

MR. SPEAKER : All right.

13. 01 hrs.

*The Lok Sabha adjourned for Lunch till
Fourteen of the Clock.*

*The Lok Sabha re-assembled after Lunch
at Fourteen of the Clock.*

[MR. SPEAKER in the Chair]

CONSTITUTION (TWENTY-FOURTH)
AMENDMENT BILL

MR. SPEAKER: Shrimati Indira Gandhi.

श्री अटल बिहारी वाजपेयी (बलरामपुर) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मेरा निवेदन है कि सदन इस विधेयक पर विचार नहीं कर सकता है। अभी मोजन के लिए उठने से पहले सदन के सदस्यों को राष्ट्रपति की सिफारिश बांटी गई है। यह काम पहले ही होना चाहिए था लेकिन मेरी अपेक्षा दूसरे मुद्दे पर है। इस सिफारिश को आप देखें। इसमें कहा गया है :

“recommends the moving of the said amendment in the Lok Sabha under clause (1) of article 117”

अब आप आर्टिकल 117 देखें। मैं उसको उद्धृत कर रहा हूँ :

“A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and the Bill making such provision shall not be introduced in the Council of States.”

अब सरकार के लिए रास्ता खुला था कि आर्टिकल 117(3) के अन्तर्गत राष्ट्रपति की सिफारिश लाती जिसमें कहा गया है कि इन्ट्रोडक्शन के लिए राष्ट्रपति की सिफारिश की

जरूरत नहीं होगी लेकिन कन्सिडरेशन के लिए होगी। लेकिन यह जो सिफारिश लाई गई है और जो सदन के सदस्यों में वितरित की गई है वह आर्टिकल 117(1) के अन्तर्गत है जिसके अनुसार जब बिल को इन्ट्रोड्यूस किया गया तब राष्ट्रपति की सिफारिश होनी जरूरी है लेकिन जब बिल सदन में इन्ट्रोड्यूस किया गया, जब सदन में पेश किया गया तो राष्ट्रपति की सिफारिश नहीं थी।

अध्यक्ष महोदय, मैं इस सम्बन्ध में कौल और शकधर की पुस्तक के एक अंश की ओर आपका ध्यान दिलाना चाहता हूँ। अगर बिल आर्टिकल 117 (1) के अन्तर्गत है तो वह फाइनेन्स बिल ए-कैटेगरी का है। अगर वह 117 (3) के अन्तर्गत होता तो वह कैटेगरी-बी का होता। जहाँ तक ए कैटेगरी का सवाल है, बहुत स्पष्ट कहा गया है, मैं उद्धृत करना चाहता हूँ :

“A Financial Bill falling under Category A can be introduced only in Lok Sabha and requires the recommendation of the President for its introduction. Such a Bill has to be withdrawn in case it is introduced without this recommendation.”

इस पुस्तक में एक उदाहरण भी दिया गया है :

“For instance, the Employees State Insurance Bill, 1951, had to be withdrawn on April 28, 1951.”

क्योंकि उसके साथ राष्ट्रपति की सिफारिश नहीं थी। जब वर्तमान विधेयक पेश किया गया तब इसके साथ राष्ट्रपति की सिफारिश नहीं थी। उसने बाद भी सरकार के सामने रास्ता खुला था, वह आर्टिकल 117 (3) के अन्तर्गत इस बिल को लाती क्योंकि उसके अन्तर्गत सिफारिश की आवश्यकता कन्सिडरेशन स्टेज पर है, इन्ट्रोडक्शन स्टेज पर नहीं। लेकिन जो सिफारिश बांटी गई है उसमें आर्टिकल 117 (1) का हवाला दिया गया है। इसका

[श्री अटल बिहारी वाजपेयी]

मतलब साफ है कि इंट्रोडक्शन स्टेज पर सिफारिश जरूरी थी लेकिन वह नहीं है। इसलिए मेरा निवेदन है कि आप प्रधान मंत्री से कहें कि वे इस विधेयक को वापिस लें। अगर वे चाहें तो फिर इसको पेश कर सकती हैं। लेकिन जब तक संविधान की आवश्यकता पूरी नहीं होती, इस विधेयक पर बहस नहीं हो सकती है।

