

CONSTITUTION (SIXTY-FOURTH
AMENDMENT) BILL

AND

CONSTITUTION (SIXTY-FIFTH
AMENDMENT) BILL—*CONTD.*

[English]

MR. CHAIRMAN : We now take up further consideration of Constitution (Sixty-fourth Amendment) Bill and Constitution (Sixty-Fifth Amendment) Bill.

Dr. Phulrenu Guha.

DR. PHULRENU GUHA. (Contai): I welcome the two constitutional Amendments Bills most heartily. I congratulate our Prime Minister for placing these two Bills before the House.

The concept of panchayati raj was the basic idea of Mahatma Gandhi. He felt that democracy must flourish at the grassroot level. His basic idea was that the panchayats should administer themselves. Pandit Jawaharlal Nehru said:

"The real change, of course, comes from within the villages, from the very people living in the villages and it is not imposed from outside. It is the process of the self-government and self-reliance. The outsider can help only a little, give some guidance and push here and there."

The Prime Minister in a democratic manner has taken the step to set up panchayati raj and nagar palikas through these two bills, in the whole country. The basic idea of our constitution is democracy. These steps are to establish the real democracy at grassroot level. People are not satisfied with the political power only. They need monetary power also. Some monetary powers are given through these Bills but the rest are left for the States. That is why it is said that State Governments must have Finance Commission.

Both the Bills provide for reservations for Scheduled Castes and Scheduled Tribes, and 30 per cent to women. Some say that 30 per cent will be available. Their very idea is wrong. When women will know the responsibility, they will come forward. I would like to say that women have never failed in their responsibility when it is given to them, whether it is home or any other sphere of life.

The Bills ensure a fixed tenure of five years. The control of both the Bills rests on the Election Commission. It is clarified that if a Nagarpalika or a Panchayat is dissolved before the expiry of its terms, provision is made for the conduct of elections within six months of the dissolution. It is just like the provision in respect of State Assemblies and the Lok Sabha. The Bills specify that resources are given as grant-in-aid to the Nagarpalika from the Consolidated Fund of the State. The Bills also specify the reasons which will disqualify a person from membership. It is also provided in the Bills that delimitation of area and the allotment of seats shall not be called in question in any court.

I like to point out that training of elected members of Panchayats and Nagarpalikas should be arranged. It must be carefully guarded that Panchayats and Nagarpalikas do not become government departments. The relationship between the members of Panchayat Raj and officials must be defined clearly.

Some people say that these Bills are for the next elections. Though I do not agree with this view, for argument sake, for a moment, I take it that these are for the next elections. But the main point to be seen is whether these Bills are good for the country and for the people or not. It should be judged from that angle. It must be considered whether these Bills will affect the fundamental principles of the Constitution and whether power of States is curtailed. But from the scrutiny of these Bills it is seen that all these doubts are baseless.

The question of resources may be the

[Dr. Phulirenu Guha]

problem. that is why it is said that every State must have a Finance Commission. With the establishment of Panchayat Raj, villagers will know their resources and they will decide the priority of the needs of the village. Gradually, villages will become self-sufficient and self-realising.

These Bills will ensure for the Panchayats and Nagarpalikas a democratic character, similar to the Lok Saba and the State Assemblies, and give Constitutional protection for their functioning as representative institutions of the people.

With these words, I congratulate our Prime Minister and support the two amendment Bill wholeheartedly.

SHRI SOMNATH RATH (Aska): Sir, these two Constitution (Amendment) Bills, popularly known as Panchayat Raj and the Nagarpalika Bills, brought before the House by our beloved Prime Minister, Rajiv Gandhi, are historic and revolutionary. After forty two years of our independence, the people of the country will have the real taste of independence. By bringing these Amendment Bills, our beloved Prime Minister involved the people in the integrated development of the rural and the urban areas. He has taken bold steps, for strong elected local government, to give power to people at last to fight against the corruption and the power brokers. Hence, people are to be given power to be fight the twin evils. The desire of Mahatma Gandhi, the Father of the Nation, and Pandit Jawaharlal Nehru has been materialised in right earnest manner by our Prime Minister by bringing these two Bills.

So far as the weaker section and women are concerned, they have hardly got any opportunity to play their roll. This needs rectification. Rajiv Ji has correctly said, and I quote: "As regards reservation for women, no State can claim to have done justice to the half of our population. At best, a token number of seats is reserved for women." In practice, it has been found that the financial resources

developed upon the Panchayat Raj institutions have been meagre and limited. Elections to these bodies have been repeatedly postponed. Elections to these bodies have not only been postponed but supersession and suspension of local bodies are too common. Democracy at higher level is bound to have a weak foundation unless there is its habitual practice at the local level. The sole objective is to give constitutional support, to give people the real power and authority and to provide mandatory elections for these bodies. Under Article 40 of the Constitution, the Centre has been responsibilities in ensuring local -Self- Government at the grass-root level.

With your permission, I would now bring to your kind notice the relevant point given in the Directive Principles of the State Policy. Article 40 A of the Constitution says -

" 40. The State shall take steps to organise village Panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of Self-Government.

Part-III under Fundamental Rights, Definition 12 states as follows:-

" Under this para, unless the context otherwise requires, "the State" includes the Government and Parliament of India and the Government of the Legislature of each of the States and all local or other authorities within the territory of India of under the control of the Government of India."

As such, there is no meaning in saying that the Parliament has no power to pass these Amendments. On the other hand, it is a duty cast on the Parliament to get these amendments made in the Constitution of India which are already overdue. It is a national necessity. Devolution of powers to the local bodies is long overdue. Planning at the district level can take place. It promises maximum democracy and maximum devolution of power to the maximum population of

pur country. The unique feature of the Panchayat Raj and Nagarpalika Bills embodies two broad stipulations in respect of devolution of powers.

Firstly plans prepared by the Panchayats are to constitute the fundamental inputs for the planning process. Secondly, each Panchayat is to gear up its plan for economic development with plans for social justice. The introduction of these Bills is a step in the right direction. Sir, both these Amendments, that is 64th and 65 Amendments to the Constitution, are necessary for the devolution of powers and they are complementary to each other. The Opposition Members could have remained argued out their case in the House but not outside. They could have made some suggestions if they thought that some lacunae are there in the Amendments. But unfortunately they have no respect for the people and they have resigned and left the House. This piece of legislation to strengthen democracy at the grassroot level has been appreciated throughout the country. I visited my constituency. The Gram Sabhas are very much enthused that this Government at least after 42 years of independence, could take the whole nation into confidence by giving them power and authority especially to the weaker sections, Scheduled Castes and Scheduled Tribes and Women. A committee at the district level for harmonising and consulting plans of the Nagarpalikas and the Panchayats is certainly a noble feature. The whole district plans will start from the grassroots and it will not be thrust upon either from Delhi or from the State headquarters.

[Translation]

SHRI VIRDHI CHANDER JAIN (Barmer): Mr. Chairman, Sir, the hon. Prime Minister Shri Rajiv Gandhi created history by presenting the Panchayati Raj Bill in the Lok Sabha on 15 May, 1989. To improve and strengthen the Nagarpalikas he presented the Constitution 65th (Amendment) Bill on 7.8.89. we welcome both these Bills.

not cooperated with the Government in the matter although they were informed about these two bills. They should have taken part in the discussion as they very well knew that both these Bills were very important so far as the fate of the villages and rural block was concerned.

Shri Rajiv Gandhi is trying to give a practical shape to the dreams of Mahatma Gandhi by setting up Panchayati Raj and Gram Rajya Powers should be devolved to the Gram Panchayats and we are going to do it through this Bill. The main thing was that no elections to Gram Panchayats were held for 10, years. In Rajasthan there was no election to Gram Panchayats for 12 years and same is the situation in other states also. So the Gram Panchayats and rural people were deprived of their rights and bureaucracy reigned supreme by dissolving the Nagarpalikas. To end this situation it became necessary to strengthen the Gram Panchayats. It is clear from the step taken now that the elections to Gram Panchayats will be held after a period of 5 years on the pattern of elections to Lok Sabha and the State Assemblies. To ensure free and fair elections the job of conducting these election should be entrusted to the Election Commission. Now, it has been proposed that these elections will be held by the Election Commission so that impartiality and fairness may be ensured and the voters may exercise their votes correctly. Thus only dedicated persons will be elected to the Panchayati Raj and Nagarpalikas.

Now, these rights in the absence of financial powers have no meaning. This aspect has also been considered. The financial position of Gram Panchayats and Nagarpalikas should be strengthened. Proposal has been made to set up a Finance Commission. I would like to suggest that there should be a separate Finance Commission for each State. Efforts should be made to strengthen the financial position of Gram panchayats and Nagarpalikas to enable them to exercise their powers properly.

I regret to say that the opposition has

In respect of a District Development

[Sh. Virdhi Chander Jain]

Agency, collector is a Chairman as well as Project Director. I strongly feel that the Chairman of Zila Parishad should be the Chairman of the Agency. You should take a decision to this effect immediately. This decision should be taken by the Congress Governments in the States. With this we can strengthen the Zila Parishads and they can undertake development works for the welfare of the masses. It is necessary to take this step regarding D.R.D.A. The status of the Chairman of Zila Parishad should be equal to that of a Minister of State and the status of Pradhans should be equal to that of a Deputy Minister. The Chief Executive officers in Zila Parishads should be drawn from the Indian Administrative Service. It is necessary to take this step to strengthen them.

The most important provision in the Bill relates to reservation of 30 per cent posts for women. The powers proposed for the women in Panchayats and Nagarpalikas will enhance the status of women. I would like to suggest that the panchayat and nagarpalika constituencies should be reserved on a five year rotation basis. It will not be very effective if the constituencies for the women and scheduled castes and scheduled tribes remain reserved for years. This gives rise to dissatisfaction and resentment. It is therefore, necessary that the reservation of the constituencies should be on rotation basis so that women can exercise their powers properly.

There should be some scheme to eradicate poverty from urban areas on the pattern of Jawahar Rozgar Yojana which is being implemented to remove unemployment from the rural areas. Such a scheme will improve condition in the urban areas. It is necessary to take immediate effective steps in this regard.

The present Constitution Amendment Bills are in accordance with the spirit of the Constitution. It does not in any way violate any provision of the Constitution. We have taken this decision after having considered

the situation prevailing in rural areas. Our hon. Prime Minister Shri Rajiv Gandhi has taken this step after studying the situation prevailing in rural areas. A Extensive discussion has been taken place on this subject in the seminar also. These Constitution Amendment Bills have been presented after full discussion on the subject. We have taken a revolutionary step in the matter and through these Bill we will be able to fulfil the aspirations of the people in rural and urban areas. With these words, I support the Constitution 64th and 65th Amendment Bills.

[English]

SHRIK. MOHANDAS (Mukundapuram): Sir, I rise to support the Constitution Amendment Bills moved by the hon. Prime Minister. These two Bills are truly revolutionary in character because the impact of Panchayati Raj is going to be very far-reaching. The basic idea is to strengthen local self-government institutions at different levels. I do not see why there should be any objection to such a step. I believe that some of our friends in the Opposition have not acted wisely by staying out of the House at such a crucial time.

The main thrust of this Bills is on the development of our villages. The Panchayats in our country have not functioned effectively mainly because they never got sufficient funds to manage their own things. Both the States and the Centre should share the responsibility for this condition of the Panchayats. Although the Constitutional mandate for strengthening the local bodies has been there within the Centre's power, neither the Centre nor the States took keen interest in the matter. So, it must be said in favour of the Prime Minister, and I would congratulate him for this, that he was taken initiative in the matter and that is how these Bills are before us.

Decentralisation of power is a very good objective. In a country as vast and as complex as India, the Central authority located in Delhi cannot take care of all the needs of the people in the villages. This has been proved

by our experience during the past 42 years of our existence as a free nation. The Constitution itself says that India is a Union of States and both the States and the Union function within the well-defined jurisdictions. Decentralisation of power is the basic scheme of the Constitution. We have only delayed it. The demand for more powers for the States is a live demand, and demand for more powers for the local bodies is a very genuine demand. The fact that these demands are being raised today from different parts of the country only show that there is concentration of power somewhere. After all, the Sarkaria Commission was appointed by the Government to study the question of power-sharing between the States and the Centre. It became necessary because a feeling has been created that the Centre is taking more and more economic powers and the States are not left with much in their hands. Many of the States do not have any money for development and have to depend on the mercy of the Centre. Such a situation led to confrontation between the Centre and the States. The point is that if genuine decentralisation of powers had been made, the States would have been in a much better position today to manage their affairs. Therefore, when we are giving powers to the Panchayats, we must also think about the financial problems of the States. Of course, I agree that the Finance Commission decides periodically about the sharing of taxes etc. But in reality there is some reluctance on the part of the Centre to share its economic powers with the States. This reluctance should go. When we are decentralising power, we must think about a comprehensive package of decentralisation among the Union, the States and the local bodies. In this connection, I would request the Government to accept the recommendations of the Sarkaria Commission in regard to the Centre-State relations. I am sorry that the Government has not yet made up its mind on this issue. I would urge upon the Government to take a decision on this issue immediately.

These Bills have some good features. The provision with regard to elections is quite welcome. Reservation for SC and ST

and women will ensure that these neglected sections will get adequate representation in local bodies. Similarly, the auditing of accounts by the Comptroller & Auditor General is important. Because, now that a lot more money is coming into the hands of Panchayats, we have to make sure that misuse of money does not take place.

Sir, I am sure that two bills will be welcomed by the country as a whole. This is a major step forward in the direction of genuine democracy. I once again support it.

MR. CHAIRMAN: Mr. Minister, are we sitting during the Lunch hour today?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE DEPARTMENT OF CHEMICALS AND PETRO-CHEMICALS IN THE MINISTRY OF INDUSTRY (SHRI P. NAMGYAL): Sir, I would like to say that the House may sit during Lunch hour because there are many Members to speak.

MR. CHAIRMAN: It is the consensus of the House of skip Lunch hour?

SEVERAL HON. MEMBERS: Yes.

MR. CHAIRMAN: All right. The House agrees to skip Lunch Hour. So, there is no Lunch hour today.

[Translation]

SHRI UMAKANT MISHRA (Mirzapur): Sir, Mahatma Gandhi had envisaged a society in which Swaraj meant rule of its own people in the country, rule of the people of the States in the States, rule of the citizens of the cities in the cities and rule of the villagers in the villages. This was the real meaning of Swaraj the one that Mahatma Gandhi had dreamt of. Pandit Jawaharlal Nehru also had, in pursu-ance of the Mehta Committee Report of 1957 established Panchayati Raj in a number of States in 1962, with a view to establishing the type of Swaraj Mahatma Gandhi had dreamt. But Panchayati Raj

[Sh. Umakant Mishra]

system did not have any Constitution validity. As a result of this, setting up of Panchayats dependent on the mercy of the States. They introduced and withdrew this system at their own sweet will.

Our present Hon. Prime Minister translated the dreams of Mahatma Gandhi into action in the villages by taking a decision to give Panchayati Raj systems constitutional validity. People all over the country have welcomed his decision. With the coming into effect of this system, the people of the villages know that the reign of administration of the villages is in their hands and that they have been entrusted with the work of development of the villages and deciding their own fate.

Sir, in this connection I request you to take a few of my suggestions into consideration. It should be ensured that after the introduction of Panchayati Raj system in the cities and the villages, elections to all the posts are held direct by the people. It has been our experience that when elections to small bodies are held, muscle power and money power dominate. Rowdy elements with their muscle power and rich people with their money power manage to grab power in the local bodies. As such, let it be any post, whether it is the post of Chairman or Deputy Chairman, elections should be held direct by the people.

Proposals to give representation to weaker sections in various bodies in rural and urban areas and also the provision to give representation to women are most welcome. Because women and people belonging to weaker sections could not stand competition with the well-to-do people. I whole-heartedly welcome the steps which are being taken by the Government. This will provide right to the people belonging to weaker sections and women in the rural as well as urban areas to participate in the administration.

Sir, I am glad to note that there is provi-

sion to release funds direct to the Panchayats under the Panchayati Raj system. There should be one more provision in the Bills. Since Gram Panchayats, Panchayat Samitis and the Zila Parishads will look after the work of development in the villages, Panchayat Samitis and districts respectively, funds should also be provided to Panchayat Samitis and Zila Parishads.

