

What is holding up the Telangana Bill?

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THE legal issues _ prior Assembly resolution, Assembly assent to the bill, Article 371D, simple parliamentary majority _ have been resolved. The operational issues are also clear. First, the borders have been fixed by the Union cabinet. Ten districts of Telangana with Hyderabad city as its capital. Second, the distribution of assets will be based on their location in the successor states. What cannot be linked to location will be distributed by population proportion of the two states. These are the two principles guiding separation of states. Distribution of government employees is on principles of nativity, choice and seniority. The Andhra Pradesh Reorganisation Bill is ready. The final draft is only awaiting a decision on the conditions for the common capital - Hyderabad. This brings in conflict with all the principles of separation announced above and over the last 60 years

Hyderabad's allocation to Telangana is based on the territoriality principle. The Seemandhra government will only be a temporary tenant of some Telangana government buildings. It will exist and function at the goodwill and sufferance of the Telangana government and people. But what is Hyderabad city? The old Municipal Corporation of Hyderabad and Secunderabad (172 [sq.km](#)), revenue district (217 [sq.km](#)), GHMC (626 [sq.km](#)), HUDA (1,348 [sq.km](#)) or HMDA (7,073 [sq.km](#))? The Presidential Order 1975, however, defined the "City of Hyderabad" as the MCH in its First Schedule.

The Seemandhra lobby wants the Centre to assume special powers in Hyderabad over law and order, land and municipal administration and higher education. But the draft bill only envisages law and order and government accommodation under central control. This violates two principles. Law and order is a state subject. Unless the Centre replaces the entire local police force with its own CRPF, BSF, Indo-Tibetan Border Police, it cannot control law and order anyway. A couple of IPS officers of the UT cadre cannot perform any worthwhile function in Hyderabad _ they are unable to perform in Delhi with locally recruited police! So Centre's control of law and order in Hyderabad is both bad on constitutional principles and for effectiveness.

The opposition to this proposed unprincipled action is the equally unprincipled political action in the guise of defending Telangana and Hyderabad interests. And this may succeed where principle does not! The MIM is silent. It had opposed Telangana, then proposed Rayala-Telangana and, finally after decision on Telangana, opposed UT status for Hyderabad city. Will it now keep quiet if law and order in the old city is controlled by New Delhi, especially a central government led by the BJP in 2014? After all, even now the Kiran Kumar Reddy government is giving it a hard time on the police front after MIM withdrew support. The BJP will go for the jugular and there is plenty of skeletons in the MIM cupboard. In fact, the security agencies in New Delhi seem to be supporting this line for their own reasons.

The TRS, TJAC and the BJP all view the conditionality over Hyderabad with disfavor on principle. But the decision of the Congress government just months before elections has deprived all these parties, which have consistently supported Telangana statehood, of a well-cultivated electoral platform. The Congress has ceased to talk to the TRS and all ideas of merger, alliance, seat adjustments have disappeared. TRS faces oblivion and no political party commits suicide. The proposed conditionality gives TRS and TJAC an opportunity to renew the agitation for withdrawal of this clause in the bill.

The TRS also is contemplating the option of an electoral adjustment with BJP if the latter brings in amendments to remove the offending clauses. As for BJP, it needs to regain the initiative in Telangana for which cause it has offended its Seemandhra constituency, negligible as it is in comparison with its Telangana base. If the BJP moves against Hyderabad conditionality, it will be in a win-win situation. If it succeeds, it can claim (rightly) to have saved Hyderabad for Telangana. If it does not it will point to Congress as the yet-again great betrayer of Telangana and promise to reverse it if Telangana votes them to power. Along with the TRS, it can even think of forming a government in the new state!

The only issue that may come in the way is the TDP's attempted alliance with BJP. TDP faces disaster in both the proposed states. But if it can get the BJP to delay the passage of the bill till after the 2014 general election, the TDP will get credit in Seemandhra even if it loses its entire base in Telangana. The TDP is using its Kamma caste card and suggesting to the BJP through the top BJP Kamma leader that the entire money, vote bank, film and media resources of the Kamma community will back a BJP-TDP alliance. TDP thinks that it can win 15 Lok Sabha seats from Seemandhra and promises to support the BJP in forming a national government. The BJP's central leadership may not fall for this ploy, despite its Seemandhra unit pressing, as its Telangana unit is totally against alliance with TDP on these terms, arguing that the TDP cadre and votes will come to BJP anyway as they have nowhere else to go. The question before the BJP is either to stay with the Telangana 'a bird in hand' or try for the Seemandhra 'two birds in the bush'.

But Sonia Gandhi holds the trump card. She can withdraw the offending conditionality clause herself as she, above all, wants the bill enacted and Telangana state formed and 16 Congress MPs elected from there. Let us wait and see.

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