

Bill No. 215 of 2019

THE COMMISSION FOR THE FORMATION OF THE STATE OF
VIDARBHA BILL, 2019

By

SHRI ASHOK MAHADEORAO NETE, M.P.

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BILL

to provide for the constitution of a Commission for the formation of a separate State of Vidarbha by reorganization of the existing State of Maharashtra and for matters connected therewith.

BE it enacted by Parliament in the Seventieth year of the Republic of India as follows:—

1. (1) This Act may be called the Commission for the Formation of the State of Vidarbha Act, 2019. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In this Act, unless the context otherwise requires,— Definitions.

(a) “prescribed” means prescribed by rules made under this Act; and

(b) “Vidarbha” includes the districts of Chandrapur, Gadchiroli, Wardha, Nagpur, Bhandara, Gondia, Washim, Akola, Buldhana, Yavatmal and Amravati in the State of Maharashtra.

Commission for the formation of a separate State of Vidarbha.	3. The Central Government shall, by notification in the Official Gazette, constitute a Commission to study and report on the formation of a separate State of Vidarbha by reorganization of the existing State of Maharashtra.	
Composition of the Commission.	<p>4. (1) The Commission shall consist of:—</p> <p>(i) a retired judge of the Supreme Court who shall be the Chairperson; and</p> <p>(ii) four Members having at least ten years experience in the field of social service in the Vidarbha region or having special knowledge in the field of regional development, who shall be appointed in such manner as may be prescribed.</p> <p>(2) The salary and allowances payable to, and other terms and conditions of service of the Chairperson and members of the Commission, shall be such as may be prescribed by the Central Government.</p> <p>(3) The Commission shall have its office at Nagpur in the State of Maharashtra.</p> <p>(4) The Central Government shall provide such number of officers and staff to the Commission as are required for its efficient functioning.</p>	5
Term of the Commission.	<p>5. (1) The Commission shall complete its work within a period of one year from the date of its first sitting.</p> <p>(2) After the completion of its work, the Commission shall submit a report to the Central Government.</p>	15
Functions of the Commission.	<p>6. (1) The Commission shall perform such functions with regard to formation of a separate State of Vidarbha as may be assigned to it by the Central Government.</p> <p>(2) Without prejudice to the generality of the foregoing provision, the Commission shall also consider the following:—</p> <p>(i) allocation of assets to the proposed State of Vidarbha;</p> <p>(ii) allocation of Government employees and officers to the proposed State of Vidarbha;</p> <p>(iii) delimitation of constituencies for elections to the House of the People and State Legislative Assemblies; and</p> <p>(iv) allocation of water and natural resources to the proposed State of Vidarbha.</p>	20
Central Government to provide adequate funds.	7. The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Commission by way of grants such sums of money as the Central Government may think fit for the purposes of this Act.	30
Power of the Commission to call upon or secure assistance.	8. The Commission shall have the power to call upon and secure the assistance of any office or agency under the administrative control of the existing State of Maharashtra for carrying out the functions assigned to it under this Act.	
Power to make rules.	<p>9. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.</p> <p>(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.</p>	35

STATEMENT OF OBJECTS AND REASONS

The demand for a separate State of Vidarbha is getting strong due to continuous negligence of this region. The proposal for the State of Vidarbha was approved in 1918 by All India Congress Committee and reiterated again in 1928 at its National Session. The proposal for a separate State of Vidarbha for Marathi speaking people was also approved in the Madhya Pradesh Legislative Assembly in 1938. On 8 August, 1947 the then Marathi leaders agreed that two independent States for Marathi speaking people be formed under the Akola Pact. It was again reiterated under the Nagpur Pact on 28 September, 1953 in reference to reorganization of States. Under this Pact, funds and session for legal division at Nagpur in proportion of the population for the development of Vidarbha was decided to be called.

The Fazal Ali Commission constituted in 1953 by the Central Government recommended for the creation of a separate State of Vidarbha in its State Reorganization Report (1955). The Commission have made it clear in its Report that the separate State of Vidarbha will be practically and financially viable. However, due to political considerations, the recommendation of the Fazal Ali Commission was not accepted, and in an effort to give a constitutional cover to the Nagpur Pact, the Constitution was amended in 1956 and article 371(2) was inserted in the Constitution. As per this constitutional amendment, equitable allocation of funds for development, arrangement of adequate facilities for technical education and vocational training, and providing adequate employment opportunities in services under the State Government, were made the responsibilities of the Governor in the State of Maharashtra and Gujarat. In 1960, the State of Maharashtra was created but the promises and assurances given at the time of inclusion of Vidarbha region in Maharashtra were not fulfilled. Due to continuous apathy shown for Vidarbha region by successive Government in Maharashtra, there has been least development in the region. Dr. Dandekar Committee, constituted in 1982, confirmed the losses to Vidarbha, and despite its recommendation to fulfil the aspirations for development of people of Vidarbha and allocate backlog fund, injustice is continued to be done to Vidarbha. Due to the diversion of funds allocated for the development of Vidarbha elsewhere and keeping the people of Vidarbha underdeveloped, the people of Vidarbha got annoyed with Maharashtra.

The people of Vidarbha are of the opinion that the creation of a separate State of Vidarbha is the only solution to ensure development and prosperity of the region. Thus, honouring the highest desire of the people of Vidarbha, the Central Government needs to take necessary steps to bifurcate Maharashtra and form a separate State of Vidarbha. This Bill provides for constituting a Commission for formation of a separate State of Vidarbha.

Hence this Bill.

NEW DELHI;
July 8, 2019.

ASHOK MAHADEORAO NETE

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the Constitution of a Commission for the formation of a separate State of Vidarbha. Clause 4 provides for the salary and allowances of the Chairperson and members of the Commission. Clause 7 provides for grant of adequate funds to the Commission by the Central Government. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of rupees twenty crore per annum would be involved.

A non-recurring expenditure of about rupees five crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

LOK SABHA

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(Shri Ashok Mahadeorao Nete, M.P.)