

REASONS FOR REORGANISATION OF STATES IN THE UNION

Report Of Commission: Hopes For Future

"It is the Union of India that is the basis of our nationality. It is in that Union that our hopes for the future are centred. The States are but the limbs of the Union, and while we recognise that the limbs must be healthy and strong and any element of weakness in them should be eradicated, it is the strength and the stability of the Union and its capacity to develop and evolve that should be the governing consideration of all changes in the Country."

In these words the States Reorganisation Commission, which consisted of Mr. Saiyid Fazl Ali, Chairman, and Pandit H. N. Kunzru and Dr. K. M. Panikkar, members, express their hopes for the future.

The Government of India, in appointing the Commission, remarked:—

"These States, as they exist today, are largely the result of historical processes and the spread and consolidation of the British Power in India. On the attainment of Independence, India was partitioned and the independent State of Pakistan was created. A process of merger and integration took place in regard to what were then called the "Indian States". This integration of the old Indian States, which was brought about within a very short-period, was an event of historic significance. The integration, however, was naturally based to a large extent on the old pattern which existed before independence.

"The pattern of States in the Union is thus the result of historical accident and circumstances. Their mere existence for a hundred years or more developed political, administrative and cultural associations within and between them.

Regional Languages

"The greater development of political consciousness among the people and the growing importance of the great regional languages led gradually to demands for the formation of certain States on a linguistic basis. Each such separate problem was however closely inter-related with other problems, and any formation of a new state necessarily affected a number of other States. It thus became increasingly difficult to consider any such problem in isolation.

"The language and culture of an area have an undoubted importance as they represent a pattern of living which is common in that area. In considering a reorganisation of States, however, there are other important factors which have also to be borne in mind. The first essential consideration is the preservation and strengthening of the unity and security of India. Financial, economic and administrative considerations are almost equally important, not only from the point of view of each State, but for the whole nation. India has embarked upon a great ordered plan for her economic, cultural and moral progress. Changes which interfere with the successful prosecution of such a national plan would be harmful to the national interest.

Proper Examination

"The Government of India have come to the conclusion that the whole question of the reorganisation of the States of the Indian Union should be carefully examined, objectively and dispassionately, so that the welfare of the people of each constituent unit, as well as of the nation as a whole, is promoted. The Government have accordingly decided to appoint a Commission to conduct such an examination."

Government requested the Commission to investigate the conditions of the problem, the historical background, the existing situation and the bearing of all important and relevant factors thereon.

The report of the Commission, on which the States Reorganisation Act is based, first reviewed the present situation. The present structure of the States of the Indian Union says the report, has been largely determined by the accidents and circumstances attending the expansion of British rule in India.

The formation of British Indian provinces in the eighteenth and nineteenth centuries was governed by considerations of administrative convenience and economy and reasons of military

strategy and security. With the emergence of nationalism towards the end of the nineteenth century the policy of balance and counterpoise began to override purely administrative considerations in making territorial changes.

At the time of their integration the former princely states were in different stages of development. Some transitional expedients had, therefore, to be adopted to fit these units into the constitutional structure of India which added to the disparities already existing between British Indian provinces. These disparities led to the classification of the States of the Indian Union into three categories, namely, Part A, Part B and Part C States. No State of the Indian Union represents a pre-existing sovereign unit. A special feature of the Indian Constitution is that it empowers Parliament to admit or establish new States, to increase or diminish the area of an existing State or to alter its boundaries. (Paragraphs 41 to 43).

The British gave only qualified support to the linguistic principle in making territorial adjustments between administrative units.

The Indian National Congress accepted in 1920 linguistic redistribution of provinces as a political objective. During recent years, however, there has been

a growing recognition of the need to balance the linguistic principle with other factors such as national unity, administrative, economic and other consideration.

Andhra was formed by the separation of the Telugu-speaking districts of Madras but in determining the boundaries of even this State factors like cultural affinity, administrative convenience and economic well-being were considered along with language

The problem of the reorganisation of States is urgent as with large-scale planning the country has to think in terms of enduring political units. The integration of States has removed the main hurdle in the way of rationalisation of the existing units. Further deferment of a general reorganisation will cause dissatisfaction and disappointment.

In proposing any changes in the existing structure, due consideration should be given to the unsettling consequences of reorganisation. The changes proposed should be such as would compensate, in terms of the welfare of the people, for the administrative dislocation and the heavy burden on the administrative and financial resources of the country which they entail.

In the interests of national unity, it is necessary that the administrative and political structure of the country should be based on the primacy of the nation.

The administrative set-up in strategic areas should be determined primarily by considerations of national security. When border areas are not under the direct control of the Centre, it would be safer to have relatively large and resourceful States. It is neither possible nor desirable to reorganise States on the basis of a single test of either language or culture; a balanced approach, which takes all relevant factors into account, is necessary. Financial viability has an important bearing on reorganisation proposals, but it has to be considered along with other relevant factors.

