

and Resolutions presented to the House on the 17th August, 1983."

MR. DEPUTY SPEAKER : The question is :

"That this House do agree with the Sixty-third Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 17th August, 1983."

*The motion was adopted.*

16.27 hrs.

**Resolution Re : Centre-State  
Relationship**

MR. DEPUTY SPEAKER : Now we take up further discussion of the following Resolution moved by Shri Amal Datta on Centre-State relationship on 31.3.1983 :

"This House is of the opinion that the emerging pattern of different linguistic and ethnic groups as distinctive political entities in the body politic of our country necessitates the restructuring of financial and other relations between the Centre and the States and, therefore, resolves that the relevant provisions of the Constitution be amended suitably."

Mr. Kusuma Krishna Murthy was on his legs.

Mr. Kusuma Krishna Murthy.

*(Interruptions)*

SHRI HARIKESH BAHADUR (Gorakhpur) : We expected something

more from the Government. It is not a satisfactory statement at all.

*(Interruptions)*

MR. DEPUTY SPEAKER : Mr. Paswan, I got you time in the morning. It is over. Mr. Kusuma Krishna Murthy.

SHRI RAM VILAS PASWAN (Hajipur) I am on a point of order. I will not allow the House to function if you be have like this.

MR. DEPUTY SPEAKER : That is not correct. You cannot say that you will not allow. You cannot do that.

Mr. Kusuma Krishna Murthy.

SHRI RAM VILAS PASWAN : I am on a point of order.

SHRI HARIKESH BAHADUR : Mr. Chitta Basu also had given in writing.

SHRI RAM VILAS PASWAN : I am on a point of order.

MR. DEPUTY SPEAKER : What is your point of order ?

श्री रामविलास पासवान : उपाध्यक्ष जी, मेरा प्वाइन्ट ऑफ आर्डर यह है — आप उस समय चेअर में नहीं थे, पीछे चेअर ने यह डिसाइड किया था कि साढ़े-चार बजे तक इस पर डिस्कशन होगा और उसको होम मिनिस्टर ने भी माना था। होम मिनिस्टर का रिप्लाय 4 बज कर 25 मिनट पर खत्म हो गया। मैं इस डिस्कशन का मूवर था। मैंने आपके मार्शल के माध्यम से लिखकर भेजा था कि मैं सर्टेन-प्वाइन्ट्स पर क्लेरिफिकेशन चाहता हूँ। टाइम अभी पूरा नहीं हुआ था, क्या यह आपकी ड्यूटी नहीं थी कि आप मुझको टाइम देते।

MR. DEPUTY SPEAKER : You want to seek a clarification. The Minister will reply to it because he had given me in writing.

SHRI HARIKESH BAHADUR : Mr. Chitta Basu also had given.

Mr. DEPUTY SPEAKER : I am allowing Mr. Paswan to seek one clarification because he had written to me.....

SHRI HAIKESH BAHADUR : You have already a letter written by Mr. Chitta Basu.

MR. DEPUTY SPEAKER : I cannot conduct the proceedings like this. I have allowed Mr. Paswan to seek one clarification.

श्री रामविलास पासवान : मैं मंत्री महोदय से क्लेरीफिकेशन चाहता हूँ कि तीन साल बीत गये मंडल कमीशन को अपनी रिपोर्ट दिये हुए और तीन साल के बाद भी आप रोज यह निबालते हैं और ये जातियां फारवर्ड है और ये जातियां बैकवर्ड है जबकि मंडल कमीशन ने अपनी पूरी रिपोर्ट दो साल ही में दे दी थी। कौन जाति बैकवर्ड है और कौन फारवर्ड है, इसको एग्जामिन करने के लिए आप तीन साल लगा रहे हैं। तो मैं मंत्री जी से आपके माध्यम से एक सीधा सा सवाल पूछना चाहता हूँ कि वे यह बताएं कि प्रिंसिपल रूप में जो स्टेट गवर्नमेंट आज इसका विरोध कर रही है, उन्होंने रिजर्वेशन की पालिसी को माना है और मान रही हैं और सेंट्रल गवर्नमेंट भी क्या प्रिंसिपल रूप में बैकवर्ड क्लासेज के लिए रिजर्वेशन की पालिसी को मानती है या नहीं? यह मेरा पहला प्वाइन्ट है।

दूसरा प्वाइन्ट यह है कि तीन साल बीत चुके हैं और अभी छः महीने के अन्दर या तीन महीने के अन्दर आप इलेक्शन में जाने वाले हैं,

तो आप यह बताइए कि क्या आपकी गवर्नमेंट अपने टेन्योर के रहते हुए मंडल कमीशन की रिक्मेंडेशन्स को इम्प्लीमेंट करेगी या नहीं। इसको इम्प्लीमेंट करने के लिए आप सदन को वचन दे रहे हैं या नहीं?

श्री जगपाल सिंह (हरिद्वार) : उन कम्युनिटीज को निकाल कर बाकी कम्युनिटीज के लिए तो आप रिक्मेंडेशन्स को इम्प्लीमेंट कीजिए।

MR. DEPUTY SPEAKER : One by one you may ask for only one clarification. The Minister will reply.

श्री हरिकेश बहादुर : अभी मंत्री जी ने कहा कि एक सेक्रेटरी कमेटी बनाई गई है और उसको कहा गया है कि 3 महीने के अन्दर वह अपनी रिपोर्ट सबमिट करे। इस कमेटी के चेयरमैन कैबिनेट सेक्रेटरी थे, उसके बारे में उन्होंने कहा है कि वह ज्यादा समय ले रही है। मैं जानना चाहता हूँ कि वह कितना समय ले चुकी है और कितना और समय लेना चाहती हैं। तीन महीने का समय आपने उसके लिए रखा था। अब कब तक उसकी रिपोर्ट आ जाएगी, यह मैं जानना चाहता हूँ। और जो कैबिनेट कमेटी बनी हुई है, वह अपनी रिपोर्ट कब देगी?

MR. DEPUTY SPEAKER : Now, the Minister may reply.

श्री प्रकाश चन्द्र सेठी : उपाध्यक्ष महोदय, मैंने जो जातियों के उदाहरण यहां दिये हैं वे इसलिए नहीं दिये हैं कि हम उसकी छानबीन में जा रहे हैं। मैंने तो वह बताया है कि किस प्रकार से इस रिपोर्ट में डिस्टोर्शन्स हैं और उसके कुछ उदाहरण मैंने प्रस्तुत किये हैं लेकिन इसके साथ ही मैंने यह भी कहा कि जिन राज्यों

में जो स्थिति है, हमें केन्द्र में चाहे जो लागू करें, उन राज्यों में हम कोई परिवर्तन नहीं करना चाहते हैं। इसके साथ ही मैंने यह भी कहा कि इस रिपोर्ट पर हमारा सहानुभूति पूर्वक दृष्टिकोण है और हम इसे कार्यान्वित करेंगे, कितने परसेन्टेज करेंगे, यह दूसरी बात है।

श्री राम विलास पासवान: स्कूटीनाइज करने के लिए कौनसी बौड़ी आपने बनाई है। कैबिनेट सैक्रेटरी तो यहां बैठे हुए हैं। (व्यवधान)

MR. DEPUTY SPEAKER : You don't allow him to reply.

श्री प्रकाश चन्द्र सेठी : जो सैक्रेटरीज की कमेटी बनाई गई थी, उसको तीन महीने में रिपोर्ट देने के लिए कहा गया था लेकिन उसको थोड़ा ज्यादा समय लग गया। अब उससे कहा गया है कि हर सूरत में एक महीने के अन्दर वह अपनी रिपोर्ट दे दे और जो कैबिनेट कमेटी है, वह तो कल ही बनी है और वह इस पर विचार करेगी... (व्यवधान)

MR. DEPUTY SPEAKER : We now go to the next item. (Interruptions) I am sorry. (Interruptions). We are now in the Private Members' business. (Interruptions).

SHRI HARIKESH BAHADUR : Sir, we are not satisfied with the Minister's reply. Hence we stage a walk out.

16.33 hrs.

*Shri Harikesh Bahadur and some other Hon. Members then left the House*

MR. DEPUTY SPEAKER : We now come to the Private Members' business. Shri Kusuma Krishnamurthy. (Interruptions)

SHRI RAMAVATAR SHASTRI : *rose.*

MR. DEPUTY SPEAKER : Shri Shastri Ji, you have just now come. You have not heard the Minister.

SHRI RAMAVATAR SHASTRI (Patna) : I also join my friends in the walk out.

16.34 hrs.

*Shri Ramavatar Shastri and some other Hon. Members then left the House.*

MR. DEPUTY SPEAKER : Shri Kusuma Krishnamurthy, you may continue.

SHRI KUSUMA KRISHANA MURTHY (Amalapuram) : Mr. Deputy-Speaker, Sir, in the recent past, an interesting theory has been brought forward stating that strong States create a strong Centre. The non-Congress (I) Leaders who met in a Conclave at various places pronounced this idea and it is amply clear that they clearly accept that we need a strong Centre.

But, in the process of making the States strong, it appears that they are only trying to weaken the Centre. That is quite clear. The Government has gone into various aspects of this problem. When they created the Sarkaria Commission, the main guidelines prescribed for the Commissioner are based on the principles clearly mentioned in our Constitution, namely, to maintain unity and integrity of the country.

'To maintain integrity and unity of the country.' Sir, about the Commission different opinions were expressed here but the scope of the Commission was not restricted. It is to submit report by June, 1984.

Sir, when the 24 leaders of the different political parties including four Chief Ministers formed 'Opposition Council'—which is first of its kind—the objective was clear to us. Their main objective was to find an alternative to the Congress (I). They never discussed seriously the guidelines on which the Centre-State relations are to be strengthened or up-dated basing on the existing

realities and some of the opinions expressed at the conclave clearly give the impression that they are trying to have confrontation with the Centre. It has been reported that it was decided that Andhra Pradesh, Tamil Nadu and Karnataka will not seek Central help to settle bilateral issues. This clearly gives a impression that they are not taking the advantage of the Centre which they want to avoid as if the Centre is also a party to their bilateral issues.

At another place in the conclave it was expressed :

“The consensus of the conclave was that they wanted Mrs. Gandhi must go.”

I do not know whether it is an important subject when they had met to discuss the Centre-State relationship. Besides this they are also trying to find an alternative to Congress (I) leadership and they also take it as a threat to the unity of the country. So, these are important aspects to be seriously taken into consideration before deciding the real guidelines based on which the Centre-State relations are to be strengthened and up-dated. The Constitution has clearly laid down the guidelines regarding Centre-State relations. They can be up-dated and strengthened based on the existing realities.

Now, Sir all this gives the impression that their pronouncements and theory that strong States would create strong Centre really amount to the fact that in this process of creating strong States they are trying to weaken the Centre. Sir, our Founding Fathers made it quite clear that ours is a ‘Union of States’. Our System of Government emphasises on the fact that it is only unitary spirit but it is federal in form. Therefore, we require a strong Centre to tackle various problems. Ours is a country consisting of various castes religions and languages and taking all these important aspects into consideration the Founding Fathers brought a unitary form of Government which is federal in nature.

Sir, in the process strengthening Centre-State relations important guidelines should

cover balanced growth of all regions and sections of the people in this country. Besides, there should be scope for the protection of weaker sections in the real sense of the term. Besides, when atrocities are committed on the weaker sections of the society, in any part of this country, the Central Government should not say that they are all State subjects. In this context, I would like to remind the House that there is the Constitutional obligation that these weaker sections should be protected and timely help and protection should be rendered to them. We should not leave this saying that it is a State subject. These issues are not being tackled at various levels and therefore atrocities on the weaker sections are increasing day by day. I would therefore like to submit that while prescribing new guidelines relating to Centre-State relations, stringent measures against those committing atrocities on Harijans and weaker sections of the society should be brought under the purview of the Centre. The fundamental criteria of retaining the Centre being strong is very important. Dissent is the fundamental factor in democracy but not destruction. In the name of dissent the basic frame-work and system should not be destroyed. The main criterion on which the Centre-State relations have been created is to retain a strong Centre so that we can protect the national integrity and unity.

SHRI BISHNU PRASAD (Kaliabor) :  
Mr. Deputy-Speaker Sir, the debate on Centre-State relation has caught the interest of the entire nation and in the fitness of things the Government of India has constituted the Sarkaria Commission. This Commission will now go into the details of the Centre-State relations and make its recommendations within the framework of the Constitution of India. In other words, the task for which this resolution is being discussed has been assigned to the Sarkaria Commission. It has made the Resolution purposeless and meaningless.

What is the reason for discord now between the Centre and the States ? To my mind, it is primarily political. The political issues have been playing a dominant role and on the political considerations this Resolution

has been brought forward in this House and discord between the Centre-State has been highlighted. Since some political parties are opposed to the Central Government which have come to power in some States, they have been raising this issue and they have been demanding more power. They have been demanding more autonomy for their respective States. They argue that the powers available with them are not adequate. The powers available to them are limited and they cannot discharge their responsibilities because they consider that the responsibilities assigned to them are vast and they cannot discharge those responsibilities without having more powers under the Constitution. But, as I see, there is no basic difference though the basic conflict between the Centre and the States is with regard to the sharing of powers between them. The powers that have been divided between the Centre and the States under the Constitution are the powers which are necessary for managing the affairs of the country.