एक दूसरी बात और भी है। अगर यह फाइनेंशियल बिल है। तो इसके फाइनेंशियल इम्प्लीकेशन्स क्या हैं। राष्ट्रपति की सिफारिश के साथ यह जो संशोधन सदस्यों में प्रसारित किया गया है उसमें कहा गया है कि 15 अक्टूबर को यह विधेयक अमल में आ जाये। सदन जानना चाहेगा कि 15 अक्टूबर को क्या स्थिति होगी। प्रीवी पर्स अगर समाप्त हो जाते हैं तो इस सम्बन्ध में सरकार कौन से कदम उठायेगी। क्या सरकार सदन को अंधेरे में छलांग लगाने के लिए कह रही है? क्या सरकार सदन के सामने पूरी तस्वीर रखने के लिए बंधी हुई नहीं है? अघूरी तस्वीर रखकर इस सदन को अंधेरे में रखकर इस विधेयक पर कैसे विचार कर सकता है? मैं चाहता हूँ कि आप इन दोनों मुद्दों पर अपना निर्णय दें।

SHRI M. R. MASANI (Rajkot): Mr. Speaker, Sir, on this point of order I would like to draw your attention to another aspect of this matter.

Amendments to the Constitution are to be carried out under article 368 and a special procedure is laid down by which each House of Parliament has to pass it by a special majority of a specified nature. If either House turns it down, the Bill drops.

For Money Bills a different procedure is provided, as you know, where the Lok Sabha alone has a say and the Rajya Sabha does not have a veto.

No amendment of the Constitution can be a Money Bill. I am worried about the implications of this attempt to get belatedly the President's approval because—I would like to be corrected; I hope, it is not so—if any attempt is made to commit us to the proposition that this is a Money Bill and, therefore, the Rajya Sabha cannot defeat it by the specified majority prescribed under article 368, it is a very mischievous move and we should watch and shun it like poison. I want your ruling on the proposition that an amendment of the Constitution of this nature cannot be a Money Bill.

Article 368 is very clear. It says:—

“An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of that House present and voting, it shall be presented to the President” etc.

In other words, if this Bill does not get that kind of a majority either here or in the Rajya Sabha, this Bill drops and is dead. The position with regard to a Money Bill is different. I would like to state at this moment that I hope no attempt is being made to convert this very important amendment of the Constitution, which can only be enacted under article 368, into a mere Money Bill whereby the Rajya Sabha is denied its equal and just rights in this matter.

SHRI KANWAR LAL GUPTA, (Delhi Sadar): Sir I, want to invite your kind attention to the amendment circulated here in which it is stated:—

“recommends the moving of the said amendment in the Lok Sabha under clause (1) of article 117 and clause (1) of article 274 of the Constitution.”

मैं आपकी आज्ञा से कांस्टीट्यूशन का आर्टिकल 117 (1) पढ़ रहा हूँ :

"A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President" (Interruption)

SHRI NAMBIAR (Tiruchirapalli): His party's leader said the same thing. Do we want repetition?

SHRI KANWAR LAL GUPTA : "and a Bill making such provision shall not be introduced in the Council of States:"

अध्यक्ष महोदय, अब आप आर्टिकल 110 देखियेगा :

"For the purpose of this Chapter, a Bill shall be deemed to be a Money Bill if it contains" etc.

इसका मतलब यह है कि जो अमेंडमेन्ट मूव करने की स्वीकृति राष्ट्रपति से ली गई है उससे साफ हो जाता है कि सरकार ने इस बिल को मनी बिल मान लिया है और अगर मनी बिल मान लिया है तो मेरी आपत्ति यह है, मैं आपका ध्यान रूल्स आफ प्रोसीजर के रूल 69 की तरफ दिलाना चाहता हूँ जिसमें यह कहा गया है :

"A Bill involving expenditure shall be accompanied by a financial memorandum which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law".