I would also like to submit that the Rural Development Agencies working in the districts should be allowed to continue. With a view to maintaining co-ordination between the district committees in the district, the irrigation department and other such departments engaged in rural development, it is necessary to have D.R.D.As. Central funds to be released for development in these areas should go to the D.R.D.A. Thereafter the D.R.D.A. should take the capacities of Gram Panchayats, Panchayat Samitis Irrigation Department and other concerned departments into consideration and distribute the funds accordingly. The people's representatives, eminent persons and experts should be given representation in the D.R.D.A. In this way, the D.R.D.A. can tender its advice to Panchayat Samitis and Gram Panchayats and can ensure co-ordination between them.

We find that money is reaching the villages but the Gram Pradhan and Members of the gram Panchayat are in a dilemma as to the work on which the money is to be invested. Though decisions in this regard are taken by convening the meetings of the Gram Sabha, yet they need technical assistance. As such there should be at least one technical hand for every two Panchayats in each development block who could give technical advice in the construction work.

With these suggestions I whole-heartedly welcome these Bills and congratulate the Hon. Prime Minister. By resigning from the Lok Sabha, the hon. Members of the opposition have opposed the idea of devolving power to the people. In a way, they have opposed democracy and public welfare measures being taken by the Government in

the country. I condemn this attitude. People all over the country have opposed it and have expressed protest against their stand. The opposition also opposed the Panchayati Raj Bill and Nagarpalika Bill. Similarly, opposition ruled States Governments are also corrupt whether it is the Government of West Bengal, the Telugu Desham Government or the Government of Haryana. All are corrupt. Though Central Assistance reaches these States, they do not follow Central directives. Corruption is on the rise there. That is why I condemn the opposition Members who opposed the devolution of power to the people and went against their interests. I wholeheartedly welcome the steps taken by the Hon. Prime Minister.

CH. RAM PRAKASH (Ambala): Mr. Chairman, Sir, the entire country, especially, the poor people are grateful to the Hon. Prime Minister for presenting Panchayati Raj and Nagarpalika Bills for the first time in the history of this country. The Parliament is also grateful to him for this. He realised that during the past 41 years, there has been no change in the standard of living of the poor people and no improvement has come about the Panchayati Raj system. Various benefits and facilities proposed to be provided to the poor and Harijans through these Bills deserve to be commended. This step will help realise the dreams of Gandhiji and Nehruji. It will improve the standard of living of the people living in the villages. The vision of Gandhiji will fulfilled by it.

Mr. Chairman, Sir, there is no doubt about the fact that these Bills will benefit crores of people. Rather, in a way all the people in the country will be benefited. At the same time, the State Governments will also have to share some responsibilities.

What used to happen earlier was that Central funds were released to the State Governments and by the time the funds reached the Panchayats, only a negligible amount was left, the funds were being pocketed by the officers and the bureaucracy. This is my own experience. By visiting various places, the Hon. Prime Minister saw for

himself and realised that the poor people still lived in the same Jhuggis and slums. He noticed that there has been no change in their living conditions. On being asked as to why they were not getting the money released for them and where did the money go, the people replied that only one or two annas out of a rupees reached them. They further informed him that several people visited their areas, but they did nothing and this was the reason their condition was bad. Keeping in view all these points, the Prime Minister realised that though billions of rupees were released for the development of the villages, the money did not reach there and that is precisely the reason behind bringing forward these Bills. Introduction of these Bills is a right step in the right direction.

You go to the cities and see the conditions there. Ambala City, Ambala Cantonment, Kalka and Jagadhari are parts of my constituency. During the rainy season, a very bad odour emits in these areas, making it difficult to live there. With the introduction of these Bills, the Municipalities will receive adequate funds from the centre and the condition of the cities will improve. What a better thing could have been done than this.

By providing reservation for Harijans and other poor sections in the Panchayats and Zila Parishads, the Government has, indeed, benefited these people. These sections are very weak and an exploited lot. They will be greatly benefited by reservations. It will definitely bring about some improvement in their condition.

I would like to make yet another submission. A few days back, elections were held in Haryana. Liquor was freely used in these elections and the Sarpanches were elected by the force of liquor. I, therefore, request you to hold fresh elections to the Panchayati Raj bodies after these Bills are passed so that honest people could feel that there is also scope for them to make progress. I feel that the country will be greatly benefited if fresh elections are held in the country. It will be a nice thing for the country if elections to Panchayats and State Assemblies are also

[Ch. Ram Prakash]

held along with the elections to Parliament. My submission is that if this is done, nobody will nurse any grievances.

Earlier, what was happening was that the Government dissolved the Panchayats at will and no elections were held for 4 to 5 years. I have heard that recently election to municipalities in one State were held after a gap of 12 years. Through these Bills a good thing that has been done is that it has been made obligatory to hold elections to Panchayats within a period of six months of their dissolution. This will help people send their representatives paving the way for progress and getting more facilities in the process. It is a very commendable step.

One more thing that is to be seen is as to who will monitor the funds being provided to Panchayats and Municipalities? Who will ensure whether these funds will be utilised properly or not? Government will have to make special arrangements for this so that the money could be utilised properly. What is the guarantee that funds will be properly utilised in all the Panchayats? Funds could be misappropriated in a number of places and people may indulge in bungling. All the Sarpanches cannot be honest. That is why checking must be done so that it could be ascertained as to where the work is being carried out properly, where the money is being swindled and where bungling is taking place. The Government can function only when it is strict. It cannot function if it adopts a soft approach. There should be suitable provision for the dismissal of dishonest Sarpanches. I request you to incorporate such a provision in the Bill.

I understand that crores of people will be benefited through these historic Bills which we are going to pass. It will help bringing socialism in the real sense. Earlier, there was no socialism. The bureaucracy used to adopt an arbitrary attitude in its implementation. There will be socialism now in the right sense of the term. For this, it is not only I, but

the whole country is thankful to the hon. Prime Minister.

It was very wrong on the part of the Opposition to resign from the House. When they saw that the very base of all problems is going to be rooted out with the presentation of these Bills and with the introduction of Jawahar Razgar Yojana and when they realised that hereafter they would be left with no issue, they ran away. Now they have well understood that their utility has finished, all that was to be done was brought done by the Congress Government and they have been left with nothing to do, they ran away. Now they are casting so many aspersions outside the House. It is unfortunate that charges of corruption are being levelled against the hon. Prime Minister who bears a high moral character. He has carved for himself a place among the world leaders. It is the opposition which is guilty. The hon. Prime Minister's image is being tarnished. It is being said that he is corrupt. What sort of corruption has he indulged in? They accuse the hon. Prime Minister of accepting commissions in the Bofors deal. Is the hon. prime Minister short of money that he should resort to accepting commissions in such deals? The Opposition has stopped very low. I would ask for an extension of the House by six months or even one year. This will give them a measure of our position. Now the Opposition is repenting their action. With these words I conclude my speech.

[English]

SHRI GOPESHWAR (Jamshedpur): Sir, I welcome this Bill. This is only 40 years late. At the time of framing the Constitution, this element of democracy should have been taken care of. We have spent much more time on Centre and States but not at the grass root. I must give all credit to Shri Rajiv Gandhi for finding out this lacunae in the working of democratic set-up. Therefore, this Bill is just in time. This amendment is just what was required. Urban local bodies had become weak and ineffective on account of a variety of reasons including the failure to hold regular and periodical elections, pro-

longed super-sessions, inadequate representation to the weaker sections like scheduled castes and scheduled tribes and women, lack of financial resources and inadequate devolution of power and responsibility upon them. There was, therefore, need to endow the urban local bodies with such powers and authority as are necessary to enable them to function effectively as units of local self-government. I am happy that several provisions have been made to take care of these matters. The powers and responsibilities that have been given to the Nagarpalikas along with economic development and social justice are exhaustive and detailed and very helpful. I would only like to suggest one thing. There are several cities in this country which have come up because of the setting up of industrial undertakings over there. These cities do not come either under a notified area committee or a municipality. I hope such cities will be covered by this Bill. These cities are growing. The situation is getting much more complicated. It is necessary that people living in these areas are given lot of education.

Further, I suggest that there should be no politics at this level and that no political party should set up candidates for Nagarpalika and Panchayat elections. It should be on individual basis and not on political standards. This is a very important thing. The Prime Minister has said that the other aspect of cooperation will be taken care of later. It is a very big move. I feel the working of the Nagarpalikas will improve the areas.

With these few words, I welcome this Bill and I thank the Prime Minister for coming out with this legislation.

[*Translation*]

KUMARI MAMATA BANERJEE (Jadavpur): First of all I would like to congratulate the hon. Prime Minister for introducing the Panchayati Raj Bill and the Municipal Corporations Bill in This House. This is a historic achievement in this Session of the Eighth Lok Sabha. Today is 9th of August which is a date of historical impor-

tance. On this day in 1942, leaders of our freedom struggle had launched the Quit India Movement. And on this day today we on behalf of the Congress (I) have introduced the Panchayati Raj Bill and the Municipal Corporations Bill. These two Bills aim at providing more power to the masses. But I am sorry to say that the Opposition is not participating in the debate on these Bills. The only thing they are doing is anti-Rajiv propaganda. It is regrettable that when the need of the hour is welfare of the masses, the Opposition has made removal of the Congress as their sole objective. In states where the Opposition is in power they do not want power to be transferred to the masses. This the point of difference of opinion. Therefore, on this historic day I want to say that the people should understand the game of the Opposition and not pay any attention to them because they are not participating in the debate on these Bills. When Pandit Jawaharlal Nehru was the Prime Minister, his biggest achievement was to perpetuate the institutions of democracy; when Shrimati Indira Gandhi was the Prime Minister her greatest achievement was her efforts aimed at poverty alleviation. Hon. Shri Rajiv Gandhi's achievements are lowering of the voting age to 18 years, providing 30% reservation to women, reservation for harijans and introduction of the Panchayati Raj and Municipal Corporation Bills. I would like to say a few more points about this Bill.

I was in my State during the Siliguri Municipal elections. There I found that the names of tea workers engaged in gardens had not been indulged in the voters list and they did not get a chance to exercise their franchise. They should not be discriminated against when it comes to voting in the elections to Panchayats and Municipal bodies. They should also be allowed to vote as they are citizens of this country. Another thing is that elections should be fair. At many places there are incidents of violence during elections. In a recent election in Howrah there was an incident of booth-capturing. This lead the people to think that they should not participate in the electoral process. So I request the government that the electorate

[Kumari Mamata Banerjee]

be protected in order to enable them to participate in the democratic process. When our hon. Prime Minister introduced the Municipal Corporation Bill in the House, in a civic board in my state the Congress (I) had 19th members while. The C.P.I. (M) was in minority. Without any notice whatsoever the S.D.O. asked the chairman to vacate his seat so that the former could take over. Is this democracy? His learn was upto 1991. What was his fault? His supposed mistake was that he attended a conference of Municipal Corporations called by the hon. Prime Minister which was not attended by in members of the C.P.I. (M). Is there no law in our country that is meant for punishing those who violate the laws. When the Karnataka Governor dissolved the State Assembly they did not have a majority. The Opposition had raised a hue and cry about this issue. Those in the Opposition, be it Shri N.T. Rama Rao, Shri Devi Lal, the Chief Minister of Assam or Shri Madhu Dandavate, may say anything. Where was V.P. Singh at that time? He joined hands with Shri Jyoti Basu. Members of the Opposition because friends on such occasions but what is the basis of their friendship? What is their ideology, their symbol? I don't want to go into all that. As the Municipal Corporation Bill has been introduced in the House, I request the hon. Minister to ask the Governor to submit a report on the dismissal of the Municipality by the West Bengal Government. This is an illegal and unconstitutional step. I would like the hon. Minister to intervene in order to protect democratic institutions. Otherwise the common man will think who is supreme the Prime Minister or the Chief Minister. I shall not get into any arguments on the relationship between the Prime Minister and the Chief Minister. The municipality belongs to the public and it is the public that gives the jobs, not the C.P.I. (M). So the country will be indebted if you intervene. This is not the problem of one municipality along. He can do the same with another municipality Jyoti Basu is no Hitler that he may do whatever pleases him. Today, I had raised the matter concerning.

Shri Devi Lal. He is framing a law that would deprive women of a share in the property. Each one of the Chief Ministers belong to the Opposition thinks of something that is against the law and against national interests. They should act within the framework of the Constitution.

Now I want to draw the hon. Minister's attention towards civic amenities. This is a regrettable matter. For the development of slum areas in Calcutta, the State Government allowed businessmen like Bajwriya and Fatehpuria to take up the construction of multi-storey buildings. One month back two children died in a house collapse. Even though there were no construction plans but the Calcutta administration gave its sanction. In another such case ten children died. Human life appears to have no value. 27 newborn babies died in a Calcutta hospital due to the negligence of the hospital staff. There are no civil amenities worth the name. The common man cannot sustain himself. Benefits of tax likes are being reaped by businessmen. There are no rules and regulations. The public will be grateful if the Government pays a little more attention to municipalities. Before the Panchayati Raj Bill was introduced, we were giving attention to the Jawahar Rozgar Yojana. Till now the no survey has been conducted under the Jawahar Rozgar Yojana on the number of people living below the poverty line. This makes it difficult for the Government to keep track of the number of people in villages who have been provided employment. So I want that a survey be conducted under the Jawahar Rozgar Yojana to ascertain the number of people living below the poverty line.

I would also like to make a submission that clear cut guidelines have not been issued to the States in this respect. The States Governments have their own ways. Therefore, the Central Government should issue clearcut guidelines to them in regard to Jawahar Rozgar Yojana. Though Calcutta in West Bengal has not been under Congress rule for a number of years yet people in West Bengal have great sympathy for Pandit Jawaharlal Nehru, Shrimati Indira Gandhi

and Shri Rajiv Gandhi. Calcutta, Madras and Delhi are metropolitan cities. The State Government cannot afford to undertake any project in these cities; if at all they do something that will be politically motivated. Therefore, I would like to urge upon the Central Government that during the current year which is being celebrated as the Nehru Centenary year, the Central Government should open a new branch of AIIMS in Calcutta to commonward this solemn occasion and also to fulfil the aspirations of Shrimati Indira Gandhi who could not accomplish this task during her life time. This will prove quite beneficial for the people of eastern region because at present whenever a person of that area suffers from some heart trouble or has to undergo heart transplant or needs kidney, he has to rush to Madras, Vellore, Delhi or Bombay to get the proper treatment which causes lot of inconvenience to these people. I would like the Government to make an announcement regarding the setting up of a branch of AIIMS in Calcutta to fulfil the aspirations of Shrimati Indira Gandhi during the Nehru Centenary year. With these words, I would like to express my gratitude to you for giving me an opportunity to speak.

[English]

SHRI SYED SHAHABUDDIN (Kishanganj): Mr. Chairman, Sir, I have listened most attentively to the speeches here on the Bills before us, including the introductory speech by the hon. Prime Minister.

Sir, I am constrained to say that instead of focussing on the very complex and technical issues, the speeches have been highly political in tone and content. It is not proper to attribute motives or fling epithets at Members who are not with us. They have chosen to vacate their seats in their wisdom in order to serve the country in their own way and, of course, they are accountable to the people.

I am not here to match, and I cannot match, the eloquence of the Prime Minister. I have no ghost writers, I cannot match his rhetoric, but there are limpets and limpets,

there are mental limpets, whose minds if they are not just mindless robots, cannot crawl out of their mental groves and such limpets turn even a session of Parliament into a national conference of the *wah wah* party.

The Prime has come to us like to latter-day Columbus. Columbus discovered America while Rajiv Gandhi has discovered the Panchayati Raj. As America existed before Columbus appeared on the scene, Panchayati Raj has been in this country for thousands of years and it was formally inaugurated by the late Pandit Jawahar Lal Nehru in 1959. I would like to place before you a simple quotation from Pandit Jawaharlal Nehru who said on October 2, 1959:

"We are going to lay the foundations of democracy or panchayati raj in our country. The Government..."

He was referring to the Rajasthan Government.

