehood, and we have been actually treated as 'colonial people'. Even in 1969, we wanted a separate State. That movement was not started by the landlords or by any political party nor a political party leader of the Congress or any other political party. It was started only by the students and the State employees. Because the safeguards assured to us through the gentlemen's agreement were not implemented, the students have started the agitation. Then, the State Government, including Mr. Brahmananda Reddy, the former Chief Minister of Andhra Pradesh, has accepted that injustice has been done to the services, not only that. Rs. 107 crores of Telangana surpluses were taken

over from Telangana and spent in the Andhra region. This was reported by the Regional Committee which is a sovereign body for Telangana. Ultimately, it was also confirmed by the Committee which was appointed by the Prime Minister under the eight-point formula when the agitation was on. Even before Andhra Pradesh was formed Telangana people never wanted merger with Andhra. As stated by the States Reorganisation Commission, I quote: "The apprehension felt by the educationally backward people of Telangana was that they may be swamped and exploited by the more advanced people of coastal area. The real fear of the people of Telangana is that if they join Andhra, they will be unequally placed in relation to the people of Andhra and in their partnership, the major partner will derive all the advantages while Telangana itself may be converted into a colony by the enterprising coastal Andhra." We have been treated as people in a colony. Our fear was that the merger shall be like embracing the Russian bear or Dhritarashtra. This is what has happened for the last 15 years' because the Chief Minister was from Andhra region; they are in a majority with 187 seats, while Telangana has been in a minority.

Recently, because of the intervention of the Prime Minister, Shrimati Indira Gandhi the Chief Minister there is from Telangana. He has not even completed one year. Immediately, they started the agitation. After all, I would like to submit that to understand the problem in its proper perspective the Mulki rules... (*Interruption*).

It is a fact that prior to 1956, the leaders of Andhra State which was formed in 1953, after the breakaway from the Madras State, were eager to merge with Telangana by assuring the people of Telangana several safeguards and guarantees.

This was stated in Andhra State assembly, Kurnool in 1955, not in the Assembly of Andhra Pradesh.

"This Assembly would further like to

assure the people of Telengana that the development of that area would be deemed to be a special charge and that certain priorities and special protection will be given for the improvement of the area, such as reservations in services [Shri S. B. Giri] and educational institutions on the basis of population and irrigational developments."

But this was not done, though this was accepted also by Shri B. Gopal Reddy (who in his speech on 25-11-1955 in Andhra State Assembly said:

"It is for that purpose we have included a paragraph in our resolution today assuring them (Telengana people) that they need not have any fears; that they would have due reservations in respect of appointment and employment on par with their populations and that we have absolutely no objection to concede to them their due share in other respects also. This is not something that is done by us in response to their demand. This is specifically mentioned in this resolution in order to convey to them through this Assembly the unanimous opinion and view of all the parties in this House that we would look after them generously. The Government have absolutely no objection to concede to them all opportunities that are intended to the Telengana people".

We were not prepared to merge with them, this statement was made.

MR. SPEAKER: May I request you to ask your question?

SHRI S. B. GIRI: The question is coming. In 1969 there was an upsurge; it actually a revolt against Andhra Pradesh Government and 350 persons were killed by the Andhra Government and four lakhs of persons were imprisoned because they could not tolerate injustice and they demanded a separate State. In the mid-term elections, the Telangana Praja Samiti members—I am one of them ten were elected out of 12 in the Telangana region. Despite the Indira Wave, ten out of fourteen seats were won. That was the verdict of the people from Telangana for a separate Telangana

State....

MR. SPEAKER: This is meant for asking questions. The first speech was long indeed.

SHRI S. B. GIRI: I have not taken ten minutes where as he took about twenty minutes.

In mid-term elections of 1972, after the merger of Telengana Praja Samiti with Congress, the Andhra Pradesh Congress Committee took out a manifesto in which they Spoke of "fair deal to Telengana." They in fact, promised to the people of Telengana that they were going to implement mulki rules *in toto*.

MR. SPEAKER: Please conclude.