अध्यक्ष महोदय, जब इन्होंने अमेंडमेन्ट लाते समय राष्ट्रपति की स्वीकृति ली तो उसका मतलब है कि इन्होंने इसको मनी बिल मान लिया है। और अगर इसको मनी बिल मान लिया है तो रूल 69 के अन्तर्गत इन को फाइनेंशियल मेमोरेंडम देना चाहिए जा कि इन्होंने नहीं दिया है। इस वजह से यह बिल इस समय डिस्कस नहीं हो सकता है। तो मेरा कहना है कि वैसे भी यह इनकम्प्लीट बिल है

क्योंकि इन्होंने जो बिल में कहा है कि ये धारारें हटा दी जायें उसका मतलब है कि कम्पेन्सेशन देना पड़ेगा और कम्पेन्सेशन का क्लॉज ये साथ नहीं लाये। इसलिए जब तक कम्पेन्सेशन की क्लॉज ये साथ नहीं लायें तब तक यह बिल इनकम्प्लीट रहता है। साथ ही सरकार को यह भी बताना चाहिए कि इसमें फाइनेंशियल बडें कितना होगा, फाइनेंशियल इम्प्लीमेंट्स क्या होंगे? इसलिए मैं आपका ध्यान 69 की तरफ विशेष रूप से दिलाना चाहता हूँ और आपसे प्रार्थना करूंगा कि जब सरकार ने इस अमेंडमेन्ट के जरिए स्वतः मान लिया है कि यह मनी बिल है तो इसमें फाइनेंशियल मेमोरेंडम आना चाहिए।

SHRI NAMBIAR: Sir, I oppose the objection raised by my hon. friend Shri Vajpayee.....

MR. SPEAKER: I am not allowing a discussion.

SHRI NAMBIAR: I am making a submission. He says that because this amendment is moved under article 117 (1), this is to be treated as a money Bill and that because there is no proper recommendation of the President at the introduction stage, it goes by lapse and that the amendment or the original Bill should be rejected. There is no logic in this. It is a wrong analogy. This is quite in order.

श्री शिवचन्द्र झा (मधुवनी): अध्यक्ष महोदय, यहां पर यह बात उठाई गई है कि इस विधेयक को पेश करने के लिये राष्ट्रपति की रिक्मेन्डेशन की जरूरत है। लेकिन आप जानते हैं कि यह इंट्रोडक्शन की स्टेज नहीं है। वह स्टेज खत्म हो गई है। अगर आप सारी बातों पर गौर करेंगे तो देखेंगे कि इंट्रोडक्शन तो हो चुका है। अब तो दूसरी स्टेज यानी कंसिडरेशन की स्टेज है। इसलिये वह बात यहां पर लागू नहीं होती।

इसके बाद दूसरी स्टेज आती है। जहां तक राष्ट्रपति के रिक्मेन्डेशन की बात है, वह तो तब आयीगी जब सेक्रेटरी रीडिंग के

[श्री शिवचन्द्र झा]

वक्त हम क्लाज (1) को लेंगे। राष्ट्रपति की रि:मेन्डेशन क्लाज (1) के लिये हानी जरूरी है।

तीसरी बात यह कही गई है कि फाइनेन्शियल मेमोरेन्डम नहीं है। चूंकि इसमें कंसोलिडेटेड फंड से कोई खर्च होने की बात नहीं है, फाइनेन्शियल मेमोरेन्डम की जरूरत उस वक्त होती है जब कंसोलिडेटेड फंड से कुछ खर्च किया जाता है, इसमें तो खर्च को बन्द किया जा रहा है, इसलिये फाइनेन्शियल मेमोरेन्डम की जरूरत नहीं है।

चौथी बात यह है कि इस को मनी बिल बतलाया जा रहा है। जब आई सी एस वाला विधेयक यहां पर पेश किया गया था तब श्री मधु लिमये के बिल पर इस चीज को यहां पर श्री सान्वे ने उठाया था और आपने उस पर रूलिंग दी है कि इस पर खर्च नहीं होता है, खर्च को बन्द किया जाता है, इसलिये यह मनी बिल नहीं है। इस तरह से यह आपत्ति भी खत्म हो जाती है।

इन सब बातों को देखते हुए मैं कहना चाहता हूँ कि इस विधेयक पर कंसिडरेशन होना चाहिए और हम को सर्वसम्मति से इसको पास करना चाहिये।

श्री अटल बिहारी वाजपेयी : क्या आप इस पर चर्चा की इजाजत दे रहे हैं ? अगर आप चर्चा शुरू कर रहे हैं तो फिर मुझ को भी आप विस्तार से बोलने की इजाजत दीजिये।