"...The Government have by an act of Legislature, handed over the responsibilities to the people. It is a historic event. It is fitting that the programme of panchayati raj should be inaugurated on Mahatma Gandhi's birthday..."

He went on to say:

"It was seven years ago that we started this great movement with the Community Projects and the National Extension Service..... But we have not been able to do as much as we expected..... The People were not merely to be consulted but effective power was to be entrusted to them."

The power was entrusted to them, but unfortunately, the power has not been used by them.

There is no controversy in the country about the desirability of reinforcing the Panchayati Raj and local Government, whose traditions, even of local Government, go

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back to at least a hundred years in our country. There is no controversy in the country about making these institutions effective, vibrant, representative, responsible and responsive and vesting them with adequate resources, financial power and administrative authority but the Bills before us, unfortunately, are children of political compulsions. They have been conceived in hurry and delivered in haste. I have no criticism of the Bill in principle. A constitutional amendment to give Panchayat and local bodies a constitutional status is not *per se* irrelevant, or unwelcome. There has to be periodicity; there has to be regularity; there has to be autonomy, if these institutions are to serve the purpose. But, if it is not so, Sir, let us try to analyse who are the guilty parties. I don't have the time, but I would only like the Members of the House to ponder over the date of the last election to the Panchayats at the Gram level in their states and the gap of years that has intervened between that election and the preceding election and over which party was ruling those States. That is what I would like them to answer for themselves.

Sir, the Bill has some grave infirmities and omissions. There is a mass of details which should have been left to the local legislatures in view of the local circumstances and conditions. The Constituent Assembly had looked into this question and had deliberately decided against a pattern of uniformity. Sir, the question of delimitation of constituencies, the manner of election the Members, the procedure for election of Chairperson, these are the details which could have been left to legislators. That is where a line can be drawn between an amendment and other legislation. These details, Sir, have been brought in here. There are other institutions in our Constitution. There is the Presidency; there is the Governorship, there is the Council of Ministers, there is the Supreme Court and there are High Courts. There is a Chief Election Commissioner and a Comptroller and Auditor General. In all these institutions, in all these cases, we have

left detailed rules to be made separately. We have not placed them in the Constitution.

Sir, the rural life is indeed a pitiful existence today. Rural India has suffered in silence for all these 40 years and the wind of freedom is yet to blow through our villages. An era of justice and equality is yet to dawn in the countryside. People today there have no role in decision making. The availability of resources is arbitrary and erratic. People have no say in determining their own priorities. People have no hand in running those institutions which are meant to serve them. The local bureaucracy lords it over them in the form of the *daroga*, the Gram sevak, the Patwari, the Engineer, the Doctor and now the Banker. They are all totally independent of and immune from the control of rural India. They are representatives of a system which finds its sustenance and respect from outside and dominates the rural countryside. There is a local 'baniya' who has now become the 'Fair Price Shop'. There is a local money lender who has become the local 'cooperative'. And there is no local accountability at all. If the Bill was to change these conditions, I will welcome the Bill.

There is poverty which is beyond measure. Do we realise, Sir, that the number of urban and rural poor in our country today exceeds the entire population of the country at the dawn of the Independence? These are the people who do not get a fair meal a day; the proud citizens of a free country who starve and who live a short and British existence and who have none to care for. Ironically we have also a picture in our mind of rural India as an ideal paradise. No, Sir, rural India has its vested interests. It has got its power brokers. These waters are infested with Sharks. Not for nothing, Dr. Ambedkar described rural India as 'a sink of localism, a den of ignorance, narrow mindness and communalism' and, I may add, casteism. It is this picture that we have got to change. It is keeping this picture in view that we have got to legislate and to find a way out.

Sir, there has to be a Gram Raj and a Gram Sarkar which has to be self-reliant. It

has to provide economic development and social justice to the people but it means planning from below and implementation by the beneficiaries. And there has to be no mis-match between resources and responsibility. Sir, it is this pattern of democratic decentralising which has to take power from the Centre, down to the States; not rest there but go down to the district; not rest there, but go down to the Panchayats. It is this picture of autonomy at all levels that we seek.

Development planning and development administration to be effective, Sir, need guaranteed resources, administrative authority and control over the staff and functionaries. In the Bill the management of public services we have left totally outside the orbit of the local Government. What about bureaucracy? The other day, my colleague Shri D.P. Yadava, eloquently spoke about mismanagement by the bureaucracy. Are you going to retrench the bureaucracy? No I am afraid the bureaucracy is going to be further proliferated.

Now, I will come to resources. There is no guarantee in this Bill that at least 50 percent of the gross resources of the State shall devolve to the Panchayats. I would also suggest that to make it more effective, 50 percent of the gross national resources must devolve to the States.

There are certain ideas in the Bill which are half-baked. I am not against women. My apologies to the hon. Minister of Urban Development. But I find that reservation for women, in the way it is conceived here, it not going to produce proper results. It is nothing more than a tactical manoeuvre by the higher castes, by the upper elite and by the vested interests to regain on the turn-around what they shall lose on the swing. Sir, reservation for women should be there but that reservation should be within the quota of each class. Thirty percent of each group's representation must be women. That is my suggestion. The allotted life—five years—is too long. The present power structure will not be demolished, will not give way with this long span. At the Panchayat level, we can have

elections, perhaps every two years. There is no protection for other weaker sections. In the Panchayat, the caste factor is very important. Every minority group—I am not talking of religious minorities or every social group, which is in a numerical minority at the village level needs to be protected against the overlords of the village. They must get proper reservation in proportion to the population.

In this Bill, there is no reference to the role of the Gram Sabha—an assembly of all the adult voters of that village. They should have power—power in the line of direct democracy! The people should have the power of recall. Every decision of the Panchayat should be subject to the sanction of the Gram Sabha.

Nobody is against extending the authority of Election Commission and the Comptroller and Auditor General of India who are not just central institutions. They are national institutions for auditing of accounts or for conducting of elections. But their reports should go before the authority that matters. Let the Election Commission report on the Panchayat elections be placed before the Assembly.

As far as planning and execution is concerned, I am afraid, the patterns that I find in these two Bills will finally land us in a jungle of conflicting jurisdictions of authorities and responsibilities. That is why I oppose the concept of Wards Committee and Zonal Committee. I would also like to submit that the Zila Parishad must be a forum where all authorities in that district ranging from Gram Sabha to the Municipal Council must come together to plan across this urban-rural divide which the Prime Minister spoke of and develop a common plan for the district. The Zila Parishads should not be concerned merely with the rural areas of the district, but they must be concerned with the district as a whole.

Finally, I come to this point, of 'power to the people'. It sounds like an old slogan, like an old gramophone record. Many de-

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mogogues in the past have used this slogan. These are nice words. But here, we have Government which do not trust their own Cabinet Ministers. They are going to give power to the people! Here, we have got a Government which works through power brokers and commission agents. And they are going to eliminate power brokers! How can the Government which works through the capitalist order seek to limit the influence? How can the party which operates through high castes and electronic computations of community of caste pattern eliminate the caste factory from the Panchayats? No, Sir I am afraid, the primary purpose to the Bill is not to introduce Gram Raj, it is not to realise the dreams of Mahatma Gandhi, but it is to meet the ruling party's need for a catching elections slogan. So, they can take credit for giving power to the people. And if it does not work, it does not matter to them. Because they shall not be back where they are on the field. The existing structures are sought to be demolished as within a year, they shall be a nullity and we shall be faced with a vacuum. The existing edifices will crumble without anything being put in their place. And, perhaps you wish to interfere in the day-today working of those Opposition-ruled States, financially as well as administratively.

The Prime Minister himself has paid a tribute to the working of the Panchayati Raj in some Opposition States; and yet, the entire motive is to establiize those Governments.

Sir, the Bill does not guarantee real power to the people. The bill does not make the Panchayats or the Nagarpalikas financially viable, administratively autonomous, economically self-reliant, politically progressive or even socially just. That is why I find it very difficult to accept the Bills as they are. I have introduced a number of amendments. I hope that the Government will have the wisdom to accept some of those amendments.

This should not be an exercise in patting one's own back. This should not be an exercise in one-up-manship, arising out of a certain political anxiety to derive the longest political mileage. I appeal to the Prime Minister in his absence. There is an old saying about the difference between a politician and a statesman. A politician thinks of the next election. A statesman thinks of the next generation." I hope that the Prime Minister rises to become a statesman and does not remain a politician. Thank you

SHRIMATI JAYANTI PATNAIK (Cuttack): I congratulate our Prime Minister for bringing in this Bill which gives power to the people, and has got a revolutionary approach. The concept of Panchayati Raj in India was a part of the philosophy of Poorna Swaraj or Gram Swaraj which was imbibed during the freedom movement. The Constitution-makers recognized the importance of the democratic institutions at the grassroot level; and, therefore, enshrined this concept in Article 2—Part IV Directive Principles of State Policy in the Constitution.

During all these years after independence, one can obviously see that the fruits of development have not reached all the sections of the people. The masses, the rural poor have not been benefited from development, inspite of the seven five-year Plans and many anti-poverty programmes. Besides this, Indian democracy is becoming more formalistic and is far from becoming a participatory democracy.

The benefits of development cannot reach the people unless they participate in the development; and it is impossible, and it is not feasible unless economic development is accompanied by political decentralization of power to the people through Constitutionally-created institutions.

Against this background, the amendments to the Constitution, viz. the 64th and 65th amendments which have been brought in, give us great hope of giving democratic decentralization and planning at the grass-roots level. Hence the need to recognize,

protect and preserve local self-governments and Panchayati Raj by the inclusion of a new chapter in the Constitution.

It is clear that after 40 years of the working of the Constitution, there is definitely the need for a constitutional provision for regular Panchayati Raj and Nagarpalika elections; and it is proposed, through this Bill, to enshrine these regular, periodic elections in the Constitution itself.

The other weakness of the Panchayati Raj and Nagarpalikas is the sickness of unending suspensions and dissolutions. It has been sought to end this sickness—in this Bill.

Till now, as the superstructure has been strong and the foundation weak, we have only about 6000 persons representing the population of 800 million. So, the gap between the general body of the electorate and the small number of elected persons has been occupied by the power-brokers. To end the system of power-brokers, the Bill provides for direct election of members of Panchayati Raj and Nagarpalikas.

This will be conducted by the Election Commission. This is a welcome feature. The purpose of strengthening the Panchayati Raj Institutions is to drive the power-brokers out and to make the people's bodies more responsive to the needs of the poor and deprived. The social justice has become a very important component of this institution and hence it is meant to make economic development effective by gearing up all the plans to attain social justice.

Over the years and now you see that there is a provision for the reservation of the SC&ST and also see that over the years and now women as a group have been particularly neglected for centuries. The plight of the women and the weaker sections has been even worse. So, all these years, the participation of women in Panchayati Raj Institutions has been very marginal because of socio-economic constraints. The nomination and co-option of women members in

Panchayati Raj Institutions until now did nothing in getting women involved in Panchayati Raj Institutions. Forty percent reservation that has been very thoughtfully given by our Prime Minister, will definitely provide an opportunity to the women for greater participation in Panchayati Raj Institutions and Nagar Palikas. This will definitely be a step towards equal society and a means of realising development goal for women. Hence no percent reservation for women in the proposed Amendment Bill is hailed by the women throughout the country. 15th May, when the Bill was introduced by the hon. Prime Minister, was historic day for the women of this country, because in the Parliament he brought this Bill and gave 30 percent reservation. At the same time, outside the Parliament also, he addressed a big gathering of more than one lakh women and gave this gift of 30 percent reservation.

Recently-drawn national perspective plan by the Prime Minister emphasised for effective participation and empowerment of women at the grass-root level in democratic institutions. A massive conscientisation programme for women in general needs to be taken up and modules designed for this purpose should adequately deal with social and economic constraints which restrict their participation in political process. The formal representation of women in Panchayati Raj will have fruitful effect if it is supplemented by programmes like mobilising women through awareness campaigns and inter-personal communication by implementing schemes which help this in attaining economic independence by enhancing educational facilities at their doorsteps.

Devolution, to be meaningful, has to be a devolution of powers and responsibilities matched by a devolution of finances. For providing sound finance to the Panchayati Raj and Nagar Palikas, a provision has been made for the grant-in-aid to be given to the Panchayati Raj and Nagar Palikas from the Consolidated Fund of the State. A provision for setting up of Finance Commission is also a laudable step. Planning and development presently operated outside the Panchayati

[Smt. Jayanti Patnaik]

Raj system has to be integrated into the revamped Panchayati Raj system. There is a wrong notion that local planning may distort national priorities, which is very superficial and local planning cannot counter national planning. Similarly, also, national planning cannot go against the local needs and priorities. We certainly require to initiate necessary changes in the whole concept of planning. States should do intensive consultation with the Panchayati Raj bodies and bring to the Planning Commission broad outlines of the State Plan which should be adequately dovetailed into the national Plan.

In the Nagarpalika Bill also we have taken up urban housing and anti-poverty schemes. The point is that we have to think seriously on the Urban Ceiling Act. The Prime Minister has already said that there should be a joint committee to coordinate these programmes in the rural areas as well as in the urban areas. Democracy is a gift of our freedom struggle. The Prime Minister has stated that this system in this country will bring a mighty revolution and this will bring democracy to the doors of the people.

SHRI VIJAY N. PATIL (Erandol): At the outset, Mr. Chairman, I request you not to ring the bell within five minutes because yesterday my name was the first, but I could not come because of PAC meeting. Although I will cut short my speech, I would like to speak for at ten minutes.

I was quietly listening to the speech of my learned friend Mr. Shahabuddin. He is a good orator no doubt, but in a hurry and in an attempt to confuse the members here he got confused himself.

SHRI SAIFUDDIN SOZ (Baramulla): Shall I call him?

SHRI VIJAY N. PATIL: Yes, that will be better. I forgot to tell him that. I will refer to him afterwards.

We all know that India lives in villages.

It is also the largest democracy in the world. If democracy has to be really beneficial to the people to the last man, and if we have to see that the dreams of Mahatma Gandhi come true that everything should be planned for the last man and unto the last, this is also a step towards that, and this step is being taken by our leaders right from independence.

Mr. Shahabuddin has mentioned that Panchayati Raj existed thousands of years ago. I do agree with him. But the major difference is that the present century Panchayati Raj is in two tiers. There is a bureaucrat and a democrat. Immediately after independence we had Sarpanches who were not so literate and we had the Gram Sevaks who were well educated. So, some times the Sarpanch was duped; he was cheated. But what do we see now? We see that in many Gram Panchayats the Sarpanches who got elected are well educated and at this juncture when we are going to vest them with more powers and give more powers to the Panchayat itself.

We all know that the Panchayats 20 years ago did not have large financial resources. But with the decision of the Central Government and the State Governments and the far-sightedness of Madam Indira Gandhi per capita about Rs. 8 were given and the small panchayat and was given Rs. 1,000/- for spending and a big panchayat was given up to Rs. 30,000.

With our Prime Minister's dynamic planning, he toured all over the country, consulted so many people, administrators, politicians, economists and other experts as also the village people, and after that he came out with a very good Bill on Panchayati Raj.

I read in some papers the statement of Shri V.P. Singh, wherein he said that he would bring up a proper Panchayati Raj Bill and said I will come out with that". I have yet to see his Panchayati Raj Bill or his suggestions for improvements in Panchayati Raj.

14.00 hrs.

The same thing happens when any good step is taken by the Government. When the Government decided to fill in the backlog of SC ST candidates, Mr. V.P. Singh said that he will bring Morcha for filling up the backlog of SC ST candidates, but we have not seen any Morcha coming to the capital or to any State.

Mr. Chairman, Sir, 30 percent reservation in Gram Panchayats for women is a very good step. It is not only because they belong to weaker sex, but by nature women are conservative and men are spend-thrift. I would like to quote an example. You will see people in service get salary on the first of every month. First week is a paper week for them, second week is a silver week for them, third week is a copper week for them and fourth week is a pauper week. After getting the salary, he goes to five star hotel and gives a fifty rupee note or twenty rupee note as tips to the waiter. When he goes to the hotel in the second week, he gives tip in silver coins. In the third week, he goes to road side hotel and gives tips in copper coins. And in the fourth week, he becomes a pauper. But if a good housewife takes out a major chunk of his salary from his pocket, she keeps it for paying the bills in the month end. This type of conservative nature will also be helpful in the Panchayats when we are giving more funds. I would, therefore, suggest further that in every Panchayat, if the Sarpanch is a man, then the Deputy Sarpanch should be a woman, and if the Sarpanch is a woman, then the Deputy Sarpanch should be a man...*(Interruptions)*

PROF. SAIFUDDIN SOZ: Substitute conservative by frugal minded.