SHRI S. B. GIRI: The House must understand the problem. Apart from these things, the Prime Minister Shrimati Indira Gandhi herself said in my constituency in Warrangal, immediately the Full Bench of the High Court of Andhra Pradesh struck down the Mulki rules on 14-2-1972, that they would find out a solution. I quote the Deccan Chronicle of 18-2-1972:

'Warrangal, February, 17, 1992: Addressing a mammoth public meeting at the Azamjahi Mills Maidan here this morning, the Prime Minister Smt. Indira Gandhi stated that the Government would give serious thought to overcome constitutional impediments regarding Mulki Rules. The Prime Minister said 'The Government at the Centre and the State are taking all steps to rectify the injustices. I assure that whatever problems we have, they will be solved at the earliest'. Referring to the recent High Court verdict regarding Mulki Rules she said the Government would give serious thought to evolve means to overcome the constitutional impediments in this regard. It would take some time, she said, and added that any constructive suggestions in this regard were welcome. She said 'During the past one year because of the Bangla issue, I could not devote my attention to the Telangana issue. Now I would certainly devote my time and attention to the problem and see that injustices wherever they are, are rectified and justice is done to the region.'"

MR. SPEAKER: He must conclude now.... (Interruptions)

SHRI S. B. GIRI: Under these circumstances, will the Prime Minister and the Government of India put an end to the present state of uncertainty? I must submit that in the recent actions of the Government, particularly in the eastern region, they have shown that they are not averse to the formation of smaller States. Why should they then have a different measuring rod?

AN HON. MEMBER: That is the crux of the problem.

SHRI S. B. GIRI: The SRC also recommended a separate Telengana in its Report. Everybody knows that the present Andhra State is a problem State. In that State we have two separate budgets, we have got a separate Telengana Regional Committee, we have got a separate planning body and an additional Chief Secretary for Telengana. When everything is separate why can we not have a separate Telengana State? As it is, the people of both Andhra and Telengana are not happy. May I request my Andhra friends that it will be in their interests also to have a separate State of Andhra. Let us have peaceful bifurcation so that we can develop our backward areas.

SHRI RAM NIWAS MIRDHA: There is hardly anything to which I need reply.

MR. SPEAKER: That is why I asked him to put a question.

SHRI PILOO MODY (Godhra): His question is whether you will grant him a separate Telengana.

SHRI M. SATYANARAYAN RAO: Sir, the purpose of the debate would be frustrated if he is not permitted to ask a question.... (Interruptions)

SHRI S. B. GIRI: May I ask a simple question now?

MR. SPEAKER: No; now.

SHRI S. B. GIRI: I come from the Telengana region....

PROF. MADHU DANDAVATE (Rajapur): On a procedural point even a written question was asked. You may check it up.

SHRI S. B. GIRI: Why has the Central Government not taken the situation in hand earlier and granted a separate Telengana? Because, the problems of Andhra Pradesh will not be solved even if the talks are continued for another ten years.

SHRI RAM NIWAS MIRDHA: It is not a question. It is a mere paraphrase of what he has been saying all along.

SHRI S. B. GIRI: The Telengana people want their own State. We are grateful to the Prime Minister for what she has done.... (Interruptions). In the State legislature merely because they have a majority they cannot allow.... (Interruptions) Sir, I want a simple answer to my question.

MR. SPEAKER: Can the Minister commit himself "yes, we are doing it" or "not doing it"? What type of questions are you putting? It is a suggestion.

SHRI M. SATYANARAYAN RAO: The people of Telengana have tolerated... (Interruptions)

MR. SPEAKER: Whatever the hon. Member says will not go on record because he is speaking without my permission.

SHRI M. SATYANARAYAN RAO:
* * *

13 hrs.