SHRI SRINIBAS MISRA (Cuttack) : My objection is that the Government has unnecessarily troubled the House by having this amendment under articles 274 (1) and 117 (1). Article 274 (1) is not attracted. Article 274 (1) says:

"No Bill or amendment which imposes or varies any tax or duty in which

States are interested, or which varies the meaning of the expression "agricultural income" as defined for the purposes of the enactments relating to Indian income-tax, or which affects the principles on which under any of the foregoing provisions of this Chapter moneys are or may be distributable to States, or which imposes any such surcharge for the purposes of the Union as is mentioned in the foregoing provisions of this Chapter, shall be introduced or moved in either House of Parliament except on the recommendation of the President".

You will find that this Bill provides for none of these things. So, article 274 (1) is not attracted. Why is it that they have got the recommendation under article 274 (1)?

SHRI NAMBIAR: That is only by way of an abundant caution.

SHRI SRINIBAS MISRA: What does this Bill seek to do? This Bill seeks to remove a certain article of the Constitution. It does not impose any tax. It does not provide for any expenditure. It does not even vary a tax. Only one thing which can be said is: exemption, abolition, remission or alteration or regulation of any tax. What is there? Revision of any tax? Where is the question of tax here? Perhaps the hon. Members were opposing it because they are under the impression that this Bill contains—they are thinking of some other Bill. When that Bill comes, this argument will hold good. Not now. It is not necessary that there should be a recommendation under Art. 117 (1) or (3) or 274.

SHRI S. M. BANERJEE (Kanpur): I would invite your kind attention to Art. 269 which has been quoted by my friend, Mr. Kanwar Lal Gupta on the assumption that because the approval of the President has been obtained and has been circulated today, this is a Money Bill. It is never a Money Bill. This also pertains to clause (1). You will remember, Sir, that when this Bill was introduced in the House, some objections were raised at that time. Now we

are passing the Bill. We are omitting certain Articles of the Constitution relating to abolition of privy purses. At present there is no question of finances. We are not taking anything out of the Consolidated Fund of India just to pay anything. If they are talking of compensation, that is something different. At present the House is only concerned with the Bill and the Bill before the House is that there are certain Articles of the Constitution which are being omitted. No extra expenditure is involved. Not even the Parliament is sitting beyond the 3rd. Not even the Members will get anything. It is going to be passed tomorrow. Their objection can hold good if some money is asked. Merely omission of certain Articles does not involve any expenditure. Therefore, their assumption is wrong and they are trying to delay the passage of the Bill.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND IN THE DEPARTMENT OF SOCIAL WELFARE (SHRI JAGANATH RAO) : May I submit that the points of order raised have no substance. If we accept Mr. Misra's argument, certainly no recommendation of the President is necessary at all.

SHRI KANWAR LAL GUPTA : Why have you done it ?

SHRI JAGANATH RAO : I will explain it. The recommendation of the President we obtained under Art. 117 (1) because it was felt that under Art. 110 (d) there is some financial obligation undertaken or to be undertaken by the Government of India. This is a financial Bill and not a Money Bill. We thought the recommendation of the President would be necessary for introduction of the Bill under Art. 117 (1) but the amendments proposed to be introduced by the Prime Minister seek to bring this Act into force from the 15th October. The recommendation was also obtained. So it is not necessary.

SHRI KANWAR LAL GUPTA : Why have you done it ?

MR. SPEAKER : By way of abundant caution.

SHRI JAGANATH RAO : I anticipated your objection and I have brought it. (Interruptions). By doing a thing which is not required by law, I do not lose my right. Therefore, I know these objections will be raised. If I do not do it, they will say it is necessary. I, for one, fully know that it is not necessary. By way of abundant caution we got the recommendation. It does not invalidate the Bill. (Interruptions)

Regarding the other point about Art. 269 regarding financial memorandum, no expenditure is sought to be incurred out of the Consolidated Fund. Therefore, that objection does not stand. (Interruptions)

When this Bill was introduced, the recommendation of the President was obtained.

MR. SPEAKER : You call it just abundant precaution.