SHRI VIJAY N. PATIL: Thank you for the suggestion. Mr. Chairman, Sir, I agree with one point made out by Shri Syed Shahabuddin that at villages, there are many employees of the Central Government, the State Government and other organisations, and the Sarpanch does not have any control over them. I would like to give an example

here. Supposing a lineman of a telephone exchange of fifty or twenty-five lines is not doing his work properly and if he is asked by the Sarpanch to do his duties properly, he will say that he is a Central Government employee and the Sarpanch cannot order him like this. The same thing happens in the case of State Electricity Board employees or other persons who are working at the village level. Some control on these persons should be allowed to be exercised by the Panchayats.

Mr. Chairman, Sir, the step taken in this Bill that the elections should be held every five years is a very welcome step. Although in Maharashtra, we are holding elections regularly in Panchayats, in many other States it was not the case. Secondly, the Sarpanch cannot be so easily removed as was being done earlier. If the Zilla Parishad Chairman or the Standing Committee Chairman or his friend did not like the Sarpanch of a particular village, he tried to remove him on a simple pretext. Because of the provisions of the Bill and powers given to the Governor, this kind of thing will not happen hereafter.

Mr. Chairman, Sir, we think of more development in cities because of the newspapers. For rural people, we talk more, but do less. Because of this Bill and because of Jawahar Rozgar Yojana—giving employment to atleast one person in every household—we will be doing something very substantial for the rural people. It will enable us to stop the flow of rural intelligentsia to the cities and enlarge the slums. Otherwise by seeking employment, thousands of unemployed are trying to go to cities. This will be stopped because of the implementation of the Panchayati Raj Bill and the Jawahar Rozgar Yojana.

In the end I would say that we should not doubt the wisdom of our rural people. They may not be educated but they are intelligent. They may not be rich but they are politically matured. Their clothes may be dirty but there is wisdom and duty in them. With their intelligent mind they can run the panchayats properly. With their political maturity they

[Sh. Vijay N. Patil]

can plan properly. With their wisdom they can spend properly. Hence whatever powers we are giving to them, it is a welcome step. I would like to thank the young Prime Minister for bringing this revolutionary Bill and I support this Bill whole-heartedly.

14.07 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

PROF. SAIFUDDIN SOZ (Baramulla):

Before I speak on these two Bills, I wish to make the point relating to Article 370. One of my colleagues has raised some kind of a controversy. I do not think that there is any controversy. When Constitution (64th Amendment) Bill was introduced, hon. Prime Minister had stated at that time—and that is the position, I am in agreement with that—that whenever a Bill is passed here, it will not automatically apply to Jammu & Kashmir. It will apply after the Government there is consulted. So I hope the hon. Prime Minister while replying to the debate, will say that there is no controversy and that this provision will apply to the Jammu & Kashmir State on the recommendation of the State Government.

I feel that both these amendments i.e. 64th and 65th are very progressive measures. But my statement will be balanced only when I come to the concluding part with regard to my amendment to these Bills i.e. the position of the Governor. As of now, I feel, after studying the objects of the 64th Amendment Bill that this is a progressive measure. I, therefore, welcome both the amendments.

It is a very correct statement that the panchayats have become weak in many States. The hon. Prime Minister listed some States where the panchayats are still viable. But there are many States where Panchayats are not viable, they are very weak. It is a correct statement that regular elections were not held in many States for the Panchayats and there was inadequate representation for

weaker sections. Therefore, representation for Scheduled Castes, Scheduled Tribes and women is a very laudable provision and it will have far-reaching consequences in the length and breadth of the country. I do not know how thirty per cent women will be got into Panchayats at three levels in the district. I imagine that if they do not come to Panchayat level, how can they come to Parliament. But it is a revolutionary measure. I do not know whether Government of India will organise that kind of effort to make women come and participate in this great drama of social change.

I welcome this measure but I feel it is very ambitious. There should be a time when women will be fifty per cent in all institutions, be it Parliament, State Legislatures or Panchayats. But that is a dream as of now. But thirty per cent, to me it appears, while it is implemented, will mean a very gigantic task. I wish Government of India well but I feel it should assess the situation and put in a very great effort to get thirty per cent women in Panchayats.

This is also a correct statement that devolution of power to the Panchayats has never taken place. Even in those States where the Panchayats as an institution have remained viable, such as, Karnataka, Maharashtra and Gujarat. But now the Bill seeks to devolve powers to the Panchayat level and it is a very good measure.

The Panchayats will have financial resources. My friend Syed Shahabuddin said that they will not have financial viability. We shall see how Government of India will implement it because ultimately the money will come from the Central Government. We shall see how Panchayats will become financially viable. But it is a very laudable thing that the *Panchs* will have power to plan development and fund that development without consulting the bosses, whom the Prime Minister called power brokers. So, the Bill wants elimination of power brokers. We shall only wait for a very meaningful implementation of this provision.

The Bill says that this three-tier system will be a model throughout the country but those States which have a population of twenty lakhs, will have only two-tier system. This is no concession to those states. If we have to have a uniform system, there should be no exception because you should have a uniform system throughout the country. So, this provision of making an exception with regard to States having lesser population does not sound well. I do not think it is a very good provision.

Another provision in the Bill is that of direct election. It is a very good provision. The term will be five years. It is a fixed term which is a very good thing. If a Panchayat is dissolved, within six months they will have to reconstitute the Panchayat. This also is a very good measure.

Devolution of powers from the State Legislatures to the Panchayats is also a democratic step and this will take the democracy to the grass-roots level. Therefore, I welcome this measure. Sir, an institution of State Finance Commission is a very good step.

Now, I come to the Election Commission of India. The Election Commission of India is the authority which will organise elections. It came up for discussion at some level earlier outside this House. I raised objections because the Election Commission of India is already having full work. Its hands are full and it cannot take more work. But what do we mean by Election Commission of India? It has 'its agents in the States that is, Chief Electoral Officers. But in this Bill, there is no mention that the Chief Election Commissioner of India or any agents will do this work. Of course, the Chief Electoral Officer is an IAS Officer. Invariably, he belongs to the all India Service. He or she belongs to the Central Services. So, why can't we trust them and why should we say only Election Commission of India? Why not appoint some agents who could take care of this work? This is not indicated in the Bill. Now, the audit of the Panchayats will be done by the comptroller & Auditor General of

India. I feel that we should not doubt the integrity of Accountant Generals who are in this States. They are also from the Central Services. Why not the Accountant Generals of India take the responsibility of doing the audit of Panchayats? We want to devolve powers. On the other hand, we want to concentrate powers in the Election Commission of India. I have mentioned this in my amendment which I have tabled. Why do we not say that the audit will be by the States Accountant Generals? Why should we say that the audit will be done by the C.&A.G.? What is true with the 40th Amendment Bill to the Constitution or 44th Amendment Bill to the constitution is applicable to the 64th and 65th Amendment Bill to the Constitution.

Sir, regarding setting up of Nagarpalikas or by whatever name the State Legislature may call it, it does not matter but I am on the question of Governor. I want to discuss on the position of the Governor. Now, I differ with this Bill and I want to go to the hon. Prime Minister and I want to have a discussion with him on this point. This has become a fashion that we shall say 'Ayes' to those who say 'Ayes' and 'Ayes' will have it. But some amendments are very necessary. Somebody must understand the implications. So, I beg of the Ministers who are sitting here that they must carry my suggestions to the hon. Prime Minister. I have already moved by amendment in this regard. Wherever you mention 'Governor' in the Bill, that must be substituted by the State because Governor is not the person who should exercise authority. In fact, the Constitution of India requires a very substantial amendment because I have seen the role of the Governor, his appointment as Governor, his position, his Executive powers, and it is a strange thing that Governor is neither answerable to the State Legislature nor he is answerable to the Parliament. He is in a unique position. The President of India can be impeached, the Prime Minister of India can be impeached and the Speaker of the Lok Sabha can be impeached but the Governor cannot be impeached and we are giving him the powers and I differ from our founding fathers in this respect. The Constitution is our Bible for

[Prof. Saifuddin Soz]

our social existence. I salute this book. But I want to tell you that this Constitution requires amendment with regard to the appointment of the Governor and the powers that he will exercise. Now, according to this Bill, it is the Governor who will be the authority, who will implement the democratisation of Panchayats at the grassroot level and this Bill gives tremendous power to the Governor, not to the State Government. Therefore, I have moved an amendment that wherever the word 'Governor' occurs, it should be substituted by the State Government. I want to invite the attention of the hon. Prime Minister to the comments of the Sarkaria Commission. I want to quote that relevant portion from the Sarkaria Commission on the question of Governor because Sarkaria Commission has gone into this question.

I quote:

"The role of the Governor has come in for attack on the ground that some Governors have failed to display the qualities of impartiality and sagacity expected of them. It has been alleged that the Governors have not acted with necessary objectivity either in the manner of exercise of their discretion or in their role as a vital link between the Union and the States. Many have traced this mainly to the fact that the Governor is appointed by and holds office during the pleasure of the President (in effect, the Union Council of Ministers). The part played by some Governors, particularly in recommending President's rule and in reserving State Bills for the consideration of the President has evoked strong resentment."

MR. DEPUTY-SPEAKER: Are you speaking about this Bill or the Governor's role?

PROF. SAIFUDDIN SOZ: So, because of the recommendation of the Sarkaria Commission, we should not give these vast powers to the Governors, who are not answerable to the State Legislatures, who are not answerable to the Parliament and who cannot be impeached. Therefore, I make a strong plea with the hon. Prime Minister that wherever Governor occurs in these two Bills, it should be substituted by the Government of the State.

[*Translation*]

*DR. P. VALLAL PERUMAN (Chidambaram): Hon. Deputy Speaker, Sir, I wholeheartedly support the Panchayat Raj and Nagarpalika Bills which usher in democracy at the grassroot levels.

These two Constitution amendment Bills seek to fulfill the dreams of Mahatma Gandhi and Pandit Nehru. Mahatma Gandhi rightly remarked that the life of this nation is in the villages. These bills seek to infuse the nation with new life.

While our Hon. Prime Minister has moved the Bills for consideration of the Bill for maximum democracy to the villages, the opposition parties have abdicated their responsibilities and duties towards the electors by resigning their seats in the House. I deplore their dereliction of duties.

Dr. Ambedkar, the great patriot, secured representation of Scheduled Castes and Scheduled Tribes in Parliament and State Legislatures. Today we have amidst us our Hon. Prime Minister, Rajiv Gandhi, who has secured the representation of Scheduled Castes/Scheduled Tribes in Gram Panchayats, Town Panchayats, Municipalities and Municipal Corporations as per their proportion in the population. This single democratic deed will be remembered by the Scheduled Castes/Scheduled Tribes for ever. Shri Rajiv Gandhi is the only unrivalled leader and the saviour of Scheduled Castes and Scheduled Tribes in the country. On 17th

April, 1986, I introduced a Private Members Bill which sought to provide separate reservation for Scheduled Castes and Scheduled Tribes in Gram Panchayats. That is still pending in the House.

Hitherto, a Scheduled Caste or Scheduled Tribe candidate can become a M.P. or a MLA. He can become the Chief Minister of a State. He can also become an IAS or IPS Officer. But he cannot become a Panchayat President. These Bills seek to remove this anomaly.

The worst social crime of untouchability is still prevalent in villages. The main reason being that Scheduled Castes and Scheduled Tribes are not represented in the bodies which have a say in the village administration. Still there are villages, where SCs and STs cannot draw water from public wells. There is still bonded labour in many of the villages. The present legislation, I hope would help to wipe out their atrocious social crimes.

The order has hitherto been that Harijans had to get their minimum of their living standards by begging. The present legislations make them live honourably. We are in ecstasy when we think of a condition in the villages where Harijans and Tribes will be able to rule themselves, to participate in the planning processes and to have the knowledge village financial administration. These bills, therefore, provide social education to the Harijans and others neglected so far.

The Govt. under Shri Rajiv Gandhi has implemented many programmes for improvement of Harijans, living conditions. These bills aim at raising their social standards.

Let me list some of the achievements of Congress organisation and its dynamic leader Shri Rajiv Gandhi.

Shri Rajiv Gandhi has extended the reservation for SCs and STs for 10 more years.

Shri Rajiv Gandhi has issued orders that within 3 months all backlog vacancies

for SCs and STs should be filled. He has also done away with the policy of dereservation.

In Uttar Pradesh (Lucknow), a University is being established at a cost of Rs. 110 crores.

Today he has also provided representation for SCs and STs in the local bodies.

He has also brought in legislation to curb atrocities on Harijans and Adivasis. Hon. Minister Rajinder Kumari Bajpai has introduced the measure in Lok Sabha today.

He also seeks to establish special courts to deal with cases of atrocities on Harijans and Adivasis.

Today in the Central Hall, he has unveiled the portrait of Dr. Ambedkar.

Through the implementation of Jawahar Rojgar Yojana, he has provided employment to Harijans and Adivasis in the villages.

These and many more achievements stand proof to the tireless efforts of Hon. Prime Minister, Shri Rajiv Gandhi and the Congress organisation in uplifting the poor and downtrodden, the Harijans and Adivasis.

I call upon all the Harijans and Adivasis of this country to wake up and see the light of the day, the unimpeachable leadership of Shri Rajiv Gandhi, the record of services of the Congress to Harijans and Adivasis. Harijans and Adivasis in the country I am sure are true to their salt. They will rally behind Congress, the leadership of Shri Rajiv Gandhi and return him and the organisation with hands down majority in the coming polls.

While I wholeheartedly welcome the legislation, I have a few demands and suggestions to make.

I would like to request that serious efforts should be made to provide pucca buildings and support staff for the Panchayats.

[Dr. P. Vallal Peruman]

There should be provision for direct election to Panchayats at all levels. If as per the present provision, Panchayats at all levels. If as per the present provision, Panchayats at intermediate and district levels are to be elected by the Panchayat Presidents at the immediate lower level, there is going to be a lot of corruption. Slowly and steadily they will go into the hands of feudalists and oligarchists. The noble ideals would be missed from realisation. There would also caste wars, communal conflagrations and other law and order problems. That would also prevent Harijans and the oppressed from having their due representation.

There is also problem of finances. In certain revenue areas, there is scope for more revenue. In certain others, there is less revenue. The imbalance in resources can be straightened only when the Finance Commission of the States take into account this factor and fix percentages of distribution. Besides, there is a necessity of delimitation of boundaries of revenue areas.

There are also certain areas, for example, Kalvarayan hill area in my Constituency comprising 154 villages which have no Panchayat. Panchayats under this Bill should, therefore be established in all areas.

The opposition parties have failed their constituents when this House debates greater democratisation. They are the first enemies of Harijans, Adivasis and people of this country will not forget this betrayal. They will meet their doom in the polls.

[English]

MR. DEPUTY SPEAKER: Shri K.P. Singh Deo. Please try to be brief.

SHRI K.P. SINGH DEO (Dhenkanal): Sir, I will try to be brief. Sir, I rise to support both the Constitutional Amendment Bills—the 64th and 65th—which seek to restore to the people of India the power that rightly

belongs to them. The reason why I say that it is restored to the people of Indian is because right from the ancient times, we had the institutions of Panchayat in the India psyche, culture and tradition which was rudely broken up when the foreign invaders brought in the concept of commercialisation. The merchant, military and the missionary broke up the Centres of production, the autonomous panchayats which every village in India had before. Came the revenue collectors who were only concerned with the commercial aspect and the treasury and today, 42 years after Independence, our dynamic, young Prime Minister seeks to restore to the people of India what they had before.

