

## Disintegration of India

■ Dr. M.N. Buch

In his book, “The Story of the Integration of Indian States”, V.P Menon, who was Sardar Vallabhbhai Patel’s right hand in ensuring that the British legacy of lapse of paramountcy which virtually give independence to the Princely States in India was nullified, negated and reversed so that India became a united country, makes certain statements which very aptly described what India was and what it is thanks to Sardar Patel. Certain quotations from his book must be given if one is to understand how India became one. He writes “India is one geographical entity. Yet, throughout her long and chequered history, she never achieved political homogeneity. From the earliest times spasmodic attempts were made to bring about her consolidation... These and later attempts at political consolidation failed again and again for one chief reason:... The empires were held together almost entirely by the personality and might of the emperor. The whole edifice crumbled when the line of supermen came to an end.

Even under these emperors a diversity of autonomous States constituted the mosaic of an empire. The emperor claimed suzerainty over these rulers, who offered allegiance to him, coordinated their foreign policy to his diplomatic moves; usually served him in war and offered him tribute; but who, in other respects, retained their sovereignty. Whenever the authority of the emperor weakened the subordinate rulers asserted their independence... Mutual jealousies and conflicts made the country an easy prey to any organised invasion”.

This situation continued when the Mogul Empire disintegrated after Aurangzeb’s death till the British stepped in and by conquest, subsidiary alliances, annexation and military defeat of intransigent Princes took over the entire governance of India. However, they continued to give a special place to the Princes who, within the limitations prescribed by the British Government, enjoyed considerable autonomy and freedom to manage their own internal affairs. Control vested in the Political department and the Residents appointed in Indian States or group of States. Under the Government of India Act, 1935, some sort of a federal structure was created and a new direct relationship established between the Princely States and the British Crown as represented by the Viceroy and Governor General. However, the full integration of Princely India and British India never took place and the paramount power continued to be paramount and paramountcy remained as vague and undefined as ever.

When paramountcy was lapsed there was an uncertainty about the relationship of the Indian States with newly independent India. This is the time when V.P. Menon suggested to Sardar Patel that the extinguishing of paramountcy might in fact be good for India because now the State could be dealt with on a clean slate without being hampered by the treaties entered into by them with British. It is on this basis that Sardar Patel and Jawaharlal Nehru approved the Standstill Agreement and the Instrument of Accession which were ultimately entered into by the rulers with India. Ultimately these were succeeded by instruments of merger, the Princely States were done away with and the Dominion of India, succeeded by the Republic, became one nation. The integration of Indian States brought into the Indian Union as an integral part of the country about five lakhs square miles of territory which formed Princely India under British rule. We lost 3,64,737 square miles of territory to Pakistan, but Sardar Patel ensured that this was more than compensated by the assimilation of Princely India into the Indian Union. From Kashmir to Kanyakumari, from Kathiwar to Kamrup India became one. The Government of India Act, 1935,

which was virtually the Constitution under which British India was governed and which had introduced elements of federalism into a unitary State, was replaced by the Constitution which made India a Union of States and introduced a unique brand of federalism which has no parallel. Unlike the United States of America where thirteen separately governed colonies voluntarily came together at the time of the American Revolution to form the United States of America, in India the provinces and subsequently the merged Princely States formed a Union of States. This was not a Union formed by the coming together of separate entities, but rather a conversion of what were units of administration into States and then bringing them together into an India which existed under the 1935 Act. The States have a degree of autonomy under List 2 of the Seventh Schedule of the Constitution, with concurrent legislative powers of the State Legislature with Parliament on matters included in List 3.

However, in this Constitution there are certain factors which make it centripetal. The first is that the Governors of States are appointed by the President. The second is that the Judiciary forms a single hierarchy from the lowest civil court or magisterial court all the way through the District and Sessions courts, the High Court and the Supreme Court. Any Judge or Magistrate can try any case under any law, whether of Parliament or of the State Legislature. In the United States of America there are separate Federal Judges and State Judges, each of them having jurisdiction over federal laws and state laws respectively. In India the Supreme Court is at the apex. In the United States at the apex is the Supreme Court, but otherwise the Federal Courts do not have any jurisdiction in matters of state laws and the States have no jurisdiction in matters of federal laws.