SHRI JAGANATH RAO : Yes, Sir, by way of abundant caution. For the amendment also it was obtained and this morning it was circulated.

श्री अटल बिहारी वाजपेयी : मेरा निवेदन है कि मंत्री महोदय ने जो उत्तर दिया है वह परस्पर विरोधी है। उन्होंने यह माना है कि यह फाइनेंशल बिल है। अगर यह फाइनेंशल बिल है तो आर्टिकल 117 या उसके भाग तीन के अन्तर्गत राष्ट्रपति की रिकोमेंडेशन जरूरी है। इसमें "एबडेंट काशन" का सवाल नहीं है। अगर यह फाइनेंशल बिल है तो राष्ट्रपति की रिकोमेंडेशन चाहिये और राष्ट्रपति की रिकोमेंडेशन नहीं ली गई है इंट्रोडक्शन की स्टेज पर।

प्रधान मंत्री, अणु-शक्ति, गृह कार्य मंत्री तथा योजना मंत्री (श्रीमती इन्दिरा गांधी) : ली गई है।

श्री अटल बिहारी वाजपेयी : कहां ली गई है ? अंबेदे में रखा जा रहा है। यह क्या हो रहा है। प्रधान मंत्री कह रही हैं कि

[श्री अटल बिहारी वाजपेयी]

राष्ट्रपति की रिपोर्टें भेजी गई हैं। कहाँ ली गई है ?

SHRI KANWAR LAL GUPTA : It has never been circulated to us.

MR. SPEAKER : Your objection is about the Bill. That is the first objection. The second objection is that the President's recommendation is circulated today. Your objection is, there was no recommendation earlier, and it is circulated only today. I have seen the Bulletin of Friday, the 15th May. There it says 'Constitution (Twenty-fourth) Amendment Bill.' Recommendation of the President has been obtained. That is recommendation for the introduction of the Bill. That is mentioned in the Bulletin and it was taken at the time of introduction. It is there. That is on the 15th of May. This second recommendation is for the introduction of the amendment, that is, today. There is no confusion about this.

SHRI KANWAR LAL GUPTA : What about financial memorandum ?

MR. SPEAKER : Even if we accept the view of what he said that this does not need any recommendation personally, I have this view myself, I accept the plea, that whatever is taken as recommendation is by way of abundant caution. Nothing else.

SHRI M.R. MASANI : I would like to invite your ruling on the suggestion made that this is a Money Bill under Article 110 of the Constitution. This is not a Money Bill.

MR. SPEAKER : This is not a Money Bill.

The Prime Minister.

श्री यशपाल सिंह (देहरादून) : क्या आप हमारी बात नहीं सुनेंगे ? क्या हमें इंसॉफ नहीं देंगे ? हम इंसॉफ मांगने के लिए किसके पास जाएँ ? दूसरे देश में जाएँ ? यह पार्लियामेंट है ।

अगर यहाँ न्याय नहीं मिलेगा तो कहाँ मिलेगा ? कौन हमें न्याय देगा ? इस बिल के पेश किये जाने पर मुझे आपत्ति है । मेरा प्वाइंट आफ ऑर्डर ग्राम सुनें और आप अपनी व्यवस्था दें । क्या इंसॉफ के लिए हम किसी ग्रौर के दरवाजे पर जाएँ । हम आप से ही इंसॉफ की आशा करते हैं । मैं आपकी व्यवस्था मांगता हूँ । मैं व्यवस्था का प्रश्न उठाना चाहता हूँ । जब तक आप अपनी व्यवस्था नहीं देते हैं किस तरह से यह बिल आगे चल सकता है । यह जो डिसकशन है यह अनकांस्टीट्यूशनल है । इसको फौरन रोक दिया जाए । अगर आप इंसॉफ नहीं देते हैं तो हमारे सामने दूसरा कौन सा रास्ता है ? हम कहाँ इंसॉफ मांगने के लिए जाएँ । चैंप्टर तीन, फंडेमेंटल राइट्स में लिखा हुआ है । आर्टिकल 15 (1) में यह साफ लिखा हुआ है :

