#### 14.31 hrs.

Title: Further discussion on the Constitution (Amendment) Bill, 2000 (Substitution of new Schedule for Seventh Schedule) moved by Shri Vaiko on 23<sup>rd</sup> November, 2001 (Not concluded.).

SHRI VAIKO (SIVAKASI): Mr. Deputy-Speaker, Sir, thank you very much. Sir, the Bill which I introduced here and which has been taken up for discussion is a significant Bill. The discussion on the Bill is also very significant at the backdrop of the present scenario in the country. Today, India is standing at the cross-roads of history. When I started my speech that day the situation was different. Much water had flowed in between. Tensions are mounting high in the whole country, right from Cape Comorin up to Himalayas, throughout the length and breadth of the country. Millions and millions are concerned about the happenings in India and I am terribly concerned about the future course of events in our country.

## 14.32 hrs. (Dr. Raghuvansh Prasad Singh in the Chair)

I would like to remind what I said the other day. We had the concept of a separate State. Our late lamented *Aringar Anna* gave a call for a separate country, *Dravida Nadu*, comprising of four Southern States, Tamil Nadu, Karnataka, Andhra Pradesh and Kerala. When the Chinese cannons roared at the source of Himalayan mountains, he was suffering detention in Vellore Central Prison. When Pandit Jawaharlal Nehru made that emotional speech which moved millions and millions of people of this country to tears, from the prison cell he made an appeal to the people of Tamil Nadu that this is an hour of crisis for the country. We all should stand by Pandit Jawaharlal Nehru. Then, he came to Rajya Sabha. After so many events, we gave up the demand for separate state. We are for united India. On that day also I said I belong to the tallest democracy and successfully functioning democracy of the world. Why I say that ours is the tallest democracy? This country has hundreds of crores of people. They belong to different religions, different faiths, different languages, different customs, and different civilisation. This is a multilingual, multi-religious, and according to my conception, a multi-national state. Therefore, unity and integrity should not be jeopardised. We have to learn lessons from erstwhile countries like Yugoslavia and the great U.S.S.R.

The Union of Soviet Socialist Republics got balkanised to 15 States. Therefore, this Bill is a very important Bill. The crux of my Bill is about giving more powers to the States to strengthen the unity concept, to strengthen the integrity concept and to establish a real federal State. Therefore, in our party resolution, we made a point that instead of calling it as the Union of India, it should be called as the United States of India.

There was a warning of Ides of March. But the Ides of March had passed. Our hon. Prime Minister Shri Atal Bihari Vajpayee has risen to the occasion to meet the challenge. But things have not been totally solved. We hear different voices on the floor of this Parliament. I do not want to listen to any opinion from any quarter. This is the forum where we could discuss. Therefore, the more powers to the States means the powers usurped by the Centre in the five decades should be given back. The Union List was mostly usurped from the State List. So, the Union of India has encroached upon the domain of the States. In the name of taking it to the Concurrent List, the powers again were encroached upon and usurped under the title of Concurrent List. That should be vested with the States, particularly the residuary powers of the States should be vested with the States, not with the Union of India. This is an ideal, a principle dear to us, to our hearts.

It would be very appropriate to quote the late lamented Arignar Anna, the founder of the DMK. This is what he wrote in his party organ "Home Rule" on 12<sup>th</sup> January, 1969 just some 20 days before he died.

Sir, destiny was so cruel that it snatched him away from our land. He died of cancer. When some medicine is found to cure cancer, I would think of him because we lost our great leader due to this disease. He says:

"Dear brother, they know not of what mettle I am made up. Never have I been mad after power. Nor am I happy of being the Chief Minister of our State under a Constitution which on paper is federal but in actual practice tends to get more and more centralised. If by being in office, the *Dravida Munnetra Kazhagam* (DM.K.) is able to bring to the notice of the thinking public that the present constitution is a short of Diarchy by the back door that would be a definite contribution indeed to the political world."

There was a very interesting discussion in the Constituent Assembly on the provisions of President's Rule in the States which came up for discussion on 3<sup>rd</sup> August, 1949. In the Constituent Assembly, when the debate was on, the great Dr. Ambedkar was at pains to observe one thing. It is very interesting to note this. He was at pains to emphasise this. Dr. Ambedkar said:

"I think it is agreed that our Constitution, notwithstanding the many provisions which are contained in it whereby the Centre has been given powers to override the Provinces, nonetheless is a Federal Constitution and when we say that the Constitution is a Federal Constitution, it means this, that the

provinces are as sovereign in their field which is left to them by the Constitution as the Centre is in the field which is assigned to them. "

Finally, when the Assembly had completed its deliberations, Dr. Ambedkar replied to the debate on November 25, 1949. I quote:

"As to the relation between the Centre and the States, it is necessary to bear in mind the fundamental principle of which it rests."

Again he says:

"The basic principle of Federalism is that the Legislative and Executive authority is partitioned between the Centre and the States, not by any law to be made by the Centre, but by the Institution itself. That is what Constitution does. The States under our Constitution are in no way dependent upon the Centre for their legislative or executive authority. The Centre and the States are co-equal in this matter. It is difficult to see how such a Constitution can be called centralism. It may be that the Constitution assigns to the Centre too large a field of operation of its legislative and executive authority than is to be found in any other federal Constitution. It may be that the residuary powers are given to the Centre and not to the States.

But these features do not form the essence of federalism."

This is what Dr. Ambedkar says.

"The chief mark of federalism, as I said, lies in the partition of the legislative and executive authority between the Centre and the States by the Constitution. This is the principle embodied in our Constitution."

On this very concept of sovereignty of the State, our Arignar Anna, late and lamented leader says and I quote:

"The preamble to the Constitution clearly states that the political sovereignty rests with the people. Then legal sovereignty is divided between the Federal Union and the constituent units. Why don't you take it in that light? Sovereignty does not reside entirely in one particular place.

We have a federal structure. That is why the framers of the Constitution wanted a federal structure and not a unitary structure, because many political philosophers have pointed out, India is so vast – in fact it has been described as a sub-continent – the mental health is so varied, the traditions so different, the history so varied, that there cannot be a steel framed unitary structure here."

Here, I want to quote:

"What I want to say is that the working of the federal structure is in such a way that the States are feeling more and more frustrated, and their demand is to make the Union Government think that there should be a review of the Constitution, a reappraisal of the Constitution."

Our Prime Minister, after he assumed the reins of power has set up a Committee to review the Constitution. It is the right step in the right direction.

As far as the residuary powers are concerned, I quote:

"The founding fathers of our Constitution were not more free from the imperialistic and authoritarian attitude than the British rulers while framing the Constitution."

This is what Grandley asked him twice. He said that they were not more free from the imperialistic and authoritarian attitude than the British rulers while framing the Constitution. I further quote:

"They have deliberately taken decisions to exploit the partition of the country in order to maim and maul the autonomy of the States in the name of national interest.

The Constitution of the United States has only enumerated the powers of the Congress under Article 1, Section 8 to declare war, raise armies, regulate commerce with foreign nation, collect taxes, constitute tribunal inferior to the Supreme Court and make necessary and proper laws to execution of the foregoing powers. The subjects with full powers for the States are as limited as eighteen. Further, under Article 1, section 9, the centre has been prohibited from enacting laws on eight subjects. Similarly, Article 1, Section 10 prevents the States from entering into any treaty, alliance, imposing duties on import or export without the consent of the Congress. Moreover, in accordance with the Tenth Amendment of the Constitution in the year 1791, "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people."

Therefore, in the US Federalism, the residuary powers have been delegated to the States, not with the Union. The list of subjects allocated to the Congress is a limited one. The area of residuary States is vast and enormous with a great potential.

The scheme of distribution of powers under the Constitution of Australia is similar to that of the United States of America.

The Australian Constitution also is a federal Constitution. There are also some residuary powers vested with the States and not with the Centre. Article 107 of the Australian Constitution precisely states about every power of the State with the exception of powers exclusively vested in the Parliament of the Commonwealth or withdrawn from the legislature of the State. So, the residuary powers are vested in the States. Admittedly, there is no incorporation of Concurrent List in the Constitution of Australia.

What is alarming and deplorable is that the provinces were let down and they lost even those powers, which they enjoyed during the British rule.

The subjects, such as, forests, fisheries, adulteration of foodstuffs and other goods, charities and charitable institutions, charitable and religious endowments, education, protection of wild birds and wild animals found in the Provincial Legislative List in the Government of India Act, 1935 were transferred to the Concurrent List. The State Governments thereby lost their absolute power to enact a law on those subjects in accordance with their policy. Only 25 subjects were enlisted in the Concurrent List under the Act of 1935 whereas our Constitution contains 47 subjects in the Concurrent List.

Further, the Centre transferred some important subjects from the State List to the Union List by adopting Constitution (Amendment) Acts. The Constitution (Sixth Amendment) Act, 1956, added a new entry 92-A so as to levy tax on inter-State sale and purchase of goods other than newspapers by the Centre and thereby the absolute power of the States on sales-tax has been impaired. This was the first Amendment in this regard.

Then came the most horrifying Constitution (Forty-second Amendment) Act, 1976. We were all detained under the MISA during those days. I was also a detenu in a jail for more than a year. The Constitution (Forty-second Amendment) Act, 1976 was passed during the period of Emergency under article 352. It was highly undemocratic, authoritarian and anti-federal. More or less, the authoritarian tendency was established at that time to bury the basic concept of democracy. The basic Fundamental Rights to the citizens of this country, at that time, were denied. Never before had such a repressive Constitution (Amendment) Act been thrust on the States in the country. Entry 2-A was inserted in the Union List to deploy Armed Forces of the Union or any other force subject to the control of the Union without the consent of the State. The powers of the States on the administration of justice, constitution and organisation of all courts except the Supreme Court and the High Court were taken away by amending Entry 3 in the State List. Entry 11 (education), Entry 19 (forest), Entry 20 (protection of wild animals and birds) and Entry 29 (weights and measures except establishment of standards) were deleted from the State List. No other federal country has ever adopted such amendments without a referendum or the consent of the units.

Even after increasing the number of subjects in the Concurrent List, the Parliament has made six amendments in the Concurrent List, conferring powers on the Centre, ignoring the jurisdiction of the States. Similarly, 10 amendments have been made in the State List crippling their absolute jurisdiction, which they enjoyed even during the British rule. The amendments made in the Seventh Schedule of our Constitution are undoubtedly retrograde and authoritarian.

Shri Motilal Nehru's report, which is considered as the first report on the principles of independent Constitution, has assured residuary powers to the States. But the Government of India Act, 1935 conferred residuary powers neither on the Centre nor on the provinces but on the Governor-General.

The terms of Crips' proposals assured rights to Indian States and the provinces to have their own Constitutions and enjoy the same status as the Union.

The Cabinet Mission Plan, announced on 16<sup>th</sup> May, 1946 declared that all subjects, other than the Union subjects,

and all residuary powers should be vested in the provinces.

In the United States, no such law can be made by the unilateral action of the federal Government: "Congress cannot formally transfer to itself any of the powers belonging to the States. Nor can it be done by any consent of the States themselves."