Some degree of dislocation in the working of the next plan is likely to be caused by any scheme of reorganisation; this dislocation, however, should be considered along with the possible advantages of reorganisation. Steps should also be taken to minimise the unsettling effects of reorganisation.

The States cannot be so reorganised as to conform to economic regions. Nor can the principle of economic self-sufficiency within an administrative unit be regarded as a clear criterion. Consistently with these principles it would be desirable to avoid as far as possible wide disparities in resources between the various States. The units should be large enough to ensure administrative efficiency and the co-ordination of economic development and welfare activities. The wishes of the people should be regarded as an important factor bearing on reorganisation but they have to be considered along with other relevant factors.

The facts of the existing situation are more important than the previous historical associations of different areas. Undue importance cannot be attached, therefore, to historical argument. Geographical contiguity of the units is important from

the point of view of administrative convenience. Other geographical factors have to be regarded as secondary. No proposals for reorganisation should be determined by a single test. Conclusions have to be reached after taking into consideration the totality of circumstances in each.

The report then gives detailed proposals for the reorganisation of the States in the Union. These proposals were substantially embodied in the new Act and as the territorial changes have been published elsewhere in this issue they are not repeated here.

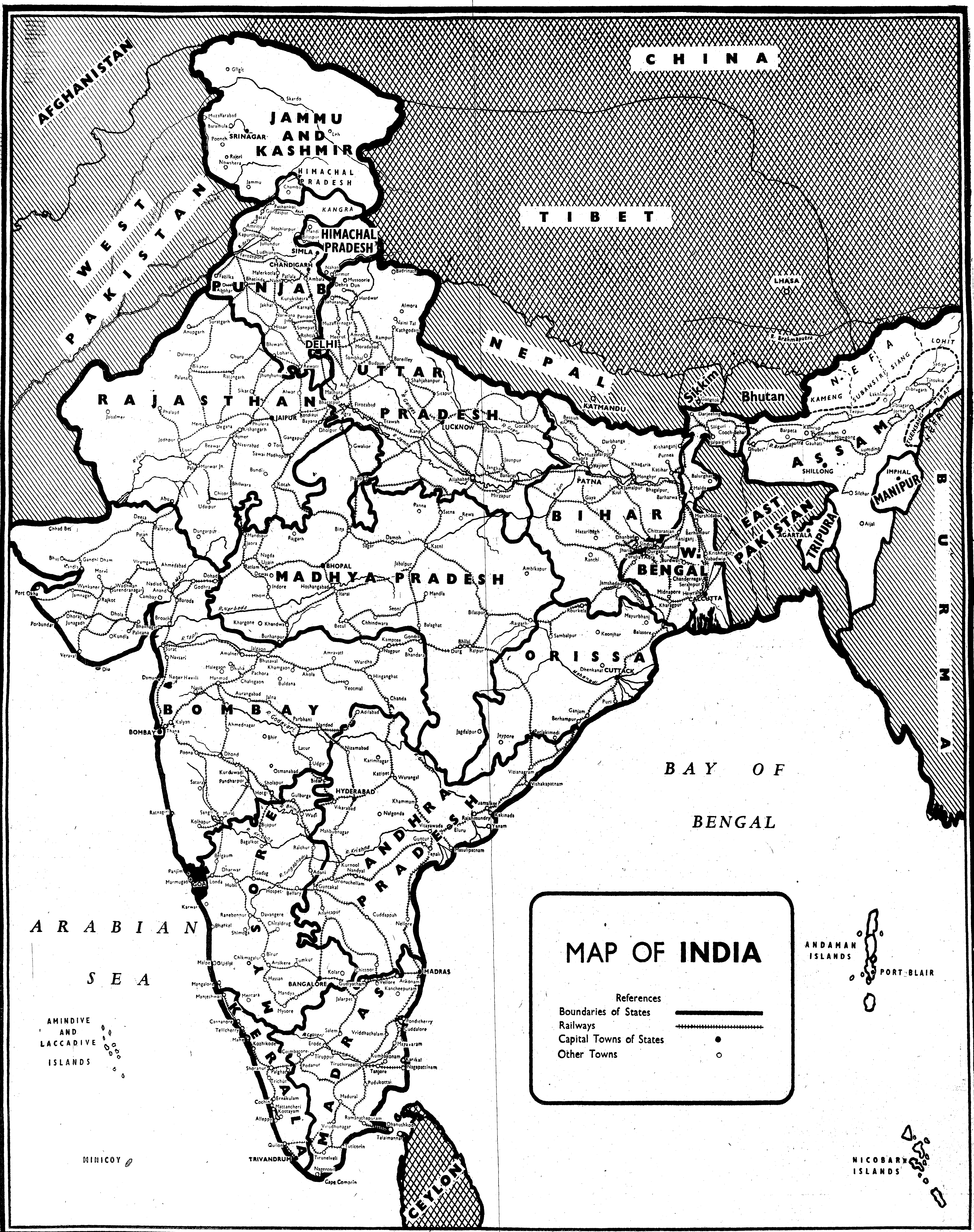
Safeguards Suggested

The Commission after giving their proposals discuss the safeguards for linguistic groups in the new States. The report suggests that constitutional recognition should be given to the right of linguistic minorities to have instruction in their mother-tongues at the primary school stage subject to a sufficient number of students being available. The Central Government should acquire power to enforce this right on the lines of the provisions contained in Article 347 of the Constitution. The Government of India should adopt, in consultation with the State Governments, a clear code to govern the use of different languages at different levels of State administrations and take steps, under Article 347, to ensure that this code is followed.