Sir, Part XI of the Constitution of India and VI and VII Schedule have clearly demarcated the powers of the States and the Centre. Powers between the Centre and the States have been divided into two lists—List I, Union List and List II, State List. And also concurrent powers have been given under the Constitution.

The Mover of the Resolution says that the elements of Federalism which existed in the Constitution have been eroded and gradually the Centre has taken away the powers from the States. This has made the Centre stronger and stronger. On the other hand the States have become weaker and weaker.

Further, it has been said that the Centre has been increasingly encroaching upon the powers of the States, particularly those powers which have been exclusively allotted to them in the VII Schedule. Also they play a dominant role in the spheres given to them in the Concurrent List. Thus, they argue the States have become satellites of the Centre. But this argument is baseless and it has no valid ground.

Our Constitution is not a Federal Constitution like that of the American Constitution. The Supreme Court of the United States described its Federalism as 'an indestructible union of indestructible units.' The provisions of the United States Constitution say that the identity of the States cannot be altered.

The identity and integrity of the States cannot be changed. But what about our Constitution? Our Constitution clearly says that Parliament can alter and change the territorial integrity of a State, even it does not require any Constitutional Amendment for changing or for altering the territorial integrity of a State.

The founding fathers of our Constitution wanted a pattern in which the unity and the integrity of the country was uppermost in their mind. With this end in view this Constitution was framed. Ivor Jennings characterised the Indian Constitution as a 'federation, having a strong centralising tendency.'

The Supreme Court of India in the Union of India vs. the State of West Bengal described the Constitution as Federal structure with a strong unitary bias. Here I would like to mention the Comments of Shri K. Santhanam, who said that the Indian Union though a Federation, is a special type of paramount federation, a federation in which the paramount powers, which the British had over the Indian States have been taken over by the Union Government and applied to all its units.

Sir, the existing situation during that time and also the ideological preferences persuaded the framers of the Constitution to create a powerful centre so that the unity and integrity of the country remains in tact. This is a visible trend in the functioning of the United States of America with increased powers for the Central Government. The Centre has obtained even in USA near paramountsy in relation to the States with the increased economic and technological development in that country. L.F. Crip in his book "Australian National Government" has pointed out that there has been a persistent drift in the functioning of the Australian Government and it is by

and through the financial relations that federalism is disappearing. Even in America and Australia, which are known to be Federal Governments, the Federalism is gradually disappearing and they have been preferring a unitary form of Government giving more importance to the Union.

This trend of giving more powers to the Centre, they feel, can deliver the goods to the people, and also can function effectively and purposefully.

The situation in our country today is not to raising the demand for more autonomy to the States conducive as demanded, particularly by the Opposition parties, both inside and outside the House. *(Interruptions)*

In Assam, nobody is demanding autonomy. These tendencies are a threat to the integrity of the country. The Akalis are demanding autonomy. The Rama Rao Government in Andhra Pradesh is asking for it; Mr. Jyoti Basu in West Bengal and Mr. Hegde in Karnataka want more powers, and more financial powers to their States. *(Interruptions)* The Assam Government does not want it. We want to work within the framework of the Constitution. Simply because we want more royalty, it does not mean that we want more autonomy.

Those people want to re-define and re-structure the Constitution. If the demand of the Chief Ministers of the non-Congress (I) ruled States is conceded, nobody knows where things will end.

The allegation of some critics of the Centre—State relations is that the Centre has encroached upon the powers of the States. Our Constitution is such that there need not be any encroachment upon the powers of the States. The Constitution has given wide powers to the Centre; and the Centre is working under those provisions of the Constitution. Chapter II of Part XI states that the executive power of the Union shall

extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose.

Here, the Constitution has given wide powers to the Centre, and Centre can give directions to the State Governments whenever it feels it necessary for the betterment of the country. There is need to take a constructive view of the situation, and we must proceed in a constructive manner.

What is the basic objective of this resolution in respect of constitution all changes? If it is for the welfare of the people, the present arrangements of the Constitution fully provide for such a direction.

Under the present arrangements, we can provide to the people of the country, their necessary needs. In respect of the developmental activities undertaken by the Centre, the full benefit goes to the States. Whatever developmental activities the Centre takes, their benefits go to the States, and the States enjoy them. Under the provisions of the Constitution, the weaker States of the Union are provided special grants by the Centre. The Centre takes special care of these weaker States, and sees that their developmental programmes do not suffer due to financial constraints.

Under the planning process, the weaker States get their due share for their developmental activities, so that they can march hand-in-hand with the developed States.

So also, the distribution of resources cannot be left to the States.

The spirit of the resolution is such that if it is passed today, the process of disintegration of the country will follow. The founding fathers, therefore, rightly avoided the creation of groups and separatist tendencies. They aimed at unity in diversity. Pandit Jawaharlal Nehru, participating in the Constituent Assembly debates on 31st May 1949 said :

"Now, one of the things that we have been aiming at a great deal has been to avoid any separatist tendencies, the creation of groups etc..."

...We cannot deal with them by law of course. We have to deal with minds and hearts. Nevertheless a certain convention and practice helps or hinders the growth of separatist tendencies."

Panditji further said :

"We have still to pass through difficult times and I think we should always view things from this context of preserving the unity, the stability and the security of India and not produce too many factors, in our constitutional machinery which will tend to disrupt that unity...."

Therefore, the historical imperative is to emphasise on more unity and integration, and to preserve, consolidate and enrich our nationhood. We must not invite such changes in the Constitution which might tend towards loosening the fabric of our dearest motherland.

The need of the hour is to arrest the forces of disintegration. This would be possible if mobility of persons, of capital and resources within the country are encouraged and adhered to. Instead of harping on the differences religious, ethnic, linguistic and regional, we should undertake effective and aggressive promotional activity towards greater understanding and emotional integration of the country.

Under the provisions of the Constitution, the States have sufficient powers to function and there is no need for changing the Constitution to give more powers to the States.

Therefore, the Centre has no intention to grab more powers for the best interest of the nation or take away powers from the

States which are not visualised in the Constitution. It has been stated by our Hon. Prime Minister that the Centre is strong so long as the States are strong; and that a State, can be strong only when the Centre is strong.

It makes it amply clear that the Centre is aware of its own responsibilities and requirements of States. As long as there will be national awareness, the nation would continue to be bound together in the realisation of greater cohesion and unity and well-being of the people of this great country. With these words, I oppose the resolution.

SHRI CHITTA BASU (Barasat) : I rise to support the resolution moved by my distinguished friend Shri Datta. At this stage, I do not find it necessary to put up very powerful arguments in favour of the resolution. The assent of the resolution, so far as I have understood is that India can survive, India can prosper, the national unity and integration of this country can be protected, preserved and further strengthened and democratic advancement of the people of India can be ensured if the principle of federalism is accepted without any kind of reservation or hesitation.

Now, I would like the Hon. Members to recall the place which was taken by the Indian National Congress. If you are a little bit patient, if you allow me to quote a particular paragraph of the Indian National Congress from the Election Manifesto of 1935, you will understand what was the basic principle, of the Indian National Congress with regard to the future Constitution of India after the attainment of independence. I quote from the 1935 election manifesto of the Indian National Congress.

17.00 hrs.

'The federation of India'—it begins with the very word, "the federation of India" must have a willing union of its various parts in order to give the maximum of the freedom to the constituent units.'

I think it is as clear as the day light is.

“There may be a minimum list of the common and essential subjects which should apply to all units and further optional list of the common subjects which may be accepted by such units as desirous to do so.”

Therefore, when my friends sitting opposite are opposing this resolution as if it is a resolution which is calculated to bring about—what else—a disintegration of the country, as if it is a resolution which has been suggested only to weaken the unity of the country, I can only protest against and I can only pity their knowledge, and pity their ignorance. Because this is the principle on the basis of which the thousands and lakhs of the Congress workers not only fought electoral battles, but also fought the freedom battle, at the cost of their lives, at the cost of their tears, at the cost of their blood. I am sorry, that you have forgotten, blown away to the winds their fundamental principles.

Now, whatever has been made in the form of the Constitution has not given proper reflection to this spirit. Whatever federal principles are still existing in the existing Constitution those federal principles are being done away with.

First of all, the federal principle which was the basic approach of the Indian National Congress, have not found proper reflection in the existing Constitution of our country, but whatever remnants of federal principles are existing in the Constitution are also being eroded, are also being taken away, and there are various examples, and instances can be quoted by which I can bring home this point.

MR. DEPUTY SPEAKER : Why do you not quote one or two examples, at least ?

SHRI CHITTA BASU : One or two examples ? So far as taxation proposal is concerned, I can come to the financial

question. You always go on imposing sur-tax, or surcharge, because surcharge is not divisible. Income-tax is divisible. Instead of increasing the Income-tax further more and more surcharge is levied and it is kept in the divisible pool. That is one thing. If you are also interested, you know, that there is the Presidential Assent. Agricultural land reforms are a State subject. Legislations are passed by the State Legislatures. Presidential assent is given. He knows the examples. West Bengal Land Reforms Bill which was passed about two years ago, it has been pending.

AN HON. MEMBER : Some bills are pending for five years also.

SRI CHITTA BASU : That is what I know. That land reforms Bill aims at the very object for which the Congress (I) says in its 20-Point Programme. This is my information. They may not accept our ideology, they may not accept our economic policy, they may not accept our assessment of our programme. That is understood. But one of the points in the 20 Point Programme is this land reforms programme.

This is the programme sponsored by the Prime Minister herself. Then the West Bengal Land Reforms Bill is the strongest weapon to implement one of the points of the 20 Points. For the last two years that is under the consideration of the Cabinet. I do not want to go into details. It is not an erosion into the rights of the State Legislature ? The West Bengal Bill provides for taking away the concealed land or the agricultural land converted into fisheries by the big landlord owners, and to distribute it among the landless agricultural workers. Because that hurts the interest of the vested class, they are agitating and dithering and do not take proper action. It is not erosion ?

Since you have raised a vital question I would answer your point by quoting from this booklet for the production of which you have also contributed.

About the subjects which are under the State List, it has been stated that there are 66 subjects. Among these 66 there are 30



which have no importance worth the name. Some of these 30 have been mentioned here. They are: Pound and Prevention of cattle trespass; Pilgrimages other than Pilgrimages to places outside India: Markets, Fairs, Betting and Gambling; Burials and Burial Grounds; Theatres and Dramatic Performance.

When I say all these things, they say that there are enormous powers with the States. These are the enormous powers. Out of 66 subjects, 30 subjects are of this nature. Yet they say that the States have got enormous powers and with those powers the State Governments can manage their own affairs. Even whatever powers are still there with the State Governments, they are being taken away persistently by the Centre.

Therefore, federalism in its truest spirit is the only weapon to protect the unity and integrity of our country. There should not be any grudge in granting it. That is the only step which can protect us.

It is said that the demand for larger or greater powers for the States can be considered to be a move to weaken the Centre. It is not so and we are absolutely against a weak Centre. We want a strong Centre. We do not negate the necessity of having a strong Centre. But what does that strong Centre mean? It means strong States also. The aggregate of strong States makes the strong Centre. Therefore, there should not be any misunderstanding or misgiving in the minds of those who oppose this Resolution that we propose to weaken the Centre. Our position is that we want to have a strong Centre and to make the Centre strong, the States ought to be made stronger.

The only answer I expect from the other side is that all these things can be considered by the Sarkaria Commission. I welcome the appointment of the Sarkaria Commission. It is a good move in the desired direction. But I have one point to make here. Who has appointed the Sarkaria Commission? This House did not appoint it. It has not been constituted

under an Act of Parliament. It has been constituted by an executive order of the Home Ministry, a copy of which I possess. What is the status of that Commission? What is the sanctity of its recommendations? Is the Government bound to consider it? Is the Government bound to place on the Table of the House a copy of the report of the Sarkaria Commission? Is the Government bound to submit, along with the report, an Action Taken Report? No, Sir. Therefore, there are doubts lurking in the minds of some people that this is merely a diversionary tactic resorted to by the Government to divert the attention of the people from the vital issue of re-structuring and re-shaping the Central-State relations.

MR. DEPUTY SPEAKER : Is the appointment of the Sarkaria Commission not an improvement from the present position?

SHRI CHITTA BASU : It is so. That is why I said it is a step in the right direction. I am grateful to you for raising it, because that gives me an opportunity to explain it. I did not say that it is a step backward. I said it is a step forward, a step which is welcome. But we want that there should be a status and some sanctity attached to that Commission. There are two ways of doing it. Either the Commission should be appointed under the Commissions of Inquiry Act or it should be in response to a Resolution passed by this House. If it is not a diversionary tactic, if it is not a step to divert the attention of the people from basic issues, what should be the objection on the part of the Government to have a commission under the Commissions of Inquiry Act? Or, what should be their objection to have a resolution passed in this House? We are all here to support it. If they bring forward a resolution of that nature, I can say that everybody on this side of the House will support it for appointing a Commission of this nature. Therefore, there should be a status, a legitimate status for the Commission which can have some sanctity.