In Australia, it is impossible to make any law on the State subject without the amendment of the Constitution.

The Canadian Parliament has no power to legislate in respect of any matter listed in the exclusive provincial list under Section 92 of the Constitution.

MR. CHAIRMAN: Please conclude.

SHRI VAIKO: Sir, I have been waiting for so many months to participate in this discussion.

MR. CHAIRMAN: You have already taken 15 minutes.

SHRI VAIKO: I would try to conclude soon.

So, education has been taken away. From 1833 to 1870 was a period of extreme centralisation. Thereafter, gradual decentralisation continued up to 1918. In 1897, the Indian Education Service was established. Members of this Service manned all crucial posts in Provincial Education Departments. Through this Service, the Centre exercised limited control over the provincial education policy. With the introduction of diarchy by the Government of India Act, 1919, 'education' was made a 'transferred' subject and Central control over education became minimal. This position continued till the adoption of the Constitution in 1950.

The Constitution, as originally adopted, tried to strike a balance between these two extremes. It allocated 'education including universities, subject to the provisions of Entries 63, 64, 65 and 66 of List I and Entry 25 of List III" to the States as item 11 of List II. 'Vocational and technical training of labour' and 'Legal, medical and other professions' were included as items 25 and 26, respectively, in the Concurrent List. The authority for coordination and determination of standards in institutions for higher education or research and scientific and technical institutions for higher education or research and scientific and technical institutions was assigned exclusively to the Union (Entry 66 of List I).

It is noteworthy that the subject 'education', though originally allotted by the Constitution to the exclusive State field, was subject to Entry 25 of List III and Entries 63 to 66 of List I.

I am totally opposed to the way in which attempts are made to use this particular area, that is, 'education', to influence certain concepts.

Today, we are discussing about giving more powers to the States. Why am I telling about unity and integrity of the country? There is a question mark where we will be able to sustain the pressures to protect the unity and integrity of the country. There are many religions and languages in this country. Therefore, our plea always is that all the national languages should be the official languages of this country. There should not a domination of any one language over other languages. There should not be imposition of any national language on other languages. This should not be mistaken when we speak about the imposition of Hindi.

Nowadays, at times, I feel like a foreigner here because if we want democracy in a true sense, all the national languages should be given an equal status. All the languages should be made the official languages of the country. Till that time, the English language should also continue. That was the assurance given by Pandit Jawaharlal Nehru. If some people advocate a theory that it will be very difficult to implement because there are 19 national languages, then, from the Dravadian group of languages, you take 'Tamil'. In the first instance, you implement 'Tamil' as one of the official languages as from the other group, you have made 'Hindi' as the official language.

In the long run, all the national languages could be made official languages.

They were telling that only one language could unite the country. What happened in Soviet Russia? With the authority and might of the Red Army, were they able to sustain the unity and integrity of Soviet Russia? So, it Balkanised.

Likewise, I am worried about what is happening today. I am not opposed to any religion. I would like to appeal to my friends on both the sides, that I should not be mistaken when I put-forth my view point here, it is the forum where we could express our views. My views may not be agreeable to you and your views may not be agreeable to me. Walter stated: "I may differ with your view, but I will fight till my death to protect your freedom of expression of your view." Therefore, I am not opposed to any religion.

It is a secular country and the secularism should be protected. The National Democratic Alliance, that is the NDA, Government is committed to secularism according to his agenda. We are also one of the signatories as a constituent member of the NDA for this commitment to secularism. That does not mean we are opposing any trend. When we say this, expression is a freedom.

Yesterday, in the House of Commons, the Labour Party, that is, the ruling party MPs took Tony Blair to task. He was grilled like anything. They criticised their involvement in Afghan War. They criticised as to why this Government is sending its troops to fight American War in Afghanistan. They also said: "When there will be a catastrophe like Vietnam, we would not be able to pull out our troops." Two former Ministers of Labour Party and the whole House of Commons criticised the Government. So, voices of dissent is the basic of democracy.

When John Kennedy was given the Pulitzer Prize for his book, ""Profiles of courage", I have read that book thoroughly, the Members of Congress, belonging either to Democratic Party or Republican Party, at the time of crisis or at a time when serious issues were debated, they let their conscience to speak on the floor, both the sides. He narrated the speeches of those people in the book and for that he was given the Pulitzer Prize.

Likewise, I expressed my opinion. I should not be mistaken as if with some bias I am talking, this is a concept I am wedded to, a concept which I cherish in my mind and heart. I may be wrong in my conception. But I am entitled to my conception. I am entitled to my view.

Sir, today the problem is that tension is mounting high, the knives have sharpened in some areas. I am worried about the future. When some people speak about Ayodhya, when some people speak about Gujarat, when some people speak about Godhra, I was terribly pained when I heard the news about the barbaric attack in Godhra, where people, including children and women, were roasted alive. I shudder my heart. What would have happened to those small children, their mothers carrying the baby, when the flame embraced them? The mothers could not have thought about their deaths, but what would they thought about their children?

I gave a statement immediately when I heard about the incident. I am a small man, so I do not have a monopoly of TV. I stated that these barbarians do not deserve to live in a civilised society. They do not deserve to live in a civilised society and that with an iron hand such rabid elements should be put down.

Sir, we cannot apply Newton""s theory, for every action, there is a reaction. For science it may be applicable but not for democracy.

#### 15.00 hrs.

That action could not justify another carnage, another brutal attack, another dastardly attack. When Mr. Jafri, the former Member of Parliament was crying for hours and hours together and telephoning to protect his life, his whole family was killed and burnt alive. The weeping mothers and children were killed on both the sides. So, I shuddered to think about the carnage that took place in Godhra and about the carnage that took place in some remote villages in Ahmedabad. Sir, in the riot, who are the affected people? Men and women, elderly people, children, sick and disabled are the affected people. The miscreants on either side will escape and the innocents are only affected. This is the problem. Now, I am worried because when we speak something about the Ram temple and when my friends refer something about Islam, immediately, without applying their mind, they just jump not only in Parliament but also outside.

Sir, I belong to a rationalist movement. In the early part of 1984, there was a move to take Ram idols, garbhagraha idols to the United States of America to exhibit there in the Festival of India. I moved a Calling Attention in the Upper House, that is Rajya Sabha. I initiated that Calling Attention. Hon. Shri Advani and Hon. Shri Jaswant Singh participated in that discussion. About 35 Members participated in that discussion. Shri Sudarsana Nachiappan, kindly listen to me. This is a matter, which I want you to listen. At that time I was a small man, I was a Junior Member of Parliament. Shri Kamalapati Tripathi, a veteran Congress leader came to my row, came near me, patted on my shoulder and said: "You have brought a very good discussion today." At that time, my friend, hon. Singh Deo was the Minister in-charge of Culture. I asked him: "For what reasons are you taking the Ram idols - not replica idols but are from garbhagraha of nine temples - to the United States of America? For what purpose?" Even, the Mona Lisa portrait from France is not being allowed to take anywhere. Even a brick in the compound wall of the temple has got sanctity, according to the Hindu bhakthas. I asked the Minister: "How dare you take these idols?" Then, he replied: "We have insured these idols." I asked: "For what amount have you fixed for bhakthi and for what amount have you fixed for feelings?" He could not answer. Then, it was stopped. Those idols were not allowed to be taken from India.

Why I am telling this is that I am interested in protecting the heritage, culture, civilisation, architecture and everything. But at the same time, I would like to tell you, Sir, that Jews and Arabs are fighting for centuries and centuries. Blood is flowing till yesterday in Jerusalem and in other areas. But, Sir, till today, the Alaksha Mosque is

protected by the Israeli Government. There was an original Jews temple before Christ. Once that temple was destroyed by the Romans. ...(Interruptions)

SHRI E. AHAMED (MANJERI): Where? ...(Interruptions)

SHRI VAIKO: You kindly listen to me. I may be wrong. ...(Interruptions)

SHRI E. AHAMED: I am having a doubt. I want you to clarify. ...(Interruptions)

SHRI VAIKO: With my little knowledge of history, I am telling you this. Sir, this is the problem with these people. They do not understand what point I am going to make. ...(Interruptions)

SHRI E. AHAMED: It is guite uncharitable. I am only asking you to clarify. ...(Interruptions)

SHRI VAIKO: In Jerusalem, there was an old temple and that temple was destroyed.

But, Sir, the Alaksha mosque has been protected by the Israel Government.

MR. CHAIRMAN: You have taken one hour.

SHRI VAIKO: Sir, it is a very serious problem. If I stopped half way, then, I will be mistaken. What have I got? The posterity will judge what Shri Vaiko projected. This is a speech not for the purpose of making a speech. With all agony and anguish I have been watching for all these days what is happening in Parliament.

Therefore, Sir, the Israeli Government protected the mosque. But the then Union Government here failed to protect the mosque. Sir, 148 companies were mute spectators. They were silent spectators when the mosque was being demolished. It is they who installed the idols there many years back. People raised a hue and cry. They performed *Shila daan.* Therefore, now what is to be done? One thing that my friends should think of is this. Whether it is majority or minority, I am opposed to the concept of the resolution passed by RSS. This is my view. I was terribly disturbed. If somebody says the minorities' safety is to be decided by the will of the majority, we are now at the mercy of the majority. We do not agree with that view.

There are minorities. There are 20 crore Muslims. We have the largest Muslim population in the world next to Indonesia. They are the citizens of this country. In the war against Pakistan and China, Muslim youths sacrificed their lives.

When I talked to people from both the sidesâ€"Hindus and Muslimsâ€"they said they want peace in this country. They want unity in this country. I am worried about the safety. If something happens somewhere in the remote corner, it spreads like a bush fire throughout the country. Then, blood will be flowing. There will be killings. Till yesterday they were living side by side.

We have got an history of harmony in our State. That harmony was built up by our leaders, Periyar and Anna. Now, why are we worried? What will happen? Let my friends think of what will happen to those Hindus in Malaysia. Most of them are Tamils. What will happen to the people in Singapore? Most of them are Tamils. They are living in close harmony with Muslims. There is a big Muslim population. Therefore, the whole country should be taken to task. All places of worships, whether it belongs to Hindus or Muslims or Christians or whatever it is, should be respected.

MR. CHAIRMAN: Please conclude.

SHRI VAIKO: Regarding communal riots, if somebody tries to justify what has happened somewhere, some dastardly act, if it is justified with something, then I am terribly pained. Riot took place in 1984. The then former Prime Minister justified it by saying when a big tree falls, it is bound to shake the earth. People will lose confidence. What has happened? This communal hatred has percolated in the minds of constabulary in some areas. This is a danger signal. It should be checked. If it percolates into the military lines, what will happen? Therefore to protect the unity and integrity of the country, all the religions should be respected. Mutual harmony should be established. Whoever is whipping up rancour and hatred, they are destroying the future of this country.

With these, the powers, which have been encroached upon, usurped by the Centre, should be again delegated to the State. If real federalism is established, only then the country's future, particularly, the unity and integrity of India will be protected. Otherwise, it will be in jeopardy.