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS, MINISTER OF HOME AFFAIRS, MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): I am distressed to

[Shrimati Indira Gandhi]

hear that Shri Giri is suffering. I do not want him to suffer any more. I thought that the answer to this question was given in the Minister's statement when he said that we are doing our utmost to see how this question is solved in the composite State. We do not agree with Mr. Giri that it is impossible for the people to agree. I do realise that when passions are high as they are at this moment, when the people are feeling emotionally involved they sometimes take an extreme stand and it is difficult to see how there can be a solution. Yet, in many matters, we have passed through such stages and we have reached agreements and we have found solutions. So, I would only request Mr. Giri to remain calm. He has expressed his views to me earlier also, in telegrams and letters. We are very clear on one point that whatever solution is found must give justice to all concerned. We do not want the people of Telangana to suffer; we do not want the people of other parts of Andhra Pradesh to suffer. That is very clear. Both the people concerned must also have this point of view and come to some adjustment which will give them, if not an entirely satisfactory solution, I would say, the least unsatisfactory solution.

SHRI P. NARASIMHA REDDY (Chittoor): Sir, I personally believe, unlike Mr. Giri, it is not the Telengana people alone who are suffering the consequences of this agitation but the Andhra people are suffering much more.

It may be of interest to point out that in the Calling Attention motion you will see, two MPs from Andhra and one M.P. from Telengana area have participated. That ratio of 2:1, in my opinion, with regard to employment, revenue, expenditure and everything concerning the State would be the basis for solving all our problems. We have no quarrel in ensuring a due share of employment to our Telengana brothers. We want only the equality of status; we want only the equality of protection. We do not want to deprive the people of Telengana area or any other backward State their due share of employment or a share in reve-

due and expenditure on the population basis.

Sir, I hope, you will also allow me to say a few words on the burning issue that is agitating the minds of the people of Andhra Pradesh. It is not, in my opinion, an agitation that has been whipped up or caused by the machinations of any anti-social elements or by landlords or by any such category. This agitation has in fact, been brewing since very long. It is indeed in the very nature of things. The very carving out of the State of Andhra Pradesh has built up a facade of integration which has in it a sort of in-built permanent discord and disintegration. It is our experience that whenever regional privileges or safeguards are provided to a section or a region, they tend to perpetuate themselves and it is very difficult to envisage or bring about their termination at a very reasonable period of time. That is a fact which we cannot wish away or shut our eyes to. Therefore, in my opinion even though the Congress Party under the leadership of Shrimati Indira Gandhi has been dedicated to the cause of maintaining integrity of the State as well as of the country, in spite of our efforts because the approach has been wrong, because the basis has been wrong, because the foundation has been wrong, we have not been able to achieve a degree of integration which everyone in this country sincerely wants.

I would like to put a question to the hon. Minister as to whether this approach should not be revised. With these inbuilt safeguards, whether it is the regional privileges in the shape of Telengana Regional Committee, whether it is in the shape of separate budget, whether it is in the shape of Telengana services to which the hon. Member, Mr. Giri, made a reference, you have endowed a region in a State with all the paraphernalia, with all the trappings, with all the features of a separate State. And yet, you call it an integrated State in which it is having equal status and equal functions to play. Is it not a contradiction in terms? Is it not monstrosity? (*Interruption*) I request the hon. Member to put up with me and listen to our point of view; I should not

be treated in this House as I am treated in Hyderabad, for the information of Mr. Hashim.

Having been built up in such a context of irreconcilable factors, we were naturally witnessing agitation after agitation periodically. This is the fourth or fifth agitation we have had in this unfortunate State. I ask the Central Government and our hon. Prime Minister whether this approach should not be radically changed and integration achieved by a different approach. In my view, the question of guaranteeing to the Telengana people and other backward regions on the basis of the population, 2:1 ratio, which we think is correct and which many party leaders have advocated, is good enough and on that basis if you take steps and see that the separatist regional safeguards in the shape of Telengana Regional Committee and other things are given up I am sure this problem can be fought over and a just solution to all grievances of the people of the State can be achieved. No solution, Mr. Speaker, can give satisfaction to all the regions, nor can it solve all the problems, if it does not envisage granting equal status, equal rights, to all the citizens of one State in their own Capital city. When rightly the whole world, including this House, has been concerned, very much agitated seeing the countries like Uganda and Kenya trying to throw non-citizens out of their territory, we in this country cannot tolerate a situation, in my opinion, where one section of people in one State are treated as aliens to another section of the same State. This problem is fundamental and it is not whipped up by any interested or reactionary elements or any such thing. Unless the basic problem is squarely and wholly faced and the approach is radically changed and a solution found, I am afraid this agitation cannot be successfully met, nor can the ends of justice and fairplay for all regions of this State be met.