The third element which distinguishes the Indian Constitution from others is that residuary powers vest in the Union under Article 248, whereas in the United States under the Tenth Amendment residuary powers vest in the State. The fourth element of centripetalism is the provision relating to the All India Services contained in Article 312, whereby officers of the All India Services, who are under the rule making control of the Central Government, man all cadre posts, whether in the States or at the Centre. No other federal constitution has such a provision. This Union of States, with its centripetal orientation, is what keeps this country united because unfortunately India has always had a tendency to fissiparousness, to which V.P. Menon has referred in his book. What Sardar Patel brought about by the integration of States, what our Constitution makers have enshrined in the Constitution, is that a system has been established which would keep India politically homogenous and end the dependence on the personality of the ruler. Theoretically the Indian Union cannot be broken merely because the rulers have become weak. A democratic, constitutional entity is ruled by the will of the people and, therefore, no individual leader can cause the disintegration of India.

That is the theory. What is the reality? After good and positive government by leaders who had been through the freedom movement we suddenly introduced an element of purchase of power through engineering defections. When history is written objectively we would perhaps find that the single biggest blow to good governance and, as the result thereof, to the unity and integrity of India, is this single act of the making power a purchasable commodity. Pt. D.P. Mishra, then Chief Minister of Madhya Pradesh whose government was threatened by the defections engineered by Govind Narain Singh, had advised the Governor to dissolve the assembly and order fresh elections. Mrs. Indira Gandhi, who was Prime Minister and who personally disliked D.P. Mishra, informally advised the Governor not to accede to this demand and instead invite Govind Narain Singh to be Chief Minister. I am sure she herself did not realise

what disturbances, what a political whirlpool this single pebble thrown into a tranquil lake would cause and what irreparable harm it would do to the political fabric of India. It introduced corruption into politics on a scale which could not even be imagined in 1967 because it converted power from being an instrument of public service into a commodity which could be purchased. A commodity market cannot be expected to be philanthropic and once political power had been converted into a commodity, such politics could not be expected to be welfare oriented. Now the sole purpose of politics was to somehow collect the funds through which power could be purchased and then to use power to recoup the funds and earn a surplus which could be used to buy power next time. Countervailing bidding was naturally done by the Opposition aspirants for power and thus the levels of corruption kept jumping up. Today the position has become one in which every politician is suspect, the motive of every political decision is deemed to be dishonest and every policy of government seems to be short term and aimed not at welfare but at obtaining some political advantage which can be encashed in terms of funds for the next election. This is a horrendously ugly scenario because a democracy; in which the entire political class comes into disrepute can no longer function as a democracy at best it becomes an oligarchy and at worst it becomes a collection of thugs, thieves and dacoits. The graph is moving fast in the direction of the worst case scenario. The people now become the prey, good governance has been buried deep underground and the State itself has become a milch cow which has to be exploited to the point where it runs dry. This is the stark reality facing India, in which political power is the most profitable lever of business for unscrupulous politicians.

Political power is even more easily gained when through vivisection we partition existing administrative units and create new ones so that the number of posts increases. Every new State creates the post of a Governor, a Chief Minister, Ministers, a new Legislative Assembly with a Speaker, a new High Court with a Chief Justice and Judges, a new Public Service Commission and the entire paraphernalia of government. In a large State for a person to be Chief Minister he has to have a State wide image and identity, which a person like D.P. Mishra or Shyama Charan Shukla had in what was then India's largest State, Madhya Pradesh. Local influence could make you the Mayor of your city, but it would not earn you power in the State. If, on the other hand, a city itself becomes a State the Mayor automatically becomes Chief Minister. Political interest, therefore, lies in creating the maximum number of States. If this causes India to split along narrowly parochial lines, so what. The statement of T.S. Rao who has led the agitation which will now create a new State of Telangana that all government servants from outside the ten districts of Telangana will have to quit Hyderabad puts in a nutshell the mindset of our divisive politicians. There is no question of any public interest in the creation of the new States, there is only the question of how a small minded person of no status can suddenly acquire the stature of a Chief Minister.

There is a fallacious belief that the demand for States reorganisation is a popular one having mass appeal. To the people it makes no difference where the Chief Minister resides because the interaction of the common citizen with officialdom is at the level of the village, the town, the tehsil or the district. He wants that the interaction should be absolutely minimum, but the attitude of government officials should be positive, they should be insulated against unauthorised influence and the legitimate work of the citizens should be done with due dispatch. From this one can deduce that the demand for new States is entirely engineered by selfish politicians who are looking after their own interests.