The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

यह जो बिल लाया गया है यह सिर्फ राजपूत रेस के खिलाफ साजिश का नतीजा है । राजपूत रेस को कुचलने के लिए, उसको खत्म करने के लिए यह बिल लाया गया है । यह एक षडयन्त्र रचा गया है । राजाओं में दस परसेंट गैर राजपूत हैं । वे राजपूतों के वैलविशर हैं । राजपूतों के सरपरस्त हैं । सरकार राजपूतों की सपोर्ट पर यहाँ कायम है । इस बिल को इसलिए खत्म किया जाए कि यह राजपूत रेस के खिलाफ एक साजिश है और उस रेस को मिटाने के लिए एक षडयन्त्र है । अध्यक्ष महोदय, इस बिल के डिसकशन की आप इजाजत न दीजिए । यह बिल अनकांस्टीट्यूशनल है ।

THE PRIME MINISTER, MINISTER OF ATOMIC ENERGY, MINISTER OF HOME AFFAIRS AND MINISTER OF PLANNING (SHRIMATI INDIRA GANDHI) : Sir, I beg to move :

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

Sir, this is a historic Bill, for, it represents an important step in the further democratisation of our society.

Naturally, our minds go back to our freedom struggle. One objective of that struggle was to free ourselves from foreign domination. The other which was no less important was to bring about an egalitarian society in which social divisions and disparities would be abolished.

SHRI PILOO MODY (Godhra) : Failed on both counts.

SHRIMATI INDIRA GANDHI : A special characteristic of our freedom movement was that it recognised no class distinction and sought to protect no privileges. Some leaders of the movement were intellectual giants ; yet all worked together as political equals. We have not been able to establish a society of complete equality, but we can claim that we are still engaged in this mighty endeavour.

The Bill has to be viewed against this background. It represents the momentum of social change in our country. I should like to assure the princes that there is no animus in it against any individuals. The manner in which we propose to bring about this important change is in keeping with our democratic tradition of achieving far-reaching and even revolutionary changes peacefully, through consultation, through debate and through parliamentary approval.

The initiative for the integration of the country came from the people's leaders, leaders of our democratic movement and an important part of this was the heroic struggle of the States' people. This is not to say that we minimise the co-operation

given by the rulers and their constructive role in the unification of the country soon after the achievement of Independence. They have contributed to the political, social and cultural life of the community. Many former rulers are held in high esteem by the people of the areas over which they once ruled, and some have been elected to this House by them.

SHRI KANWAR LAL GUPTA : And some of them are also Ministers.

SHRIMATI INDIRA GANDHI : This public regard, I am confident, will not be diminished in any manner. Indeed, if I may say so, it will be considerably enhanced, if at this time, the rulers co-operate with the Government in doing away with certain institutions which are not in harmony with a society striving for equality and social justice.

The present bill seeks to omit articles 291, 362 and clause 22 of article 366. The intention of Government is to discontinue the privy purses, abolish or restrict the privileges and abolish the concept of rulership.

In a letter which I wrote to the rulers, I had categorically stated that the amending Bill had been introduced in Parliament and would come up for consideration and passage in the current session, and I had told them that there was no intention to cause hardship to them or to injure their self-respect and that the Government would make some transitional arrangements.

SHRI ATAL BIHARI VAJPAYEE : Here, the financial memorandum come in.

SHRIMATI INDIRA GANDHI : The transitional arrangements have not yet been worked out in detail. The Government's broad approach was indicated. I mentioned the suggestion that the actual payment of transitional allowances to be made to each ruler should be based on a multiple which would be higher for those with lower purses and lower for those with higher purses. The total payment would be such as would help the rulers to adjust to changed circumstances. I had also said

[Shrimati Indira Gandhi]

that the Government was ready to further discuss the details of the scheme with the rulers.

Some Members may question such consultations. Others may advocate that nothing should be given. But this is not our way. The President himself had mentioned the Government's intention to give transitional allowances. For these past six months, I had hoped that without prejudice to our stand to abolish privy purses and privileges, it would be possible to reach some agreements. It is a matter of regret that this attempt on our part appears to have been misinterpreted.

However even now I sincerely hope that wiser counsels will prevail.

Some princes and their friends have claimed that the will which I am placing before this House is repugnant to morality. I can only say that it would be unthinkable for me to come before this August House, which represents the constituted will of our people, to ask them to enact something which is not in conformity with the precepts of morality.