Sir, Gandhi-ji envisaged and dreamt of local self-Government. Pandit Nehru gave us the Institution of Panchayati Raj and thereby we had the National Extension Service Blocks, the Development Blocks and the Panchayat. Samiti Blocks which, today, unfortunately are all post stage 2 and are mostly defunct. They do not have any finances; they do not have any powers and they depend on the doles from either the States or the Centre. Smt. Indira Gandhi gave the concept of the people's participation in the programmes for the uplift of the weaker sections of the society. These two Constitutional Amendment Bills—the 64th Amendment for the Panchayats and the 65th Amendment for the Municipalities and Urban areas - are very clear in their objects and reasons.

Sir, I do not wish to dwell too much in depth since you have already told me about the paucity of time. The one on the Panchayati Raj Institution makes it obligatory to the States to establish a three-tier system. It also makes it obligatory for the seats at all levels to be filled by direct elections, since election is the essence of democracy. What our Prime Minister has sought to provide both for the Urban bodies and for the Panchayats is to lift the levels of the Panchayats and Municipalities to that of Parliament and the State Legislature. They are being brought in to give the sanctity of Constitution and Constitutional safeguard and also to take

away from the purview of the courts the power to interfere in case there is any dispute arising out of the elections and any disputes within the Panchayats. It is right to give a fixed tenure to the Panchayats as well as to the Municipalities. It is right to provide for devolution by the State Legislatures of powers and responsibilities. Today, we know, as representatives of people that irrespective of any party, irrespective of any State, how the Municipalities, Notified Area Committees, Notified Area Councils and Panchayats have been superseded in the altar of political expediency. Therefore, these two Constitutional Amendment Bills seek to remove this mischief from the hands of the power brokers, about whom our Prime Minister has said not only in this forum but at all forums available to him—whether it is national seminars, whether it is national debates which had taken place in all the States, in various regions before he brought in both these Bills to this august House, to the highest legislative forum of our democracy. These two Bills also seek to provide for sound finance by securing authorisation from State Legislatures for grants-in-aid; provide for the constitution of Finance Commissions in the States; vests in the Election Commission the superintendence, direction and control of elections; empower the Comptroller and Auditor General of India to cause the accounts audited and exempt certain States which have a different system.

As far as urban areas are concerned, the Bill also seeks to provide for a machinery of planning from below. Sir, over the last two decades, many of the hon. Members have been repeatedly raising the question and asking the question or questioning the entire system of our planning because it has been a coercive planning placed from above without taking into effect the regional peculiarities, the regional resources—both human and material—as well as peculiar situations. And the new Agriculture Policy has taken into consideration the new techno as well as agronomic zones of our country which is divided into 35 zones. Therefore, over the years, we have seen, planning has resulted in more disparity and more regional imbal-

ance between the States. These two Constitution (Amendment) Bills seek to remove that discrepancy and for the first time, we are going to have planning from below, from the village level, from the panchayat level, from the district level which will indicate priorities, which will indicate the problems, which will then be reflected in both the States and national economic development plans. For that, I congratulate our Prime Minister who in a very short time of four years has not only emulated his Grand Father and Mother by visiting every nook and corner of this country, every *advasi* village hamlet, every backward region of this country and has tried to find out. He has given to us, after a national debate, a comprehensive legislation which we must support because this is what we have been asking for and demanding for on behalf of our people. It is rather sad to see that some of our colleagues who could have been part of this historic and revolutionary measure in restoring to our people the power they really belonged to them, the power to decide for themselves, the power to plan for themselves, the power to look after their own vocations, their own social justice, economic development and whatever we had fought for when we struggled for freedom are no more members. Thank you so much for giving me this short time.

[Translation]

SHRI MOHD. AYUB KHAN (Udhampur): Mr. Deputy Speaker, Sir, I am thankful to you that you gave me an opportunity to express my views on these two constitutional amendments.

Sir, clause 40 of Directive Principles makes it binding on the States to endow village panchayats with such powers and authority which enable them to function as units of self-government at the lowest level. After a period of 39 years, today, Shri Rajiv Gandhi has realised its importance and fulfilled the requirements. I would like to extend my heartiest congratulations to Shri Rajiv Gandhi for this. At the time, when an initiative was taken in this regard, the members of the opposition had called it a fraud on the consti-

[Sh. Mohd. Ayubkhan]

tution and subversion of our federalism. They said that the Central Government was going to interfere in the State matters through these Bills. I feel that the apprehensions expressed by such persons make it apparent that they themselves have not gone through the text of these constitutional amendments, they have not studied these in detail or if at all they have done so, they are making deliberate attempts to mislead the people. One of the members stated that Shri Rajiv Gandhi was trying to become modern day Columbus. There was nothing new in it. But my submission in this regard is that in 1977 when they were in power and Shri Jaiprakash Narain was their leader, had they accomplished this task and had compared themselves with Columbus, they would have done a great obligation. The system of Panchayati Raj as it existed earlier was completely ineffective. Even earlier Panchayat Raj was there in existence but it lacked the vibrations of life. It is only for the first time in last many years, particularly since Shri Rajiv Gandhi came to power that he realised the aspirations and requirements of his country and the people living in its villages which constitute the substantial strength of this country and which was being neglected, ignored and deprived for political reasons and thus he felt the need of strengthening this institution by decentralising power in urban as well as rural areas. It is a historic step that is being taken in their interest. Are we unaware that Panchayat and Municipal elections have not been held for last many years. Bureaucrat used to interfere in their matters. These institutions were not allowed to function properly in any of the states irrespective of the political colour of Government in a state. Under these circumstances the need of incorporation of a separate chapter in the Constitution was felt so that the rights of these people can be safeguarded, and a new path may be paved for the future generations. A member said that Shri Rajiv Gandhi is not a statesman but a politician, I feel said to hear it. Ours is a democratic constitution and we propose to bring an amendment in it to pave a new way

for Panchayati Raj and Nagar Palikas. The people of this country will appreciate the effective steps taken by our present Government under the leadership of Shri Rajiv Gandhi after a period of about forty years when the foundation of democracy is strengthened here. He is a worthy child of the motherland India who got the pulse of the public and fulfilled the need of the hour. An hon. member pointed out just now that it is an interference in the State matters because these institutions come under the State Governments. It creates the suspicion whether he has really gone through it in detail or is giving a statement just to mislead others. It is my request that they should go through the amendment Bill which has been made available to them. You may see its Article 243—

[English]

Article 243B says, "Subject to the provision of this part, the Legislature of the State may by law make provision with respect to the composition of the Panchayats."

[Translation]

It is not the Central Government which will implement it. They have just provided a broad framework to give a rough idea of their constitution but the responsibility of implementation is on the State Governments. You can read Article 243 to know what has been provided in it.

[English]

Article 243(E) says, "it empowers and enables the Legislature of a State to endow the Panchayats with such power and authority as may be necessary to enable them to function as institutions of self-Government and such law may contain provisions for the devolution of powers and responsibilities upon Panchayats at proper level, subject to such conditions as may be specified therein."

Article 243(F) again speaks in the same tenor.

Article 243(J) provides "That the Legislature of a State may, from time to time, by law make provisions with respect to all matters relating to or in connection with elections to the Panchayats. "These provisions do not evidence any riding rough-shod by the Centre, instead they show a decent and discreet deference' to State autonomy.

[Translation]

Points are being raised as to why we are taking these steps now. It is the bad luck of the opposition that Shri Rajiv Gandhi has taken this initiative. Another cause of their bad luck is that elections are coming near, and they find themselves in a fix and are unable to decide whether they should support the idea or oppose it. At one moment they support it, and the next moment they stand to oppose it. They have no clear conception of their own. They assert that as soon as they come to power, they will bring in a change in the entire system. It means that they will do away with all these amendments which have been introduced by Shri Rajiv Gandhi.

But I would like to say that it is a big step. We are going to enact a law, for which we will be remembered for ever through the ages to come.

It is a matter of regret that the opposition benches are lying vacant. They were afraid of exposure and that is why they have run away. They should realise the feelings of the people.

I would like to tell them that they will have to repent for adopting an uncooperative attitude in the matter of bringing democracy to the doorstep of the people and giving powers to the people. Now this scheme will be implemented in each and every village and the people will be free to take decisions on their own. but at this moment these people are not realising the aspirations and feelings of the people.

[English]

PROF. P. J. KURIEN (Idukki): Sir, I rise

to support both these Constitutional amendment Bills introduced by Shri Rajiv Gandhi. These Bills are historic ones whereby power is being given to the people at the grass root level. Through these Bills Gandhiji's dream of Gram Swaraj is becoming true. Shri Rajiv Gandhi through these Bills gives flesh and blood to the dream of Gandhiji.

This is most unfortunate that on this auspicious occasion the Opposition has run away from Parliament. People have given us the majority in order to govern the country. Likewise people have given them minority and sent them to the Parliament to sit in Parliament and express their dissent, if any, and give their suggestions. We are fulfilling our duty but it is unfortunate that Opposition has run away from their duty. It is most irresponsible behaviour on the part of the Opposition. By these actions they have insulted the democratic institution and also betrayed the people who had elected them.

Article 40 of the Constitution reads:

"The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government."

Similarly Article 12 of the Constitution reads:

"the State' includes the Government and Parliament of India and the Government and the Legislature of each of the States....."

What does not this mean? These two clauses mean that the Centre and the States have equal responsibility in creating and ensuring self-government in the panchayats. By this Constitution amendment Shri Rajiv Gandhi is fulfilling the Constitutional obligation of the Centre.

If we look at the present picture of our panchayats it is far from satisfactory. This institution suffers from a lot of inadequacies, weaknesses and deficiencies. They are not able to function as self-government. They

[Prof. P.J. Kurien]

have no financial powers or machinery to implement their programmes. These institutions were supposed to be centres of developmental activity in the rural areas and the towns have been totally bypassed by the State Governments and in their place power brokers have cropped up. Therefore, this state of affairs of the panchayats is to be changed in order that the condition of the people gets ameliorated. Shri Balwant Rai Mehta Committee has thrown light on all these aspects of the present position of the panchayats.

Over the last seven Five Year Plans we have been spending a log of money for rural development but out of every rupee spent only fifty paise reaches the destination. The remaining amount gets spent either on administration or taken by the middlemen and the power brokers. As such, we could not meet the aspirations of our people. The gap between the cities and the villages has been widening. This Bill ensures that the people themselves will handle their development activities in the panchayats and the maximum benefit of every pie spent will be derived from those activities.

Our Prime Minister after taking charge of his office immediately realised the seriousness of this problem. He travelled throughout the length and breadth of the country. He visited Harijan colonies, Adivasi dwellings, tribal areas and had direct inter-action with the people in these areas. Because of this direct interaction with the people, he has made the correct diagnosis of the malady affecting our society. Therefore, he is prescribing the best medicine the best solution - to the problem. What is that medicine? What is the solution? That is power to the people and the elimination of power brokers and middlemen from these bodies. Any person, who has even superficial knowledge of the present state of affairs about our villages or about the rural areas, I am sure, will not and cannot object to these Bills.

I am surprised to see that the Opposi-

tion is objecting to these Bills. How will they be able to face the people, I do not know. Because the Opposition people want to oppose these Bills, they are bringing forward a number of superficial changes against this. They say that the Bills have been brought in a hurried manner. They say that amendment to the Constitution is not needed but what is needed is the political will. They also say that the powers of the States are being diluted. How can they raise all these? They also propagate that it is a political gimmick. How can they say all this? None of these is sustainable.

Everybody in this country knows that these Bills have not been brought forward in a hurried manner as is being said by the Opposition. This process was started from 1986 onwards when the Prime Minister started visiting the tribal areas and the remote corners of the country. This process started nearly three years back. After that, widest consultations have been held. Seminars and meetings took place. Discussions were held not only in the Congress Party but also at the Government level. Presidents of Zila Parishads, Chairmen of Municipal Corporations, etc., were consulted. Then, discussions were held at the level of Chief Ministers. Only after prolonged discussions, these Bills were framed and introduced. Therefore, the charge of the Opposition that the Bills have been brought in a hurried manner is not at all sustainable.

They say that it is a political gimmick. Why do they say so? They know that the people will support it. Therefore, they are afraid of facing the people. So, it is not a political gimmick. The people are surely going to support these amendments because they know the real position. What is the meaning of the Opposition saying that such good measures should not be brought before the Parliament? Even in an election year, it is the duty of the elected Government to pass such laws and to implement such measures which are good for the people. An elected Government cannot refrain from bringing forward good measures to help the people. The Opposition can run away from its responsi-

bility but have a commitment to the people. Therefore, we will go ahead with this. We cannot be deterred and detracted by the simple criticism that by implementing these laws, an allegation will be levelled that it is for getting the votes. It is for the people to decide whether it is a political gimmick or otherwise. And that is going to be decided within a couple of months. They are going to decide in this country in favour of these Bills. The people are going to vote Mr. Rajiv Gandhi and his party with a thumping majority to this Parliament.

How can the Opposition raise the question of political will at all? It requires maximum political will for the leadership to bring forward a Constitutional amendment. We have the political will. That is why we have brought the Constitution Amendment Bills. The Opposition has no political will. That's why they are opposing. For argument's sake, even if they have the political will, how can they act without a proper authority? If the States have the political will to implement Panchayati Raj, these Bills are going to give them authority and legal sanctity to implement the Panchayati Raj.

15.00 hrs.

Therefore, it is the political will of the Congress Party and Shri Rajiv Gandhi that has brought these Bills. They have been raising a question on dilution of powers of the State. Where is the dilution of powers of the State? Election is conducted under the supervision of the Election Commission. So, how can it dilute the State's powers? The State Governments are themselves elected by the elections conducted under the auspices of the same Election Commission.

Again, if the panchayats are dissolved, elections have to be held after six months. It is true that the State Government cannot postpone the elections to the panchayats according to its own whims and fancies, to suit their political convenience. They have to conduct the elections within six months. Opposition may not like these measures but the people of India welcome these meas-

ures. It is also interesting to know that the Opposition was earlier criticising that the C&AG should audit the panchayat accounts. At that time they were saying that the C&AG was a puppet of the Central Government. Now, they have made a somersault in this aspect.

The Opposition, at one time, were welcoming the Panchayat Raj institutions. The Ashok Mehta Committee which was appointed in 1978 had recommended it and many of today's Janata Dal leaders had also supported it. It is not only that the Janata Dal leaders had supported, but the veteran Marxist leader, Mr. Namboodiripad had also supported the Panchayati Raj institutions and an amendment of the Constitution in this regard. Today they are changing their principles and they are changing their stand. Only the Opposition can adopt one stand one day and change it the next day. Congress cannot do that. Congress has consistent policies and we stand by those policies laid down Gandhiji, Pt. Nehru and Mrs. Indira Gandhi. We follow their path. On the contrary, the Opposition is changing their policies every now and then.

I have heard a lot of discussion made by the Opposition and also their allegations that power is concentrated at the Centre. They were arguing and pleading in this House that the power should be more decentralised. And here are the Bills which give real decentralisation, which give real power to the people. But then, the Opposition is opposing. What does it mean? This means that by decentralisation, they mean that power should be given to them and power should be given to the State Headquarters where they are ruling. They do not want power to percolate to the people down below, to the masses. They want to keep the power with them at the State Headquarters where the Opposition is ruling and use it through the power-brokers and middlemen. I am sure that people will see through it again and given them a proper reply.

What are they opposing in these Bills? Is there any clause which they can oppose?

[Prof. P.J. Kurien]

Are they opposing the elections after five years, or the reservation for the Harijans, tribals and women, the re-election of the Committees after dissolution or the whole aspect of reservation? Honestly speaking, nobody can oppose any of the provisions in these Bills. I personally feel that in their hearts of hearts, the Opposition of the country must be welcoming these Bills. But for political expediency, they are opposing them.

For their own political convenience, they have run away from Parliament. They have avoided this discussion by running away from Parliament. Finally, they will run away from the people or the people themselves will drive them away from the premises of Parliament.

These Bills are historic ones. These are the most revolutionary ones in the history of independent India and are going to bring about revolutionary changes in our villages life and municipalities. People are going to have the real powers and be the real masters of their destiny. These Bills are the fulfilment of the dreams of Mahatma Gandhi, the Father of the Nation and Shri Rajiv Gandhi has effected this fulfilment.

With these words, I support these Bills.