My second point is about the inter-State Council. This Commission may take

4 years or 5 years time. The Government may take another two or three years time to formulate their position regarding the recommendations. Sir, the multi-party system is in today. Mr. Ranga must understand this. It is not the country where you have the mono-party combination. It is a reality—we are there, we would be there. Therefore, we are in a different era. Instead of mono-party era, we are now passing through a multi-party era and in this multi-party era the friction between the Centre and the States is bound to develop, and the Constitution provides for the constitution of Inter-State Council under Article 263.

Sir, my concrete and positive suggestion is this. What is the objection in having that inter-State Council under Article 263 of the Constitution so that there can be a common forum, a common ground, where the grievances of the State Chief Ministers and the Centre can be discussed and ironed out or sorted out in order to smoothen the apparent or increasing conflict between the Centre and the States ?

Sir, since you have decided not to allow me any more time to speak...

MR. DEPUTY SPEAKER : No, no. Mr. Balanandan is already waiting. You have to conclude.

SHRI CHITTA BASU : I only want to mention about the role of the Governors. Mr. Palkivala is not a person who can always side with this side of the House. In a Seminar he recently made out that Article 356 was applied for about 70 times during the last 32 years and in almost all the cases, according to him, the Governor played the role of an agent of the Ruling Party, of the Centre, and applied Article 356 of the Constitution...

(Interruptions)

MR. DEPUTY SPEAKER : It will be very difficulty for you to complete. But you should conclude.

SHRI CHITTA BASU : Recently you have heard the behaviour of the Governor of Sikkim. Sir, here is a photograph\*\*

MR. DEPUTY SPEAKER : You have not given any notice of mention about the Governor. I am not allowing it.

SHRI CHITTA BASU : Sir, before I conclude, I support the Resolution moved by Mr. Amal Datta,

SHRI K. P UNNIKRISHNAN (Badagara) : Sir, I do not want to bring down the level of discussion on this Resolution of great importance and significance. It is not exactly because I do not think this Resolution is very happily worded, he has introduced certain elements with which I may even disagree. But in a very fundamental sense we have to have a new look at our Constitution and particularly in the aspect of relationship between what I would call Union and State rather than the Centre and the States.

Some of the speeches I have listened to-day and earlier from the other side were almost bordering on irrelevance and totally absurd erroneous understanding of the context of Indian independence, Indian Constitution and the very concept of our national hood. I do not want to enter to arguments about these things. But I want to say that there is a growing sense of alienation in many of the peripheral States. It is no use saying regional parties have won here and there and some agitation has been started by somebody in a border States. What is important is there is growing sense of alienation among many sections of the people particularly peripheral States. Why is it happening ? That is a question we have to address ourselves instead of blaming XYZ as is being done. The only response so far of this insensitive Government has been to appoint a Commission as has been pointed out by my friend Shri Chitta Basu under an Executive Order of the Home Ministry. Even during the talks on Panjab I remember we had suggested and it was accepted. I challenge Mr. Home Minister to dispute me on this point. It was accepted that it will be a multi-Member Commission.

First it was said it will be one man Commission and then all of us said and they agreed and I remember some other friends suggesting it should include jurists. But it is not a problem of lawyers and jurists, but even economists and historians should be there because there are any number of problems involved in re-structuring. It is not merely a, re-writing a few Articles of the Constitution. It has to be gone, into thoroughly. Even to-day what are the terms of reference of this Commission ? In March it was announced. Are you aware of the terms of reference of this Commission, Mr. Deputy Speaker? You posed the question from the Chair a little while ago "Is it not in advance?" May I know from you what the terms of reference are ? Can you imagine a Government which is serious about a basic and fundamental important problem treating the question this way? ? That is why I question the very sincerity of purpose behind this move. They have, I am told got not office. Has the Home Minister in his infinite mercy found time to provide an office ? I do not know. Others have found houses but these people are loitering here and there.

MR. DEPUTY SPEAKER : We have already voted supplementary demands.

SHRI K. P. UNNIKRISHNAN : I want to basically understand this problem and I would like to share it with the House in a very very broad canvas and perspective.

Ever since the second half of the 19th Century a question has arisen whether India is a nation or a whole sub-continent, which at one time included practically whole of South of Asia which had been under British colonial framework. One of the primary tasks of the nationalist movement in 19th Century and early 20th Century was to defend itself and assert our national identity and say - 'yes, we are a nation. Not only those who were involved in what can be called nationalist activity. Even Swami Vivekananda, Sri Aurobindo and a number of other luminaries, Dr. Annie Basant and Sir William Archer, who said it was not a nation, it was a conglomeration of communities, later defended and said that India was a nation.

The question was : Was it a political nation in the modern sense we understand? Secondly, what is our concept of unity ? Somebody mentioned about Jawaharlal Nehru's idea of "unity in diversity.". I am glad occasionally they remember his name. Jawaharlal Nehru has now become relevant when it comes to the question of public sector, when comes to various other things. In that Party, it is comforting thought that he is occasionally remembered.

Another question that I want to pose is : Is our Constitution permanent, immutable and transcendental, a quantity that cannot be touched. Occasionally, I hear, them also talking about having another Constituent Assembly, having Presidential system of Government. All these do not got together. You cannot say that there is no need for looking into Centre-State relationships but we must have Presidential form of Government. You cannot say that there is no need for Centre-State restructuring of economic relations articles relating to that, but we must have another Constituent Assembly All these things sound a little absurd.

In the fundamental sense, this nation is basically different from the rest of multinational communities or nations that we have in the world like the United States or the Soviet Union or China. In the United States, the powerful impulses were provided by WASP, by Anglo-Saxon Protestant communities and their English language by which a melting pot nation was provided. That is what they call WASP in the United States. It is a derogatory term. But it is true. It is WASP who makes the nation.

In the Soviet Union—you cannot deny ; nobody denies—despite tremendous contribution they have made in modern times, there is the evolution of the concept of multinational nation. Nobody denies the powerful impetuous contribution of Russian languages and culture in this tradition. Whatever else you say about Stalin, it was as signal contribution to the revolution towards the concept of a multi-national nation. That is why even Brezhnev still remembers and says :

‘And this historical community of people inherit the Russian cultural tradition’.

In China, on the other hand, we find ethnic minorities constituting only 8 per cent and thereby there has been a continuous increase in Hans in China. In India, there is nobody who can claim a majority. There is no single group which can be termed as that kind of a majority as the Hans people in India. Therefore, I submit that our concept of nationhood cannot be based on uniformity. That is where Jawaharlal Nehru is very relevant.

As early as in 1920—I am glad Acharya Ranga is here—the Congress stood for linguistic provinces. It was under the powerful thrust of these forces, the Indian national movement for liberation, that the concept of nation-hood was born. Rabindranath Tagore belongs to the whole mankind. He came from Bengal. Subramaniam Bharati came from Tamil Nadu and Vallathol came from Kerala. These were the people who provided impetuous rebirth of our nation.

The British Administration boundaries were determined by the imperial needs, the needs of an Empire over which sun never set—the communication and military needs of an Empire. But later on the 20th century, even the British colonial masters started realising that unless the federal elements were injected into British unitary administration, this will not work in India.

This will not work in India. That is why Simon Commission, and Butler Committee and all these Committees started deviating even from the British imperial policy; for implanting certain elements into the structure and then you have 1935 Act and I beg to submit that as late as 1942, just on the eve of arrest of Gandhiji and other leaders, Congress stood for a federal entity. But, under the impact of certain events of 1943 and partition, it is true the Constitution acquired a very different shape from what was originally conceived by Indian National Congress. But even there in the Constitution Committee, when they

said that we must have a federal structure with a strong Centre and three exhaustive lists, there were dissenting voices.

Pandit Gobind Ballabh Pant, that great statesman and who was a forerunner of N.T. Rama Rao told the Union Constitution Committee Jawaharlal Nehru and Vallabhai Patel—“Don’t take away all these powers of the States.” He totally opposed the concept of extending the Concurrent List. This is there for anyone who wants to look up. I am sure that nobody will blame him today and say that he is N.T. Rama Rao !

It was Gobind Ballabh Pant. But, elements were built into this Constitution in the context of the partition and the aftermath, in a particular historical context and in the context of the numerous native States that we have had and threats and growth of divisive forces and it was necessary to emphasise this aspect of unity and to strengthen the Centre.

But these Articles need to be looked into again. For example, Article 3 which says that Parliament can alter the boundaries of the States. In no other federal Constitution can you find a similar provision. The consensus of the State or the States concerned is always obtained. It is nowhere except in the Indian Constitution.

When you have a system of this kind where the Parliament can legislate on vital questions like the territory of a State, it may have worked for the last 30 years but it is not necessary that it will work now.

PROF. N.G. RANGA (Guntur) : The actual fact is we obtain the consent of the States concerned.

SHRI K. P. UNNIKRISHNAN : It has no constitutional sanction. I am talking of the constitutional sanction. If you consult the Chief Minister or somebody, that is a different thing. I am not talking about that. I am talking of the constitutional sanction.

The entire idea of dominance of the union runs through the entire Constitution,

and even in the matter of appointment of Governors. If you go through Articles 154 and 155, you will find that it is not quite surprising that although the Governor has an individuality, he need not always perform servile role which is now being performed by the present Governors whether in Assam or in Haryana, as we have seen. There have been Governors who have asserted but certain elements have been built into the Constitution which make it dependent on the union. That is the point I want to make.

Similarly, Article 257, the right of Union to give directive. It is one of the most obnoxious Clauses that you can think of. It is not a question of Andhra Pradesh or South or East or West. It is a question of how we unify. It is a question of our national integration. It is a question of carrying forward the democratic advancement of the Indian people. That is why Constitution has to be gone into again. Even in Article 249 where by a Resolution of the Council of States—it was not Rajya Sabha then—Parliament could assume power to legislate with respect to a matter in the State List, Parliament gets an edge. Similarly, there are any number of articles in the Constitution which gives an impression of Union dominance over the States and the entire political system. This is exactly what I want to submit. This will not be conducive. That is not to say that you have to encourage fissiparous tendencies. We have to fight fissiparous tendencies, and the first thing you have to do to fight fissiparous tendencies is to accept the political reality, the need for change. It is a fundamental question of disequilibrium.

Similarly in financial matters, the entire instruments of currency; credit and monetary policies, long term credit for development, instruments like Life Insurance, General Insurance, development banking are completely in the hands of the Union, not to speak of foreign aid and assistance. In other words, all the levers of the whole fiscal system are in the hands of the Centre. The entire excise duty and customs or even foreign exchange, what comes, is in the hands of the Centre. It is like an inverted pyramid with a massive con-

centration at the top and paucity of resources at the lower levels of States. This is evident from the transfer of resources from the Union to the States. It is a very telling figure. I would, through you, inform the House that in 1951-56 period, of the States' own revenue receipts, 32 per cent constituted transfer of revenue from the Centre, and in 1979 it has gone up to 59 per cent and I am told that by 1982, according to a preliminary study done, it has gone up to 65 per cent. This is what I am talking about—'inverted pyramid'. It is because the number of instruments that we have introduced, whether it be the Planning Commission or any other instrument, are non-statutory in character. So, the States are increasingly becoming dependent and dependent on Central assistance. This was pointed out (*Interruptions*) That is how it is working. That is why, the Rajamannar Committee had, in their painstaking study, at that point of time itself, demanded restructuring of these relations. Together with this, in a society where the most important disquieting feature is disparities in income levels, regional imbalances are allowed to grow and then it creates a fundamental imbalance in the entire national structure. That has to be attended to. You have instruments like 'grants' or 'Plan Assistance'. Take articles 282 and 275. These are not defined clearly. Unless you define 'grants' and 'Plan assistance' clearly and Constitutionally or statutorily, you will increasingly get into difficulties. The Planning Commission itself has no statutory authority, none at all. Some people have demanded Constitutional status for the Planning Commission. How does the Planning Commission function and help the States? Without any statutory authority. It is performing only a kind of advisory role. That is why I say that these are issues of momentous significance, issues of great significance, for the future of our nation and for the future of national integration and national unity.

As I said, when you say that there is no need for any change, I do not know whether you accept the idea of the Constitutionalists. I think you cannot get over that. That was not the idea of the Indian National Congress.

PROF. N.G. RANGA : Nobody said that.

SHRI K.P. UNNIKRISHNAN : Some people said it. Probably, you did not listen.

(Interruptions)

I am opposing. I pity you, Mr. Lakkappa.

SHRI K. LAKKAPPA (Tumkur) : You are contradicting now.

SHRI K.A. UNNIKRISHNAN : Let us not enter into any arguments. I do not want to enter into any argument with you, Mr. Lakkappa, of all persons.

So, Sir, our arguments were not for a weak Centre. In this very House, in 1957, I had moved a Private Member's Resolution and in replying to that Resolution, the then (late) Minister, Shri H.R. Gokhale had said that this Constitution had to be gone into. Unless we have a meaningful federal structure, our entire future is at stake. That does not mean that we are demanding a weak centre. There are elements which are trying to create difficulties in the way of functioning at the Centre certainly. On the contrary, as has been pointed out by my friend, Shri Chitta Basu, we want to strengthen the concept of national unity.

