

Ganges water from Farakka. Major port of sea-born traffic has been diverted to other ports much to the detriment of the regional economy. It has been working at almost half of its capacity with apparently no prospect of growth and development in the foreseeable future. In this context, Government should take proper steps to save the Calcutta port.

18.40 hrs.

MOTION RE: REPORT OF COMMISSION ON CENTRE-STATE RELATIONS-
CONTD.

[English]

MR. DEPUTY SPEAKER: The House will now take up further discussion on the following motion moved by Shri Buta Singh on 30th March, 1989, namely:-

"That this House do consider the Report of the Commission on Centre-State Relations".

[Translation]

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Mr. Deputy Speaker, Sir, since last 3 days this august House has been discussing the most important issue of the country, i.e. Centre-State relations. This is perhaps for the first time in the last 40 years that the hon. Members have got an opportunity to re-open discussion on such issues of national importance and to take a decision within our constitutional ambit about the form of system for our present and future generations in view of our experiences in respect of the Constitution which was framed for us, by the founding fathers of this country. We would have to examine it in the light of the experiences gained during this period, what should be the arrangement for the present as also for future so that our democratic set up and the unity and integrity of the country could be strengthened, and law and order could be established permanently. It was quite obvious that the hon. Members should have considered this issue

seriously above their party affiliations and side track the burning issue of politics. I am happy that most of the hon. Members have stuck to this norm. At times, some of the hon. Members did create some commotion by raising the petty issues of their States during the discussion which lead to heated discussions. But on the whole, the entire debate was basically academic and above the party lines, for which I express gratitude to the hon. Members for having risen above their party ideology to express their valuable opinion in the wider interest of the country, the society and the entire nation.

This shows that even today in case of a national issue, all our political parties, whether be it Opposition or the Ruling party think unitedly so as to find out the ways of making the country prosperous and strong and to preserve the country's security, peace, unity and mutual harmony. It is difficult to quote the names of the individual members but I am thankful to all the hon. Members who have participated in the discussion.

The first question was about the action taken so far by the Government on the recommendations of the Sarkaria Commission. As I have already said, the Government has an open mind towards the views expressed by the hon. members in this House. The Sarkaria Commission have finalised their report after their extensive study tours through out the country. They took the written and oral evidence not only of the Members of all the political parties whether it was the Ruling party or the Opposition, who evinced interest in it, but also of other intellectuals. For this purpose, the commission visited even the State capitals and had talks with the specialists. I, myself appeared before the commission and participated in a lengthy discussion with them. A number of my colleagues, the hon. Ministers and the leaders of the Opposition went there and the commission also held discussion with the Chief Ministers. The report of the Commission has been framed keeping the subject and its importance in view in the true sense of the term. Shri Sarkaria and his colleagues

[S. Buta Singh]

have exhaustively dwelt upon the subject in their report. Hence, I would like to express my thanks to Shri Sarkaria and all his colleagues on behalf of this august House and the entire country. The citizens of our country will be indebted to him for this herculean task he has performed.

Sir, the biggest issue which has been touched upon by every Member—whether of Congress or of the Opposition is regarding the basic structure of our Constitution i.e. federal structure of our country. A number of hon. Members have tried to compare it with those of the other countries and have referred to the Constitution of U.S.A., Canada, Australia and U.K. In this regard, my only submission is that our federal structure is unique in itself. There is democracy in our country whereas there are many other countries which have the federal structure but without democracy. Therefore, if we compare it, with them, we would not find there those circumstances which are prevailing here in our country. I am not talking of all the countries but when we start comparing, the question of circumstances under which the Constitution functions there, does arise. There is democracy in our country. We are happy that every citizen has understood this truly and we realised this when there was a big change in 1977. Had our citizens lost their faith in democracy, perhaps the basic structure of our country would have got shattered while passing through the process of change one can find many countries in this very continent of Asia where with a change, the entire structure gets changed and often the army personnel get hold of the Government. Therefore, I feel that the people have great faith in us for which we pay tributes to the people who have strengthened the democracy and did not let their faith in it be mitigated. When we compare this with other countries, we should keep it in our mind that the circumstances and interactions in our country also have had their impact on democracy. Everyone knows it that the structure of our constitution is federal. The hon. Member is more learned than me and since

he is also an expert in law, I would not like to go into its details. I would first like to proceed just quoting one example. I have in my view the debate of the Constituent Assembly wherein it was discussed that the Constitution of our country is based on federal structure. When there was a debate in the constituent Assembly in 1949, a number of contemporary scholars and great leaders had expressed their views on it in the following words:-

[English]

"The Constitution as emerged from the Constituent Assembly 1949 has an important federal feature but it cannot be called federal in the classical type. It cannot be called unitary either because it envisages a diversified political system of a special type. And Dr. Ambedkar himself has gone on record and he has said that it is unitary in extraordinary situation, such as war or emergency and federal in normal circumstances. Some legal authorities also have described our federal system as quasi federal Constitution."