[*Translation*]

SHRIMATI PRABHAWATI GUPTA (Motihari): Mr. Speaker, Sir, the Panchayati Raj Bill introduced by our Hon. young Prime Minister in this House on May 15th, 1989 has sent wave of happiness all over the country. As such the Bill which he presented two days ago in connection with strengthening of the Nagarpalikas and Nagar Parishads has been welcomed by one and all. The significance of the Constitution (64th and the 65th Amendment) Bills is proved by the fact that these Bills have been welcomed throughout the country. Both the Bills are very important. These Bills are not only historic and revolutionary but are also a milestone in our progress and will be written in golden letters in the

history of our nation. The passage of these two Bills will definitely herald a golden period and, therefore, I would extend my whole-hearted support to them. The extent of hard-work which the Minister of Urban Development, the Minister of Agriculture and the Minister of State for Agriculture have put in and the contribution which they have made in preparing the drafts of these two Bills is indeed praiseworthy. I congratulate them because these Bills will bring about a radical change in our democratic framework. These Bills contain many remarkable provisions and include several radical points in the direction of transferring power in to the hands of the people. I whole-heartedly support these provisions. These two bills will leave an indelible stamp on the history of the nation. Many hon. Members have expressed their support to these two Bills before me. Yesterday I listened very carefully to the submission made by Shri D.P. Yadava here. Funds are being distributed arbitrarily in the district headquarters with the result that Rs. 30 to 40 thousand crores are being wasted every year in the shape of administrative expenditure. In every district headquarter there are at least 15 to 16 thousand Government employees which include officers right from top IAS level down to class IV employees and a very heavy expenditure is incurred on the payment of their salaries, which is not in public interest. On the occasion of the death anniversary of Shrimati Indira Gandhi on 31st October last year, Hon. Shri Rajiv Gandhi had categorically admitted that the funds allocated for the welfare of the people and for the solution of their problems are being swindled. Therefore, a radical change has to be brought into the existing system. What I want to say is that true to his announcement, he is set to bring about that radical change through these two Bills. The Nagarpalika and the Panchayati Raj Bill are complement to each other and they cannot be viewed in isolation. One-fourth of the total population live in the urban areas and their development cannot be neglected. Our objective of transferring power to the people will not be fulfilled until due attention is paid to the urban local bodies as well. Therefore, the steps which the Government is going to take in

connection with these two Bills are welcome. Several remarkable points are included in these Bills. The Government has categorically stated that the power brokers will be done away with and there shall be participation of the people at the grass root level in the governance of the country. The Gram Panchayat is the lowest unit of the administration. The Balwant Rai Mehta Committee and the Ashok Mehta Committee had after much deliberations made several recommendations in connection with the strengthening of the Panchayati Raj system, but it has not been possible to implement them. The bureaucracy, the caste factor and corruption have been major irritants in this regard. Panchayati Raj has been reduced to a plaything in their hands. Previously, the Gram Pradhan would often approach the district officials who would pay little heed to their problems but now the Gram Panchayat has been provided a constitutional status under Article 40. A three-tier system of administration is going to be set up throughout the country and, therefore, it will usher in a radical change. When Pandit Jawaharlal Nehru introduced the Panchayati Raj Bill for strengthening the Gram Panchayats in the Lok Sabha, it met with stiff opposition. Today also, when a radical change is being proposed in our democratic system, some people are opposing it. It is being said that with the passage of these two Bills, the power of the States will be curtailed, but I would like to make it clear that the 7th Schedule of the Constitution has not been affected in any way and, therefore, the question of curtailment of the powers of the States does not arise. The provisions of these Bills do not encroach upon the power of any of the States. On the contrary, additional assistance is going to be extended to the States under these two Constitutional (Amendment) Bills. After all, for whom are the State Governments, the Central Governments and the Legislative Assemblies meant? They are meant for the benefit of the people.

Mr. Deputy Speaker, Sir, you may be aware that the Gram Panchayats were granted Rs. 30 thousand to Rs. 2 lakhs under the Jawahar Rozgar Yojana recently

and a lot of work has also been undertaken. Now it being felt that the funds are reaching the actual beneficiaries. Many people are of the view that the Gram Pradhan will misuse his authority but a check has been provided for this purpose by making the provision that no decision can be taken without covering a meeting and without the approval of the gram Sabha. I visited my constituency recently and there I was told that the Gram Pradhan had incurred some expenditure without convening a meeting of the Gram Sabha. However, expenditure was incurred for certain essential requirements of that area. The Minister of Urban Development and the Minister of Agriculture are present here and they should see that the funds allocated to the villages are utilised properly. If the Collectors are entrusted with the responsibility of over seeing the utilisation of funds, power will again go into their hands.

Mr. Deputy Speaker, Sir, I would like to request that this work should not be entrusted to the Collectors. Vigilance Committees should be set up for this purpose. The ex-servicemen and freedom fighters residing in the rural areas who are both patriotic and dedicated should be made the Members of this Committee for over seeing the work of the Gram Panchayats.

Mr. Deputy Speaker, Sir, it is for the first time that the Panchayats are being granted a constitutional status. Elections to the Panchayats have not taken place for the last 20 years. Therefore, the provision for making the holding of elections every 5 years mandatory is welcome. Power is being transferred to the Gram Panchayats and through them a new shape would be given to the development programmes which will not only help in building up the future of India but also enhance the prestige of the country at the international level.

Mr. Deputy Speaker, Sir, it has also been provided in the Bill that in case of supersession or the death of the Gram Pradhan, it will be obligatory to hold elections within the next 6 months. The intention of the Government is to realise through the

[Smt. Prabhawati Gupta]

panchayats what Mahatma Gandhi had envisaged. Ghandiji's dream is being realised under the Rajiv Government,

*"Daikhik daivik bhautik tapa
Rajiv Gandhi Raj kahu nahin vyapa"*

Mr. Deputy Speaker, Sir, the elections to the Panchayats should be conducted properly and in a fair manner. I would like to submit one point more regarding the Nagar-palikas. Provisions have been made to constitute a Nagar Parishad for a population of 10 to 20 thousand, a Municipal council for a population ranging between 20 thousand and 3 lakh and a Municipal Corporation for a population above 3 lakh. The idea is praiseworthy but it is also essential to make provisions to ensure that supersession of these bodies does not take place at the instance of bureaucrats such as collectors. If the Nagar-palikas are superseded by a simple majority and at the same time you want them to function efficiently, provisions should be made to ensure that they function under the supervision of the Governor and the State Assembly. They will be able to function efficiently if their work, their collection of land revenue and their financial management is supervised and controlled by the Governor and the State Assembly.

Mr. Deputy Speaker, Sir, I have one more submission to make. It has been provided that the Chairman of the Municipalities and Corporations can be removed through a motion passed with two-third majority. If this provision remains, no-confidence motion will be moved against the Chairman every now and then. The Chairman should not be left at their mercy. The election to the post of Chairman should be held direct as in the case of Lok Sabha, so that they can work in an impartial manner. I would like to thank you for making provision for reservation for the Scheduled Castes and Scheduled Tribes and for making 30 percent reservation for women. Our part has always done laudable work and that is why we have been winning elections in the past and shall continue to do

so in the future as well.

A large number of women in the country are so backward that they have not seen even roads or highways during their life time. Shri G.S. Rajhans may be aware that the women residing on the banks of the rivers never see any other area except their immediate neighbourhood. These women grow up and get married in the same area. They lead in the same area. They lead their entire lives at the same place and breathe their last as well there. There are 400 panchayats in Champaran district and there is only one women pradhan and that too uneducated. Through this bill at least 30 percent of the elected members will be women. Hence forth a women can be elected as Gram Pradhan or the Pramukh. I welcome this Bill and would submit that Gandhiji's vision of 'Swaraj' and 'Ram Rajya' will be realised through this Bill. I would also like to make it clear that the powers of the State Governments are not going to be transgressed in any way. I welcome the facilities and the Constitutional status which is being granted to the Panchayats through articles 340A, 340B, and 347H. I support all these measures and hope that with their implementation a right direction will be shown and the power brokers will be done away with forever. The misuse of funds at higher level and the prevailing corruption and casteism will come to an end. It is hoped that the Gram Panchayats will overcome their past drawbacks and move in the right direction. With these words and feelings, I would like to welcome the Panchayati Raj Bill and the Nagar Palika Bill which are in fact, the Constitution (64th and 65 Amendment) Bills.

[English]

MR. DEPUTY SPEAKER: Now, Shri Janadhana Poojary may intervene.

THE MINISTER OF STATE IN THE DEPARTMENT OF RURAL DEVELOPMENT IN THE MINISTRY OF AGRICULTURE (SHRI JANARDHANA POOJARY): (a) Mr. Deputy-Speaker, Sir, I am thankful to the hon. Members who have so far taken

part in this debate on these Constitution Amendment Bills. I am intervening and my senior colleagues will reply to the debate.

I am thankful to the hon. Members for giving an overwhelming support to this Amendment Bill. Particularly, I want to thank the hon. Veteran Member of Parliament, our respected Deputy Leader of the House Prof Rangaji for giving his full support to these Constitution Amendment Bills. The hon. Members from Treasury Benches had given some suggestions also. Particularly, I want to mention about the presence of some hon. Members of the Opposition Parties for participating in this debate. I am also grateful to the hon. Member Shri Shahabuddin, who is present now to hear my reply putting forward his views on this Bill. He has stated that the Prime Minister claims that he has discovered some new thing in India and he has also gone to the extent of saying that this measure has been brought in a hurry, that it is going to change the basic structure of the Constitution and also that it will not be in the interest of the federal structure of the Constitution to legislate here.

At the outset, I want to submit that these are not State legislations which we are going to amend here, but these are Constitution Amendments which are brought here. For what purpose? Is it going to change the basic structure, or going to strengthen the basic structure of the Constitution? This is the moot point which has to be considered by this august House.

Before going into the merits of the criticism that has been advanced by the hon. Member from the Opposition, I will bring to the notice of the august House some of the salient features of this amendment, particularly those regarding Panchayati Raj. The main features of the provision regarding Panchayats are these: first, in all the States, panchayats will be established at the village, block and strict levels. Before coming to these features one after the other, it is for the august House to consider whether whatever features I am going to narrate are going to change the basic structure of the Constitu-

tion, or going to strengthen the State administration and strengthen the State panchayat institutions which are now under the administrative control of the State Governments.

Second: all the seats in the panchayats at all the three levels will be filled by direct elections. Third: MPs and MLAs may become members of the block panchayats of zilla panchayats; but they will not have voting rights. In all the panchayats, seats will be reserved for Scheduled Castes and Scheduled Tribes in proportion to their population; and 30% of the seats will be reserved for women.

Next point: every panchayat will have a term of office of five years. If the panchayat is dissolved sooner, for any reason, elections must be held within six months, or the panchayat must be re-constituted. And the re-constituted panchayat will serve for the remaining period out of the five years. The reason is that every five years, all the panchayats in the village, block and district levels will simultaneously come up for elections.

Next point: there will be an Election Commission which will supervise and control elections to panchayats at all levels. Then, specific responsibility will be entrusted to the panchayats to prepare plans for economic development and social justice. For the implementation of development schemes, the main responsibility will be entrusted to the panchayats. The panchayats will receive substantial funds for carrying out their tasks. The grants from State Governments will constitute an important source of funding; but we expect State Governments also to assign certain taxes which will be levied by the State Governments. In each State, a Finance Commission is being established, to determine the principles on the basis of which the financial soundness of the panchayats can be ensured. The C&AG of India will supervise the accounting, and decide how the accounts should be maintained, in order to ensure proper accounting.

You have heard the salient features of

[Sh. Janardhani Poojary]

the Constitution (64th Amendment) Bill. Which is the provision which the State Government do not want? The hon. Member Shri Shahabuddin may state this. Is it going to affect the basic structure if we provide for reservation for Scheduled Castes and Scheduled Tribes—which is not set to the Constitution? It has been recognised by the State Governments, it has been recognized by the Constitution. Is it going to strike at the basic structure? It is for the intellectuals here, particularly Mr. Shahabuddin to consider.

If it provides for 30 percent reservation for women, is it going to change the basic structure or is it going to strengthen the basic structure? It is for the critics to answer. If we give more funds to the State Panchayati Raj Institutions, is it going to change the basic structure? It is only the constitutional experts who can say about it. Some hon. members here are legal experts. I don't think that anybody can say that if we provide for the Election Commission in the States to look after the elections, it is going to change the basic structure. It is not going to change anything. On the contrary, it is going to strengthen the basic structure. This has been found out by whom? The hon. Prime Minister has not stated anywhere in the country that he discovered a new thing. What he has stated is this. He has also not stated that he has done it. What is his statement? He has stated that we are on the threshold of a mighty revolution; he has not stated there 'I'. We are on the doorstep of a mighty revolution. It is the revolution that is going to bring democracy to the doorsteps of crores of people. What is wrong in the statement? These Opposition parties want to find fault at every stage

15.27 hrs.

[SHRI SHARAD DIGHE *in the Chair*]

They think that by opposing this measure, they are going to strengthen the Constitution or they are going to strengthen the democracy. It is not Mr. Shahabuddin. You tell your

friends who are sitting outside Parliament today about it. I am thankful to you for coming before about it. I am thankful to you for coming before the Parliament and participating in the debate and meeting the points and giving your valuable suggestions. But, your friends, who are sitting outside, you tell them that if you go to the people, they will not hear you. On the contrary, the people will put questions; villagers in the villages will not tolerate this kind of behaviour in the democratic institution, that is the highest democratic institution in the country. Now, what are you going to do? You say that it is an election gimmick. He has stated about it today. Mr. Shahabuddinji. What is an election gimmick? An election gimmick means that any measure which is brought is of a temporary nature to get votes only; only for getting votes for a particular period it is brought and then they run away from it. But this provision is a constitutional amendment. The very fact that these provisions are incorporated in the Bill shows that they are of a permanent nature. These are reservation for SC&ST, 30 percent reservation for women, devolution of funds, setting up of Finance Commission. They are not short term measures as you contemplated. They are long term measures. You think that our Government is for temporary measures in order to get votes; in order to get votes, we are introducing these measures. No. The very fact that they are of a permanent nature, it goes to show the intention of the Prime Minister, also the intention of the Congress Party, also the intention of the Congress Government, also the intention of this Parliament. It is very clear that we are not after an election gimmick. The election gimmick is known to them. We are not for that. The Chief Minister of Andhra Pradesh, the Opposition Chief Minister and the first Chief Minister of Karnataka are known for election gimmicks. We the Congress people, we the Congress Government and our Prime Minister are not for election gimmicks. Our Prime Minister has got national interest in his mind and national interest is much more dear to us than the people in the Opposition. How are we going to have some changes in the administration? What is our thinking? What

is our thinking? How are we going to bring changes in the administration at the grass-roots level? By the involvement of the people in the Panchayati Raj institutions, they are going to have their own plan, they are going to have selected fresh projects, and they will decide their destiny not we, the people sitting at Delhi or the bureaucrats.

Earlier what used to be the position? If a road is required in a village what were the people doing? The people in the villages used to approach the BDO. If the BDO sanctions a road the people thought that it was a favour given by that bureaucrat. That was the feeling. Sometimes it used to happen like that. Sometimes it used to so happen that even if the villagers did not want a particular project the bureaucrats used to decide. Now it is not there. The right, the power and the authority are given to the people. No representation at the State administration is there.

The Panchayati Raj institution is part and parcel of the State administration. Is it going to change when it is under the control of the State Governments? I do not think so. Now this is the basic change that has been brought in the village at the grass-roots level and the people need not depend on the bureaucrat for their needs and for their requirements. That is why, I say that this is a shift from dependence to self-reliance. This is the most important feature of this change. And earlier, as I stated, everything was left to the discretion of the bureaucrats. That was bureaucrat-oriented development. Hereafter, it will not happen. The Prime Minister has brought about this change. Hereafter development will be people-oriented development. This is the discovery. The credit will go to the honourable Prime Minister. You say that there is nothing new in this. What is not new in this? Do you think that only some powers are given to the Panchayati Raj institutions or some money is given to them? A new concept has been brought in. Here, we have to find whether this change has been brought without any care or whether it has been done in a hurry.