Therefore, I would like to request the Members from both the sides to extend their support for the Bill I have brought in here.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Constitution of India, be taken into consideration."

SHRI E.M. SUDARSANA NATCHIAPPAN (SIVAGANGA): Respected Chairman, Sir, this Constitution (Amendment) Bill, 2000 introduced by our friend, Shri Vaiko, is creating new thoughts in our minds. He has taken this opportunity to bring back the movement that was there 50 years before and told how the Dravidian movements were demanding separate States within the Federal set up. He quoted Arignar Anna's speeches and he based his inspiration on the thoughts of Arignar Anna. Also, he commented upon the historical Constitution Amendments wherein the States' powers were then and there taken over by the Union Government. The States were saying that their powers should not be usurped by the Union Government. But I feel that he has to see the modern days also. We are very much Bharat or India now. We are very proud that we have united about 460 autonomous States, sovereign States. We have united them through freedom struggle. Through freedom struggle, we created a new country called Bharat or India. Millions of people sacrificed their lives, their property and their families. They have sacrificed everything for making this Bharat or India.

They sacrificed their own regional, caste, religious, linguistic and cultural feelings. Everything was sacrificed just in the name of making India a new *Bharat*, a *Nava Bharat*. For that purpose Mahatma Gandhi used even divine names of *Ram* and *Allah* which were utilised to make this unity, to make the people think that we are above the religion, culture, language, States, divisions and castes. That reverberated throughout each and every village of India. The people felt that if India becomes a sovereign India, free from the British rule, then there will be *Ram Rajya* or *Gram Rajya* and we could become powerful and the sovereignty will be with the villages, with the Panchayats. That was the slogan created at that time by the Congress led by Mahatma Gandhi. Mahatma Gandhi has toured each and every village. He made the people to think as to why they were in poverty and why they were suffering and to realise that it was because they left every power to the British Empire. He told the people that that was the reason why the people had to get back the power which they were enjoying for thousands of years. Even from the Vedic period we were always enjoying it.

We were autonomous, sovereign in every aspect. Every village was having sovereignty and was having its own Government. But we have lost it to the Britishers who, by their laws and by their system of colonial rule, had taken each and every power from the villages. The people realised that that power should come back to them and for that purpose they had to struggle against the British imperialism and if the British imperialism goes, then automatically the villages would have more power and then the *Ram Rajya* or the *Panchayat Raj* would come and they would be very happy with their own powers and they could develop themselves.

The people thought they could go back to the Vedic period when everything was divine, every movement of human belief was divine. They loved each and every object. They loved the human beings, the creatures and even the non-living things. That was the Vedic spirit. There was no divide, there was no temple or mosque or a church. It was only divine life that was worshipped by the Hindus, the Hindustan and the Bharat or India. That was the main theme of the Congress Party also at that time.

Now, this has happened. After struggling for 100 years, after sacrificing so many things, we have now got – through the British system itself – each and every power, one after the other by an Act made by the British Parliament. Gradually we have got powers, one after the other. We have got political, economic, social and cultural powers and we have got every power one after the other. Finally we have got the entire thing in 1950 when after the Independence Act, we got the Constitution of India which came into force on 26<sup>th</sup> January, 1950.

We have, therefore, to see the history. Arignar Anna was a very eloquent person. I knew him. I used to follow his speeches as a student. But, at that time, he was having a thinking that something was missing from the society. He felt that India cannot be tolerated by small States like Tamil Nadu. At that time the large Madras Presidency was occupied by people of many languages – Telugu, Malayalam, Kannada and Tamil. Everybody was there. That was a cosmopolitan city. That area was also like that. Then we took the stand that there should be linguistic States and then separate States of Tamil Nadu, Andhra Pradesh, Kerala and Karnataka were formed. The people of those languages have migrated to those States. But some people remained in that place itself, in Tamil Nadu. Then they started to think that Tamil should be cherished as Tamil was the ancient language which has brought forth these Dravidian languages, which was a mother of these Dravidian languages that helped them to nurture other languages also.

But, at that time, unnecessarily they felt that Hindi will destroy Tamil. That was a wrong conclusion which was made by the Dravidian Party.

That was the conclusion. Now, it is shown as falsified by our friends now supporting NDA Government which is giving Hindi to Hindustan in toto.

SHRI VAIKO (SIVAKASI): We are opposing even today the imposition of Hindi in any form.

SHRI E.M. SUDARSANA NATCHIAPPAN: I will come to that. I was very tolerant when you were speaking.

SHRI VAIKO: I am just supporting you because you are telling something.

SHRI E.M. SUDARSANA NATCHIAPPAN: I am not an authoritarian; I am a democrat. That is why, I have accepted all that you spoke. But that was the language Hindi. We have to remember why Mahatma Gandhi accepted Hindi. Mahatma Gandhi felt that if Indians were standing around and talking to each other in Hindi, they would also talk one or two words of their mother language in every sentence of Hindi.

#### 15.21 hrs (Shri Devendra Prasad Yadav in the Chair)

That was the language Hindi that was accepted by Gandhiji. That is why, Hindi was taken as the national language. That language should have Tamil; that language should have Telugu; that language should have Marathi; and that language should have Rajasthani. Words from every language should be there and it should bind us. Since they were there in Devnagri script, that is the language he chose. That is Hindi language.

But unfortunately, the people who occupied the Chair for the development of Hindi sanskritised it. That is the thing which made the people like Arignar Anna think that this language was going to be a danger to Tamil. That was the feeling they created. But the wrong conclusion drawn has to be looked into. Even now, it has to be properly looked into. Then, Hindi can be accepted everywhere, at every place. Now, except Tamil Nadu …

SHRI C.P. RADHAKRISHNAN (COIMBATORE): Soon after Independence, the Congress was ruling. So, you mean to say that Hindi has been sanskritised by the Congress.

SHRI E.M. SUDARSANA NATCHIAPPAN: I will tell you. Now, we are diverting towards how Hindi has become sanskritised. You can very easily find out first thirty years of the republican country of India. You can find Hindi language as a combination of many Indian words, rooted words. As I suggested, it was the vision of Mahatma Gandhi. But subsequently, some people occupied the Chair – I do not want to mention who they are – and made it sanskritised. Now, it is totally sanskritised. I cannot understand the language of Dr. Murli Manohar Joshi, but I can understand the language of our learned friend, Dr. Raghuvansh Prasad Singh. I can understand his language. I can understand the language of Kumari Mayawati. ...(Interruptions) I am telling about other people also. We are not creating alliance on that basis. I can understand language of other people who are from other States when they are talking in Hindi because they are not using sanskritised words.

At the same time, even among the Ministers, you can find that some people are following simple Hindi. We can understand the speech of Shri Pramod Mahajan very easily because he is not using sanskritised words. He is using very simple words. Even the speech of our Prime Minister can be understood. He is not using Sanskritised words; he is using poetic words. For that purpose, we need something. When you are laughing, we could not understand it. Only afterwards, we can understand this. Therefore, we can understand simple language. I can very easily say that Rajiv Gandhi's Hindi was sufficient. We can see that he used to deliver the entire speech in Hindi using 150 words and that could be understood by everybody.

SHRI C.P. RADHAKRISHNAN : And 145 words in English. … (Interruptions)

SHRI E.M. SUDARSANA NATCHIAPPAN: Therefore, we expect that real Hindi, which can respect and bring forth all the languages from all the area, should be brought. That is the real Hindi which can be accepted by all the people.

I am very happy to say that except Tamil Nadu and States in the North-Eastern Frontier, all the States have now come within the Hindi-fold. Everywhere, Hindi is taught as the third language because three-language system is being followed. But in Tamil Nadu, even now, they unnecessarily want to stick on to Tamil and English only. But there are rich people who can go to English-medium schools and they are learning all the three languages.

However, poor people like me, who are living in the villages, are not having Hindi as a language. We could not come and see Parliament. Out of 40 MPs from Tamil Nadu, except Shri Mani Shankar Aiyar and Shri Dalit Ezhilmalai, 38 Members cannot speak in Hindi. I consider myself a proud Tamilian when I can speak in Hindi in this Parliament. Then only I can feel that I am a real Indian, a real Tamilian. I want to learn that language. ...(Interruptions)

SHRI VAIKO: You should be happy when all the Hindi-speaking people learn Tamil. If they learn and speak Tamil, the most ancient and classical language, then you should feel happy.

SHRI E.M. SUDARSANA NATCHIAPPAN: I feel that Shri Vaiko accepts the three-language formula.

SHRI VAIKO: I am not accepting that. You said that unless you speak in Hindi, you cannot feel proud of yourself.

Will these Members speak in Tamil here? We are totally opposed to the three-language formula?

SHRI E.M. SUDARSANA NATCHIAPPAN: Tamil is being taught as a subject in Rajasthan. ...(*Interruptions*) That is why, you are isolated now.

MR. CHAIRMAN: Shri Vaiko, please take your seat. He is not yielding.

SHRI VAIKO: We are not isolated. Throughout the world, only Tamil boys are capturing the top positions, and not the students from either U.P., or Bihar. ...(Interruptions)

MR. CHAIRMAN: Shri Vaiko, please take your seat. Shri Natchiappan, please address the Chair.

SHRI E.M. SUDARSANA NATCHIAPPAN: Therefore, we expect that after becoming an ally of the NDA Government, they should try to propagate Tamil. In Madhya Pradesh, Tamil language classes are going on, in Rajasthan, it is going on, in Gujarat, it is going on; and in West Bengal also, you can learn Tamil. In the same way, Tamil should be taught throughout India. For that purpose, we need Hindi. At the same time, we say that it should not be imposed. Now, there is imposition. Even the Prime Minister is delivering his Independence Day Address in Hindi. ...(Interruptions)

SHRI VAIKO: Will you be able to put it in your manifesto in Tamil Nadu? Are you prepared to put this concept in your manifesto in Tamil Nadu?

MR. CHAIRMAN: Shri Vaiko, please take your seat. Shri Natchiappan, please address the Chair.

SHRI E.M. SUDARSANA NATCHIAPPAN: He cannot even raise a finger against the Prime Minister, but I raised it in this Parliament saying that the Prime Minister has violated Pandit Jawaharlal Nehru's promise of delivering the Independence Day Address both in Hindi and English. Shri Vaiko has not raised it, I raised it. He has not raised it even when Shri Nitish Kumar was speaking in Hindi. He accepted it because his NDA Government is in power. He wants to have the power. (*Interruptions*) At the same time, he wants to exploit the language. ...(*Interruptions*)

SHRI VAIKO: It is not like that. You are wrong.

MR. CHAIRMAN: Shri Vaiko, please take your seat. Shri Natchiappan, please address the Chair.

SHRI E.M. SUDARSANA NATCHIAPPAN: I know how you are misleading the Tamil people. I can prove it.