SHRI RAM NIWAS MIRDHA : The hon. Member talked about regional safeguards for Telengana. As I said in my

statement, these safeguards for the Telengana region have a historical background, in the manner in which they have developed. It is because of backwardness and the peculiar situation that existed at that time that special provisions for Telengana were made. I only hope that the hon. Member will bear with them in the spirit in which they were enunciated, so that there could be a proper, co-ordinated and equitable development of the whole State.

SHRI K. LAKKAPPA (Tumkur) : I fully appreciate the views expressed by our hon. Prime Minister today on this issue. The Supreme Court judgment on Mulki rules has created a furore and also confusion not only in the Andhra State but also elsewhere in the country. The solution to the problem concerning Andhra and Telengana regions, arising out of these Mulki rules, is long overdue. Being a Member from the neighbouring State, Mysore State, I see the things clearly. In Andhra Pradesh, every citizen of Andhra Pradesh, irrespective of the fact whether he is from Telengana region or Andhra region, should be equally respected and equally prosperous in the eyes of the Constitution as well as in the name of democracy. But not only the recent judgment of the Supreme Court but also several other judgments upholding and reversing the Mulki Rules regarding certain services of the Telengana region which were in vogue from the Nizam's days and continued after the integration and re-organisation of States will not find a solution to this problem because these problems are confronting both the regions and are humanitarian, economic and social problems because of the reason that certain areas in the Andhra as well as in the Telengana have not been developed and the people in both the regions, even in the Government level and even in the Parliament level.....

MR. SPEAKER : We have heard enough of that. As a gentleman from the neighbouring State, what is your question?

SHRI K. LAKKAPPA : I am not contributing my support to the idea of disintegration of Andhra Pradesh. I want to say that some solution should be found...

MR. SPEAKER: Please ask your question.

SHRI K. LAKKAPPA : There are certain agencies working in certain explosive situations to see that the State is disintegrated. As Mr. Indrajit Gupta has rightly pointed out, there are certain reactionary forces, for instance, the Swatantra Party which are trying to split the State on this issue and is fomenting agitation for creating a separate Andhra, a separate Rayalaseema and a separate Telangana. As my friend, Mr. Venkatasubbiah has just now said, Rayalaseema is also a backward region. For that matter, there are certain backward regions in every State. There are problems which even to-day we are facing, after the States are re-organised.

MR. SPEAKER : What is your question ?

SHRI K. LAKKAPPA : These reactionary forces are taking advantage of the situation and are trying to divide the State and are also trying to subvert the integrity of this country. Even outside agencies are working so far as this region is concerned. This is a very explosive situation in Andhra Pradesh and trouble is brewing in the entire area and the people are agitating.

I would like to ask a categorical question from the hon. Minister. I know that even Members of Parliament from both sides have submitted a memorandum urging a certain solution of the problem. All I would ask the hon. Minister is to find out a rational solution to the problem to avoid these regionalism and parochialism which are trying to disintegrate the State, not only in Andhra Pradesh but also in other States because I would like to quote one example....

MR. SPEAKER : No example please. Please ask your question.