Shahabuddinji, the Prime Minister has been in power for a short span of five years and within these five years and some people are putting questions what has happened? At the cost of taking some time, I will narrate what had happened during these five years, what are the changes he has brought and whether this Bill has been brought without any care.

After taking charge as the Prime Minister of the nation, as a young Prime Minister, he did not sit in Delhi. He did not sit in an ivory tower or in the air-conditioned room as was done by your first Chief Minister of Karnataka, a man who did not sit in Karnataka. I had given the other day the number of days he was in Karnataka while in power. But here is Prime Minister who, in order to see the plight of the weaker sections, in order to bring a change in the administration, toured all over the country.

You have been making noise earlier inside Parliament and outside Parliament that some change is required in the administration. There should be some change in the approach in the attitude of the bureaucrats and to ensure that the benefits of developmental activity should reach the weaker sections, particularly those living in the villages and tribal areas. The Prime Minister went to each and every corner of this country. Four months together he studied the difficulties faced by the people. He did not go only to the courtyards. He went inside their houses. He talked to them and he talked to the villagers. And villagers have informed him that no benefits are reaching them. It was not done in a hurry. He studied the atmosphere. Then he called the officials, District Collectors and the administrators at the district level. He consulted them. He not only consulted the Chief Secretaries but also the Rural Development Ministers, the Urban Development Ministers and the Chief Ministers. So far as Panchayati Raj is concerned, more than 15000 people have been consulted. The period of consultation is not one year or two years, it is four years. It is the culmination of all the consultations. After consulting these people, he brought this

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radical change. These are the progressive steps, these are the revolutionary steps, which have been brought in a democratic way, not as a dictator. What was the demand of these people? These people, including your party people at the grass-roots, not your leaders, have said, 'give us more powers; give us more funds; give us some authority; we have been neglected and discarded even though the Panchayati Raj institutions are there since several years.' The Prime Minister has done the same thing. He has given the authority. He has given the power. He has given funds. Mr. Shahabuddinji, in one programme—Jawahar Rozgar Yojana—to these Panchayat institutions, we have given Rs. 1000 crores already and we are going to give Rs. 1623 crores as second instalment as soon as possible, within a short time. Never before had a such a thing happened in the country's history. That is what was mentioned by our veteran leader Prof. Rangaji. This is not going to be the only programme. There are other programmes which are going to be executed by the Panchayati Raj institutions. You do not want all these things. Is it going to change the basic structure? Is it not going to strengthen the basic structure of the federal system? It is for you intellectuals to consider this. We can fool some people for sometimes. We cannot fool all the people for all the time. But your first Chief Minister tried to do it in Karnataka and he is facing the music now. Here we have to find out what is the attitude, what is the approach of the opposition. Can you go to the people and say that we opposed the Constitution Amendment, we ran away from Parliament because they brought thirty per cent reservation for women, because they brought reservation for Scheduled Castes and given more powers to you. Can you say? You cannot say. What are you going to do? You cannot face the electorate. Let your people defeat this Constitution Amendment Bill in Rajya Sabha. Then we will go to the people and say, "We wanted to give more powers to you, we wanted to bring developments, we wanted to give thirty per cent reservation for women, we wanted to give

reservation for SCs and STs in proportion to their population, but these people have opposed it in Rajya Sabha, give the mandate to us." It will be a referendum as stated by Prof. Ranga on that day, on the historic day. Today, the 9th August 1989, is Quit India Day. During the freedom struggle I was not there, I was a young boy then. Our veteran freedom fighter is sitting here. He must be a said man today on seeing the performance of opposition parties in the highest democratic body of the country. But he is the happiest person after seeing these two documents i.e. 64th and 65th Amendment Bills. These documents are the sacred documents for strengthening democracy in the country. So far, our Constitution was not complete. After passing these two bills in this august Parliament, our hon. Prime Minister has given a complete Constitution to India. And you belittle the performance of the Prime Minister. Instead, you should have congratulated him.

It is asked: what has he done during the last five years? When he took the charge, the late Prime Minister's dead body was in his courtyard.

There were riots everywhere. There was burning problem in Punjab and Assam. What did this gentlemen do? He tried to solve all these problems. India was the leader of 105 countries. The countries outside felt that hereafter there will not be leadership for India. After taking over, he had shown the confidence of the leadership. This is not what Poojary said. But this is what *'New York Times'* said that the young Prime Minister who is about 40 years of age, has proved the leadership. Even inside out party there squabbles. He did not know who is who in the party because he did not want to come to politics. After the death of his brother, in order to help his mother, he was brought and made the General Secretary. Within three years had to take charge of Prime Ministership. He had earlier no experience of the Cabinet. What was Cabinet, he did not know. What was the administration he did not know. He had to study that within a short time. Within a short time, with his brilliance and

capacity, he had the grip over the administration and he started ruling the country efficiently.

What new things has he brought to the country? He gave the country a new education policy, women's participation, relaxation in import policy, etc. Earlier the public sector was incurring losses. By his policies, the public sector started making profit. The food production has gone upto 172 million tonnes. Is it a small achievement? You say that all these things are done in a hurry. He has taken such steps which have never happened in the history of this country. He has shown his brilliance, capacity and qualities of a statesman. As stated by you, he is not a politician. But he is a statesman. If he had been a politician, he would not have declared elections in Punjab. He did not care for his party, he said, let the elections be won by anybody, even by the opposition parties, but there should be elections. The same thing had happened in Assam.

He did not care for his party's victory there. He said: "In the national interest we should be free to have elections. Let them also win. It is not our look out only." Could it be done by a politician, Mr. Shahabuddin?...*(Interruptions)*

AN HON. MEMBER: Now it is too much for him. He may be drowned completely.

SHRI SYED SHAHABUDDIN: Mr. Chairman, Sir, I presume I shall have an occasion to speak again on this Bill to complete the debate.

MR. CHAIRMAN: Mr. Minister, you may reply to his points but address your speech to the Chair.

SHRI JANARDHANA POOJARY: I follow you, Sir. But I get inspiration when I see his face.

MR. CHAIRMAN: Don't address the speech to him...

(Interruptions)

SHRI JANARDHANA POOJARY: I follow you, Sir. So, Sir, let us discuss it without any bias. Is there any person in the country who could be alternative to that gentleman, the present Prime Minister?

SOME HON. MEMBERS: No.

SHRI JANARDHANA POOJARY: I do not think so. It is not my own case; it is the case of the Opposition leaders also. They say they do not have a competent leader of the stature to rule the country...*(Interruptions)*. Let us accept this fact...*(Interruptions)*

MR. CHAIRMAN: Mr. Poojary, address the Chair.

SHRI JANARDHANA POOJARY: Sir, the Opposition leaders want to finish the Prime Minister. Why? The basic character of the man cannot be changed. Before coming to this august body, after entering this august body and even after accepting the Prime Ministership, he has been regarded as a very respectable Prime Minister, having qualities of an exemplary Prime Minister. He got the mandate for more than 400 Members. People have given him a massive mandate. What is the reason for that? The reason is, his character, his integrity, his honesty. The Opposition leaders thought that if at all they wanted to come to power after five years, they should first start attacking his character, they should start attacking his integrity. They thought here was a man of character and integrity and if they did not do it, they would not get power after five years. So, they started doing it. It is most unfortunate, Sir. The man who built his character for forty years, he cannot change that character all of a sudden. You are sitting here, Sir. You are also known for your character. After forty or forty-five years, we cannot change our basic character. These Opposition Parties want to make an unlawful gain. It is nothing but cheating the nation. It is punishable under section 420 of the Indian Penal Code. These people wanted to finish the character of the Prime Minister but they did not succeed. Even though they came up with scandals, these did not stick anywhere and they

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will not stick also. The most unfortunate thing in this country is that earlier also Opposition parties tried the same game with his mother. The same game they tied with his grandfather also. Today we are celebrating the centenary year of Pandit Jawaharlal Nehru. This is the centenary year of Dr. Ambedkar also. Sir, in this way, by assassinating the character of any individual one cannot come to power. It will be proved in the coming election and particularly about the character of Nehru family, I heard the other day the statement of Mr. Frank Anthony, another veteran leader. he stated that he was pained to hear the sad news. During Indiraji's time when Janata Party came to power in the year 1977, they started attacking the character of Indiraji. They accused her of having made money and after that they raided her house. But what had happened? Not only that. They jailed her. They expelled her from the Parliament. Day in and day out character assassination of Indiraji was going on. But the country silently watched for two and half years with pain. But when the people came to polls, Indiraji was brought back with vengeance and they gave that power to her. That is why I am submitting here that the country and the people of this nation will not believe even if you try hundred times saying that Nehru family is corrupt, nobody will believe that. Now, if they have got anything against the Prime Minister, let them say it open and if they try to do something which is false, in the next elections they will fail very miserably. But the Prime Minister will come back to power and their entire thinking will be destroyed. Therefore, I am requesting the Opposition to go to their friends and say that here is a Bill which is going to strengthen our democracy. Democracy in towns or in Delhi is not going to help us. Only in the villages, it is going to help the people of our country and if democracy is going to be prevalent in the rural areas, then there will be economic development in the country. With these words, I have made certain points and my senior colleagues will reply to other points.

SHRI SYED SHAHABUDDIN: Sir, the

hon. Minister only confirmed the points I have made.

[*Translation*]

SHRIMATI USHA THAKKAR (Kutch): Mr. Chairman, Sir, presentation of Constitution (64th and 65th Amendment) Bills in the House by the Hon. Prime Minister is a historic and revolutionary step. A lot of discussion has taken place on this subject and I would also like to express my views on the same. First of all I would like to thank you for giving me an opportunity to participate in this important discussion.

I was listening to Shri Poojari very attentively. He has very rightly pointed out that our Hon. Prime Minister has not prepared these bills in the air-conditioned rooms of Delhi but before doing so he had gone round a large number of villages of the country. He himself talked to the people and studied their problems. I had myself accompanied him during his visit to the villages of Gujarat, when he made an extensive tour of the drought affected villages in my constituency Kutch. Despite the scorching sun over his head, our Hon. Prime Minister visited various villages, heard the grievances of the poor and expressed his sympathy for them. He asked everyone, be it a woman or a child, about their problems. After having seen all these things with his own eyes, he introduced these Bills to strengthen the institution of Panchayats and the urban civic bodies. It reflects his first hand personal experience which he gathered during his tour of various places. I would like to express my thanks to the Hon. Prime Minister, hon. Minister of Agriculture and hon. Minister of Urban Development for having presented these Bills. You have taken a historic step in presenting these Bills which are being widely discussed in the whole country and the general masses of our country have been expressing their gratitude for these Bills.

I would also like to thank you. Mahatma Gandhi, Pandit Jawaharlal Nehru, Sardar Patel and Shri Ambedkar had given the right of franchise to women under the provisions

of the Indian Constitution which enabled them to participate in the process of elections but it is our Hon. Prime Minister Shri Rajiv Gandhi who has given them their due share in it. He has provided for 30 percent reservation for women. For this act I myself being a woman, thank him on behalf of all the women of my country. He has held us in high esteem by presenting these two Bills in this House.

Mr. Chairman, sir, the provision of reservation for women in the Gram Panchayats and Zila Parishads may give them an opportunity to train themselves for making their contribution in the progress of the country. It will also give them a better opportunity of learning. I have been a Sarpanch and have worked in the panchayat for a long time. I know that one attains maturity and courage by working in the panchayats. It enhances one's ability to understand people and their problems. We learn in the panchayats as to how their problems may be solved. I once again thank the Hon. Prime Minister for giving an opportunity to women for participation in the Government by making a provision of 30 percent reservation for them. By making reservation for the Scheduled Castes and Scheduled Tribes, he has proved his worth as Shrimati Gandhi's son and has won their hearts. When Shrimati Gandhi came to power, she took steps for the upliftment of the people and progress of our country. However, we were feeling quite uncertain after her death, but when Shri Rajiv Gandhi headed the Government, we got in her son, a leader who could work on the lines of late Shrimati Gandhi by providing 30 percent reservation for women and also reservation for the Scheduled Castes and Scheduled Tribes, he has proved his worth as Shrimati Gandhi's son and has added laurels to her. Once again he has come up to the faith affirmed by the people in Shrimati Gandhi and her son.

Mr. Chairman, Sir, the Sarpanch also used to feel for a long time that in spite of the status of sarpanch, they did not enjoy any

power. with the help of these two Bills, the Sarpanches have been given participation in the process of development in their villages, towns and areas under their jurisdiction. This is not a small achievement that a person living in a village starts feeling that now he can take care of his village. To achieve that end, our Hon. Prime Minister has taken an unprecedented step by providing an opportunity to the people for looking after their common affairs. I once again thank him for the same. The Opposition Members have left this House tendering their resignations and thus have been deprived of the opportunities which are available to the Members of the Eighth Lok Sabha to support this Bill. They will realise the significance of it only, later on because instead of support such a revolutionary Bill, they tendered their resignations to cause harm to the Hon. Prime Minister by resorting to resignations as election gimmicks. But truth always triumphs and falsehood can not last long. I feel that we will withstand this test in the House. With the good wishes of the poor for whom he is so concerned, he gimmicks of the Opposition will be exposed and the truth of Shri Rajiv Gandhi's statements will come out with flying colours. Regarding the Opposition, I would like to submit a couplet in Gujarati:

16.00 hrs.

Agni hasti aividite visrai gayee
Jaim ke pani maan anguli nikli aur jagya purai gayee.

It means that when one's purpose is served, one does not think about one's beneficiary. Similarly people will forget you because the Opposition, instead of supporting this revolutionary Bill, had resigned. They were feeling that if the Bill is passed with their support they will be left with nothing else to say in their favour. Our Hon. Prime Minister had visited each and every village and after realising their woes, he introduced these Bills. We rise to support these Bills.

I would like to thank you for granting me an opportunity to speak.

*SHRI E.S.M. PAKEER MOHAMED (Mayuram): Hon. Chairman, Sir, I wish to say a few words in support of the Panchayat Raj and Nagarpalika Bills.

Mahatma Gandhi said that the life of this nation is in the villages. Hon. Prime Minister Shri Rajiv Gandhi has fulfilled his dream by providing maximum democracy to the villagers. The honour that democratic rights has been given even to the poor and downtrodden in the villages in this biggest democracy of our goes to our Hon. Prime Minister Shri Rajiv Gandhi.

These Bills provide for reservation for SCs and STs and women. In building this nation, in this nation's industrial development, and in this nation's agriculture development, the Harijans have contributed a lot. They have given their life and blood for building this nation. The credit of making this nation grow big should go to the poor and the downtrodden. But they had been oppressed for long. They are still the victims of social crimes. This Bill liberates them and provides them with the basic democratic rights. Hon. Prime Minister will go down in history for this. In the same way, he has provided reservation for women.

I welcome the conduct of direct elections through the Election Commission. I also welcome the appointment of Finance Commission in the States for apportioning the revenues.

I have certain suggestions to make. I request that direct election to all tiers of Panchayats should be held. While determining the revenues that should go to Panchayats, the Finance Commission should keep in mind the special needs of the backward areas. A special provision should also be made in the Bill to the effect that all Central Schemes are implemented by the Panchayats with greater efficiency and without undue delay.

I also request that Members of Parliament should also be made special represen-

tatives in the proposed Finance Commissions in the States.

Today, the opposition parties are not here. Hon. Minister Shri Janardhana Poojary has rightly pointed out that the opposition parties have abdicated their duties and responsibilities towards the people. They did not care for the people's welfare. They have resigned their seats. They are being despised by not only the Indian public but by all democracy lovers all over the world. I deplore their conduct.

Hon. Rajiv Gandhi is very keen to lift the masses above the poverty line. He is prepared to give any amount of funds for this purpose. This Bill facilitates the reach of these schemes to the timing millions.

As far as may country is concerned, it is purely an agricultural area. Mayuram is mostly an agricultural area. I request that some industries may be set up. Hon. Prime Minister Shri Rajiv Gandhi would definitely pay attention to this. I also hope this Bill will adequately take care of these needs.