[Translation]

These labels are not of much significance and instead of that the progress achieved by our countrymen while working in accordance with this provision made under the constitution is more important. We remember Dr. Baba Saheb Ambedkar, when we see the effect of the constitution on our administration and judiciary set up. While moving the Motion for the Constitution of India, he said:-

[English]

Dr. Ambedkar while speaking on the Motion to designate India as a Federation of States explained and I quote: "that though India was to be a Federation, a Federation was not the result of an agreement by the States to join in a Federation and that the Federation not being the result of an agreement, no State has the right to secede from

it. The Federation is a union because it is indestructible. Though the country and the people may be divided into different States for the convenience of the administration, the country is one integral whole. Its people—a single people—living under a single imperium derived from a single source. The Americans had to wage a civil war to establish that the States have no right to secession and that their Federation was indestructible. The Drafting Committee thought that it was better to make it clear at the outset rather than to leave it to speculation or to disputes.”

So, this is what the founding fathers of our Constitution had said about the Federation. Now, if we closely look at the functioning of our Constitution and the concept of our country which has gone to the people who are not so well-educated, not even literate, they also have realised by now.

[*Translation*]

In real sense, the preamble of our Constitution, written by our ancestors has taken the country as a whole unit. I am emphasising on this fact, because a number of hon. Members of both sides have raised points about the relationship between States and the Centre. The idea of centre and states relates to the convenience of implementation of development works, administrative works or maintenance of certain Department at a particular spot. We should read the preamble of our constitution, if we want to know about the philosophy behind all the scheme of things. It has been clearly state in it that “we, the people of India, having solemnly resolved to constitute India into a sovereign, socialist, secular, Democracy Republic and to secure to all its citizens: Justice, social economic and political; Liberty of thought, expression, belief, faith and worship; Equality of status and of opportunity, and to promote among them all fraternity assuring the dignity of the individual and the unity and integrity of the Nation. This proves that our whole country was taken as a single unit, when the Constitution of our country was framed. At that time, it didn't

occur to our ancestors that some day, people from a particular State will call themselves a nation. As hon. Member, Shrimati Geeta Mukherjee had indicated that a final decision has already been taken in the Preamble itself. According to my humble opinion, it is totally unacceptable under the Constitution to call the country as multi-nation or to talk of various nations because the country is one unit. This can effect the psyche of our countrymen. This can be a misleading factor. It is unfortunate that some of our political parties still talk about this. They might be getting inspiration from the Constitution of any other country. As I said earlier, the Constitution of other countries are designed to suit their own conditions. They may be favourable or unfavourable. The Constitution of our country is suitable for our conditions and procedures. While copying any other country, we should not forget that if we talk on these lines, it may effect the basic unity of our country.

Such things give birth to the theory of son of the soil. This causes hatred against our those countrymen, who settled in different remote corners of the country and forgot about the migration of their ancestors there and now they consider themselves natives of that very State. Disturbances take place when such feelings of multi-nationalism are spread among the people by others. Wherever you go, whether it is Assam, Tamil Nadu, Maharashtra, Punjab or Nagaland, you will find our society is disturbed owing to these parochial feelings. Atrocities are committed on innocent people and they have to be kept in camps as their shops are burnt. They have to migrate to other States. This is the root cause behind it. So I want that this August House and the whole country should resolve that we are one nation, in which issue of multi-nation should never be discussed at all. India is our country and we are all Indians.

Our religions, our dress and our languages may be different. We should give maximum respect to the languages and develop them as much as we can. All are our Indian languages. The danger to the unity

[S. Buta Singh]

and integrity of the country arises when we feel that our nation can secede on the basis of language. This is not the question of any political party. That is why I am repeating it. It should be looked from this point of view. If we take this lightly, it will not create good mentality.

Such mentalities have been developed and are posing danger. This mentality gives rise to the feeling of communalism, linguistic chauvinism, regionalism, which we are finding today in the country. Today, the citizen of a State is deprived of employment in his own state. This is being done on the basis of the theory of son of the soil.

SHRI SOMNATH CHATTERJEE
(Bolpur): There is great danger.

S. BUTA SINGH: There is great danger. So, we should all make efforts to check this dangerous trend. Party affiliation or language issue should not stand in the way. I would like to say.....

SHRI SOMNATH CHATTERJEE: You openly oppose it.

S. BUTA SINGH: What can be more open than this? Shri Somnath, this is the august House. The entire nation look towards the House for direction. We are grateful to those great patriots viz. Father of the Nation Mahatma Gandhi, Pandit Jawahar Lal Nehru, Shrimati Indira Gandhi who gave us a new lease of life. The country cannot be in any type of danger so long feelings of patriotism remain in our country. The country will become weak the day these feeling vanish. That is why I would like to lay emphasis on it.

Sir, hon. Members are aware that this Commission was set up by Late Shrimati Indira Gandhi in 1983. There was no demand as such at that time. (*Interruptions*). I am talking of 1983. There were some

demands. Although the issue was being debated, yet this Commission was set up by Shrimati Indira Gandhi in national interest.