Mr. Chairman, Sir, under the Navodaya Vidyalaya system, Tamil Nadu ought to have got Rs. 400 crore. They could have implemented the three-language formula in Tamil medium itself. If it had been done, about 10,000 staff would have been appointed and many teachers would have come there. But what has happened in Tamil Nadu? We have not got it because of your chauvinistic and unnecessary feelings. You are a partner of the NDA, and your Minister is speaking in Hindi, but at the same time, you are not allowing the Tamils to learn Hindi....(*Interruptions*)

SHRI VAIKO: Chauvinism was practised by you people when you were in power. You must understand that we never compromised on our ideals.

MR. CHAIRMAN: Shri Natchiappan, please address the Chair.

SHRI E.M. SUDARSANA NATCHIAPPAN: Mr. Chairman, Sir, I want to quote one small instance. One day, in a small town in Sivaganga, two people were speaking in Tamil in a hotel. After some time, they switched over from Tamil to Hindi. The ordinary people, who are poor labourers, the people who have not learnt Hindi there, when they went to Gulf countries as labourers, they learnt Hindi there and came back to Sivaganga in Tamil Nadu. Now, if they want to exchange their views in Hindi, you cannot stop it. People are going out, learning Hindi, and you cannot stop it. You will find Hindi-speaking people in every village. ...(Interruptions)

SHRI E. AHAMED (MANJERI): He is supporting you.

SHRI E.M. SUDARSANA NATCHIAPPAN: Shri Vaiko, you should have the tolerance. I am supporting your Bill. I have accepted your proposal regarding excise duty. ...(Interruptions)

SHRI VAIKO: You should not mislead. It is because of the two-language formula that many students are going to all European countries, and they are being benefited by it.

SHRI E.M. SUDARSANA NATCHIAPPAN: Some people feel as proud Indians only in the Parliament or when they become Ministers, but not in other places.

Sir, the State of Tamil Nadu is a part of this great country. The people of the State, through their hard work, have contributed not only intellectually but also physically and culturally. Tamil is a very rich language. Tamil songs and

its music have found wide domination in this country. A lot of actresses, a lot of people at the management level, a lot of politicians and a lot of Ministers hail from the State of Tamil Nadu and have contributed effectively towards the development of this country. The people from Tamil Nadu have even contributed immensely at the international level. Therefore, we are proud to be a part of that State.

Sir, our Constitution was framed with a vision for the future. The Constitution envisaged giving powers to the Panchayati Raj Institutions. The 29 powers that were sought to be guaranteed to the Panchayati Raj Institutions, through the amendment of the Constitution, have not been given to them. That is why, powers are not properly utilised at that level. My friend, Shri Vaiko should accept that States like Maharashtra, Kerala, West Bengal, Andhra Pradesh and Karnataka have given more powers to the Panchayati Raj Institutions in their respective States. Sovereignty lies not in Delhi or Chennai, but it lies in the villages. It is when we decentralise powers to the grassroot level, it is then only that we could feel proud of our country. The 29 powers that were sought to be guaranteed to the Panchayati Raj Institutions should be given to them.

Sir, in the same way, the States should also use their full powers. The State Governments are not utilising their powers. They are just interested in getting the money from the Central Government but are not effectively using those funds. During the period of the late Kamaraj, if a project for construction of roads was to be taken up, then 50 per cent of the funds for that project was to be given by the Union Government and the rest 50 per cent was to be given by the State Governments. The quality of the roads even after 45 to 50 years is excellent. But what is happening now? The State Governments are interested in getting the money and is also putting service charges on various accounts. A circular has recently been issued to the effect that the State Governments are planning to impose a 0.5 per cent service charge on the funds from the MPLADS. The State Governments only are interested in getting service charges on various heads but are not utilising their own funds for the development of the States. They are only acting as agents to get the money from various sources but they are not utilising them. That is why, there is no development in the States.

Sir, having said this, I would also like to say that at this point of time our Constitution has become a pioneer for other countries of the world to follow. The European countries are drawing their Constitution by taking a cue from our Constitution. The European countries that once ruled our nation are now borrowing our thinking. It is because many of those countries were separate entities at one point of time but have now got united under one banner.

Sir, I made a personal visit to some European countries some two months back. We, in our country, have brotherly feelings but still we remain isolated on party considerations. I asked one of my friends there as to why they should not have a separate currency and as to why they should have Euro as their currency. Actually, there were around 25 very accomplished lawyers from different countries of Europe. One of them told me that they were very happy to have one currency for Europe, namely the Euro, because it helped them to encash it any in any place in Europe irrespective of whether he is in France, or in Germany or in U.K. I got a feeling that I was living in a even bigger country. I asked one of them about the language. I was told that he could speak in French and had learnt German and English and that he, in all, learnt four languages. He felt very proud about that. I asked him as to how, being a lawyer, he had the time to learn so many languages. His reply was that if we wanted to learn a language, we could always learn it. On my being asked as to whether his learning of other languages would not adversely affect his own language, he told that his own language was very rich in its texture.

SHRI VAIKO: Ninety per cent of the British people do not know English.

SHRI E.M. SUDARSANA NACHIAPPAN: Kindly have some tolerance.

SHRI VAIKO: I am tolerating you.

SHRI E.M. SUDARSANA NACHIAPPAN: We are a part of this world. Europe is now united. Some people like Shri Vaiko are not able to tolerate it. UK is not accepting the Euro and that is why it is isolated now. Even France is happy to accept English people. The people who ruled the entire world once are not able to rule their own country now. We are in a world which is guided by universal thinking. There should be a language; there should be affection; there should be territorial affinity. At the same time, we should live in a universal way. In Tamil, there is a saying – "Yadum oore, yavarum keleer". It means: "The entire world is mine; all people are my kin." That was the feeling of Tamils who lived two thousand years ago. That is why, you can find hoardings in Tamil language in every country where Tamils are found. Tamils living in foreign countries speak in Tamil and follow their culture. In Paris, England, Mauritius and even in Geneva I saw Tamil display boards. ...(Interruptions) Dr. Raghuvansh Prasad Singh is very correct. Subramanya Bharathi, our national poet once said: "My motherland has fourteen tongues." That means, fourteen languages. That feeling should be there.

In the present system, the Concurrent List has more burden on it. So, it should shed some of its weight. What to shed; when to shed; to whom should that power go; are all questions which are debatable. I thank Shri Vaiko for initiating this debate. I thought he would not make a political speech on this. I prepared myself only on the

technicalities. Therefore, I will just take a few minutes and put the main points before the House.

My friend Shri Vaiko moved an amendment to move Entry 84 from the Union List to the State List. This is a very good suggestion. I will read that portion.

"Duties to excise on tobacco and other goods manufactured or produced in India except (a) alcoholic liquors for human consumption (b) opium, Indian hemp and other narcotics drugs and narcotics; but including medicinal and toilet preparations containing alcohol or any substance included in sub-paragraph of (b) of this entry."

We have to read this along with Entry 51 in List 2. Therefore, it is only complementary. Both are same. Therefore, when powers are given for these areas, that is for the Union Government and the State Governments, it can be clubbed together.

In these days of global economy, trade should no doubt be more concentrated in the States rather than at the national level because the States are competing with each other to have more trade in their own areas. That healthy competition should be allowed. Therefore, this suggestion can be taken into consideration.

In the same way, there are mentions about estate duty and others. These are very vital. I will rush through the other things. He wants to take out 'vital statistics including registration of births and deaths', which is Entry 30, from List-II, the State List. This can be done because the States are looking after the births and deaths. So, they can make it by having an electronic system. We can make the entire register at the national level.

In the same way, he mentioned about 'education including technical education, medical education and universities, subject to the provisions of entries 63, 64, 65 and 66 of List-I; vocational and technical training of labour, which is Entry 25. This has to be very thoroughly looked into because there is a lot of conflict of jurisdiction which are coming up with Central and State Governments. There is All India Technical Institute; there is, All India Medical Boards, etc., which are interfering in the local level, when they are starting engineering, technical or medical colleges or other specialised courses. They are to come and wait for clearance from Delhi unnecessarily. Even now, education is like a market-driven force. Whichever college is giving good study, that will be accepted. So, there is no need for that type of regulation at the national level.

I conclude by saying only one more point. He has created new things, but that should be done in a proper way. I cannot accept his version about the creation of the Constitutional Review Committee. But I say that the Committee is constituted in a bad faith and it is going on in the bad direction. So, the creation of the Constitutional Review Committee is not at all acceptable. That should have been made by the Parliament itself. Parliament can create a Committee and it can think about it. It could have a new thinking on this.

प्रो. रासा सिंह रावत (अजमेर): सभापति महोदय, हमारे देश के बारे में कहा जाता है कि

सारे जहां से अच्छा, हिन्दुस्तान हमारा, हम बुलबुले हैं इसकी, ये गुलिस्तां हमारा। यूनान, मिस्र, रोम सब मिट गए जहां से,

फिर भी है बाकी है निशां हमारा।

हमारा जो देश है है --अरुण यह मधुमय देश हमारा, जहां पहुंच अनजान क्षितिज को मिलता है एक सहारा। हमारा देश अनेक धर्मों वाला, अनेक जातियों वाला, अनेक बोलियों वाला, अनेक उत्पादनों वाला और अनेक भााओं वाला देश है। इसीलिए हमारे देश में कहा जाता है--अनेकता में एकता। यही भारत की विशेता है। हमें भारत की विभिन्न भााओं पर, विभिन्न संस्कृतियों पर और भारत की संस्कृति जो मिलकर कहलाती है, उस पर गर्व है। इसका मतलब यह नहीं कि अगर देश में पृथकतावाद का कोई नारा लगाता है, अलगाववाद की भावना पनपाने की कोशिश करता है, किसी भी माध्यम से, वह हम सबके लिए कटदायक है। अभी राजभा। के बारे में चर्चा हुई।

डॉ. रघवंश प्रसाद सिंह (वैशाली) : आपके कुछ अपने लोग भी इस रास्ते पर चलने की कोशिश कर रहे हैं, उनको भी सही रास्ते पर लाएं।

प्रो. रासासिंह रावत : मैं वही कह रहा हूं। जो भरा नहीं है भावों से, बहती जिसमें रसधार नहीं, हृदय नहीं वह पत्थर है, जिसमें स्वदेश का प्यार नहीं। इसलिए देश भिक्त का तकाजा है कि हम सभी भारतीय भााओं का सम्मान करें। चाहे वह तिमल हो, तेलुगू हो, कन्नड़ हो, गुजराती हो, बंगाली हो, हिन्दी हो, जो भी संविधान के अंतर्गत जो सूची दे रखी है, उसमें सिम्मिलत की गई हो। राज्यों के अंदर उन भााओं का प्रयोग होता है। केन्द्र में जहां तक सम्पर्क भााा का सवाल है, एक दूसरे से मिलने पर अंग्रेजी के पहले हिन्दी का प्रयोग राट्रभााा के रूप में होता था। आजादी की लड़ाई भी इसी भााा से लड़ी गई थी। हमारे महापुरू राजगोपालाचारी, महात्मा गांधी, नेता जी सुभाा चन्द्र बोस, बाल गंगाधर तिलक, जो आजादी के सेनानी थे, उन्होंने भी सम्पर्क भााा के रूप में हिन्दी को हिन्दुस्तानी रूप में अपनाया था। इसलिए किसी देश में निजता का पद पाती है पर्वतर क्या, विनय एक व्यापक वाणी, राट्र की सत्ता क्या। वह व्यापक वाणी भारतीय भााा ही हो सकती है, जिसको सर्वाधिक बोलने वाले और समझने वाले हों। मैं समझता हूं वायको जी ने संविधान संशोधन की बात कही है, उसमें भााा वाला विवाद जो शुरू हुआ है, वह नहीं होना चाहिए।