It is these politicians who say that if the United States of America can have fifty States, then why should India be confined to twenty-eight plus one, the twenty-ninth State of Telangana. What they forget is that the territorial spread of the United States of America is three times that of India and the States have come into being as the nation expanded from the original thirteen colonies through westward migration right up to the Pacific shore. It is the extent of the colonisation of America and quite often geographical boundaries which determined the shape and size of the States of America. For a very long time there were only forty-eight States and the States of Hawaii and Alaska were added only because these federally administered areas had become ripe for statehood. In India we seem to run a cycle whereby we think that agitations can redraw the boundaries of States at the whims of the politicians.

It started with Potti Sriramulu who agitated for the creation of a separate Telugu speaking State, which would include the Telugu speaking districts of the Madras Presidency, together with the Telugu speaking districts of Hyderabad State. The agitation succeeded because unfortunately Sriramulu, who was on a fast unto death, died because his followers who had a vested interest in a Telugu speaking State did not allow him to break his fast. Jawaharlal Nehru panicked, a States Reorganisation Commission was set up, Andhra Pradesh was formed, Malabar District was transferred to Kerala from Tamil Nadu, the Kannada speaking districts of Hyderabad State was transferred to Mysore State, which became Karnataka, the Marathi speaking districts of Hyderabad State were transferred to Bombay State and became Marathwada and in sharp contrast with other States, the new bilingual State of Bombay was enlarged by merging Saurashtra into it, Even this was undone subsequently through public agitation in Bombay which brought the State of Gujarat into being. Madhya Pradesh lost Marathi speaking Vidarbha to Bombay State but gained the Hindi speaking States of Madhya Bharat, Vindhya Pradesh and Bhopal. Punjab was split, with Himachal and subsequently Haryana separating from it. In the east Assam has been divided, with NEFA becoming the State of Arunachal Pradesh, Mizoram, Nagaland and Meghalaya being made into three separate States out of Assam and the empty shell of residuary Assam being left to fester with sponsored revolts by the Bodo people and Ahoms. The British left us with a unified North East and we have divided it into a mosaic of tiny State.

In the last splitting up of States Madhya Pradesh lost Chhattisgarh, a State with such paucity of administrative infrastructure that the Naxalites have virtually captured it. In Bihar, Jharkhand was separated and the new State became a byword for political instability. Residuary Bihar lost its entire forests and mineral wealth and in the parochial environment in which we find ourselves, Jharkhand has always refused to share anything with Bihar. It will not end here because the demand for the splitting of Uttar Pradesh into four States, the creation of a State of Vidarbha and a demand for statehood for Darjeeling and Bodoland have picked up steam. A weak Central Government whose political leadership seems to have become completely bankrupt is all set to surrender to such demands and one fears that the mosaic of tiny States which existed when paramountcy lapsed may be re-created in India. The BJP, which has publicly come out in favour of small States, is as much a partner in the disintegration of States as is the Congress.

The argument is that small States are better governed and better designed for development. Has the separation of Uttarakhand from Uttar Pradesh brought it development? In the recent catastrophe which overtook Garhwal one thing has emerged very clearly. Being a hill state the administration in Uttarakhand is very thinly spread on the ground. The State Government's resources are very limited and whereas the huge resources at the disposal of Uttar Pradesh would have been diverted to Uttarakhand had it continued to be part of Uttar Pradesh,

they were no longer available to the new government. But for direct central intervention and the superb work done by ITBP, IAF and the Army the death toll in Uttarakhand could well have gone into five figures. When the entire resources of Madhya Pradesh were available to the whole State, of which Chhattisgarh was a part, Madhya Pradesh Police had Naxalism under control. In Chhattisgarh it is absolutely rampant.

Even if small States do show some initial signs of progress, that soon fizzles out because the politics of a small State tends to be incestuous. What this means is that the same half a dozen families and interest groups which, in a large State, would have been submerged, now rotate power amongst themselves. I stated earlier that power is no longer an instrument of service and, therefore, the purchase of the commodity called power opens unlimited opportunities to the purchaser to milk the State and make huge sums of illegal money. How can such a State promote welfare? Small States also breed extreme regionalism and as has been our experience in the recent past when regionalism moved into Parliament and small regional groups assumed excessive importance because delicately balanced coalitions need the support of regional parties, then compromise, corruption and bad governance become the order of the day. That is what small States do to us. What we are witnessing is not just creation of new States; we are witnessing the disintegration of India.

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