13.00 hrs.

Today, on this occasion, I pay homage to her because the national interest was supreme in her mind. She set up the Commission in 1983, because she knew her countrymen and was concerned about the country, so it was the time that the people should review the results of the constitutional infrastructure which was in force for the last 40 years and should review the position as to whether any changes are required or not. We have got the Commission's Report, and they have carried out all the instructions given by her. There is no such issue which is related to the national interest but has not been gone through thoroughly. This report itself is a tribute to the memory of Late Shrimati Indira Gandhi, who arranged such a big exercise. The Hon'ble Members have also mentioned various aspects particularly Shri Ayappu Reddy, Shri Gadgil, Shri Somnath Chatterjee, Shri Thampan Thomas, Shrimati Geeta Mukherjee, Shri Somu etc. The Government will put forth its views on the basis of views expressed by hon. Members so far as it was decided earlier. The Government has not yet taken a stand on the Commission's Report, because this issue of national interest is not only related to any party or the Government or opposition and therefore, there should be a national debate. Therefore, we took it to the Consultative Committee for exhaustive discussions. It was discussed for four days in four meetings of the Consultative Committee of the Ministry of Home Affairs. Thereafter discussions took place in Rajya Sabha for 3-4 days and this discussion will come to an end in the Lok Sabha. Besides, the Commission's Report has been sent to the State Governments and to the thinkers, journalists, Chief Editors, intellectuals, Bar Council and those people of the country who have taken interest in it. We are getting their views. As soon as this process will be completed, although the Government has got views of 19 States till now.....

[English]

MR. DEPUTY SPEAKER: How much time will you take?

[Translation]

S. BUTA SINGH: As you wish, but I will take only half an hour more.

[English]

MR. DEPUTY-SPEAKER: If the House feels we can have the Lunch break...

SEVERAL HON. MEMBERS: Yes.

MR. DEPUTY-SPEAKER: The Minister can continue after the Lunch break.

13.04 hrs.

The Lok Sabha adjourned for Lunch till five minutes past Fourteen of the clock

The Lok Sabha reassembled after lunch at ten minutes past Fourteen of the clock

[MR. DEPUTY SPEAKER *in the Chair*]

MOTION RE: REPORT OF COMMISSION ON CENTRE-STATE RELATIONS—*CONTD.*

[English]

MR. DEPUTY SPEAKER: Shri Buta Singh to continue his speech.

[Translation]

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Mr. Deputy-Speaker, Sir, my submission is that the administrative and statutory provisions have been made by taking into consideration the entire country as one unit. Now I would like to draw the attention of the Members of the House towards the major recommendations made by

the Commission. The Commission has made it clear that Parliament would be the supreme body in the matters dealing with legislation, while union would be supreme in executive matters. The same ideal seems to have been adopted here in both these fields. As I have already said the whole country is considered as a single unit for administrative purposes. The unit can become strong if legislative powers vest in Parliament and administrative powers remain with union. It is, therefore, necessary that All India services like IAS and IPS remain under the control of the Central Government. So far as the existing distribution of powers is concerned, the commission has made it clear that:

[English]

The existing distribution of powers, including taxation powers, have worked reasonably well.

[Translation]

We will maintain it. Besides, the Government of India has a open mind to the recommendation regarding providing adequate resources to the States.

SHRI SOMNATH CHATTERJEE: When this matter would be taken up?

S. BUTA SINGH: The Central Government would take the matter after this discussion is over.

SHRI SOMNATH CHATTERJEE: You should discuss the matter with the Chief Ministers.

S. BUTA SINGH: I have already stated that Chief Ministers of 19 states have conveyed their views and as soon as the views of the rest-of-the Chief Minister are available, the Government would form its opinion.

SHRI SOMNATH CHATTERJEE: What about Corporation Tax?

S. BUTA SINGH: The Government will clarify its stand in this regard after this discussion is over. Some of the hon. Members have raised the issue of emergency powers. It has been our experience and the commission also agrees with it that these powers have been exercised only in unavoidable circumstances. Such powers were exercised at various places but not for toppling the opposition Governments, though many of the members sitting that side have said that these powers were exercised indiscriminately with a political angle for toppling the State Governments. We did never exercise these powers for toppling the Governments of any particular party. This has been done if the circumstances so demanded and in the interest of the nation as well as of the state. We do not want and we would never like to remove a representative Government in future also. But we wouldn't like to withdraw this provision from the constitution because there may be circumstances when national emotional, and social integration are found in danger and the Government is unable to face the situation then, they may have to take recourse to this provision. Many hon. Members like Shri Selvendran, Shri Sharad Dighe, Shri Hetram, Shri Mahajan, Virendra Patil and other have expressed their views on this subject. I would like to submit that we have always followed the examples which have been created by our great leaders like Pandit Nehru and Shrimati Indira Gandhi. When we discuss anything about the office of a Governor then, we must keep the mind the institution and not the individual. Our experience in general has been good. There might have been some occasions when an individual has been responsible for the rift between the Governor and the Chief Minister in a State. It has been the experience of all the political parties. But it is not in the interest of the country to change the whole institution because of an individual. The Governors are appointed on the basis of ability, capacity and experience they have. Though there is no specific provision to consult the Chief Minister of the concerned state in the appointment of a Governor, yet the Central Government have always consulted the concerned Chief Ministers just in-

order to follow a specific procedure and keep a harmonious relationship between the centre and states. The Government have not appointed even a single Governor without having consultations with the Chief Minister of the concerned state.