श्री चन्द्रपाल शैलानी (हाथरस) : माननीय सभापति जी, मैं इस प्रस्ताव का विरोध करने के लिए खड़ा हुआ हूँ। विरोध में इसलिए नहीं कर रहा हूँ कि इस प्रस्ताव को प्रतिपक्ष के माननीय सदस्य ने प्रस्तुत किया है, बल्कि विरोध मैं इसलिए कर रहा हूँ कि यह देश के हित में नहीं है। इस प्रस्ताव को लाने से पहले माननीय सदस्य ने शायद इस बात पर गौर नहीं किया होगा कि इस तरह चर्चा सदन में करने से इस वक्त जो देश में माहोल है, उसको सुधारने में सहायक सिद्ध नहीं होगा, बल्कि उसमें और बाधाएँ पैदा होंगी।

श्रीमन् देश की स्वतन्त्रता, एकता अखंडता को बनाये रखने के लिए मजबूत केन्द्र की अत्यन्त आवश्यकता है। हमारे संविधान निर्माता जिस वक्त संविधान का प्रारूप तैयार कर रहे थे, उस वक्त इस बात को मन में रखा था कि हमको इस देश के लिए ऐसा संविधान चाहिए, एक ऐसा आइन चाहिए, तो इस देश की अखंडता को, एकता को, आजादी को, अक्षुण्ण रख सके। यह तभी संभव हो सकता है, जब देश में केन्द्रीय सरकार मजबूत होगी। इसलिए मेरा आपसे निवेदन है कि भारतीय संविधान में जो प्रावधान किया गया है, वह बहुत ही सोच समझ कर किया गया है। यह बात मैं आपको इसलिए बता देना आवश्यक समझता हूँ कि अभी गत 21 मार्च, 1983 को कर्नाटक की राजधानी बंगलौर में दक्षिण राज्यों के चार सूबों के मुख्य मंत्रियों की एक मिटिंग हुई थी और उस मिटिंग में एक परिषद् का गठन किया गया है। इस बात को आप सब माननीय सदस्य और पूरा देश जानता है। इस परिषद् के गठन का क्या उद्देश्य था, क्या विचारधारणा थी, यह इस सदन के लिए विचार करने की बात है। मैं समझता हूँ कि यह गठन इस देश की एकता के लिए हित के लिये उचित नहीं है। इसका कोई संबंध नहीं है। मैं हमारी नेता, श्रीमती इंदिरा गांधी जी को बधाई देना चाहता हूँ कि उन्होंने सरकारिया जी की अध्यक्षता में एक आयोग का गठन किया है, जिसका उद्देश्य यह है कि राज्यों के अधिकार क्या होने चाहिए और उनके बीच में क्या संबंध होने चाहिए। उन्होंने जब यह देखा कि देश के कुछ सूबों में इस तरीके से आवाजें उठ रही हैं, कुछ राज्य सरकारें इस तरह की बगावत करने पर उतर आई हैं, जिसमें केन्द्र के कमजोर होने की सम्भावना है तो उन्होंने लोगों की राय जानकर सरकारिया कमीशन का गठन किया।

जहाँ तब तक मेरा ख्याल है, सरकारिया कमीशन को सभी ने स्वीकार किया है, चाहे वे दक्षिण के राज्य हों या पूर्व के राज्य हों या पश्चिम के राज्य हों। सभी पार्टियों के नेताओं ने सरकारिया कमीशन का स्वागत किया है।

ये जो दक्षिण के चार राज्य हैं जिनके मुख्य मंत्रियों द्वारा परिषद् का गठन किया गया है, उससे कुछ ऐसे सवाल उठ खड़े हुए हैं जिन पर इस सदन को अवश्य विचार करना चाहिये :

1. क्या दक्षिण के राज्य केन्द्र पर हावी होने की कोशिश करेंगे ?
2. क्या केन्द्र और दक्षिणी राज्यों के बीच टकराव की स्थिति पैदा होगी ?
3. विभिन्न करों से केन्द्र सरकार के पास जमा होने वाली पूंजी में अधिक हिस्सेदारी की मांग क्या दवाब में आकर केन्द्र मान लेगा ?
4. क्या इससे लोकतन्त्र तथा देश की एकता को खतरा उपस्थित होने की सम्भावना है ?

सभापति महोदय, ये कोई नई बातें नहीं हैं। इससे पहले भी इस तरह की आवाजें उठती रही हैं। इस सम्बन्ध में मैं कुछ क्षणों के लिये अतीत की तरफ जाना चाहता हूँ, पुराने इतिहास की तरफ आपको ले जाना चाहता हूँ। पिछले काफी समय से पश्चिमी बंगाल, तमिलनाडू तथा अन्य राज्यों में अधिक स्वायत्तता की मांग उठती रही है। 1970 में तमिलनाडू में राज्यों को अधिक स्वायत्तता दिये जाने की सम्भावना की जांच करने के लिये एक समिति का गठन किया

गया था। जिसके सदस्य थे — डा० बी०वी० राजमन्नार, श्री ए०एल० मुदलियार तथा श्री चन्द्र रेड्डी। बाद में यह समिति राजमन्नार आयोग के नाम से मशहूर हुई। इस समिति ने बाद में जो रिपोर्ट पेश की उसमें राज्यों को स्वायत्तता देने के लिये कई सुझाव दिये गये। उनमें एक सुझाव यह दिया गया कि भारतीय संविधान की धारा 256 और 257 में परिवर्तन किये जाने चाहिये। दक्षिण के राज्यों में तमिलनाडू के लिये स्वायत्तता की मांग कोई नहीं है। स्वर्गीय श्री रामास्वामी नायकर पैरियार एवं स्वर्गीय श्री अन्नादुराई ने भी राज्य स्वायत्तता के लिये आवाज बुलन्द की थी। श्री अन्नादुराई के बाद मुख्य मंत्री श्री रुणानिधि बने और उन्होंने भी स्वायत्तता की मांग को गम्भीरता से उठाया था।

दक्षिणी राज्यों के मुख्य मंत्रियों की इस परिषद् द्वारा जो 17 मांगें प्रस्तुत की गई हैं उनमें कुछ प्रमुख मांगें इस प्रकार हैं—

1. पहली बात तो यह है कि आर्थिक स्रोतों का बंटवारा सही तरीके से हो।
2. राज्यों को अधिक स्वायत्तता दी जाय ताकि राज्य का विकास प्रभावकारी तरीके से किया जा सके।
3. केन्द्र विभिन्न स्रोतों से प्राप्त आय का 40 प्रतिशत भाग राज्य को दे।
4. राज्य की विधान सभाओं को न केवल उन मामलों पर ही, जो राज्यों की सूची में हैं, बल्कि समवर्ती सूची के अन्तर्गत विषयों पर भी राष्ट्रपति की अनुमति लिये बिना कानून बनाने का अधिकार होना चाहिये।

5. प्रशासनिक साधनों का पुनर्निरीक्षण किया जाना चाहिये।

ये ऐसी मांगें हैं जिनसे केन्द्र और राज्य के बीच टकराव की स्थिति पैदा हो सकती है। सवाल उत्तर और दक्षिण का नहीं है, सवाल अधिकारों की मांग का है जिसे भारत की राजनीतिक इतिहास में पहली बार संगठित रूप से सामने लाया गया है

कुछ ऐसे मुद्दे हैं जैसे आकाशवाणी, दूरदर्शन — इनके बारे में कभी-कभी दक्षिण के राज्य इस तरह की मांग करते हैं, जिनमें हिन्दी के थोपे जाने की बात कही जाती है। जबकि हिन्दी हमारी राष्ट्र भाषा है...

श्री रामावतार शास्त्री : राष्ट्र भाषा नहीं, राज्य भाषा है। सभी भाषाएँ राष्ट्र भाषाएँ हैं।

श्री चन्द्र पाल शैलानी : आकाशवाणी, दूरदर्शन द्वारा हिन्दी थोपे जाने, केन्द्र द्वारा सूखे बाढ़ या और कोई प्राकृतिक विपत्ति के समय सहायता न दिये जाने आदि जैसे किसी भी मुद्दे को उठाकर केन्द्र से मुठभेड़ की जा सकती है। ये ऐसी बातें हैं, जिन पर सरकार को गंभीरतापूर्वक विचार करना चाहिए।

मैं सरकार से निवेदन करूंगा और हमारे माननीय सेठी जी यहां पर बैठे हुए हैं, मेरा उनसे निवेदन है कि अब वक्त आ गया है, अब समय आ गया है कि केन्द्र को सचेत हो जाना चाहिये क्योंकि इस तरह की मांगों से अलगाव-बाद की बू आती है। हमारे सामने पंजाब की समस्या है, हमारे सामने आसाम की समस्या है और समय-समय पर और भी समस्याएं उठती रहती हैं। यह जो आसाम में और पंजाब में हो

रहा है, इस तरह के प्रस्ताव पर विचार करने के बाद उग्रवादियों को दम मिलेगा।

इसलिए मैं बहुत ही जोरदार शब्दों में इस प्रस्ताव का विरोध करता हूं और पूरे सदन से आग्रह करता हूं कि जो सच्चे मार्टिन देश-प्रेमी है, राष्ट्र-प्रेमी है, राष्ट्र-भक्त है, उसको अपने हृदय से इस तरह के प्रस्ताव का विरोध करना चाहिए।

इन शब्दों के साथ मैं अपनी बात को समाप्त करते हुए बैठता हूं। धन्यवाद।

SHRI NARAYAN CHOUBEY (Midnapore) : Sir, I won't repeat the points already mentioned by our friends here. I will be very precise. Sir, very often the Centre-State relation question is coming up. Naturally if it is not solved at the appropriate time, in the proper manner, it will advance and nobody can stop it. There is already a big thrust in this direction. I am very sorry to say that the Congress Party today claims that they carry the mantle of the pre-Independence Congress Party. While in the British days, the Provinces were not divided on linguistic basis, the Congress Party was having provincial Committees on linguistic basis. When there was only Madras State, there was no Committee called Madras Congress Committee. But there was Andhra Congress Committee, Tamilnadu Congress Committee, Orissa Congress Committee. As comrade Chitta Basu stated, in the election manifesto of 1945 proclaimed that after independence, India will be the union of willing States. But, of course, some holocaust took place. The country got divided and the Indian bourgeois took over the power. Naturally, when the Constituent Assembly was constituted, the concept of the old Congress Party regarding the linguistic States and more powers to the States was voiced by the lone CPI Member, comrade Somnath Lahiri. He stated that the States should be given powers as it was stated by the Congress Party before independence. But then the bourgeois State came into being, capitalist State came into being



and they required a consolidated unified market in India for the development of bourgeoisies. In the Constitution many powers are not given to the States as it was envisaged by the pre-Independence Congress Party and gradually more erosions have taken place. The Resolution is specific. What is the result? The result is if you put a dam and do not allow water to flow, then water will collect and the dam will burst. Similarly, we saw with our own eyes what had happened in Andhra? Mr. Potti Sriramulu died of hunger strike and then only the unwilling Congress Party had to concede a separate Andhra State and after that many other linguistic State had to come into being. But it has not weakened the Centre. I ask whether by forming Andhra Pradesh, the Centre has been weakened? After Orissa State came into being, after Punjab State came into being, after Haryana State came into being, after Meghalaya came into being, have they weakened the Centre? No. This very proposition is fantastically wrong.

Such a proposition cannot be accepted. A strong State does not weaken the Centre. Similarly we want a strong Centre also. But what we are saying today will not weaken the Centre. Sir, you are from Chandigarh, I am from Calcutta, he is from Madras, he is from Bombay and he is from Patna. Kindly think what is spent for the development of Delhi and what is spent for the development of Calcutta or any other metropolitan city. If we speak of this thing we become chauvinists. Am I a chauvinist if I say, Calcutta, or Bombay or Madras require more funds? What has been spent in Delhi during the Asiad and till now and what is being done in rest of India? If we raise these things, does it weaken the Centre? That is what is understood by them.

Sir, everything is to be done by the States. Hospital is a State subject; health is a State subject; irrigation is a State subject; water supply is a State subject, Roads, P.W.D. is a State subject, education is a State subject, but money is with the Centre. Of the Rs. 20,000 crores which come to the Government of India's funds, only Rs. 5,000 is shared by all the States of India together. Of course, we are not only Bengalis? but, how many

of us are claiming more for Bengal? But, Sir, India is not Delhi. Punjab, Sind, Gujarat Maharashtra, Dravid Utkal Banga. That is India. India is not France, India is not Belgium, India is not England. India is not Germany. India is India-Punjab, Sind, Gujarat Maharashtra, Dravid Utkal Banga. So, it is India. Unitary India without Federal system will not strengthen the Centre. In south India four or five Chief Ministers have made this demand and for that heaven has fallen on the Earth. But, Sir, naturally the demand will grow gradually. The States must be given more share.