SHRI K. LAKKAPPA : If there is any delay in the matter of finding a solution to this problem, I am afraid, it may spread to neighbouring States like Mysore creating a problem there like new Mysore area and the old Mysore area. It may also spread to other States. Therefore, to avoid the spreading of this trouble to other States and also the disintegration of the States, I would like to say whether, taking into account the explosive situation in Andhra Pradesh, this Ministry would find out a rational approach acceptable to the leaders but also taking them into confidence as the Prime Minister has already said that she is not imposing a decision on that State and she is trying for a rational approach. I would, therefore, request that the Prime Minister may please make an appeal to the leaders of both the regions to see that peace is restored at the earliest possible and then find out a solution at an early time. Otherwise, the entire State will be divided and the entire leadership will be divided and the entire political situation will become explosive. Therefore, taking into account such a situation, will this ministry find out a solution to see that all that is going on, the violent movement and the explosive situation, the violent activities, the students' agitation and the students stopping trains, stopping buses and stopping of air flights is stopped and normal situation restored? I would like him to give an assurance to the people of Andhra Pradesh. Let him find out the solution and tell us that this problem will be solved by such and such time. Let him find out the solution which will stop all this violence. We want to know how this problem can be solved and how national integration could be maintained.

SHRI RAM NIWAS MIRDHA : As I said in the statement, all efforts are being made to find out an early solution. I hope the solution will be found as suggested the hon. Member.

SHRI M. SATYANARAYAN RAO : There must be a full debate on this.

SHRI JYOTIRMOY BOSU : There must be a discussion under Rule 193.

MR. SPEAKER : You are asking for a debate; time is not available.

SHRI ATAL BIHARI VAJPAYEE : In the Call Attention Motion, only those Members participated whose names appeared in the ballot. But what about other Members ?

SHRI JYOTIRMOY BOSU : This is a matter where each party must be allowed to put forth its own point of view.

MR. SPEAKER : I am sorry, I cannot allow it.

SHRI M. SATYANARAYAN RAO : 2 hours' debate must be there.

MR. SPEAKER : Call Attention Motion affords enough opportunity. Both view-points are expressed.

SHRI JYOTIRMAY BOSU : No.

SHRI SHYAMNANDAN MISHRA (Begusarai) : Many people had not participated.

SHRI ATAL BIHARI VAJPAYEE : It does not reflect the entire viewpoint of the House.

SHRI JYOTIRMOY BOSU : No opposition view has been expressed, only of the ruling party and its allies.

MR. SPEAKER : I will let you know later on; please wait for some time. (Interruptions) No Member will be allowed to speak without my permission (Interruptions).

—

13.20 hrs.

RE-STATEMENT ABOUT 'BALYOGESHWAR'

SHRI JYOTIRMOY BOSU (Diamond-Harbour): About Balyogeshwar, the Minister must come out with a statement. I don't know why this is being withheld from the House.

MR. SPEAKER: Let not so many Members speak simultaneously.

SHRI B. N. REDDY (Niryalguda): I have given notice for a discussion saying that the Minister's statement be taken into consideration....

MR. SPEAKER: The hon. Member may please sit down. They are asking for a statement on Balyogeshwar.....

SHRI S. M. BANERJEE (Kanpur) : He should be arrested. He is going about freely making all sorts of statements.....

SHRI JYOTIRMOY BOSU: The customs officials are being threatened and pressurised.....

SHRI SHYAMNANDAN MISHRA (Begusarai): What is the consideration for not making a statement so far as the Government is concerned?

Is it because they are doing some puja for the ruling party?.....

MR. SPEAKER: Not a word will go on record if so many Members go on speaking like this. I have conveyed the request of the hon. Members to the hon. Minister.

श्री अटल बिहारी वाजपेयी (बवालियर) : अध्यक्ष जी, मुझे एक निवेदन करना है। आपको याद होगा कि सवे कैप के काण्ड के बारे में गृह राज्य मन्त्री ने बतन दिया था कि चार दिन में इन्कवायरी पूरी हो जायेगी। चार दिन हो गए हैं और मेरी जानकारी है कि कोई जांच पड़ताल नहीं की गई है। आप गृह मन्त्री महोदय से कहिए कि इसके बारे में सदन को विश्वास में लें।

अध्यक्ष महोदय : ऐसी बातें आप लिखकर क्यों नहीं देते हैं ?

श्री अटल बिहारी वाजपेयी : अच्छी बात है लिखकर दे दूंगा।