SHRI BASUDEB ACHARIA (Baukura): What did you do in West Bengal? You just informed the appointment of the Governor.

SHRI SAIFUDDIN CHOWDHARY (Katwa): This shows that how can you go**

SHRI SOMNATH CHATTERJEE: What is wrong in it?

S. BUTA SINGH: Shri Saifuddin is just like my younger brother. I do not mind for what he says. He is quite younger to me. But the truth is that I would not say ".....". I give due respect to the concerned Chief Minister. The thing is that when the consultations were going on he said that he would not reveal this thing and will say to the press that he was not consulted.

SHRI BASUDEB ACHARIA: Simply information was given.

S. BUTA SINGH: We have good relations with each other. So I would like to submit that he made a statement in view of his being a Chief Minister of opposition party but as I bear the responsibilities of the Home Ministry, I have also to do my duty. We must give priority to the interests of the nation. What I want to say is that every State Government has been consulted and we would be careful in future also. Our experience in this regard has not been so bad, even then we are ready to introduce further reform wherever possible.

Some of the hon. Members have referred to the inter-state council. Sarkaria Commission has also made certain recommendations in this regard. I am glad to find that the members of ruling party as well as those of the opposition parties have been fully conscious about the national interests and there has been no political considera-

**Expuged as ordered by the Chair.

tion in their views. The hon. Members like Shri Ayyapu Reddy, Shri Gadgil, Shri Somnath Chatterjee, Shri Geeta Mukherjee, Shri Thampan Thomas, Somu Sahib and Shri Virendra Patil have expressed their views in a very dignified manner. There is nothing new in it. These provision are already there in the constitution. But the fact is that our experience regarding the National Development Council and other taxation bodies has been very good. It has been our endeavour to see that no such establishment or institutions is established which is guided by political motives either of the ruling or the opposition political party. I have attended the meetings of National Development Council, I would not like to comment about it here, but I really feel concerned for whatever I have found there. The plans of every state are discussed in the council extensively. Under the planning process, first of all State Governments prepare their plans and then submit them to the Planning Commission and then the Planning Commission makes provisions for every State keeping in view the entire natural canvass, existing national conditions, the plans received from the States, the resources available in the entire country etc. Thus the schemes included in the plans of every State are approved. In short we can say that keeping the broader national canvass and the various conditions prevailing in the country in view funds are allocated to the State Governments in such a way that there may be national development all around. The entire country is supposed to be benefited by the developments in a particular State and the State is supposed to contribute to the national resources. It is in this context, the proposed plans are discussed with the Chief Ministers in the Development Councils, priorities are fixed and the five year plan prepared at national level is then presented before the House, where this matter is again discussed extensively. Then only the State plans are approved. If we look to the conditions prevailing in the entire nation, the resources available in the 7-8 states of Eastern region, and if we consider that the plans should be sanctioned in accordance to the resources available in the respective state then, I must

admit that the states which come under Eastern region, like the hill areas of Uttar Pradesh, Himachal Pradesh, Jammu and Kashmir, desert area of Rajasthan, border area of Gujarat, do not have adequate resources. There are many States like Andhra Pradesh, Orissa, West Bengal etc. whose capacity for resource generation is governed by geographical conditions and as a matter of fact, no State can be completely self-reliant and the North-Eastern States in particular about which it is common knowledge that essential commodities have to be supplied to them from other parts of the country.

Today, in the morning, Shri Goswami was referring to the Bodo movement. The Government is aware that the Bodos have become a menace for the entire eastern region. Food supplies are not reaching there. Train service are disrupted for 10 to 20 days at a stretch. All the National Highways are also blocked by them. On one hand these States are not self-sufficient in the matter of production to meet in full the requirements of their people and on the other hand, the distribution system is not effective enough with the result that there is cost escalation by the time the supplies reach Kohima from Calcutta. Therefore, our present Planning system which keeps in view the interests and requirements of the whole nation is the ideal one in this regard. Hence, I think that the new inter-state councils will not serve any useful purpose in this matter. We do not want any fresh point of controversy to develop which may obstruct the current pace of development and the achievements we are making. Nevertheless, we shall keep an open mind to the views expressed by the hon. Members in this connection and if it is necessary to take steps to improve the existing situation, we shall do the needful.