Our Party has passed a resolution saying at least 50% must go to the States. Other parties are claiming 60 to 70%. At least our Party has stated 50% of the income coming to the Centre must go to the States. For this reason only other States, not only West Bengal, Tripura, Tamil Nadu or Karnataka, other States also include Assam will also get.

The great man was just now saying that he is for more powers to the Centre and less powers to the States. I would say if they had been able to solve the problem of unemployment among the youths in Assam, this Assam problem would have been put an end to. Does he not demand more money for Assam. Is it because he has won with 2.3% votes and has come here as an MP. That is why he is saying all tum tum for the the Congress and the ruling Party and that we are in the Opposition. He has come through the total votes of 2.3%.

PROF N G. RANGA : At least some people have voted. It was a Government for which there was no vote at all.

SHRI NARAYAN CHOUBEY : Assam Government has demanded more money as royalty for their own oil.

And, Sir, I am not a friend of Shri Jagannath Mishra. What has Jagannath Mishra done?

SHRI CHITTA BASU : And he has to pay the price.

**SHRI NARYAN CHOUBEY :** What he has not done to curb the working class, to beat the Harijans, to plug the eyes at Bhagalpur. He plugged the eyes of so many in Bhagalpur and tied Adivasis with the jeep and dragged them hundred metres away and beat them. For all these things he has not been removed. The sooner he said that Bihar is not getting its due share, and that Bihar produces 40% of minerals in India

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He said : "We should get our proper share". Then they said he must go. Other crimes could be tolerated. He was admired for all those other things.

Every State is demanding more. So, things are pushing ahead. The issue has to be solved; and for that reason, I support the Resolution. The Sarkaria Commission, without any powers, and without any terms of reference, I do not know what they will do, and when These things must be made clear.

Of course, we want a strong Centre. India's borders have to be safeguarded. We want a strong Centre. For making the Centre and the Indian Government strong, we must strengthen our constituent States. But to counterpose and say : "If we want a strong, Centre we must have weak States", or that "If you strengthen the States, the Centre will become weak", will be totally wrong.

With these words, I support the Resolution *in toto*, and I hope the Hon. Members on the other side will support us.

**श्री अब्दुल रशीद काबुली (श्रीनगर) :** मोहतरम चेयरमैन साहब, जब हमारे यहां स्टेट सेंटर रिलेशन की बात होती है तो कुछ लोग इसकी मुखालिफत करते हैं। मैं उन दोस्तों से कहना चाहता हूँ जिन्होंने इस रेजोल्यूशन की मुखालिफत की है कि हमें इस देश की सारी हियत को बदलना होगा। कई इंस्टीट्यूशंस को बंद करना होगा। चीफ मिनिस्टर का इंस्टी-

ट्यूशन, स्टेट लेजिसलेचर, चीफ जस्टिस का इंस्टीट्यूशन, राज्यों के बीच की बाउंड्री, सबको समाप्त करना होगा। तब यह सोचा जा सकता है कि सारे देश को एक बनाएँगे। सटेट्स के बीच के बार्डर खत्म करने होंगे। राज्यों में चीफ मिनिस्टर नहीं रहेंगे। पूरे मुल्क में एक प्रेसीडेंट या प्राइम मिनिस्टर रहेगा। राज्यों के चीफ मिनिस्टर के ओहदे खत्म होंगे। सब बदलना होगा। इस तरह से मुल्क का निजाम बदला जाएगा। लेकिन यह सब नहीं होगा।

इस रेजोल्यूशन की मुखालिफत कांग्रेस (आई) की तरफ से हुई है। मैं बताना चाहता हूँ कि आजादी की जद्दोजहद में केवल कांग्रेस ही नहीं थी बल्कि सारे राज्यों ने अपनी तहजीब और शक्ति को इसमें शामिल किया था। जैसा कि अभी एक माननीय सदस्य ने कहा कि रवीन्द्र नाथ टैगोर ने बंगाल में और मैं कहूँगा कि इकबाल ने पंजाब में और इसी तरह से भारती ने जुनूब में आवाज उठाई और मुख्तलिफ कल्चर को लेकर ये लोग आगे बढ़े। सब लोगों ने मिलकर आजादी की तारीक को मजबूत बनाया। कांग्रेस के बारे में उस वक्त यह बात किसी के दिमाग में नहीं थी कि यह कोई मुस्तकिल निजाम का काम करेगी। महात्मा गांधी जो इस के नेता थे। उनके दिमाग में भी यह बात नहीं थी, जिन्होंने इस देश के लिए सबसे बड़ी कुरबानी दी। जिस वक्त हिन्दुस्तान को आजादी मिली उस वक्त महात्मा गांधी जी ने कहा था कि अब कांग्रेस को समाप्त हो जाना चाहिये कांग्रेस को हुकूमत नहीं चलानी चाहिए। क्योंकि वे समझते थे कि अब हिन्दुस्तान को एक नई बुनियाद पर खड़ा करना है, नया ढांचा बनाना है, नया आर्थिक-सामाजिक ढांचा बनाना है। उसके कांग्रेस काम नहीं कर सकती। कांग्रेस का काम आजादी की जद्दोजहद तक था, इससे ज्यादा

उसका काम नहीं था। यह काम आजादी मिलने के साथ ही समाप्त हो गया।

मैं इतना ही अर्ज करना चाहता हूँ कि हर राज्य में जमातें थीं। उन्होंने भी हिन्दुस्तान की आजादी के लिए काम किया। उन्होंने भी खून बहाया था।

मैं आपका ध्यान जम्मू काश्मीर की तरफ ले जाना चाहता हूँ। वहाँ कांग्रेस नहीं थी, नेशनल कान्फ्रेंस थी, उसने अपना खून बहाया, खून दिया फ्यूडल सिस्टम के खिलाफ खून दिया जो वहाँ पर था, पूरे हिन्दुस्तान की तारीक जद्दोजहद आजादी के साथ अपना साथ निभाया। आल इंडिया स्टेट्स पीपल्स कान्फ्रेंस का उसने साथ दिया। यह कान्फ्रेंस पूरे मुल्क में बनी और शेख मुहम्मद अब्दुल्ला, पंडित जवाहरलाल नेहरू के ईमा पर उसके मदर भी बने।

जहाँ तक जम्मू काश्मीर का ताल्लुक है इसके ताल्लुक से कुछ गलतियाँ की हैं। 1953 में कोशिश की गई जम्मू काश्मीर और सेंटर के रिलेशनशिप को बदलने की। कांस्टीट्यूशन में जम्मू काश्मीर को 370 के तहत कुछ हक दिए गए थे। वह शेख साहिब की बनाई हुई चीज नहीं थी और न पंडित नेहरू की बनाई हुई चीज थी। वह विधान की चीज थी। कांस्टीट्यूशन हमारे लिए बड़ा पवित्र था। लेकिन सेंटर के कुछ लोगों ने तब कोशिश की कि उस रिश्ते को खत्म कर दिया जाए, बदल दिया जाए। उसके बाद 22 बरस तक जम्मू काश्मीर में आन्दोलन चला, पोलिटिकल अनसरटेनटी पैदा हुई। मैं दियानतदारी के साथ कहना चाहता हूँ कि उससे हिन्दुस्तान को नुकसान हुआ, जम्मू काश्मीर के वासियों को नुकसान हुआ। 1975 में प्राइम मिनिस्टर इंदिरा गांधी और शेख अब्दुल्ला ने नए सिरे से उस रिश्ते

को बांधा टूटे हुए रिश्ते का। फिर से बांधने की कोशिश की और वह इसी आधार पर हुई कि जम्मू काश्मीर और हिन्दुस्तान का जो रिश्ता है 370 के तहत, उसको फिर से कायम किया जाए और एक दूसरे के शको शुवहात को खत्म कर दिया जाए। इसी बिना पर कुछ रिकार्ड बना। मैं खबरदार करना चाहता हूँ कि इस मुल्क में अगर सी०पी०एम० आज वेस्ट बंगाल में पावर में है या नेशनल कान्फ्रेंस जम्मू काश्मीर में है या तेलुगु देशम आन्ध्र में है या और कोई जमायत किसी और जगह कर्नाटक वगैरह में है तो इनमें से कोई देश की दुश्मन नहीं है, देश की वैसे ही दोस्त है जैसे रूलिंग पार्टी है। कोई जुम नहीं होगा अगर अपनी-अपनी स्टेट्स में हम अपने हिसाब से डेमोक्रेसी को मजबूत करें। हिन्दुस्तान बहुत बड़ा मुल्क है, बहुत बड़ी ताकत है, लेकिन इस ताकत के हाथ और बाजू जो हैं वे इसकी अपनी स्टेट्स हैं और ताकत मरकज को स्टेट्स से ही आएगी। अगर स्टेट्स को कमजोर रखने या उनको कमजोर करने की कोशिश की गई तो हिन्दुस्तान भी कमजोर हो जाएगा कोई आर्गनाइजेशन देश विरोधी नहीं है। सभी देश को मजबूत बनाना चाहती हैं। रेजीमेटेशन से मुल्क को कोई फायदा नहीं पहुंचेगा, नुकसान ही पहुंचेगा।

شری عبدالرشید کاہلی (سری نگر)؛ محترم ہیر میں  
صاحب - جب ہمارے یہاں اسٹیٹ سینٹر کی  
یات ہوتی ہے تو کچھ لوگ اس کی مخالفت کرتے ہیں  
میں ان دوستوں سے کہنا چاہتا ہوں جنہوں  
نے اس ریڈیو بکشن کی مخالفت کی ہے

کہ ہمیں کہ اس دیش کی ساری ہیبت کو بدلتا ہوگا۔ کسی انسٹیٹیوشن کو بند کر دنا ہوگا چیف منسٹر کا انسٹیٹیوشن۔ اسٹیٹ لیمبلیچر چیف جسٹس کا انسٹیٹیوشن راجوں کے بیچ کی باؤنڈری سب کو سمپت کرنا ہوگا۔ تب یہ سوجا جاسکتا ہے کہ سارے دیش کو ایک بنائیں گے اسٹیٹس کے بیچ کے بارڈر ختم کرنے ہونگے راجیوں میں چیف منسٹر نہیں رہیں گے۔ پورے ملک میں ایک پریزیڈینٹ یا پرامنسنٹر رہے گا راجوں کے چیف منسٹر کے عہدے ختم ہوں گے سب بدلنا ہوگا۔ اس طرح سے ملک کا نظام بدلا جائے گا۔ یہ سب نہیں ہوگا۔ !!

اس ریویوشن کی مخالفت کانگریس دائیہ کی طرف سے ہوئی ہے۔ میں بتانا چاہتا ہوں کہ آزادی کی جدوجہد میں کیوں کانگریس ہی نہیں تھی بلکہ سارے راجیوں نے اپنی تہذیب اور شکتی کو اس میں شامل کیا تھا جیسا کہ ابھی ایک مانیہ سدسید نے کہا کہ رابندر ناتھ ٹیگور نے بنگال میں اور میں کہوں گا کہ اقبال نے پنجاب میں اور اس طرح سے بھارتی نے جنوب میں آواز اٹھائی اور مختلف پھیر کو لیکر یہ لوگ اگے بڑھے۔

سب لوگوں نے مل کر آزادی کی تحریک کو مضبوط

بنایا۔ کانگریس کے بارے میں اس وقت یہ بات کس کے دماغ میں نہیں تھی کہ یہ کوئی مستقل نظام کا کام کرے گی۔ جہاں تا گاندھی جو اس کے نیتا تھے ان کے دماغ میں بھی یہ بات نہیں تھی کہ جنہوں نے اس دیش کے لئے سب سے بڑی قربانی دی۔

جس وقت ہندوستان کو آزادی ملی اس وقت جہاں تا گاندھی نے کہا تھا کہ اب کانگریس کو سمپت ہو جانا چاہئے۔ کانگریس کو حکومت نہیں چلانی چاہئے۔ کیونکہ وہ سمجھتے تھے کہ اب ہندوستان کو ایک نئی بنیاد پر کھڑا کرنا ہے نیا ڈھانچہ بنانا ہے۔ نیا آرٹھک سماجک ڈھانچہ بنانا ہے اس کے لئے کانگریس کام نہیں کر سکتی۔

کانگریس کا کام آزادی کی جدوجہد تک تھا اس سے زیادہ اس کا کام نہیں تھا۔ یہ کام آزادی ملنے کے ساتھ ہی سمپت ہو گیا میں استہای عرض کرنا چاہتا ہوں کہ ہر راجیہ میں جماعتیں تھیں انہوں نے بھی ہندوستان کی آزادی کے لئے کام کیا۔

انہوں نے بھی خون دیا تھا۔ میں آپ کا دھیان جنوں شیمیر کی طرف دلانا چاہتا ہوں۔ وہاں کانگریس نہیں تھی نیشنل

کا نفرنس تھی اس نے اپنا خون بہایا خون دیا  
نیوڈل سسٹم کے خلاف خون دیلو باپنر  
تھا پورے ہندوستان کی تحریک جدوجہد آزادی  
کے ساتھ اپنا ساتھ نبھایا۔ اہلی اندیا  
اسٹیشن سپر پلیس کا نفرنس کا اس نے ساتھ دیا  
یہ کا نفرنس پورے ملک میں بنی اور شیخ محمد  
عبدالمنیر پٹنہ جواہر لال نہرو کے ایما پر  
اس کے صدر بھی بنے۔