भारत की सभी भााएं हमारे लिए मान्य हैं, पूज्यनीय हैं और हमें अधिकाधिक भााओं का ज्ञान प्राप्त करना चाहिए। अपने-अपने राज्यों मे जहां उनका प्रयोग राज्य स्तर पर प्रादेशित क्षेत्रों में होता है, उसमें होना चाहिए लेकिन जातिवाद, प्रांतीयतावाद, भाावाद, अलगाववाद या साम्प्रदायिकतावाद को लेकर, छोटी-छोटी बातों को लेकर अगर हम लड़ते रहेंगे तो हमारा देश बिखर जाएगा। वाइको जी ने कहा है कि संविधान की जो सूची है, अनुच्छेद 246 के अंदर सातवीं अनुसूची है जिसके अंदर हमारे संविधान निर्माताओं ने हमारे देश के अंदर शासन व्यवस्था बनाई है। संविधान सभा में हमारे देश के सभी वर्गों, सभी राज्यों और तत्कालीन सभी प्रभुत्व नागरिक और महानुभाव थे और सबके चिंतन करने के बाद संघ सूची, राज्यों की सूची और समवर्ती सूची बनी है, उन्होंने बड़ा सुंदर प्रयोग किया कि ये विाय संघ के अधिकार में रहेंगे और राज्यों के अधिकार में रहेंगे और राज्यों के अधिकार में रहेंगे और समवर्ती सूची में केन्द्र और राज्य दोनों को समान अधिकार होगा।

जहां तक वाइको जी का यह कहना कि राज्यों को मजबूत बनाया जाना चाहिए, इस बात का मैं आंशिक समर्थन करता हूं। केन्द्र और राज्य दोनों को मजबूत बनाया जाना चाहिए क्योंकि अगर केन्द्र मजबूत होगा तो राज्य मजबूत होगा और राज्य मजबूत होगा तो केन्द्र मजबूत होगा। लेकिन राज्य अटॉनोमी के नाम पर जम्मू-कश्मीर को धारा 370 के अंदर विशो अधिकार दे रखे हैं और वहां समस्या हुई थी कि एक देश के दो निशान, एक देश के दो प्रधान और एक देश के दो विधान हों। कश्मीर आज तक हमारी भारत माता का सिर है, ताज है, हमारा मस्तक है लेकिन आज वह समस्याग्रस्त बना हुआ है। मैं समझता हूं कि हमारा देश एक माला है और जितने राज्य हैं चाहे छोटे राज्य हैं या बड़े राज्य हैं, वे सब उसके अंदर मनके की तरह हैं, भारत माता के गले की माला के फूल हैं। इस प्रकार की भावना को लेकर यदि हम चलेंगे तो राद्रीय एकता मजबूत होगी नहीं तो अलगाववाद की बात होगी।

"जब नाव डूबेगी तो डूबेंगे सारे, न हम ही बचेंगे, न साथी हमारे।"

इसीलिए हमें मजबूत भारत का सपना देखना चाहिए। आज विदेशी ताकतें यह दिखा रही हैं कि यूरोप छोटे-छोटे देशों के अंदर बंटा हुआ है, स्पेन, पुर्तगाल, फ्रांस, लिस् वान और नॉर्वे ऐसे देश हैं और कई तो हमारे देश के जिले के बराबर देश हैं लेकिन हमारा इतना बड़ा देश उत्तर से दक्षिण और पूर्व से पश्चिम तक है। एक अरब की आबादी वाला देश है जिसमें अनेक प्रकार की भागएं हैं, प्रांत हैं, जलवायु है लेकिन उसके बावजूद भी भारत हमारे यहां की संस्कृति, इतिहास और हमारी पुरातन सभ्यता को एक रखे हुए हैं। हमें इस एकता को जीवित रखना पड़ेगा। भले ही ऊपर से अलग दिखें लेकिन मूलत: सारी भागएं एक हैं और जो ऊर्जा जो मूल स्रोत है, वह एक है। इसीलिए वाइको जी के द्वारा प्रस्तुत संविधान संशोधन जो है, उसका केवल मैं आंशिक समर्थन करना चाहुंगा।

हमारे संघ की सूची में भारत के संविधान ने जो सूची दे रखी है, 97 विाय हैं और वाइको जी ने 94 कर दिये हैं, तीन कम कर दिये हैं। कुछ तो आर्थिक मामलों से संबंधित हैं और कुछ इन राज्यों के हैं। राज्यों की सूची में संविधान के अंदर 76 विाय दिये हुए हैं, वाइको जी ने 66 रखे हैं और समवर्ती सूची में संविधान के अंदर 47 विाय हैं और वाइको जी ने 28 विाय रखे हैं।

SHRI VAIKO: For the kind information of the hon. Member, there was a printing mistake. Therefore, I have given an amendment to that Bill also.

प्रो. रासा सिंह रावत : मैं कह रहा था कि अगर ऐसी आवश्यकता होती तो यह संविधान समीक्षा आयोग जो अभी बिठाया है, उसके बारे में कहते लेकिन मैं समझता हूं कि आज एनडीए के रूप में सारे उत्तर से दक्षिण और पूर्व से पश्चिम तक सारे देश की शक्तियां, विभिन्न वर्गों के लोग एक माला के मनके बनकर देश में शासन कर रहे हैं।

यह ठीक है, जैसा वैको जी ने कहा, इमरजैंसी के दौरान श्रीमती इंदिरा गांधी जी ने सारी शक्तियां अपने हाथ में ले ली थीं और मीसा जैसा काला कानून देश में लगा दिया था। राज्यों की सारी शक्तियां कम कर दी थीं। लेकिन धीरे-धीरे 1983 में सरकारिया आयोग बना, जिसने बताया कि केन्द्र और राज्यों के कैसे संबंध होने चाहिए, कौन-कौन सी बातों पर कैसी लक्ष्मण रेखा होनी चाहिए। राटपित शासन कब लागू होना चाहिए, कब नहीं लागू होना चाहिए, इन सारी परिस्थितियों के बारे में विवेचन किया। मैं समझता हूं कि संविधान निर्माताओं ने, हम पचासवीं स्वर्ण जयन्ती मना चुके हैं, जो संविधान बनाया है, वह समय की कसौटी पर खरा उतरा है। इसलिए संि वधान में संशोधन करने की कोई विशो आवश्यकता नहीं है। लेकिन मैं उनकी इस बात का समर्थन करता हूं कि राज्यों को वित्त के मामले में और अधिकार मिलने चाहिए, ताकि राज्यों को समय-समय पर केन्द्र की ओर थोड़े धन के लिए न देखना पड़े। राज्य भी अपने रिसोर्सेस जटा सकें। हम पंचायतों को आत्म-निर्भर बनाना चाहते हैं, स्वावलम्बी बनाना चाहते हैं। ग्राम राज्य की ईकाई है, जैसे पंचायत समिति है, जिला परीद है, जिला पंचायत हे, विधान सभा है, लोक सभा है, उसी प्रकार केन्द्र, केन्द्र के साथ राज्य और राज्यों के साथ स्वायत्त ईकाइयां, सभी मजबूत होने चाहिए। लोकतन्त्र में सत्ता का विकेन्द्रीकरण होता ही है, होना चाहिए और हो रहा है। मैं समझता हूं कि हर चीज की अति ठीक नहीं है। अगर केन्द्र कमजोर हुआ, जिस प्रकार मुगलों के जमाने में दिल्ली और आगरा की धरी कमजोर हुई, तो अग्रेज आए और वे अपनी मनमानी करने लगे तथा देश को गुलाम बना दिया। अब तक का इतिहास इस बात का साक्षी है, मजबूत केन्द्र, मजबूत राज्य और मजबूत राज्य, मजबूत केन्द्र। सारी दुनिया भारत की ओर देख रही है, भारत बंटेगा नहीं। भारत उनके कब्जे में नहीं आएगा। हमारे कुछ मसले हैं, हमारे मतभेद हैं और लोकतन्त्र में मतभेद होना स्वाभाविक है, लेकिन मनों में भेद नहीं होना चाहिए। मैं निवेदन करना चाहता हू सुब्रहमण्य भारती की कविताओं में राट्रीयता का परिचय मिलता है और स वामी तिरुवलकर जी की कम्बन रामायण में संस्कृति की झलक दिखाई देती है। हमें उन पर गर्व है। तूलसी दास जी ने कहा है - "मुखिया मुख सो चाहिए, खान-पान को एक। पाले-पोसे संकलन अंग, तुलसी सहित विवेक। "अर्थात्, हमारा मुखिया मुख की तरह होना चाहिए और मुख एक होते हुए, एड़ी से चोटी तक का वह विकास करता है। ऐसे ही केन्द्र सबल हो और केन्द्र सबल होगा, तो राज्य सबल होंगे। सारे राज्य, चाहें छोटे जैसे नागालैंड, मिजोराम, गोवा, या बड़े जैसे उत्तर प्रदेश, राजस्थान, जम्मू-काश्मीर, केरल - सारे राज्यों को ध्यान में रखकर सब का संतुलित रूप से, समुचित रूप से, सुचारू रूप से विकास हो। हमारे संविधान की यह विशेष ाता रही है। मैं समझता हूं कि पूर्वज संविधान निर्माताओं ने, स्वाधीनता सैनानियों ने बहुत सोच-समझकर बाबासाहिब अम्बेडकर जी के नेतृत्व में संविधान का निर्माण किया। संविधान के अनुसार संघीय अधिकार अलग है, राज्यों के अधिकार अलग हैं और समवर्ती अधिकार अलग हैं। केन्द्र के हाथ में सेना का, केन्द्र के हाथ में रक्षा का, केन्द्र के हाथ में डाक व तार, केन्द्र के हाथ में रेलवे जैसे अधिकार दिए। राज्यों को राज्य के अधिकार दिए। लेकिन मीसा जैसे काले कानून का उपयोग न हो, अपनी शक्ति के बल पर न्यायालय के निर्णय को बदलने का प्रयास न हो, ऐसी व्यवस्था है। अगर हमारे संविधान में कहीं कोई कमी रह गई है, तो उस कमी को ि वद्वानों के द्वारा, विधि-वेत्ताओं के द्वारा, संविधान विशोज्ञों के द्वारा यदि परिवर्तन की आवश्यकता है, तो परिवर्तन करना चाहिए, ताकि भविय में ऐसी घटनायें न हो।