Along with it, the Sarkaria Commission has made its recommendation on a very significant subject. It has recommended that the Centre should allow the State Governments to legislate on the subjects given in the Concurrent list to the maximum possible

[S. Buta Singh]

extent. The Centre should not take over the legislation of subjects mentioned in the Concurrent list. I would say that whatever legislation has been made in relation to the concurrent list has benefited the States only. Regardless of whether the Parliament Frames laws under the said list, the implementation thereof falls within the purview of the State Governments.

SHRI SOMNATH CHATTERJEE: You do not give your assent. In case of Gujarat you have given your assent but in case of West Bengal, you have withheld the same.

S. BUTA SINGH: I think that I have cleared as many Bills of West Bengal, as perhaps no other Government has done during the last ten years. However, we will make efforts to clear the pending Bills of West Bengal.

As regards the legislation made on subjects under the Concurrent list, I want to give an illustration in this matter. The transfer of 'Education' from the State list to the concurrent list has benefited the States enormously because the extent of resources which have been made available to the States could not have been possible if the education had remained a state subject. The Central Government has extended large scale assistance to the States for the purpose of education which has been given different name of 'Human resources development' by the Hon. Prime Minister. It is no longer to be understood in its restricted sense but now it has larger implications. It involves the development of the entire human being and it has been given a new name of Human Resources Development. The physical aspect of human development is also included under it. That is why, the States have received a lot more assistance and resources than ever before. If I were to speak on behalf of the States I would have recommended for taking over the maximum number of subjects under the concurrent list whereby maximum resources could be transferred to the States. When I was the

Minister of Agriculture, all the centrally sponsored schemes were transferred to the States except education and extension services which were retained. Even the pilot schemes had been transferred to them. The States were immensely benefited by it and as a result our food production is going to be all time high this year despite the drought situation which prevailed last year. It has been possible merely because of our Hon. Shri Rajiv Gandhi's liberal policy under which he provided more resources to the States and the States became more prosperous. In the Planning Commission and in the august House it was decided under the leadership of the Hon. Prime Minister that required resources shall be mobilised by the States themselves and the States too reciprocated accordingly.

Several hon. Members such as Shri Virendra Patil, Shri Somnath Chatterjee, Shri Shripati Mishra have expressed their point of view regarding the financial powers. Shri Bipin Pal Das also while expressing his views on this subject, had said that

[English]

representation of State in financial institutions lie LIC, UTI, IDBI and NIC meetings.

[Translation]

They also said that N.D.C. meetings should be converted more frequently and that the Finance Commission should be an independent body.

[English]

According Constitutional status to the Planning Commission.

[Translation]

Shri Somnath Chatterjee said that:

[English]

More powers to the State Governments in financial matters. Incorporation of terms of

reference of the Finance Commission in the Constitution.

According Constitutional status to the NDC.

[*Translation*]

These are vital issues.

The present Finance Commission has received some very useful and laudable suggestions from the States. As soon as the Commission submits its reports, the Central Government will consider it fully and with an open mind so that maximum financial support can be provided to the States.

The Commission while making its recommendations has made a mention of some irritants in the Centre-State relations which include industries, mines, minerals, interstate water, agriculture forests food and civil supplies etc. The Government has paid due consideration to these aspects and the suggestions of the hon. Members are also available with the Government in this regard.

I will conclude by mentioning the point of decentralisation of democracy on the final point, I would like to mention the points raised by Shri Ramoowalia. I think it appropriate to apprise the House and the country about it.

As regard the Anandpur Saheb Resolution the Sarkaria Commission has dealt upon it because in clause 2 of the Punjab Accord it was provided and I quote:

[*English*]

In so far as Anandpur Saheb Resolution deals with Centre-State relations. It stands referred to the Sarkaria Commission.

[*Translation*]

The Sarkaria Commission examined this issue in detail. At that time, the Akali Government was in power in Punjab and it had sent a memorandum to the Commission about

Anandpur Saheb Resolution and the Commission took a stand in this matter. However, before giving recommendation, it said that there has been a lot of confusion regarding the Anandpur Saheb Resolution. It has been so because the 3 copies of the resolution were submitted to the commission which had different wordings, text and issues. The first copy of the resolution was passed in 1973, the second was passed in 1971 in an open session of the Akali Dal and the third and the last one was presented in the shape of a memorandum to the Central Government in 1981. Therefore, when the Memoranda were submitted to the Sarkaria Commission in 1987, it gave its recommendations on the basis of the 1973 resolution.

[*Translation*]

In which the Commission had stated that

[*English*]

"The Commission took that the 1973 resolution constituting the main demand and also referred to and considered the statement made in the Memorandum submitted by the Akali Party in 1987. Accordingly, the main demand of the party considered by the Commission was the interference of the Union should be restricted to Defence, Foreign Relations, Currency and general Communications and that all other powers should vest in the States. Further, for the expenditure incurred by the Union in respect of the above subjects, the States should contribute in proportion to their representation in the Parliament."

[*Translation*]

On these points the Sarkaria Commission has expressed its following views.