جہاں جموں و کشمیر کا تعلق ہے اس کے تعلق سے کچھ غلطیاں

ہو چکی ہیں۔ ۱۹۵۳ء میں کوشش  
کی گئی جموں و کشمیر اور سینٹر کے ریلیشن شپ  
کو بدلنے کی۔ کانسی ٹیوشن میں جموں  
کشمیر کو ۳۷۰ کے تحت کچھ حقوق دیئے گئے  
تھے۔ وہ شیخ صاحب کی بنائی ہوئی چیز نہیں  
تھی اور تہ نپڈت نہرو کی بنائی ہوئی چیز تھی  
یہ وہ دھماکہ کی چیز تھی۔ کانسی ٹیوشن  
ہمارے لئے بڑا پوتر تھا۔ لیکن سینٹر کے کچھ  
لوگوں نے بت کوشش کی کہ اس رشتے کو  
ختم کر دیا جائے یا بدل دیا جائے۔ اس کے  
بعد ۲۲ برس تک جموں کشمیر میں آندولن  
چلا پولیٹیکل انسٹیٹیوشن پیدا ہوئی۔ عوامیادانت  
دار کے ساتھ کہنا چاہتا ہوں کہ اس  
سے ہندوستان کو نقصان ہوا جموں کشمیر

کے واسیوں کو نقصان ہوا۔ ۱۹۷۵ء  
میں پرائم منسٹر اندرا گاندھی اور شیخ محمد  
عبدالمنیر نے نئے دوسرے سے اس رشتے کو باذہا  
ٹوٹے ہوئے رشتے کو پھر سے جوڑا اور باذہا  
کی کوشش کی اور بات چیت اسی ادھار  
پر ہوئی کہ جموں کشمیر اور ہندوستان کا جو  
رشتہ ہے دفعہ ۳۷۰ کے تحت بھی قائم  
ہوا ہے اس کو پھر سے قائم کیا جائے اور  
ایک دوسرے کے شکوک و شبہات کو  
ختم کر دیا جائے۔ اسی بنیاد پر ایکارڈ ہوا  
میں جنرل دار کرنا چاہتا ہوں کہ اس ملک  
میں اگر سی پی ایم آج ویسٹ بینک میں  
پاور میں ہے یا نیشنل کانفرنس جموں کشمیر  
میں ہے یا تیلگو دیشم آندھرا میں ہے یا  
اور کوئی جماعت کسی اور جگہ کرنا ملک وغیرہ  
میں ہے تو ان میں سے کوئی دیش کی دشمن  
نہیں ہے دیش کی ویسے ہی دوست  
ہے جیسے کہ رولنگ پارٹی ہے۔  
کوئی جرم نہیں ہوگا اگر اپنی  
اپنی اسٹیشن میں ہم اپنے حساب  
سے ڈیموکریسی کو مضبوط کر لیں۔  
ہندوستان بہت بڑا ملک ہے  
بہت بڑی طاقت ہے۔ لیکن اس طاقت  
کے ہاتھ اور بازو جو ہیں وہ اس کے

اپنی اسٹینس ہیں۔ اور یہ طاقت  
مرکز کو اسٹینس سے ہی آئے گی۔  
اگر اسٹینس کو کمزور رکھنے یا  
انکو کمزور کرنے کی کوشش کی گئی تو  
ہندوستان بھی کمزور ہو جائے گا۔  
کوئی آرگنائزیشن دیش وردھی  
نہیں ہے۔ سبھی دیش کو مضبوط  
بنانا چاہتے ہیں۔ ریگی مینیشن سے  
ملک کو کوئی فائدہ نہیں پہنچے گا نقصان  
ہی پہنچے گا۔

SHRI CHANDRAJIT YADAV (Azamgarh) : I am of the firm opinion that after 33 years of our Constitution having come into existence, it needs a very serious second look. Not only amendments should be brought as and when they require, but, really speaking, we must give a serious look on how it has mentioned for more than three decades. Any country with a wise leadership will do that. After independence, almost two new generations have come and many problems are coming up today. Is it a matter of serious national concern that right from the Prime Minister to political leaders, they talk that the country is getting disintegrated; there is a danger of disintegration? Fissiparous tendencies and communal forces are growing. The Prime Minister herself said a few days before that there are communal and regional forces which are now the agents of the destruction and distintegration of the country. On many occasions, in some major speeches, she has warned the country that this kind of dangers are there. Why? Should we not seriously, look at this? Why is this situation being created even after 33 years of our independence in spite of our having a very strong nation?

Instead of progressive secular patriotic forces getting strengthened in this country, now this kind of danger is growing. If that

danger is there we must go into the basic question and what I would like to emphasise is that we should go into the fundamental issues; the socio economic issues, administrative problems, political considerations, all these things need to be seriously reviewed. In this context I would say today in my opinion it is not Centre-State relationship or State and local bodies relationship, or the State and district administration relationship, what about the district and other relationship. It is not that resources, financial resources should go from Delhi to Lucknow, to Calcutta, or to Madras or to Trivandrum, which may not just track down below. Resources should reach the people, the rural people and our official distribution machinery should be re-structured, the national resources should be properly distributed, the division of power and things which generally reach the rural areas late, all these things should be considered. From gram panchayats to the national level the resources should be divided. That is what Pandit Jawaharlal Nehru used to say. We should all see that the village panchayats work effectively and the municipal bodies also should function effectively. I must admit that there are no resources available at that level. I will say that today if the people like Shri Jyoti Basu, the Chief Minister of West Bengal, raise this question, or Dr. Farooq Abdullah will raise this question, they are not really raising the banner of revolt against the Centre but they are as the head of the Government in their own respective States with their popular support, with the people's aspirations and rights in their mind, and the necessity of the seat which the people have given them, with power authority to deliver them; that is their demand and that is the question being raised and it must be looked into in the national context.

Therefore, I will say that really speaking, I was just going through a speech of Pandit Jawaharlal Nehru which Shri Chitta Basu had shown me, which was made in 1951, when the First Amendment to Articles 15 and 16 was made. He used the word 'autonomous' States. Now, if somebody talks about autonomy, whether it is the DMK, or the CPM or the National Conference, or any other political Party in power in any State, they immediately are accused of it as if they are doing something which may weaken national integration. This approach, I would

say, is the least authoritarian approach. I am mentioning this in particular about the authoritarian approach. It is not done in-keeping with a country like ours, a country of big size. The Prime Minister herself says that we must remember that we are a country of multi-racial and many ethnic regions and little linguistic parties. Therefore, these are the problems. Why should we have small States like Manipur, Tripura, Meghalaya? Because we thought that they represent their own requirements, their own culture and way of life, and they need their separate State and they can run their own affairs better and they will feel happier in the framework of the national context. Therefore, I will say that the Government did a wise thing by appointing the Sarkaria Commission, though late. And I think that there should be a proper national debate on it and the Government should not contend with the appointment of the Sarkaria Commission, but the Commission should be given full opportunity, all major political Parties must be consulted. They should be taken into confidence, they should be involved so that we can re-structure our country, not only re-structure our administration, and re-structure our States to develop our things, our culture, of course in the national context. Nobody should accuse that India is a weak country.

Sir, you were a General. You know how team work from a soldier to the topman is important in winning a battle. Likewise, a body cannot be healthy if the legs and arms are weak. For a healthy body, all limbs should be strong and healthy.

With these words, I hope the Government will take this in view and will not take as if they are fulfilling their formal duty, but in a true sense, will do proper restructuring and create a proper relationship between the Centre and the States.

With these words, I support the Resolution moved by Shri Amal Datta.

श्री हरीश रावत (अल्मोड़ा) : सभापति महोदय, प्रस्ताव कहता है कि — देश के राजनीति ढांचे में विभिन्न भाषायी और जातीय

वर्गों के पृथक् राजनीतिक शक्तियों के रूप में उभर आने के कारण केन्द्र और राज्यों के बीच वित्तीय तथा अन्य सम्बन्धों के विषय में पुनर्निर्धारण होना चाहिये।

मेरी समझ में यह नहीं आता कि प्रस्ताव महोदय यह कहकर क्या जताने की कोशिश कर रहे हैं कि 35 साल की आजादी के बावजूद हमारा देश विभिन्न प्रकार के पुल्स एंड प्रेशर को सस्टेन करने की स्थिति में नहीं है या हमारी डेमोक्रेसी इतनी वीक है कि इस तरह के दवाबों का मुकाबला न कर सके।

हकीकत यह है कि जब हमारा राष्ट्र स्वतंत्र हुआ था तो उस समय बहुत सारे लोग लन्दन में बैठकर सोचते थे कि हिन्दुस्तान डेमोक्रेटिक सैटअप के रूप में आगे नहीं बढ़ सकता है। जब दक्षिण में कोई आन्दोलन हुआ तब लोग यह महसूस करते थे कि हिन्दुस्तान एक नहीं रह पायेगा और आज जब विभिन्न प्रकार के आन्दोलन हो रहे हैं तो भी बहुत सारे लोग शायद अपने मन में यह कल्पना करके बैठे हैं कि भारत एक प्रजातांत्रिक मुल्क के रूप में, धर्म-निरपेक्ष शक्ति के रूप में नहीं रह पायेगा। मैं समझता हूँ कि जो ऐसा सोचते हैं वह विरासत में मिली हिन्दुस्तान की अपनी कल्चर को और जिन शक्तियों के कारण हमारा यह राजनीतिक स्वरूप उभर कर आया है, उन्हें समझने की कोशिश नहीं कर रहे हैं।

आज हमारे पड़ोस में चारों तरफ प्रजातंत्र, सैनिकों के बूटों के नीचे सिसक रहा है जबकि हमारा प्रजातंत्र दिन-प्रति-दिन मजबूत हो रहा है। हम एक मजबूत राजनीतिक शक्ति के रूप में उभर कर आये हैं, यह अपने आप में इस बात का प्रमाण है कि जिस संविधान को हमारे संविधान निर्माताओं ने बनाया था वह अपने

आप में अनोखा था और हमारा प्रजातंत्र, डेमोक्रेसी, संविधान अपने आप में पूर्ण है।

यदि कहीं कोई बाहरी दबाव उसमें कोई वैकुण्ठम क्रिएट करते हैं तो उसको भरने के लिए भी हमारे संविधान में विभिन्न प्रकार के प्रावीजन्स हैं।

मेरे मित्रों ने यह शिकायत की है, विशेषकर जहां इस समय अपोजिशन की सरकारें हैं उन हमारे अपोजिशन के भाइयों ने एक फैशन सा बना लिया है कि सरकार को इस मामले में क्रिटीसाइज करें और केन्द्र व राज्यों के सम्बन्धों के पुनर्निर्धारण की बात कहकर सत्तारूढ़ दल को क्रिटीसाइज करें।

जब हमारी सातवीं पंचवर्षीय योजना का निर्धारण हो रहा है, उस समय फाइनेन्स कमीशन राज्यों की बातों को सुन रहा है। जिस प्रकार से वे रिप्रीजेन्ट करेंगे, किस तरह से वित्तीय संसाधनों का वितरण हो, उसके बारे में अपने सुझाव देगा। इसके अलावा ब्राडर फ़ोमवर्क में काम करने के लिये सरकारिया कमीशन को सरकार ने नियुक्त किया है। मैं समझता हूँ कि इन सारी चीजों के बावजूद कहीं कोई भी ऐसी बात की गुंजाइश ही नहीं रह जाती कि सरकार राज्यों की जायज बात नहीं सुनना चाहती।

जब केन्द्रीय सरकार, गृह मन्त्री और प्रधान मंत्री जी राज्यों की वाजिब बातों को शिकायतों को सुनना चाहते हैं तो राजनीतिक कारणों से बार-बार इस सिस्टम पर अटक करना, अपने संविधान पर शंका प्रकट करना, अपने आप पर शंका प्रकट करना है।

मुझे लगता है कि हमारे मित्रों के द्वारा यह बात इसलिये नहीं कही जाती है कि वह

संविधान को पुस्तुत बनाना चाहते हैं या हमारी डेमोक्रेसी में जो खामियां वह समझते हैं, उनको दूर करना चाहते हैं बल्कि इसलिये बार बार इस बात को कहना चाहते हैं कि उनको राजनीतिक लाभ मिले और राजनीतिक दलों को लाभ मिले। इस प्रकार की बातों को बार बार कहना उचित नहीं है।

मेरे मित्र ने कहा कि राज्य बाजू हैं। वास्तव में बाजू हैं। लेकिन इन बाजूओं को यदि आप यह चाहते हैं कि वह शेष हृदय की रक्षा करें, मस्तिष्क की मालिश करें और उसकी सुरक्षा करें। हाथ मस्तिष्क पर चोट करने लगे जायेंगे, उसको कमजोर करने की कोशिश करेंगे तो मैं समझता हूँ कि बाजू अपने आप कमजोर ही जायेंगे। बाजू और मस्तिष्क को कमजोर करके आप अपने आपको कमजोर कर रहे हैं।