महोदय, अंत में मैं आपकी आज्ञा से सरकारियां आयोग का एक भाग कोट करना चाहूंगा - "भारत के संविधान में द्विस्तरीय सरकार की परिकल्पना की गई है। एक संघीय स्तर पर और दूसरी राज्य के स्तर पर। कार्यात्मक दृटि से यह संविधान स्थायी स्वरूप का नहीं है, बल्कि परिवर्तनात्मक है। इस प्रक्रिया के तहत अपकेन्द्री और अभिकेन्द्री शक्तियों के पारस्परिक संबंध, परिवर्तनशील सामाजिक, आर्थिक और राजनैतिक पर्यावरण से प्रभावित होकर निरन्तर एकता और विविधता के बीच संतुलन बनाए रखने के लिए निरन्तर प्रयास करते रहते हैं।" कितनी सुन्दर बात सरकारिया आयोग की प्रस्तावना के अंदर कही गई है - हमारा सब का उद्देश्य केन्द्र के अधिकारी, राज्य के अधिकारी या समवर्ती सूची, लेकिन लक्ष्मण रेखा, मर्यादा, उद्देश्य क्या है - निरंतर एकता, देश एक बना रहे, "वयम् राद्रे जागरयाम पुरोहिता:," राद्र के विद्वान लोग हमेशा जागरूक रहें। "राद्र देवो भव:," राद्र को देवता के तुल्य समझें। ऐसा मान कर राद्र की अराधना निरंतर एक्य भाव से करते रहें तो एकता बनी रहेगी।

अगर मेरे पैर के एक अंगुठे में कांटा चुभता है तो हमारा दिमाग यह नहीं कहता कि अंगुली के अंदर कांटा चुभा होगा, हमें क्या लेना-देना। सारे शरीर में सनसनी फैल जाती है। दिमाग आंखों को कहता है देखो, हाथ को कहता है, ढूंढो और पैरों को कहता है, ऊपर उठो। पैर के नीचे जो कांटा है, उसे निकाल कर फेंक दिया जाता है। ठीक इसी प्रकार से देश के किसी भी भाग में आने वाली विपदा, मुसीबत, हमारी अपनी मुसीबत, सारे देश की मुसीबत होनी चाहिए, यही राट्रीय एकात्मकता की अनुभृति है, जिसके लिए एनडीए निरंतर प्रयत्नशील है, राट्रीय एकता के लिए प्रयत्नशील है। मैं समझता हूं कि वाइको का भाव भी यही है। उन्होंने स्वयं कहा कि मुझे

गलत न समझा जाए। मेरा अपना विचार हो सकता है, उनके अपने विचार का हम उनके स्थान पर सम्मान करते हैं, लेकिन विचार राट्र की दृटि से देखना पड़ेगा। पांच अंगुलिया अलग-अलग हैं, लेकिन पांचों अंगुलियां, हथेलियां और कलई से बंधी हुई हैं। अगर पांचों अंगुलियां एक होंगी तभी शक्ति आएगी। संघों की शक्ति कलयुग है। कलयुग के अंदर संगठन में शक्ति है। हमारे यहां संसद भवन के मुख्य द्वार के केन्द्रीय कक्ष के ऊपर लिखा हुआ है - "अयं निजा: परोवेती, गणना लघु चेतसाम, उदार चिरतानाम तु, वसुधेवकम् कुटुम्बकम।" यह अपना है, यह पराया है, ऐसी गिनती छोटे दिल वाले लोग करते हैं। विशाल दृटिकोण वालों के लिए सारा संसार एक परिवार है। हम सब भारतवासी एक भारतमाता के बेटे हैं। इसलिए हमें सब भााओं, संस्कृति, बोलियां, सब के ऊपर नाज़ है। यहां हिन्दी भारतमाता के भाल की बिंदी है। सब बहने हैं - हिन्दी, तिमल, तेलगु, कन्नड़, मल्यालम, पंजाबी, सब बहने हैं और सब बहनों की अंग्रेजी विदेशी भााा है, वह इस देश से जानी चाहिए। राष्ट द्रीय अस्मिता का तकाजा है, हम अपनी राट्रीय भााओं को प्रोत्साहन प्रदान करें और सारी राट्रीय भााओं को अपने-अपने क्षेत्र में फलने और फूलने का अवसर दें। इन्हीं शब्दों के साथ मैं आंशिक समर्थन करते हुए अपना स्थान ग्रहण करता हूं।

डॉ. रघुवंश प्रसाद सिंह (वैशाली): सभापित महोदय, माननीय सदस्य श्री वाइको ने जो विधेयक प्रस्तुत िकया है, हम उसके समर्थन में खड़े हैं, लेकिन हमें आश्चर्य है कि वह जिस सरकार को सपोर्ट करते हैं, वे मानेंगे या नहीं मानेंगे, वे मानने वाले नहीं हैं, ऐसा हमें लगता है। रासा सिंह रावत जी ज्ञान का बहुत उपदेश दे रहे थे, लेकिन वह जिस तरफ बैठे हैं वहां ऐसे भी लोग हैं जो करनी करें पाताल लोक की, कथनी कथे हिमालय की। यह हिमालय की ऊंचाई का कथन है, लेकिन करनी पाताल लोक के लोग कर रहे हैं। देश एक है, एक रहना चाहिए, मजबूत रहना चाहिए। ये कह रहे हैं - "वसुधेव कुटुम्बकम," लेकिन यह नहीं है। "श्रुतयो ि विभिन्ना, स्मृतियो विभिन्ना, नइकोर मुनेजस्य, मतयो विभिन्ना, धर्मस्य तत्वम्, मतयोग गुहाया, महाजनो एना, गतस्य पंथा," ये लोग भूल जाते हैं। दंगा फैलाओ, मारो काटो, यह काम इनके कुछ कट्टरपंथी लोग कराते हैं। इन लोगों का आपस में मतभेद है। कुछ ऐसे कट्टरपंथी हैं जो देश का सत्यानाश करने में लगे हुए हैं, उन लोगों को उपदेशित कियो जाए।वे€¦(व्यवधान) प्रो. रासासिंह रावत जी ने अभी बहुत ऊंचा उपदेश दिया है,

#### 16.00 hrs.

लेकिन आप बताएं कि उस पर अमल करने वाले भी आपकी तरफ हैं या नहीं। संजीवनी-बूटी और अमरकृति की आप बातें कर रहे हैं लेकिन मैं कहना चाहता हूं कि "करनी करे पाताल लोक की और कथनी करे हिमालय की "। बात को बहुत ऊंची कर रहे हैं लेकिन व्यवहार में आपके लोग क्या कर रहे हैं।

संटर-स्टेट संबंधों पर बहस हो रही है और इसी से संबंधित माननीय वाइको साहब का मामला है। यह मामला बहुत संवेदनशील है और इसके लिए सरकारिया कमीशन भी बैठाया गया था। लेकिन उसका गर्दा उड़ाने का काम इस सरकार ने किया है। राज्यपाल की नियुक्ति क्या सरकार से पूछ कर की। जितने आरएसएस के कट्टरपंथी हैं वह बहाली करते हैं, राज्य सरकार को क्यों पूछने जाएंगे। इसीलिए विवाद हो रहा है। जो तीन लिस्टं, यूनियन लिस्ट, स्टेट लिस्ट और कंकरेंट लिस्ट संि वधान में हैं जिनमें से एक में स्टेट का अधिकार है, दूसरी में केन्द्र का और तीसरी में दोनों का संयुक्त रूप से अधिकार है, माननीय वाइको साहब का प्रथम प्रस्ताव है कि यूनियन के 4(2) के अधिकार को यूनियन लिस्ट से हटाकर स्टेट लिस्ट में रखा जाए। उसके बाद 10(2) ऐसा क्षेत्र है जिसको कंकरेंट लिस्ट से स्टेट लिस्ट में रखा जाए। मतलब यह है कि चार यूनियन लिस्ट से और 10 कंकरेंट लिस्ट से दोनों को मिलाकर 14 अधिकारों को स्टेट लिस्ट में रखा जाए। यह माननीय वाइको साहब का प्रस्ताव है। महोदय, इसमें सरकारिया कमीशन ने 2.43.01 में कहा है कि :

"The residuary powers of legislation in regard to taxation matters should continue to remain exclusively in the competence of Parliament while the legislative field other than taxation should be placed in the Concurrent List. The Constitution may be suitably amended to give effect to this recommendation."

सरकारिया कमीशन ने कहा है कि इन मामलों में कंकरेंट लिस्ट से स्टेट लिस्ट, स्टेट लिस्ट से यूनियन लिस्ट में से कौन बढ़िया है इसको भी देखा जाना चाहिए। लेकिन महोदय, जैसे कृि। का मामला लीजिए। हिंदुस्तान तो कृि। प्रधान देश है और यहां पर सब राज्यों में सभी प्रकार की खेती होती है। बढ़िया मिट्टी वाली खेती, बालू मिट्टी वाली खेती, पत्थरीली मिट्टी वाली खेती, सभी प्रकार की खेती हिंदुस्तान में होती है।

### 16.04 hrs.

# ( DR. Laxminaryan Pandeya in the Chair)

महोदय, भारत सरकार केन्द्र द्वारा स्पोन्सर्ड स्कीमें बनाती है और अपने मुताबिक सभी राज्यों को कहती है कि इतना खर्चा हम करेंगे और इतना खर्चा आप करो। विमन्न प्रकार की स्कीमें हैं जैसे बढ़िया दालें, बढ़िया अनाज, जूट और भी कई प्रकार की खेती की स्कीमें हैं। भारत सरकार कह देती है कि राज्य सरकारों को इतना खर्चा अपनी तरफ से देना पड़ेगा। इसलिए ज्यादातर राज्य फंड लेने से वंचित रह जाते हैं।

समापति महोदय : चूंकि इस विधेयक पर दो घंटे का समय निर्धारित किया गया था जो कि समाप्त होने जा रहा है। अभी कुछ माननीय सदस्यों को और बोलना है। यदि इस सदन की सहमति हो तो इसके लिए एक घंटा बढ़ा दिया जाता है।