[*English*]

'The Commission has rejected this demand on two grounds. If only four

[S. Buta Singh]

subjects referred to above are to remain in the Union List and all other subjects including heads of taxation are excluded from the Union List and assigned to the States, the country cannot survive as one integrated nation. There doesn't exist anywhere in the world today Union or Federation in which the national Government has no fiscal resources of its own, independent of the constituent unit."

Translation

On one hand the resolution was rejected on the basics of the aforementioned points and on the other hand it recommended that

[English]

"If the re-distribution of power is to be made as proposed, it will amount to drastic changes in the scheme and frame-work of the Constitution and as such it will firstly be beyond the terms of reference of the Commission and secondly beyond amending the powers of Parliament conferred by Article 368 because it affects the basic structure of the Constitution."

[Translation]

The Commission rejected the resolution on the above mentioned two grounds and had commended that:

[English]

"The Commission has also rejected the pernicious theory of linguistic home-land propounded by the Akali Party Government of Punjab in its memorandum. It has accepted the stand taken by us in our memorandum with the approval..."

So, this is the conclusion of the Commission

[Translation]

It is neither in the interest of the country nor within the framework of the constitution. However, it can be discussed. Therefore, I want to state that while arriving at the Punjab Accord, all the views expressed by the hon. Members were kept in view.

[English]

SHRI P. KOLANDAIVELU (Gobichettipalayam): Sir, the Centre has got enormous powers. Even the Sarkaria Commission has also recommended more powers to the Centre. At the same time, when you are having every right to take action against the Chief Ministers those who are abusing the police machinery, abusing and misusing the power—in detail, we have spoken yesterday and day before yesterday also in regard to these matters—the hon. Minister has not mentioned anything in this regard. I want to know because you have received the Governor's report also in regard to the violent incidents that took place in Tamil Nadu (*Interruptions*) Actually a Lady Member has been assaulted. (*Interruptions*)

SHRI N.V.N. SOMU (Madras North): How can he refer to that now? (*Interruptions*)

SHRI P. KOLANDAIVELU: It is shameful for the country. (*Interruptions*)

MR. DEPUTY-SPEAKER: All of you take your seats first.

SHRI P. KOLANDAIVELU. I want to know from the hon. Minister about this matter. Actually, a Lady member has been assaulted. Sir, they have also been born to mothers. (*Interruptions*)

MR. DEPUTY-SPEAKER: All of you take your seats Mr. Kolandaivelu, take your seat.

(*Interruptions*)

SHRI P. KOLANDAIVELU: He is born to a mother. (*Interruptions*) When we have all been born to the mothers, how can we assault a Lady Member? It is a shameful act. (*Interruptions*)

MR. DEPUTY-SPEAKER: Please, all of you take your seats. If you go on obstructing the proceedings like this, I cannot run the House. First, all of you take your seats. If you go on interrupting, I cannot allow this. Mr. Kolandaivelu, take your seat.

(*Interruptions*)

SHRI P. KOLANDAIVELU: Sir, the hon. Minister is in receipt of the Governor's report. (*Interruptions*)

MR. DEPUTY-SPEAKER: Please, all of you take your seats.

(*Interruptions*)

MR. DEPUTY-SPEAKER: No, I cannot allow these things.

(*Interruptions*)

MR. DEPUTY-SPEAKER: All of you take your seats.

(*Interruptions*)

[*Translation*]

SHRI CHIRANJI LAL SHARMA (Karnal): Mr. Deputy Speaker, Sir, It gave me pleasure to witness the drama of opposition unity. (*Interruptions*)

[*English*]

SHRI N.V.N. SOMU (Madras North): The Chief Minister was also assaulted. His spectacles were broken and the Budget papers were thrown. (*Interruptions*)

SHRI N.V.N. SOMU:....**...

(*Interruptions*)

[*Translation*]

S. BUTA SINGH: Sir, in response to points raised by the hon. Member, Shri Kolandaivelu and as I said it yesterday also, I would have certainly replied the points raised by him with regard to any Chief Minister provided he raised it in the context of Centre-State relations. As he has desired to know one thing and it is a fact that we have received a communication from the Governor of Tamil Nadu along with the memorandum he received from the AIADMK leader Shrimati Jay Lalitha about the incident that took place in the Tamil Nadu Assembly. We are looking to it and shall take action on it under the rules...(*Interruptions*)

[*English*]

Only the memorandum has been received through the Governor. That is all. (*Interruptions*)

SHRI N.V.N. SOMU: The Chief Minister was assaulted. His spectacles were broken and the Budget papers were thrown away. (*Interruptions*)

SHRI P. KOLANDAIVELU: Is it not a shameful act against the lady? (*Interruptions*)

MR. DEPUTY-SPEAKER: Mr. Kolandaivelu, kindly take your seat. All of you kindly take your seats.

(*Interruptions*)

SHRI CHIRANJI LAL SHARMA: That is why, a strong Centre is needed. (*Interruptions*)

MR. DEPUTY-SPEAKER: Please order.