History is replete with instances of customs, practices and enactments which were regarded as sacrosancts in one age and inhuman in the next. All the great reformers of our country have fought against customs and practices which were unjust and which perpetuate inequality but which earlier had been regarded as justified. I am convinced that while there exists such poverty and inequality in our country, there can be no immorality involved in wanting and working to end them.

The continuance of hereditary titles, customary rights, special privileges and privy purses without any relatable functions and responsibilities is incompatible with our democratic Constitution, the spirit of the times and the demand of changed circumstances.

In the 20 years since the privy purse settlements were made, many things have changed. Many hereditary rights and unearned incomes have been restricted.

We have done away with a series of privileges and vested interests. In Parliament and in the State Assemblies, we have adopted laws to check the concentration of economic power, both rural and industrial. All this was done through open discussion and parliamentary debate. Changes do bring difficulty and necessitate adjustments, but they are inevitable. Historical forces are irreversible. The choice is clear. Either we bring about change peacefully and with consent or changes will come in a manner which, I am sure, this Parliament and this country would not like.

AN HON. MEMBER : Some of us like.

SHRIMATI INDIRA GANDHI : The legislative measure before the House is a Constitution Amendment Bill. It will have to be passed by the requisite majority. It will be for the House, irrespective of party affiliations, to show a sense of history and to consider whether a princely order with attendant rights and privileges should continue indefinitely in a society striving for equality and social justice.

Sir, I move.

MR. SPEAKER : Motion moved :

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

Shri Morarji Desai.

SHRI N. DANDEKER (Jamnagar) : Sir, on a point of order of very great importance. The Bill, as it stands according to the Minister of State of Law involves no financial implications. But it is perfectly plain....

MR. SPEAKER : I have already given my ruling.

SHRI N. DANDEKER : Not on this point.

In the Prime Minister's speech, she has clearly stated that there is going to be a

scheme, of compensation, that she hopes it will not be harsh to the rulers and that she was dissatisfied—she was rather disappointed—that the negotiations in this respect had not fruited.

The words used in rule 69 (I) : are “A Bill involving expenditure. . . .” It does not say : “A Bill that *incure* or requires the incurring of expenditure.” It is perfectly clear from the Prime Minister’s speech that as a direct consequence of this Bill, there will be involved a very considerable expenditure. Consequently, there is absolute necessity for a financial memorandum accompanying the Bill. In the absence of such a memorandum concerning compensation, the Bill, I submit, is incompetent and cannot be proceeded with.

MR. SPEAKER : I have given my ruling.

SHRI RANGA (Srikakulam) : Before you go to the amendments, you should be able to consider the point urged by Mr. Dandekar carefully and give your ruling. You cannot dispose of it in this manner.

MR. SPEAKER : I have already given my ruling.

SHRI RANGA : No, you have not. The point that he has raised has not been possibly appreciated by you. What he has stated is this. He says that some assurances were sought to be given by the Prime Minister and therefore she mentioned them in the course of her speech. Your ruling was prior to the delivery of her speech. In the light of what she has said, Mr. Dandekar would like you to give some consideration to that point. I feel you have not followed him. I would like him to repeat that point, so that you can appreciate it. You have not heard it, you have not given any proper consideration to it.

MR. SPEAKER : These points were raised. I have given my ruling.

SHRI RANGA : Your ruling was on something else.

SHRI J. MOHAMED IMAM (Chitradurga) : I beg to move :

“That the Bill be referred to the Supreme Court of India for its opinion regarding the competency of Parliament to terminate the agreement, covenant and the gurantee given by the former Government of Dominion of India and by the Constituent Assembly of India.” (4)

SHRI ABDUL GHANI DAR (Gurgoan) : I beg to move :

“That the Bill be referred to the Supreme Court of India under article 143 of the Constitution regarding the validity of Bill” (13)

SHRI P. K. DEO (Kalahandi) : I beg to move.

“That the Bill be referred to the Supreme Court of India for opinion under article 143(2) of the Constitution” (14)

SHRI SRIRAJ MEGHRAJJI DHRAN-GADHRA (Surendranagar) : I beg to move.