I am sure even those who oppose the measures are really happy in their hearts that it has brought people democracy and welfare simultaneously. In the guise of this drama of resignations, the opposition members have failed in discharging their democratic duties. Today the villages are honoured by the provisions of the Bills. The whole nation commencing from the villages are bound to back the Congress and the Prime Minister.

I conclude.

SHRI MANIKRAO HODLYA GAVIT (Nandurbar): Mr. Chairman, Sir, I thank you for giving me opportunity to speak on the Constitution Amendment Bills. I rise to support the 64th and 65th Constitution Amendment Bills.

Both Panchayati Raj and the Nagar Palika Bills moved in the House are historical

*Translation of the originally delivered in Tamil.

and revolutionary Bills, These Bills realise the dreams of the father of the Nation, Mahatma Gandhi. We are grateful to the Hon. Prime Minister, Shri Rajiv Gandhi for bringing these bills. The Panchayati Raj Bill provides for setting up a separate Finance Commission to look into the financial needs of Panchayats.

The Bill seeks to bestow more powers to the local bodies. Under Panchayati Raj, three tier system comprising Gram Panchayats, Panchayat Samitis and Zila Parishads is in vogue in India. The President of the Zila Parishads have been kept away from the affairs of the administration. They are required to be empowered with the administrative powers also. I would like to request the Government of India to give administrative powers to people's representatives, as at present all the administrative powers are vested in the Chief Executive Officer.

I would like to impress upon the Government of India to ensure elections of Panchayat bodies at regular interval after every five years as has been provided in the Bill. In Maharashtra, for the last 10 years, elections have not been held.

District Panchayats have been empowered with the task of implementing the various schemes such as 20 point programme, Jawaharlal Rozgar Yojana, Jeevan Dhara Scheme, Indira Awas Scheme, Scheme to provide drinking water, electricity, small irrigation schemes, roads and education facilities in the district, schools, health facilities, health centres, agriculture schemes, special programmes for the Scheduled Castes and the Scheduled Tribes, dairy schemes and other schemes of the Government of India and the State Government, in addition to the development of villages, tehsils and districts. Therefore, the arrangement should also be made for the implementation of the schemes of the Government of India and the State Governments by the Zila Gramin Vikas Agencies.

I would also like to say something about the Nagar Palika Bill. The Bill provides for

Nagar Panchayat for the towns with the population of 10 thousand to 20 thousand, Nagar Parishad for the towns with the population of 20 thousand to 3 lakh and Nagar Nigam for the cities with population of 3 lakh and more. It has been provided in the Bill that the elections to the Nagar Palikas and the Panchayats will be held under the supervision of the Election Commission. This will help in checking bungling in the elections.

A lot of improvements are required to be made in the Nagar Palika areas. Arrangements have to be made to provide potable drinking water, electricity and small dwelling units for the people living in Jhuggi Jhonpris. Immediate steps need to be taken to remove filth and squalor from the cities. The responsibility for cleanliness of the cities should be entrusted to the people themselves. For the development of the cities, all necessary facilities should be made available to the Nagar Palikas.

Civic amenities such as good roads, underground sewer, education facilities in the Jhuggi jhonpris, medical facilities, ration facilities and the shopping centres should be made available in the Nagar Palika areas as also a scheme similar to Indira Awas Yojana should also be introduced for urban areas. These Bills seek to decentralise powers to grass root level of the democracy. However, it is also point worth consideration that no administrative powers have been given to the Mayors of Nagar Palikas.

I thank you for giving me time to speak on these Bills which aim at uplifting the poor people of the country. I, on behalf of the poor people of the Scheduled Castes and the Scheduled Tribes once again express my gratitude to the Hon. Prime Minister, Shri Rajiv Gandhi for this.

[English]

SHRI P.K. THUNSON (Arunachal West): Sir, history is a witness that for any kind of rectification or achievement, some kind of revolution has to take place. In this

[Sh. P.K. Thungon]

regard, I would like to congratulate our Prime Minister that he has brought a silent revolution in the real sense. As we go back to our history, during the time of the British rule, we had no political power or any other power. Our freedom fighters fought and we got independence. When India attained independence, we attained political independence. But that was not sufficient as many of our founding fathers stated that political power only is not the freedom in the real sense until and unless we get economic freedom as well as real power goes to the villages. Democracy will fail if the people are not given power. After the attainment of independence, as you are aware, we inherited a kind of colonial administration and colonial structure for development of administration. This is why after attaining independence our Founding Fathers of Constitution including Mahatma Gandhi, Pandit Jawaharlal Nehru, Shri B.R. Ambedkar very rightly thought that Panchayati Raj has to be given importance and only then and then only the real democracy will come to India. Keeping this in view, our Prime Minister has brought this Panchayati Raj Bill and also the Nagarpalika Bill.

As I have stated, if we do not give power to the people—it is not only the political power but also the real power—development will be very adversely affected. This aspect was examined time and again on several committees and commissions. When people oppose this from that side, from the opposition side, I wonder, why they do not support this Bill or why they oppose it. I feel, they are opposing it only for the sake of opposition. They do not have the real grasp of the needs of the people of India.

This need was felt right from 1957 onwards. We must congratulate our Prime Minister for taking this bold step. This is a bold political decision. I would like to mention a few reports which recommended for giving more powers to the people and for devolution of more powers at the grassroot level. They are:

Report of the team for the study of community projects and national extension service, headed by Shri Balwantrai G. Mehta, 1957;

Report of the Committee on Panchayati Raj institutions headed by Shri Ashok Mehta 1977;

Report of the Committee to review the existing administrative arrangements for rural development and poverty alleviation programmes headed by Dr. G.V.K. Rao, 1985; and

A Draft Concept Paper on revitalization of Panchayati Raj institutions for democracy and development by Dr. L.M. Singhvi, 1986.

So, right from 1957 a kind of public debate was going on; but due to certain obvious reasons this could not be materialised. Now our young Prime Minister has made a prompt decision that this silent revolution for devolving powers to the people giving more powers to the people has to be brought. This is why rightly he has brought these Bills.

While supporting these two Constitution Amendment Bills, I would like to add a few of my own opinions. I feel that we have so far two-tier system of governance. Whatever has been provided in these two Bills are for devolution of more political and development powers to the grassroot level. But there is no mention about devolution of administrative powers at the grassroot level. Therefore I would like to go one step ahead and say that instead of having this two-tier system of governance, it is high time that after passing these two Constitution Amendment Bills, we should think of a clear-cut three-tier system of governance in our country—that is, the Centre, the State and the District. In this regard I would like to suggest that, as in States where we have the administrative structure right from the level of Chief Secretary downwards, in districts also we should have a structure of administration and as it comes down in bureaucratic level from the Secretary of District downwards.

In fact in a country like ours where different communities and difficult areas are there, we face different kinds of problems. Therefore I would prefer a kind of political devolution of powers in many places, that is from points of concentration the powers should be devolved more and more. By doing so, we will be able to have a better system to develop the remote areas, to develop, in the real sense, the highly concentrated, highly populated areas.

I wanted to mention about the structure and other things. Since there is no time. I would like to mention only one thing. By bringing forward these Constitutional amendments, our hon. Prime Minister has brought a silent revolution. Whatever attitude the opposition has shown towards these amendments, I think, the people of India have understood them very well. They cannot browbeat us and they cannot browbeat the people of India. Always the major has to lead the minor.

[Translation]

SHRI PRATAP BHANU SHARMA (Vidisha): Mr. Chairman, Sir, I would like to offer a few suggestions while supporting the 64th and the 65th Constitution Amendment Bills. Our youthful hon. Prime Minister, Shri Rajiv Gandhi, deserves all applause for moving these two historically important and revolutionary Bills in the House. These Bills seek to achieve the twin objectives of taking democracy and secularism, which are the backbone of our democratic polity, to the grassroot level and strengthening them through the Panchayats by devolving more powers to them and involving them more and more in developmental works. Through these Bills, the dreams of the nation builder and father of the nation Mahatma Gandhi cherished at the time of freedom struggle have been fulfilled and throughout the country a new ray of hope has been aroused especially in the rural areas. These Bills have infused unprecedented enthusiasm in the village about the Panchayati Raj.

Through the Construction 64th Amendment Bill, provision for holding regular elections to the Gram Panchayats has been made. In the Eleventh Schedule the subjects falling under the jurisdiction of Panchayats have been listed. This provision will definitely go a long way in strengthening panchayats and fulfilling the longfelt aspirations of the rural masses.

Mr. Chairman, Sir, the Bill of Panchayati Raj system is not the outcome of recent 4 to 6 months thinking on the subject, but the process was started immediately after constitution of the eighth Lok Sabha and the Government of Shri Rajiv Gandhi came into being. He initiated discussion on decentralisation of power in favour of rural people and making the administration more responsive to the development needs of the people. And in this direction, our hon. young Prime Minister took a bold step. He visited remote areas of the country, juggi jhonpris of the poor and met the farmers at their doorstep. He organised seminars and workshops of the officers of all levels such as District Collectors, District Magistrates, Superintendments of Police, Development Commissioners etc. associated with the implementation of the various development schemes and interacted with them on the various problems faced by them in their day to day working. These interactions were made with a view to decentralising power and delegate them to the people's representatives, so that democracy could be strengthened at the grassroot level on the one hand and on the other involvement of elected Sarpanches in the development schemes with greater degree of responsibility could be ensured. Because it is often alleged that the elected representatives are not allowed to play their due role in the implementation of development schemes and the bureaucracy has upper hand in it. A number of good projects are sabotaged by them. The manner, in which provisions have been made to strengthen the Panchayats and elections of Nagarpalikas have been ensured at regular interval under the 65th constitutional Amendment Bill and more powers have been given to Nagarpalikas, clearly shows the intention of the

[Sh. Pratap Bhanu Sharma]

Government of strengthen the democracy in the country through concerted development of both the rural and the urban areas. With a view to giving greater thrust to the urban and rural development, we have adopted integrated approach. We want to strengthen the democracy in the country at the grassroot level. The provisions to set up the Nagar-palika Parishads and Nagar Nigams for places with population of 3 lakh and more, and other provisions of the Bill as welcome. For the small places where Nagarpalikas are not feasible, there is provision of Nagar Panchayats to provide amenities. For this I would like to congratulate the hon. Prime Minister and the hon. Ministers of Urban Development and the Rural Development. On the lines of this Constitution Amendment Bill, efforts should also be made by the Government to remove defects in the judicial system and cooperatives sector. As a result of defects in the judicial system, our rural people are badly hit. In order to provide justice to the people at their doorstep, village level judiciary should be constituted and co-operatives should be strengthened so that corruption could be rooted out. I would like to congratulate the hon. Prime Minister, Shri Rajiv Gandhi, for taking such a bold and effective step after 42 years of independence. This will strengthen the democracy in the country and decentralise power and make the administration responsible. This will also have far reaching effect on the country. I thank you for giving me time to speak.

16.29 hrs.

[SHRI SOMNATH RATH in the Chair]

[English]

SHRI R.S. MANE (Ichalkaranji): Mr. Chairman, Sir, our reverend leader Shri Rajiv Gandhi has introduced Constitution (Sixty-fourth Amendment) Bill and Constitution (Sixty-fifth Amendment) Bill. He has described these Bills as historic and revolutionary. I also support that view. Mahatma Gandhi, the Father of the Nation, gave India

independence; Pandit Nehru introduced the concept of planning; Mrs. Indira Gandhi introduced 20-point programme and our great leader, Shri Rajiv Gandhi has introduced these Panchayati Raj and Nagarpalika Bills. From his elaborate speech one could see that these Bills are quite comprehensive ones and he has shown really full confidence in this people. One can see in him patriotism towards the country and the people of India. During the last 40 years of independence of the country, we have seen Mahatma Gandhi as Father of the Nation. Pandit Jawaharlal Nehru introduced the concept of planning. Shri Lal Bahadur Shastri had a good image among the agriculturists and the armed forces. Shrimati Indira Gandhi had made India a powerful country. But true democracy has been introduced with full confidence and faith in the Indian people by Shri Rajiv Gandhi alone. In him, I do not see only Rajiv Gandhi but I also see Mahatma Phulé, Savitri Bai Phule, Shahu Maharaj and Dr. Ambedkar whose principles he has followed and been implementing in the best interests of the Indian people. Various States had tried to introduce decentralisation of power but that was without confidence and detailed study. I congratulate Prime Minister, Shri Rajiv Gandhi. He is a great leader of our country. We were free on 15th August 1947. But the Indian People have really got the freedom now when Shri Rajiv Gandhi has introduced the 64th and the 65th Amendment Bills about Panchayati Raj and Nagarpalikas in a comprehensive manner and without any lacunae. Fifty per cent of the population of this country, that is womenfolk, had been neglected so far. But Shri Rajiv Gandhi has given full justice not only to the women but also to the Scheduled Castes, Scheduled Tribes and the Adivasis in this country. Now there is the Finance Commission to consider the Central and State relations but the Prime Minister has introduced the provisions for Finance Commission to consider the district and State relations. I have see that in these Bills the real powers have been given to the people of India. On the 9th August—the Quit India day—India is really free. These Bills have provided many a provision. Real powers have been given to

the democrats. There is no control of the bureaucrats over the democrats. To this date, there have been two classes—democrats and bureaucrats—in the Indian history. Now, real democracy has been introduced by these Bills. Our Prime Minister has given power to the rural masses under the three-tier system, that is, district level, State level and the Central level. India lives in lakhs of villages and thousands of cities. So, our country will definitely be grateful to him. In congratulate Shri Rajiv Gandhi for having given true democracy. I can say that he is the real and true architect of Indian democracy.

16.33 hrs.

STATEMENT REGARDING BODO
AGITATION

[English]

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SANTOSH MOHAN DEV): Chief Minister, Assam met Home Minister today in his office. They discussed the issues pertaining to the current agitation started by the All Bodo Students Union and others in some parts of Assam. For the purpose of starting joint talks by the Assam Govt. with All Bodo Students Union, the leaders of the agitation and the Govt. of India in Delhi, the Chief Minister, Assam will send a communication to Home Minister. There was agreement between the Chief Minister and Home Minister on the question of making efforts to find a solution within the framework of the Constitution of India. They also appealed to the Leaders of the agitation to stop violence and withdraw all agitations including call for thousand hours' Bandh, in order to facilitate a negotiated solution.

CONSTITUTION (SIXTY-FOURTH
AMENDMENT) BILL
AND

CONSTITUTION (SIXTY-FIFTH AMEND-
MENT) BILL—*CONTD*

[Translation]

DR. G.S. RAJHANS (Jhanjharpur): All those points that I wanted to make here have already been made leaving nothing for me to

speak. However, I would still like to submit two or three points. In addition to many other things done by him, Shri Rajiv Gandhi will always be remembered in the history for introducing these two important amending Bills. Only persons who went from village after village, can say as to how much people are enthusiastic in the country-side about the changes to be affected in the Panchayati Raj in the country and democracy reaching the grass root level. During the last winter, village Sarpanches and Gram Pradhans assembled in Delhi at the instance of the hon. Prime Minister and Shri Bhajan Lal. They returned from here fully satisfied. They were so much impressed with our hon. Prime Minister that they told the villagers in their respective villages that it was only Rajivji who was their true benefactor and no one else. At that time they expressed the apprehension that the opposition would definitely put one obstacle or the other in this work and their doubt has been found to be correct. I undertook tours of rural areas during the last summer and I found that there was lot of enthusiasm among the villagers about Jawahar Rozgar Yojana. Wherever I went, people requested me that copies of the speech delivered by the hon. Prime Minister in the Lok Sabha on 15-5-1989 at the time of introducing the Panchayati Raj Bill be circulated to all the Gram Pradhans and Sarpanches. The hon. Minister must be having a list of Sarpanches and Gram Pradhans with him. I would request the hon. Minister that he should arrange to despatch copies of hon. Prime Minister's speech to these people because newspapers do not reach the villages. Even if newspapers reach, all the matters are not covered in them. When the whole text will reach them through letters, they will remember the points for all times to come and circulate the same to others. I would, therefore, like to urge upon you to despatch the copies of hon. Prime Minister's speech to all Sarpanches and Gram Pradhans.

I shall conclude after making one or two more points. Nobody can deny the fact that a number of criminals have found place in the Assemblies of the States falling in the