(*Interruptions*)

[*Translation*]

S. BUTA SINGH: Sir, we have also received information that the Government of Tamil Nadu has deployed police intelligence for espionage on the Governor, as has been mentioned by the hon. Member, Shri Shantaram Naik today morning. It has also been learnt that the Chief Minister of the State has suspended the Sub-Inspector. The Sub-Inspector was suspended because he was espionage on the Governor of the State. This is the reason of his suspension. (*Interruptions*)

[*English*]

SHRI V. KISHORE CHANDRA S. DEO (Parvathipuram): I am on a point of order.

S. BUTA SINGH: There cannot be a point of order in a speech.

MR. DEPUTY-SPEAKER: No point of order. What is this?

(*Interruptions*)

S. BUTA SINGH: I am not yielding. (*Interruptions*)

MR. DEPUTY-SPEAKER: If he is not yielding, what can I do.

SHRI V. KISHORE CHANDRA S. DEO: I am asking your permission. I do not require his permission. (*Interruptions*)

S. BUTA SINGH: I you direct me, I will. Otherwise, I am not listening to what he is saying.

MR. DEPUTY-SPEAKER: Under what rule you want to raise a point of order?

SHRI V. KISHORE CHANDRA S. DEO: Under Rule 376. The House is now discussing the Centre-State relations. Earlier the Speaker did not allow a debate on what happened in Tamil Nadu because the Parliament... (*Interruptions*)

MR. DEPUTY-SPEAKER: That is no point of order. We are not allowing like this. We are not discussing anything like that. There is no point of order.

(*Interruptions*)

MR. DEPUTY-SPEAKER: Nothing will go on record. I am not allowing.

(*Interruptions*)*

MR. DEPUTY-SPEAKER: There is no point of order. Nothing will go on record.

(*Interruptions*)*

MR. DEPUTY-SPEAKER: Unparliamentary words will not go on record. I am not allowing.

(*Interruptions*)*

MR. DEPUTY-SPEAKER: Nothing will go on record. I am not allowing any one. There is no point of order. Now, the Minister.

(*Interruptions*)*

MR. DEPUTY SPEAKER: Nothing will go on record.

(*Interruptions*)*

MR. DEPUTY-SPEAKER: I am not allowing. Don't use unparliamentary words. Nothing will go on record.

(*Interruptions*)*

MR. DEPUTY SPEAKER: All of you will please take your seats. I am not allowing any debate on the Tamil Nadu issue. I am not allowing.

(*Interruptions*)*

MR. DEPUTY SPEAKER: I will go through the record.

(*Interruptions*)*

S. BUTA SINGH: Sir, let me tell you, He asked me whether the governor had sent the communication, and I said, "Yes, the Governor had sent the communication". What is wrong in its? (*Interruptions*)

You have not listened, you have not heard. What can I do? (*Interruptions*)

Shri P.J. Kurien mentioned about recommendations relating to the three-language formula and the media. He has welcomed this. I would like to say only this much that the three-language formula was evolved keeping in view the broader interest of the nation. It has worked well and the Government of India is fully committed to the functioning of the three-language formula. We will strengthen it further and we will see that this formula works throughout the country.

Similarly Shri Banatwala mentioned about. Security and welfare matters of linguistic and religious minorities to be placed in the Concurrent List. Sufficient representation of minorities in the State is to be ensured. Strict enforcement of Code of Conduct to the minority communities. These are some of the matters.

[*Translation*]

We remain always vigilant to see that the secular structure of our society is maintained. We are not in favour of thrusting any religion, faith or language on the others. Nor do we want others to do the same, no matter whether they are in minority or in majority. If some people are in majority in one State, they are in minority in other states. Our great leaders like Pandit Jawaharlal Nehru, Maulana Azad, Sardar Patel, Shrimati Indira Gandhi and the father of the nation Mahatma Gandhi set an objective before us so that we could build our society by treading on the path of the secularism. If we drive our society to a particular religion or faith, our society will become weak. While in the present situation the question of nationalism has assumed importance, it is the question of secularism which is more important. Then only democ-

racy could be survived and we can forge towards socialism. If we weaken these two vital pillars, we can march neither towards secularism nor to democracy. As such there should be no difference on this point. It should be unanimously acceptable to the entire House and the whole country.

I shall conclude after making yet another point with regard to decentralisation of people's power. (*Interruptions*). Our Hon. Prime Minister, Shri Rajiv Gandhi is spreading this message to every nook and corner of the country. Where the Father of our nation had gifted us the nice concept of Ramraj he had also desired us to adopt the Gramraj at the same time.

[*English*]

SHRI N.V.N. SOMU: In the President's Address there is not mention of Mahatma Gandhi. I bring this to the notice of this august House.

[*Translation*]

S. BUTA SINGH: I was going to tell the same thing that Mahatma Gandhi had put forward before us the ideal of Ramraj. So far as the question of democracy is concerned, it is there in our country. So far as the question of Centre is concerned, democracy has established its roots in the Parliament.