इन्हीं चन्द शब्दों के साथ मैं श्री अमल दत्त के प्रस्ताव का विरोध करते हुए अपनी बात समाप्त करता हूँ।

**श्री हरिकेश बहादुर (गोरखपुर) :** माननीय सभापति जी, माननीय सदस्य श्री अमल दत्त ने जो प्रस्ताव विचार करने के लिए सदन में प्रस्तुत किया है, वह बहुत ही महत्वपूर्ण है। यह उन लोगों के लिए भी विचारणीय है, जो इसका विरोध कर रहे हैं। मैं इसका समर्थन करने के लिए खड़ा हुआ हूँ।

सारे राज्यों से यह मांग लगातार आती रही है कि उनको अधिकार अधिक दिए जायें। खासतौर से जो पार्टी इस समय सत्ता में है, उस पार्टी के तमाम राज्यों में जो मुख्य मंत्री हैं, हो सकता है कि वे मजबूती के साथ इस बात को न कहते हों, वे मजबूती के साथ कह भी नहीं सकते हैं, क्योंकि वे जानते हैं कि अगर वे थोड़ी मजबूती दिखायेंगे, तो उनका हथ



होगा। लेकिन जहां कहीं भी विरोधी दलों की सरकारें हैं, वहां से इस प्रकार की मांग लगातार आती रही है कि उनके अधिकार कम हैं और केन्द्र से जो सहायता उनको मिलनी चाहिए, वह सहायता उनको नहीं मिलती है। उनको जितना अधिकार चाहिए, वह अधिकार उनको नहीं मिलता है और तमाम आवश्यकताओं की पूर्ति कर नहीं पा रहे हैं। जनता की बुनियादी आवश्यकताओं की पूर्ति नहीं कर पा रहे हैं। इसलिए यह मांग राज्यों से बराबर आती रही है। इस तरह के उदाहरण आपके सामने भी हैं कि जब कभी राज्य सरकारें केन्द्र की इच्छा के अनुरूप नहीं चलती हैं, तो उन्हें बर्खास्त भी कर दिया गया है। उसके कारण दिए गए, लेकिन जो कारण दिए गए, वे अपर्याप्त मालूम होते थे और उनको सुनने के बाद लोगों को संतोष नहीं होता था। यहां तक म्युनिसिपलिटि को जिस तरह से राज्य सरकारें भंग करती हैं, उससे भी कम कार्यवाही केन्द्र सरकार ने कभी-कभी राज्य सरकारों को भंग करने में की है। जो आजकल व्यवस्था हम देखते हैं, उससे ऐसा लगता है कि राज्य सरकारें मौजूदा व्यवस्था में केन्द्र सरकार की नगर पालिकाओं से ज्यादा महत्व नहीं रखती हैं। उन्हें किसी भी समय भंग किया जा सकता है। इसलिए उन राज्य सरकारों द्वारा यह मांग करना कि और अधिक अधिकार दिए जायें— मेरी दृष्टि में न्यायोचित बात है।

हमारे देश के प्रथम प्रधान मंत्री, जवाहर लाल नेहरू, जो देश के महान नेता थे, वे बराबर यह कहा करते थे— अनेकता में एकता इस देश की एक प्रमुख विशेषता है। “यूनिटी इन डिवर्सिटी”। अगर देश के अन्दर तमाम राज्यों में अलगाववादी प्रवृत्तियां बढ़ने लगेंगी, इस आधार पर कि तमाम राज्यों के लोग यह महसूस करने लगे कि उनके साथ सोतेला व्यवहार होता है और उनको अधिकार उचित

नहीं मिलता है, तो यह दुर्भाग्यपूर्ण स्थिति पैदा होगी, जोकि देश की एकता के लिए खतरा पैदा कर सकती है। इसलिए यह मांग कि राज्यों को अधिक अधिकार दिए जायें, न्यायोचित दिखाई देती है।

अंतिम बात, मैं यह कहना चाहता हूँ कि राज्यों के पास बहुत ही कम वित्तीय अधिकार हैं। हर बात के लिए उनको केन्द्र सरकार के ऊपर निर्भर करना पड़ता है, चाहे प्लानिंग की बात हो या बैंकों से ऋण लेने की बात हो — ईब सारी बातों पर राज्य पूरी तरह से केन्द्र पर निर्भर हो गए हैं या आश्रित हो गए हैं। बैंकों की व्यवस्था केन्द्र सरकार के पास है या जितनी भी इंशोरेंस एजेंसीज है, इनकी व्यवस्था केन्द्र के पास है इसलिए राज्य पूरी तरह से केन्द्रीय सरकार के ऊपर वित्तीय संसाधनों के मामले में निर्भर हो गए हैं। इसलिए उनके जो वित्तीय अधिकार हैं, उनको भी बढ़ाया जाए और संविधान में कुछ ऐसा परिवर्तन किया जाए ताकि राज्यों को शक्ति प्राप्त हो सके और खास तौर से जो मौजूदा प्रणाली बर्खास्त करने की है, इसको समाप्त करने के लिए संविधान में संशोधन किया जाए।

इसी सुझाव के साथ माननीय मंत्री जी से आशा करता हूँ कि वे संविधान में ऐसा प्रावधान करेंगे, जो राज्य सरकारें इस वजह से बर्खास्त की जाती हैं, इस बारे में संविधान को बदला जाएगा। आशा है, आप इस बारे में जवाब देंगे और हमारी मांगों पर ध्यान देंगे।

श्री सुन्दरसह (फिल्लौर) : चेयरमैन साहब स्टेट को ज्यादा अख्तियारात दिये जाने का मसला है, मैं पहले भी कई बार कह चुका हूँ— जो सेंट्रल गवर्नमेंट की जमीन होती थी वह शेड्यूल्ड कास्ट वालों को मिल जाती थी,

ले किन राज्यों के पास जो सरप्लस जमीन होती थी, वह हमको नहीं मिलती थी। मैंने जो जमीन ली थी, वह पंडित जवाहर लाल नेहरू से मिलकर ली थी, वरना स्टेट में कौन देता। इसलिये मैं कहना चाहता हूँ — ज्यों-ज्यों स्टेट को ज्यादा ताकत मिलेगी, हमारा भट्टा बैठता जायगा। राज्य वाले हमको नजदीक भी नहीं आने देंगे। महात्मा गांधी ने कहा था — इण्डिपेन्डेंट स्टेट्स नहीं होनी चाहिये, फ़ैडरल स्टेट्स होनी चाहिये, डिपेन्डेंट स्टेट्स होनी चाहिये। जो इण्डिपेन्डेंट हो जायगा वह लड़ना शुरू कर देगा। इसलिये स्टेटों को ज्यादा अस्तियारात नहीं दिये जाने चाहिये।

मैं सामने बैठने वाले साथी को कहना चाहता हूँ — आपको आर्टिकल 370 की रियायत दी गई, हमको रिजर्वेशन की रियायत दी गई — क्यों? इसलिये कि हम भी तरक्की कर सकें अगर आप इस तरह से बोलते हैं, स्टेट के लिये ज्यादा अस्तियारात चाहते हैं तो आप आर्टिकल 370 को छोड़ दीजिये और हम भी अपनी रियायत को छोड़ देते हैं, फिर देखिये क्या तमाशा होता है। हमने इन रियायतों को इसीलिये कांस्टीट्यूशन में रखा है कि आपके लोग कमजोर हैं उनको आगे बढ़ने का मौका मिले, हमारे लिये जो छूआ छूत है उसकी वजह से रखा है। आप जो इस तरह की बात करते हैं इसमें आपका कसूर नहीं है — हमारे जो लोग वहां हैं उनको डट कर लड़ाई करनी चाहिये, वहां के लोग बहुत सीधे-सादे हैं। हमारे लोग उनको कहते हैं कि हम तुम्हारे लिये यह करेंगे, वह करेंगे, आप कहते हैं कि हम मुसलमान हैं, कांग्रेस में तो हिन्दू हैं इसलिये सबका भट्टा बैठ जायगा। 16 आने साफ-साफ बात क्यों नहीं करते हैं? आप भी इस तरह की बातें छोड़कर नेशनल स्ट्रीम में शामिल हों।

मैं एक बात जानता हूँ — जिसके पास

लाठी है उसकी मँस होती है। पं० जवाहरलाल नेहरू मेरे बहुत अच्छे दोस्त थे। उन पर मैंने जोर दिया तो जमीन मिली, स्टेट पर रहता तो नहीं मिलती। इन्दिरा जी के साथ आज हम क्यों हैं? वह जब भी नाम लेती हैं तो शेड्यूल्ड कास्ट्स का नाम लेती हैं। आप देहातों में जा कर देखिये, जब भी पब्लिक स्पीच करती हैं तो शेड्यूल्ड कास्ट्स का नाम लेकर करती हैं। मोरार जी देसाई और जवाहरलाल जी ने भी कभी इतना नाम नहीं लिया होगा। उनके मन में हम लोगों के लिये दर्द है, वह 20 प्वाइंट प्रोग्राम को सही मायनों में चलाना चाहती हैं, लेकिन आप चलने नहीं देते हैं। आप उसके डेडली वरखिलाफ हैं। पंजाब में वही हालत है, हरियाणा में वही हालत है, कोई उसको चलने नहीं देता है। इसलिये जरूरी है कि हम सेन्टर को मजबूत बनायें और उसमें आप सब मदद करें। इसलिये मैं चाहता हूँ कि इनकी जो डिमाण्ड है उसको नहीं मानना चाहिये।

THE MINISTER OF HOME AFFAIRS (SHRI P.C. SETHI): Sir, the present Resolution on the the Centre-State relationship which was moved by Shri Amal Datta, has evoked considerable interest among the Members of the House and that is why, from time to time the time of the House has been extended to discuss this. It was moved many months ago in the House. Today we are discussing it again after a considerable time.

Shri Datta has advocated need for complete re-appraisal of the Centre-State relationship. In his view the various Constitutional provisions hampered the functioning of the States and their economic development. He has even gone to the extent of suggesting the deletion of a number of Articles in the Constitution like Articles 356 and 357 relating to the imposition of the President Rule. In his view the Central Government should confine itself to matters relating to Defence, Foreign Relations, Banking, Currency and Communications. All residuary matters should rest with the States. Even the powers

of the Supreme Court should be limited and it should entertain only cases having constitutional implications and cases involving interpretation or application of Central Acts. The extreme position advocated by Shri Dated would virtually mean abdication of the Central Government from its responsibility to ensure balanced development in the country. That has not been shared by a number of Members who have spoken on the Resolution.

In this connection I would like to point out that as far as the Centre-State relationship is concerned, the founding fathers of the Constitution had taken note of the various differences and the cultural differences between the People in the States.

They have evolved a Constitution which is not rigid, which can be changed and which has been changed from time to time. Therefore, within the constitutional framework there is an amicable settlement between States and the Centre.

As far as the financial devolution of powers are concerned, the State Government are given finance in terms of Finance Commission which are appointed every five years and these Finance Commissions do a lot of exercise, got to States, find their needs and recommend as to how much money is to devolve to the Centre and how much money should go to the States. Besides this apart from financial devolution which the Finance Commission recommends, the finance to the State also accrue whenever there is natural calamity. For example, if there is a drought, if there is flood, the Centre comes to the assistance. Then there are various projects in the States which are Centrally sponsored and there the Centre has to finance them and development takes place in the State. Therefore, the financial powers between the State and the Centres are very well defined. But still if there is any need to go into this, would have to be gone into. Keeping in view the demand of the various States and the various persons that the Centre State relations should be re-defined. Sarkaria Commission has been appointed. Although the Hon. Members have welcomed the appointment of the Sarkaria Commission,

but have said that the Sarkaria Commission has no authority. I would like to say that Sarkaria Commission is a high powered Commission and the Terms of Reference have been finalised. I would like to report the terms of the Commission :

“The Commission will examine and review the working of the existing arrangements between the Union and States in regard to powers, functions and responsibilities in all spheres and recommend such changes or other measures as may be appropriate.”

In examining a reviewing the working of the existing arrangements between the Union and States and making recommendations as to the changes and measures needed, the Commission will keep in view the social and economic developments that have taken place over the years and have due regard to scheme and framework of the Constitution which the founding fathers have so sedulously designed to protect the independence and ensure the unity and integrity of the country which is of paramount importance for promoting the Welfare of the people.

The Headquarters of the Commission will be at New Delhi.

The Commission will devise its own procedures for the discharge of its functions, and the Commission may, if it deems it necessary so to do, have investigation or examination of such matters as it may deem fit to be made in such manner and by such persons it may consider appropriate. The Ministries and Departments of the Government of India shall furnish such information and documents and provide assistance as may be required by the Commission from time to time.

The Government of India trust that the State Governments and the Union Territory administrations and others concerned will extent their fullest cooperation and assistance to the Commission.

The Commission will submit its report on or before 30th June, 1984.

The terms of the Commission have been well-defined. Originally, it was said that within the framework of the Constitution the Commission will submit its report but now keeping in view the persistent demand by various quarters it has been also agreed to that the amendment of the Constitution is also a constitutional process and therefore, if there is any suggestion or demand for an amendment of the Constitution, certainly, the Sarkaria Commission will be able to hear those view points and recommend such necessary measures which are needed for the amendment of the Constitution. The time limit is there; the terms of the Commission are there and even the amendment of the Constitution is there.