अनेक माननीय सदस्यः हां, समय बढा दिया जाए।

डॉ. रघुवंश प्रसाद सिंह : महोदय, केन्द्र और राज्यों के बीच जो संबंध हैं, वे मधुर होने चाहिए। सैंटर ने कुछ चीजों को अपने पास रखा हैं। केन्द्र रोड, डाक-तार, ि वदेश, सुरक्षा आदि कामों को जरूर चलाए। हम भी यह चाहते हैं कि सैंटर मजबूत रहे। कोई नहीं चाहता कि सैंटर कमजोर हो लेकिन जो काम सैंटर से नहीं होता है, वह उसे न करे। वह अपनी दादागिरी बंद करे। कहा गया कि महात्मा गांधी जो ने कहा था कि विकेन्द्रित व्यवस्था होनी चाहिए। यहां अमेरिका का बहुत भारी उदाहरण दिया जाता है लेकिन अमेरिका में राज्यों, गांवों और पंचायतों के पास बहुत अधिकार हैं। वहां सैंटर के पास बहुत कम अधिकार हैं लेकिन यहां उनकी खराब चीजों के उदाहरण दिए जाते हैं। उनकी अच्छाइयों को समझ कर उनका यहां प्रयोग होना चाहिए। हमने संविधान में 73वां, 74 वां संशोधन किया और आर्टिकल 273 इंट्रोड्यूस किया लेकिन उन्हें व्यवहार में लाना चाहिए जिससे पंचायतों को पूरे अधिकार मिलें। उनके अधिकार सैंटर ने छीन लिए। सैंटर में बैठ कर लोग स्कीमें बनाते हैं। मूंग, मसूर की दाल, हल्दी, तख्बूज और ककड़ी की खेती जहां नहीं होती, वहां उनकी खेती करने के लिए किसानों से कहा जाता है। अफसर एअरकंडिशन्ड कमरों में बैठ कर स्कीम्स बनाते हैं लेकिन वे इनके बारे में पूरी तरह जानते नहीं हैं। वे स्कीम्स राज्यों में चली जाती है और कह दिया जाता है कि 50 परसैंट पैसा राज्य दें और 50 परसैंट सैंटर देगा जबिक वह खेती वहां हो नहीं सकती। किसानों को उनके बारे में मालूम ही नहीं होता है। कहीं जूट की खेती होती है, कहीं सोयाबीन की खेती होती है। अप किसानों की असली समस्या के बारे में जानते नहीं हैं। मैंने पहले भी कहा था कि यह ट्रिक से काम करते हैं। वि वेकानन्द जी ने कहा था कि ट्रिक से कोई बड़ा काम नहीं हो सकता है। हमारे यहां एक डिप्टी साहब थे। उनके यहां प्रसाद के रूप में एक किलो पेड़ा आया। इससे वहां बड़ी भीड़ जुट गई।

उन्होंने कानून बना दिया कि जिनके पास कंठी है, उसे प्रसाद मिलेगा लेकिन प्रसादी ज्यों का त्यों रह गया। उसी तरह भारत सरकार का हाल है। सैंट्रली स्पौंसर्ड स्कीम्स पर शर्त लगा दी और हर राज्य को घेर लिया। यह नहीं मालूम किया कि उनकी क्या समस्यायें हैं, उनके पास पूंजी है या नहीं लेकिन असिस्टेंस दी भी तो वह ज्यों की त्यों रह गई। यही हाल डी.पी.ए.पी., प्रधानमंत्री ग्रामोदय योजना और इलिक्ट्रिफिकेशन का है। इस बारे में सब केन्द्र की स्कीम्स बनाई गई हैं। जब प्रधानमंत्री ग्रामोदय योजना में विद्युतीकरण की व्यवस्था है तो फिर राज्य सरकारें 50 प्रतिशत अपनी तरफ से खर्च करें। उस 50 प्रतिशत में से 30 परसेंट राशि अनुदान के रूप में मिलेगी और 70 प्रतिशत लोन देगी। यह कितना पैसा होगा, वह ज्यों का त्यों रह गया है। श्री वैको का जो प्रस्ताव आया है, उसके तहत यह महसूस किया गया लेकिन हम व्यवहार में महसूस कर रहे हैं कि सैंट्रल से सम्भल नहीं रहा है। चूंकि स्टेट का विाय है, उन्हें ही देना चाहिये।

सभापित महोदय, मछुआरे समुद्र में मछली मारने का काम करते हैं लेकिन यहां आफिसरों को क्या मालूम कि समुद्र में मछली कैसे मारी जाती है। हम भी तालाब या जौहड़ में मछली मारने की बात जानते हैं और अगर ये लोग यहां से स्कीम बनायेंगे तो खराब ही होगी। उसी तरह से स्टेट को अपने अधिकार दिये जाने चाहिये। जो स्थानीय आफिसर्स हैं, वे वहां की समस्यायें जानते हैं, वहां की जनाकांक्षा क्या है, वे जानते हैं इसलिये उन्हें सैंटर से स्कीम के लिये खर्चा मिलना चाहिये।

सभापित महोदय, इस बार रेवेन्यू में घाटा हो गया है। हर राज्य को 500-500 करोड़ रुपये का घाटा हुआ है और जवाबदेही उन पर रखी हुई है लेकिन निर्वाह नहीं हुआ है। केन्द्र से जो संभलने वाली चीजें हैं, वह करे तो ठीक है वरना बाकी चीजो को डी-सैंट्रलाइज करे। जिनकी समस्यायें हैं, वे अपना समाधान करेंगे लेकिन केन्द्र उसमें सहायता करे।

सभापित महोदय, जहां तक भााा का सवाल है, यह संवेदनशील मामला है। जब इसमें धर्म और राजनीित घुस जाती है तो मामला खराब हो जाता है। श्री नाचिअप्पन ने उदाहरण दिया कि श्री सुब्रमण्यम भारती तिमल भााा के बहुत बड़े विद्वान रहे हैं और 14 भााओं के जानकार थे। इसी प्रकार डा. लोहिया ने भी एक फार्मूला दिया था - "डा. लोहिया की यह अभिलााा, चले देश में अपनी भााा "जब तिमल लोग अपनी भााा बोलते हैं तो मैं उन्हें नन्दरी (धन्यवाद) देता हूं। लेकिन आज बीमारी यह है कि अंग्रेजी बोलने वाला अपने आपको काफी काबिल समझता है। उसका कारण यह है कि हमारा देश वााँ तक अंग्रेजों का गुलाम रहा है और वहीं गुलामी की मानसिकता अभी तक हमारे अंदर है। यह ठीक है कि अंग्रेजी में एक्सप्रेशन है और देश में डेढ़-दो परसेंट बोलने वाले लोग हैं। गैर- हिन्दी भागी राज्यों में जैसे तिमल, तेलुगु, मलयालम बोली जाती है। यह उनकी अपनी जबान है। दसरे राज्यों में हिन्दी समझते हैं लेकिन गैर-हिन्दी राज्यों में हमारी भाग नहीं समझते हैं।

उन्होंने कहा कि आपकी बोली को मैं भाव से समझ जाता हूं, क्योंकि वह ओरिजनल है, यह रीजनल नहीं है। यदि हार्ट से कोई भाा बोली जाए तो वह इम्प्रैसिव होती है और समझने के लायक होती है। बनावटी तरीके से यहां-वहां से जोड़-तोड़कर बोलते हैं। अब हमंगस फ्रॉड बोलने पर कितना विवाद खड़ा हो गया। हिन्दी में उसी को हम रोज बोल रहे हैं, लेकिन कोई नहीं टोकता। लेकिन अंग्रेजी के चलते सदन में भी कितना विवाद हो जाता है। लेकिन वही बीमारी है कि दूसरी भााा नहीं बोल सकते। अंग्रेजी में बोले, उर्दू में बोलें, तिमल में बोलें, तेलुगु में बोलें, मलयालम में बोलें, उनका स्वागत है। लेकिन देश की भााा में बोले। लेकिन कुछ लोग बनावट के लिए, आडम्बर के लिए कि हम ज्यादा होशियार हैं, हम अंग्रेजी बोल सकते हैं, हम अंग्रेजी बोलते हैं। जबिक वह घिसी-पिटी भााा है, अंग्रेजी के शब्दों को कोई वैज्ञानिक पहलू नहीं है। एक जगह put पुट और दूसरी जगह but बट, अगर इसे साइंटिफिक तरीके से लिया जाए यह पुट, बुट या पट, बट होना चाहिए। लेकिन एक जगह पुट है और एक जगह बट है। अंग्रेजी ऐसी भााा है जिसमें कोई नियम ही नहीं है।

सभापित महोदय, हिन्दी भााा में छ: लाख शब्द हैं और अंग्रेजी में दो लाख शब्द हैं और कहते हैं कि अंग्रेजी रिच लैंग्वेज है। जनता की जबान पर जो भााा आ जाती है वह मंज जाती है। The number of words of Indian language are six lakhs. …(<u>व्यवधान</u>) कभी-कभी गैर हिन्दी भााी लोगों को अगर अनुवाद न मिले, डायरेक्ट ही मिले, इसलिए बोल रहा हूं। मैं कट्टरपंथी नहीं हूं। जो किसी हिसाब से भााा की परिभााा है, जो बाकी लोगों को समझने में आ जाए। यह नहीं है कि I don't know a word of Hindi. तमिलियन लोग बोलते हैं। I don't know a word of Tamil. इस तरह झंझट नहीं होगा। तमिल के भी कुछ शब्द सीखने और जानने चाहिए और हम लोग सीख भी रहे हैं।

समापति महोदय: यह संविधान संशोधन है, यह भाग से संबंधित नहीं है। आप समाप्त करिये। सदन का समय इसलिए बढ़ाया गया है ताकि और माननीय सदस्यों को भी बोलने का समय मिल सके।

डॉ. रघुवंश प्रसाद सिंह: मैं समाप्त कर रहा हूं। इसलिए वैको साहब का यूनियन लिस्ट से स्टेट लिस्ट में लाने का और कंकरन्ट लिस्ट से स्टेट में लाने का जो प्र ास्ताव है, उसे लाया जाना चाहिए और इसके लिए सैन्टर को अधिकार देना चाहिए। केन्द्र की मजबूती रहते हुए सैन्टर को अपनी जगह का अधिकार मिलता है तो आटोनोमी का सवाल क्यों नहीं आयेगा। जम्मू-कश्मीर आज आटोनोमी मांग रहा है। इसलिए नेशनल यूनिटी रहे। अनेकता में एकता यह हमारी खूबी है, हमारी विशेता है। लेकिन राज्यों को अपने विकास के लिए पूरे अधिकार दिये जाने चाहिए। इसलिए लिस्ट में कटौती करके स्टेट लिस्ट में वृध्दि करनी चाहिए और उन्हें पूर्ण अधिकार दिये जाने चाहिए, तािक वे अपनी जगह पर अपनी समस्या से निपट सकें और उसके लिए केन्द्र उन्हें मदद दे। लेकिन उल्टा होता है, केन्द्र अइंगा लगा देता है, जिसके कारण राज्यों का बहुत नुकसान होता है। खासकर बिहार राज्य का सत्यानाश हो गया। नौवीं पंचर्वीय योजना में हमारे राज्य को दस हजार करोड़ रुपया केन्द्र से नहीं गया। इसलिए हम इसके पक्षधर हैं। माननीय सदस्य ठीक बोल रहे हैं। बाकी इनकी कोई वैल्यू नहीं है, ये छटपटाते रहते हैं, नहीं तो हम सब लोग एक न हो जाएं। आप इस पर वोटिंग कराइये हम इसे सपोर्ट करके पास करायेंगे।

श्री देवेन्द्र प्रसाद यादव : सभापित महोदय, माननीय सदस्य श्री वैको के द्वारा जो संविधान संशोधन विधेयक सदन में प्रस्तुत किया गया है, मैं उस विधेयक के पक्ष में खड़ा हुआ हूं। क्योंकि उस विधेयक में यह स्पट है और यह न केवल केन्द्र और राज्यों के संबंधों के संदर्भ में हैं, बल्कि उन्होंने साफ-साफ कहा है कि जो राज्यों की सूची है उसे और बढ़ाया जाए, एक्सपैन्ड किया जाए। यानी जो यूनियन लिस्ट है उससे उसमें चार लेन और जोड़ दी जाएं,