The domicile tests in force in certain States operate to the disadvantage of minority groups. The Government of India should, therefore, undertake legislation under Article 16 (3) of the Constitution in order to simplify and liberalise the requirements as to residence. In examinations regulating entry into the public ser-

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NEW MAP OF THE INDIAN UNION



All - India Services Recruitment

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Views of the states, a candidate should have the option to elect as the medium, apart from the main language of the State, the Union language, namely, English or Hindi, or the language of a minority constituting about fifteen to twenty per cent or more of the population of the State.

As far as possible, Public Service Commissions should be constituted to serve more than one State. Appointments to Public Service Commissions serving more than one State should be made by President as in the case of appointments to joint Public Service Commissions.

The services of the Governors should be utilised for enforcing the safeguards for linguistic minorities.

The reconstitution of the sanctioned state cadres and the integration of services should be accorded very high priority, and must be decided on the basis of certain general principles, due regard being paid to the options of the employees, the need for a mixed element in the services, *inter se* seniority in the State of origin, etc., and

also the needs of the new States. The body constituted to integrate the service personnel of different States should be one that inspires confidence, and only one appeal against decisions regarding integration should be permitted.

After the scheme of reorganisation has been given effect to, it may be necessary for some of the new administrations to review the number and territorial extent of the existing districts as well as the Commissioner's charges and the rationalisation of the administrative structure. Decisions on the reorganisation proposals should, if possible, be taken before the next Finance Commission commences its enquiries. It may be necessary to grant ways and means advances to newly-constituted units in order to help them to tide over temporary difficulties.

Pending a comprehensive re-

view, grants-in-aid on revenue or capital account as well as long-term loans should be made available to the new units as nearly as possible on the existing basis. The Government of India should refix the existing statutory and development grants and long-term loans with reference to the principles on which such grants or loans have been sanctioned. Payments under Article 278 of the Constitution may be continued and apportioned population-wise among new units until such time as the position is reviewed by the Finance Commission.

Pending the amendment of Article 264(b) of the Constitution, appropriate portions of the divisible pools pertaining to the Part C States, which are now retained by the Centre, may be distributed among the new units, where necessary, in proportion

to their population. Assets and liabilities should be divided on the basis of principles which should as far as practicable be of general application. Financial settlements in the case of Part C States need not be elaborate, but may be based on a review of the position as it exists today and the needs of these areas.

The question of setting up some special machinery to expedite the final settlements regarding assets and liabilities should be considered. It will be necessary to adapt current inter-State agreements regarding water rights, etc., with due regard to the broad basis, on which they may have been drawn up, and this question should be taken up as soon as possible after decisions regarding reorganisation have been reached. The creation of spe-

cial development boards for certain areas which are underdeveloped should be considered. A permanent body, in which members of the Planning Commission may be included, should be set up in order to examine the grievances, if any, on the score of the alleged neglect of certain areas.

The Government of India should consider the question of formulating an industrial location policy for the whole of India, in order to ensure the equitable distribution of development expenditure.

As a general rule, fifty per cent. of the new entrants in the All-India Services should be from outside the State concerned, this computation being made after deducting the number of posts in any State which are to be filled by promotion. Certain All-India Services, namely, the

Indian Service of Engineers, the Indian Forest Service and the Indian Medical and Health Service should be constituted. Regular transfers to and from the Centre and the States in respect of personnel belonging to the All-India Services should, as far as possible, be arranged. The curriculum of studies for the new entrants to the All-India and Central Services should include such basic and essential subjects as Indian history, geography, religions, customs and

In formulating a policy regarding the recognition of Hindi in competitive examinations for the All-India and other services, the need for encouraging the study of other Indian languages, and particularly of the South Indian languages, should be kept in view. For some time to come, English should continue to occupy an important place

in our universities and institutions of higher learning even after the adoption of Hindi and the regional languages for official and educational purposes. The Osmania University should be placed under the Central Government and the medium of instruction in this university should be Hindi. One more central university should be established further South and arrangements must be made for the study of South Indian languages in the north.

Reorganisation has a legitimate place in this country, but its limitations must be recognised. If the supremacy of the Union not merely in the political but also in the economic thinking of the country is fully realised, the issues arising out of the reorganisation of States should not assume the proportions of major political controversies.