Elections in legislative Assemblies have taken place seven to eight times which is an indicative of democracy in states. Now the eighth Parliament is functioning. But the third stage of democracy i.e. taking democracy to the village level has not been achieved so far. In the fifties we had an auspicious objective before us. We tried to move it ahead, but no satisfactory progress had been achieved in this regard. In certain stages like Gujarat, West Bengal, Rajasthan, Uttar Pradesh and Maharashtra, it has been working well but in others it has not worked properly. As such it has not been possible to strengthen democracy fully... (*Interruptions*). Shri Rajiv Gandhi placed this proposal before the entire nation. It was only

[S. Buta Singh]

the day before yesterday that he discussed this thing with the Chief Ministers of eastern states in Calcutta and tried his best to make them convinced of the concept of Panchayati Raj. He wants that people's powers should go to them in the real sense. The people's power should go to the Panchs and Sarpanchs in the real sense. As we the Members of Parliament discharge our duties in the Parliament, the Panchs and Sarpanchs should discharge their duties in a similar way in the Gram Panchayats. The matter as to how to give more powers, more lights to Panchayats is being discussed deeply at the national level and the Government would bring forward a resolution to this effect before the House very soon by which people's power will reach their elective representatives, the Panchs and the Sarpanchs. Several states did not give good response to the proposal. Either they did not go through the proposal properly or they are politically biased. Shri Rajiv Gandhi has made it clear that we neither want to snatch away the rights of the states nor do we intend to intervene in their affairs but at the same time we want to strengthen the rights of the Sarpanchs. (*Interruptions*). If need be, we will definitely come up with proposal of constitutional amendment because we want to give people's powers to the people. It is a service to the democracy in the right sense of the term. We intend to come before you with the help of the states. We have no confrontation with the states. If the State Governments oppose this proposal with any political motive or for some political benefits, the people will understand it very well. People will also come to know that people's power is being decentralised in the real sense. I am hopeful that the Marxist people will also extend their support to this noble cause, because they support the theory, that people's power should go to the people. Democracy function with their power. Very soon we are coming up with such a legislative proposal and I am hopeful that all the hon. Members, irrespective of their party affiliations will welcome and support the move. All hon. Members will extend their

support to us in realising the dreams of Ramraj of Mahatma Gandhi. I do not want to take much time, but I would definitely like to tell that those hon. Members who made suggestions and whose names I mentioned ... (*Interruptions*)

Mahatma Gandhi is immortal. He is in the heart of every Congressman. He is in the hearts of the teeming millions of the country. What way we are at fault if you leave Gandhian principles and do the opposite. We have identified ourselves with Gandhi in the manner as we have identified ourselves with Lord Rama. I am grateful to all those hon. Members who expressed their views on this very important point of national importance. The Government will consider these views seriously and finalise its policy. Before I could conclude my speech, I would like to tell the House that we have been benefited with the views of the Hon. Members expressed in this August House on this subject.

[*English*]

PROF. SAIFUDDIN SOZ (Baramulla): Sir, I want a small clarification. I had, in the discussion on the Centre-State relations, raised an issue regarding the resolutions passed by the BJP at Udaipur. They want two things which are very controversial. I wanted the reply from the hon. Minister. But he was not here then; Mr. Chidambaram was present here. They want the Minorities Commission to be dissolved I want the Minorities Commission to be a statutory body. I do not give the right to BJP to seek abrogation of Article 370 which is an integral part of the Constitution of India.

[*Translation*]

S. BUTA SINGH: The fact mentioned by the hon. member is well known to the whole country. There is no question of abrogating Article 370 as it is working well. Secondly you have mentioned about the Minorities Commission. I may tell you that we have received very good reports about it. We want it to continue and there is no question of bringing any change in the set up. (*Interruptions*)

[English]

SHRIP. KOLANDAIVELU: You have to appoint an Inquiry Commission under the Commissions of Inquiry Act, 1952. (*Interruptions*)

14.59 hrs.

DEMANDS FOR GRANTS (GENERAL),
1989-90 - *CONTD*

[English]

Ministry of Energy

MR. DEPUTY SPEAKER: The House will now take up discussion and voting on Demand Nos. 20 to 22 relating to the Ministry of Energy for which six hours have been allotted.

Hon. Members present in the House whose cut motions to the Demands for Grants have been circulated may, if they desire to move their cut motions, send slips

to the Table within 15 minutes indicating the serial numbers of the cut motions they would like to move. Those cut motions only will be treated as moved.

A list showing the serial numbers of cut motions treated as moved will be put up on the Notice Board shortly. In case any Member finds any discrepancy in the list, he may kindly bring it to the notice of the officer at the Table without delay.

Motion moved:

"That the respective sums not exceeding the amounts on Revenue Account and Capital Account shown in the fourth column of the Order Paper be granted to the President, out of the Consolidated Fund of India to complete the sums necessary to defray the charges that will come in course of payment during the year ending the 31st day of March, 1990, in respect of the heads of Demands entered in the second column thereof against Demands Nos. 20 to 22 relating the Ministry of Energy."

Mr. Madhav Reddi may speak now.