और जो कन्करेंट लिस्ट है उसे जो 10 राज्य और केन्द्र की सम्मिलित लिस्ट ताकत की है, उसमें से भी कुछ ताकत स्टेट को दी जाए, यानी राज्यों को अधिक शक्तिशाली बनाया जाए। बिल का जो हेतु है, जो उद्देश्य है, एम्स एंड आब्जैक्ट्स हैं उसमें भी यह स्पट है कि केन्द्र से राज्यों को और ताकत मिले, स्टेट को ज्यादा पॉ वर दी जाएं। इस संबंध में जो विधेयक माननीय वैको जी ने सदन में प्रस्तुत किया है, मैं उसके पक्ष में खड़ा हुआ हूं।

सभापित महोदय, इसके साथ-साथ मैं यह कहना चाहता हूं कि चाहे शिक्षा का क्षेत्र हो, सामाजिक बीमा का क्षेत्र हो, धार्मिक संस्थान का मामला हो, चेरिटेबल संस्थाएं, जो केन्द्र की सूची में है, उसमें से कुछ ऐसे सैंसिटिव मामले हैं उनको छोड़ कर, बाकी पर और ज्यादा ध्यान देने की जरूरत है। मेरा विचार है कि केन्द्रीय सरकार को ऐसे उत्तरदायित्वों का निर्वहन करना पड़ रहा है जिससे खास तौर से हमारे देश की आजादी का जो मकसद है, जिसके अनुसार राज्यों को भी ज्यादा ताकतवर बनाया जाए। गांधी जी का राज्यों के विकेन्द्रीकरण का जो दर्शन था कि नीचे के लोगों को ताकत देंगे, ताकत को गांवों में पहुंचाने हेतु चो चार पिलर की स्थापना की कल्पना की जा रही थी, जो चौखम्भा राज्य की डॉ. राम मनोहर लोहिया ने कल्पना की थी और महात्मा गांधी ने ग्राम स्वराज की परिकल्पना की थी वह सही रूप में आजादी का स्वरूप था जिससे कि हमारे देश के गांव मजबूत हों। महोदय, महात्मा गांधी ने यह कहा था कि भारत का आदमी गांवों में बसता है। जब तक गांव मजबूत नहीं हों तब तक भारत की आत्मा मजबूत नहीं हो सकती और गांवों को सही आजादी भी तभी मिलेगी जब गांवों मजबूत होंगे।

सभापति जी, प्रो. रासा सिंह रावत जी ने बहुत ही सही ढंग से सरकारिया आयोग के गठन से लेकर सरकारिया आयोग की अनुशंसाओं और उनके अनुरूप अब क्या हो

रहा है और हमें भारत को कैसे मजबूत करना है, इस बारे में विस्तार से अच्छा बताया और कहा कि देश मजबूत होगा, तो राज्य मजबूत होंगे। मैं आपसे कहना चाहता हूं आज 53 वीं की आजादी के बाद राज्यों को जो 29 शक्तियां दी गई हैं, पंचायती राज का 72वां तथा 73वां संविधान संशोधन कब का पारित हो चुका है, लेकिन पंचायतें आज तक मजबूत नहीं हुई। उन्हें मजबूत करने के लिए सुप्रीमकोर्ट और अन्य कई न्यायालयों में चर्चा हुई, लेकिन जो ताकत गांवों में आनी चाहिए वह नहीं आई। आम जनता को आज भी जो वित्तीय शक्तियां पंचायतों के माध्यम से मिलनी चाहिए, वे नहीं मिली हैं। आखिर पंचायती राज की जो परिकल्पना थी या महात्मा गांधी का जो स्वप्न था, संविधान निर्माताओं का जो उद्देश्य था, जो उनकी आकांक्षा थी, जो उनकी सोच थी, जो उनकी मानसिकता थी, उसकी परिकल्पना करें और देखें कि उसके तहत जमीन पर क्या हो रहा है। मैंने इसीलिए इस बात का जिक्र किया कि अभी तक आजादी का मकसद पूरा नहीं हुआ है और जो गांवों में रहने वाले लोग हैं, उनको जो लाभ पहुंचना चाहिए वह नहीं पहुंचा है। कई सरकारें आई, 53 वीं की आजादी के बाद बहस होती है कि जनता को ताकतवर बनाना है, ग्राम पंचायत व्यवस्था को लागू करना है, राज्यों को ताकत देनी है और लोक तंत्र को मजबूत करना है, लेकिन हो क्या रहा है, मैं सबका जिक्र कर रहा हूं। महात्मा गांधी आजादी के पक्षधर थे इसलिए उन्होंने कभी गवर्नमेंट में कभी किसी पद पर जाने की नहीं सोची। वे तो आजादी का जो संग्राम था उसको गांवों तक पहुंचाने के लिए कृतसंकित्यत थे। इसीलिए महात्मा गांधी उसको आजादी देना चाहते थे, हम लोग प्रतिनिधि हैं, हम लोग आजादी दिलाने का काम करें। गांवों की आजादी ही जनता की असली ताकत है और विशेष अधिकारी भी है,

लेकिन जो आम जनता है, उसको क्या अभी भी आजादी मिली है, यह सवाल है। यदि देश मजबूत होगा, राज्य मजबूत होगा, ग्राम पंचायत व्यवस्था मजबूत होगी, ग्राम पंचायत सब जगह लागू होंगी तभी आम जनता मजबूत होगी। आज भी आम जनता आजादी के मकसद को छू नहीं पाई है। आजादी की रोश्नी आज तक गांवों में नहीं पहंच पाई है। इसको स्वीकार करने में कोई हिचकिचाहट नहीं होनी चाहिए। सवाल यह है कि आजादी कैसे पहंचेगी ? कई ऐसे सवाल उठते रहे हैं। एक बार पावर को सेंट्रलाइज करने की कोशिश की गई थी। श्री वैको साहब ने चर्चा की थी कि 1975 में आपातकाल लागू की गया। देश में पावर को सेंट्रलाइज किया गया जबकि डी-सेंद्रलाइज करना चाहिए था। यह काम उस दल के द्वारा किया गया जो महात्मा गांधी का बहुत नाम लेते हैं। जिनको महात्मा गांधी जी का नाम लिये बिना नींद नहीं आती। महात्मा गांधी जी का नाम लेकर आजादी का जो मूल सपना था, उसको धरती पर उतरने नहीं दिया। हम थोड़ा फक्कड़ आदमी हैं। किसी को हमारी बात लगती है तो हम परवाह नहीं करते। मैं किसी पक्ष की चिंता नहीं करता। अभी वैको साहब देश के संविधान संशोधन पर जो विधेयक लाये हैं, मैं उस पर बात कर रहा हूं। हमें निपक्ष भाव से, दलगत भावना से ऊपर उठकर इस पर सोचना चाहिए कि क्या कारण है, कैसी मानसिकता हमारे शासक दलो की है या शासन में रहने वालो की मानसिकता बदल जाती है। वे राट्रपिता महात्मा गांधी के सपनों को लागू करने से पहले अपना हित देखने लगते हैं। आम जनता को आजादी न मिले, इसका एक उदाहरण है कि इमरजेंसी लागू करके जनता के सारे मौलिक अधिकारों को छीना गया। आज भी हम जब सवाल उठाते हैं तो बराबर शंका जाहिर करते हैं कि कोई ऐसा कानून सदन से पास मत करिये जिस कानून के तहत आम जनता के हाथ में ताकत न आकर शासन तंत्र के हाथ में सिमटकर रह जाये। आम जनता को कहां ताकतवर बना रहे हैं ? आप इस विधेयक को सदन में पास करायें या संविधान संशोधन करायें, उससे तब तक कोई फायदा नहीं जब तक आम जनता ताकतवर नहीं होगी। हमारा लक्ष्य तो आम जनता को ताकतवर बनाना है लेकिन आम जनता ताकतवर नहीं हो रही है। ब्रिटिश काल में भी शासन चलता था। उस समय पुलिस का फैशन था। उस समय सारे मौलिक अधिकारों का हनन किया गया। उनको कुचला जाता था। डेमोक्रेटिक राईटस को भी कुचला गया। क्या इतने दिन बीतने के बाद भी इन डेमोक्रेटिक राईटस को कुचला जायेगा, अंकुश लगाया जायेगा ? आम जनता को आजादी नहीं मिलेगी तो वैको साहब द्वारा प्रस्तुत किये गये विधेयक से आम जनता को ताकत मिले, लोकतांत्रिक व्यवस्था मजबूत हो, की परिकल्पना जिस दिशा में है, मैं समझता हूं कि आज के समय में वह बहुत ही उचित है। अभी कुछ लोग इतिहास की बात कह रहे थे। हमारे वैको साहब ने गणराज्य मजबूत करने और धर्मनिरपेक्ष सिद्धांत जो हमारी भारतीय संविधान की प्रस्तावना का जो मूलभूत ढांचा है, उसे अक्षुण्ण रखने की जिम्मेदारी हम सब नागरिकों की है। इसमें कहीं जाति, धर्म, समुदाय से ऊपर उठकर धर्मनिरपेक्ष ढांचे को अक्षुण्ण रखने की जिम्मेदारी हम पर ही नहीं है बल्कि सब पर है। हमारे संविधान निर्माता ने जिस मेहनत से जिस मशक्कत से इस धर्मनिरपेक्ष संविधान को बनाया है, अभी हमारे रासा सिंह रावत जी कह रहे थे कि सबसे अच्छा हमारा हिन्दुस्तान। जब हिन्दुस्तान सबसे अच्छा है तो हमारा संविधान भी सबसे अच्छा है। इस संविधान पर कहीं भी किसी भी तरह की आंच नहीं आनी चाहिए. यह भी हमारी जिम्मेदारी है। धर्मनिरपेक्ष संविधान को और इतिहास के बारे में कई तरह की बातें चल रही हैं। मैं साफ शब्दों में अर्ज करना चाहता हं कि इतिहास की रक्षा तभी हो सकती है जब हमारा जो अतीत है, उसे किसी को मिटाने का हक नहीं है, किसी को छूने का हक नहीं है। क्योंकि इतिहास मिटाने का अधिकार किसी को नहीं होना चाहिए। आज आगरा में ताजमहल है और दिल्ली में लालकिला और संसद है जो 1937 में ब्रिटिश शासन द्वारा बनाई गयी थी। ब्रिटिश शासन हमारे देश में 200 साल तक रहा। सोमनाथ मंदिर हिन्दुस्तान की धरोहर है। … (व्यवधान)

मैं अभी समाप्त करता हूं।

समापति महोदय : साढ़े चार बजे हमें संकल्पों पर चर्चा करनी है। आप अपना भााण आगे जारी रख सकेंगे। अब श्री मदन प्रसाद जायसवाल द्वारा जो संकल्प रोड ट्रांसपोर्ट एंड हाईवे के बारे में प्रस्तुत किया गया है, उस पर चर्चा करेंगे।

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