Now, the Commission has also issued public notice and they have also written to the Chief Ministers of all the States. They would be certainly willing to discuss these points not only with the State Chief Ministers but also with the various persons of the political parties and their heads if they want to discuss these points or submit their memorandum to them. In fact, each and everyone is free to submit memorandum to them. In fact, each and everyone is free to submit memorandum to them.

As far as the dissolution of the State Governments is concerned, it is not as if the Central Government dissolves a State Government and the Assembly just like a Municipal Committee is dissolved by the State Government. Unless there is a constitutional breakdown, this is not being done. In the last couple of years, the Hon. Members might have seen that we have not only become accustomed but we cherish that the Centre State relationship should remain and therefore, in spite of the fear expressed by the West Bengal Government and before the recent elections by the Tripura Government, we are seeing that these State Governments are continuing and will continue to stay in power as long as the people of those States want. The Centre does not want to topple the State Governments.

AN HON. MEMBER : What about Pondicherry ?

SHRI P. C. SETHI : In Pondicherry they lost the confidence

Therefore, I would plead that the Centre-State relations are well-defined. Moreover the Sarkaria Commission is there. In view of this, I would request the Hon. Member, Shri Amal Datta, to withdraw his resolution.

SHRI SATYASADHAN CHAKRABORTY : (Calcutta South) : On a point of clarification.

They have appointed the Sarkaria Commission and they have felt the need for re-examination of the Centre-State relations. Will the Hon. Minister kindly tell me which are the directions where he feels that there should be re-examination ?

SHRI P.C. SETHI : Sky is the limit as far as the Sarkaria Commission is concerned.

SHRI AMAL DATTA : (Diamond Harbour) : Mr. Chairman, Sir, a lot of things have been said on the resolution. I think, as I have got a very limited time at my disposal, only 10 minutes or so, naturally I will not be able to reply to all the points which have been raised by the Hon. Members from the other side. But I can only say one thing that whatever has come out from the Hon. Members sitting on the ruling Benches, one thing is very clear to me that none of them have applied his mind to the Centre-State relationship. Whatever they have said, have said mechanically. They have even gone to the extent of saying that it is a fallacy to even talk about restructuring of the Constitution and restructuring of the Centre-State relations.

Even the respect member like Prof. Ranga said that the States will play ducks and drakes if more money is given to them, that Centre should assert itself, that it is parochial and unpatriotic to ask for powers for States. States should be pre-

pared to accept much more intervention from the Centre.

These are the five points I have taken them down from the speech of Prof. Ranga.

Prof. Ranga is on record in the Constituent Assembly. Prof. Ranga also spoke on the federal structure of the Constitution. Prof. Ranga said at that time. I am quoting Ranga's speech delivered in the Constituent Assembly on 9th November, 1948.

"Do we want centralisation of administration or decentralisation? Mahatma Gandhi has pleaded over a period of 30 years for decentralisation. We, Congressmen, are committed to decentralisation."

Then again, continuing Prof. Ranga says :

"I am not in favour of the so called slogan of a strong Centre."

SHRI K. P. UNNIKRISHNAN : He said that when he was in the Congress, not in Congress-I :

"The Centre is bound to be strong, is bound to grow more and more strong also on the lines of modern industrial development and economic conditions. Therefore, it is superfluous, indeed dangerous to proceed with this initial effort to make the Centre specially strong. In the Objectives Resolution that we passed in the beginning we wanted provinces to have the residual powers, but within a short period of two years, public opinion rather has been interpreted by those drafters to have swung to the other extreme, to complete centralisation at the Centre and strengthening the Centre over-much."

This is the speech of Prof. Ranga in 1948. But it has now been controverted by Prof. Ranga of 1983.

PROF. N.G. RANGA : What is it that I have said now? What you have quoted is wrong. I have not spoken on this resolution.

SHRI AMAL DATTA : What did Congress party say even before they came to the stage of Constituent Assembly? In the Quit India Resolution which was passed in Bombay, on August 7th and 8th, I quote from the Resolution : —

"The Provisional Government will evolve a scheme for a Constituent Assembly which will prepare a constitution for the Government of India acceptable to all sections of according to the Constitution according to the Congress view should be a federal one, with the largest measure of autonomy for the federating units, and with the residuary powers vesting in these units."

This was Congress Party in 1942 at the time of Quit India Resolution.

PROF. N.G. RANGA : My dear friend, within 40 years we have learnt our lesson.

SHRI SAMAR MUKHERJEE : The culminating point is dictatorship; process.

SHRI AMAL DATTA : You have not learnt any lesson. You have tasted power.

I quote from the Election Manifesto of 1945 :

"The Congress have envisaged a free democratic State with the fundamental rights and liberties of all its citizens in the Constitution. This Constitution, in its view, should be a federal one with autonomy for its constituent units and its legislative organs elected on universal adult franchise."

Again and again, you are talking of autonomy, you are talking of decentralisation.

You were talking of residuary powers being vested in the States before independence; even at the time of Constituent Assembly you were talking about that. But once you tasted power, once you found you could have your grip over the whole of money resources of Indian people, you said "it is sacrilegious, it is heresy, to talk about decentralising" because then your grip over the resources of India will go. And that is exactly what we want. We do not want a weak Centre. I have made it clear in my speech—that part, Mr. Sethi has omitted - that we do not want a weak Centre to be weakened in any way. But that does not mean that the States are to be left weak as they are today, unable to discharge their Constitutional obligations.

SHRI P. C. SETHI : The Prime Minister has been saying that we want a strong Centre and strong States.

SHRI AMAL DATTA : That is exactly what we are demanding. But you are only talking, you are paying only lip service to this particular principle, and you are showing by your conduct that you do not believe in it.

Some Hon. Members from the ruling Party-I think—it was Shri Chintamani Panigrani and some other Hon. Members also—have said that, if the money is being transferred to the States, it is not enough that the Finance Commission should transfer the money to the States or determine the principles of such transfer, but it should also have a Cell to monitor how the States are going to spend that money otherwise, the money given may not be spent for the purposes for which it is given. Is the Finance Commission the only authority which is transferring money to States ? That is the Constitutional mechanism envisaged in the Constitution. But is there no other authority today ? Is there not the Planning Commission which looks after the transfer of money for development purposes? In fact, most of

the money which is being transferred from the Centre to the States is not through the mechanism of the Finance Commission but through the mechanism of the Planning Commission which is an extra-Constitutional body, which has no reference in the Constitution whatsoever, nor in any legislation but which has been set up only by a Resolution of the executive. Every time we have come across Minister's replies saying that the Planning Commission has not approved. I have with me a letter from the Railway Minister saying that the Railways have approved a particular line but the Planning Commission has not approved. Who is the Planning Commission ? It is a political body because the Resolution does not even lay down any qualifications for the Members of the Planning Commission. Anybody can be made a Member of the Planning Commission, and that body can be made to say anything which the executive wants it to say. That is how the resources of the Central Government are either being kept under their complete control or being transferred to those States they want to favour. We want to put a stop to that, to this arbitrary way of transferring resources which is not only creating disparity and regional imbalances but also dampening or hindering the economic growth of the country as a whole. We want to restructure. The Sarkaria Commission, the Hon. Minister has said, has now been given complete freedom to even recommend Constitutional amendments. We welcome that, but we have great doubts whether the Sarkaria Commission can act as an independent body as it would have been able to act had the suggestion which my friend, Mr. Chitta Basu, made been accepted and had it been a Commission appointed by the Parliament itself. Not being so, it will always be suspect. Justice, you must remember, is not only to be done but must also be seemed to be done. A body which is under the complete authority and control of the executive can never seem to do justice. And this is a very fundamental point. If Constitutional restructuring is being envisaged after 33 years of working of the Constitution, it should be done by a body whose impartiality will be above any suspicion.

Therefore, Sir, I think that this particular Commission—Sarkaria Commission—is not

going to solve the problem. It is only going to be some kind of ameliorative or apalliative so that the people who are shouting like that here and out side can be told as to what is it to shout for you to-day when we have already got the Sarkaria Commission. We may have taken six months to finalise the terms of reference of this Commission and we will take another six months to find out accommodation for it and ultimately, it will come out with the recommendations for a suitable legislative change. We will have to wait for many, many Lok Sabhas to come out with the recommendations. And then these will have to wait for a further election and a further Lok Sabha for being re-constituted.

Sir, we want a solution to-day. We do want to wait for the solution for the decades as much as the ruling party will like us to wait. We want Parliament here and now, to-day to pass a Resolution asking the Government to constitute a Commission under the Parliament which will go into the restructuring, which is needed, of the Constitution for the smooth and harmonious, economic, cultural, political and social growth of this country. This is something which I shall ask of the Home Minister who is listening to me to consider. *(Interruptions)* This of course shows the attitude of the Government. This shows the attitude of the government towards the Opposition and the people of the country at large. Having got the power, they are not going to listen to anybody. They will tell the people to wait till the Commissions' Report comes out. *(Interruptions)*

SHRI P. C. SETHI : Even though my friend was sitting by my side, I was listening to the Hon. Member also.

SHRI AMAL DATTA : Sir, I have many other things to quote. But, I shall end with one thing. It is not only the Opposition Parties but even the States ruled by the non-Congress Governments want restructuring of the Constitution. Even in a memorandum submitted to the Sixth Finance Commission the Madhya Pradesh Government has said this. The State like Madhya Pradesh feels that it has been neg-

lected and frustrated and it has given the reasons. Perhaps the whole history of the last thirty years development planning could be written centering round on the Centre. Everything is lost in the distance. So, the development has been centered in and around Delhi. The States which are near Delhi have benefited while the States which are far away from the Centre of power have been neglected. That has frustrated and alienated them.

So, Sir, I beseech you to devise some way for re-constructing our Constitution in such a way that this alienation does not go any further. You have already seen the examples of that. I think you should take the warning and should do something quickly and not try to hoodwink the people about the Commission which is not going to come out with its recommendations. Even if it does, you are not going to implement them. You take things seriously now. Otherwise, it would be too late.

SHRI SATYASADHAN CHAKRABORTY : They won't be here.

MR. DEPUTY SPEAKER : Please sit down. There is no time.

Shri Satyendra Narayan Sinha. He is not here. He has already moved his amendment. I shall put it to the vote of the House

*Amendment was put and negatived.*

MR. DEPUTY SPEAKER : Mr. Amal Datta, are you withdrawing your Resolution ?

SHRI AMAL DATTA : Let it be put to the vote.

MR. DEPUTY SPEAKER : The question is :

“This House is of the opinion that the emerging patteredn of different linguistic and ethnic groups as dis-

tinctive political entities in the body politic of our country necessitates the restructuring of financial and other relations between the Centre and the States and, therefore, resolves that the relevant provisions of the Constitution be amended suitably."

*The Resolution was negatived.*

18.55 hrs.

### RESOLUTION RE : INDUSTRIAL SICKNESS

MR. DEPUTY SPEAKER : Now, the House will take up the next Resolution. Mr. E. Balanandan may move his Resolution.

SHRI E. BALANANDAN (Mukundapuram) : Sir, I beg to move :

"This House expresses its deep concern over the increasing incidence of industrial sickness and consequent developing crisis in industry which is resulting in lay-offs, lock-outs and closures affecting millions of workers and employees and resolves that the Government to take urgent and appropriate steps to remedy the situation."

Sir, this Resolution deals with an important subject and a very serious subject which needs very serious consideration. I hope while considering this Resolution we will not be divided on political lines. This Resolution deals with a subject which is haunting the nation with serious consequences for several lakhs of people. Therefore, I hope the ruling benches will support my Resolution.

Sir, while going into the details of the subject now pointed out in this Resolution year after year if we look into the statis-

tics one finds increasing incidents of industrial sickness. In 1976 the number of sick units in the large-scale sector was 241 with locked-up bank credit to the tune of Rs 608.76 crores. Its number rose to 378 crores in 1979 and by 1980 it became 409 and the locked up bank funds to the tune of Rs. 1324.7 crores'. The number of sick units in the medium and small scale units was also increasing continuously. In medium sector the number of sick units was reported to be 1758 and in small sector the number was 23,255 and the total bank credit locked up was reported to be Rs. 2067.62 crores for both the small and medium sector. This process went on and the Government of India appointed a committee and they have given some guidelines to check and arrest this process.

MR. DEPUTY SPEAKER : The Hon. Member may continue with his speech next time. Now, the House will take up legislative Business, namely, clause by clause consideration of the Dangerous Machines (Regulation) Bill.

18.51 hrs.

### DANGEROUS MACHINES (REGULATION) BILL—*Contd.*

MR. DEPUTY SPEAKER : There are no amendments to Clause 2. The question is :

"That Clause 2 stand part of the Bill."

*The motion was adopted.*

Clause 2 was added to the Bill."

19.00 hrs.

### Clause 3—Definitions

SHRI T.R. SHAMANNA (Bangalore South) : I beg to move—