“That the Bill be referred to Supreme Court for opinion under article 143 of the Constitution.” (15)

SHRI B.P. MANDAL (Madhepura) : I beg to move :

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 16th December, 1970.” (1)

SHRI J. MOHAMED IMAM : I beg to move :

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 16th November, 1970.” (2)

SHRI ABDUL GHANI DAR : I beg to move .

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th January, 1971.” (5)

SHRI KANWAR LAL GUPTA (Delhi Sadar) : I beg to move :

“That the Bill further to amend the Constitution of India, be referred to a Select Committee consisting of 8 members, namely :—

Shri Onkar Lal Bohra,
Shri D.N. Deb,
Shrimati Indira Gandhi,,
Shri S. Kandappan,
Shri Bal Raj Madhok,
Shri Praksh Vir Shastri,
Shri Sheo Narain, and
Shri Kanwar Lal Gupta

with instructions to report by the 31st December, 1970.” (7)

SHRI BAL RAJ MADHOK (South Delhi) : I beg to move :

“That the Bill further to amend the Constitution of India, be referred to a Select Committee consisting of 10 members, namely :—

Shri R.K. Amin,
Shri Hardayal Devgun,
Shri Ram Khrishan Gupta,
Shri D.K. Kunte :
Shri Krishna Chandra Pant,
Shri D.N. Patodia,
Shri Beni Shanker Sharma,
Shri Prakash Vir Shastri,
Shri Shiv Kumar Shastri, and
Shri Bal Raj Madhok

With instructions to report by the first day of the next session.” (10)

SHRI ABDUL GHANI DAR : I beg to move :

“That the Bill further to amend the Constitution of India, be referred to a Select Committee consisting of 20 members, namely :—

Sardar Buta Singh,
Shri N.C. Chatterjee,
Shri P.K. Deo,

Shri Kanwar Lal Gupta,
Shri Hem Raj,
Dr. Karni Singh,
Shri D.K. Kunte,
Shri M.R. Masani,
Shri Pилоo Mody;
Shrimati Sharda Mukerjee;
Shri Krishna Chandra Pant,
Shri N.G. Ranga,
Shri Prakash Vir Shastri
Shri Sheo Narain.
Dr. Ram Subhag Singh,
Shrimati Tarkeshwari Sinha,
Shri Suraj Bhan,
Shri Atal Bihari Vajpayee,
Shri Yashpal Singh, and
Shri Abdul Ghani Dar

with instructions to report by the 30th January, 1971.” (12)

SHRI BENI SHANKER SHARMA (Banka) : I beg to move :

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st March, 1971.” (20)

SHRI YASH PAL SINGH (Dehra Dun) : I beg to move :

“That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st April, 1971.” (21)

SHRI RAGHUVIR SING SHASTRI (Baghat) : I beg to move :

“That the Bill further to amend the Constitution of India, be referred to a Select Committee consisting of 20 members, namely :

Shri R.K. Amin.
Shri Atamdas,
Shri C.K. Bhattacharya,
Shri N.C. Chatterjee,
Shri Valmiki Choudhary,
Shri Benoy Krishna Dachowdhury,
Shrimati Indira Gandhi,
Shri Samar Guha,
Dr. Karan Singh,

Dr. Karni Singh,
 Shri Bal Raj Madhok,
 Dr. G.S. Melkote :
 Shri P.K. Vasudevan Nair,
 Shri Nath Pai,
 Shri Krishna Chandra Pant,
 Shri Ram Awtar Sharma,
 Shri Prakash Vir Shastri,
 Shri Shiv Kumar Shastri
 Shri Awadesh Chadra Singh,
 Shri K.N. Tewari,

with instructions to report by the first day of the next Session." (22)

SHRI MORARJI DESAI (Surat): I have heard with attention what the Prime Minister has stated in moving for consideration of the Bill.

May I say at the outset that we, and those of us who belong to this Congress, are committed to the abolition of the privy purses, but not in the manner in which it is sought to be done ... (Interruption). Although my hon. friends may shout, they are not going to deflect me from what I am saying.

If this Bill really achieved the purpose in the manner in which it should be achieved, I should have supported it, but as it is most fraudulent and deceitful and is not consistent with the spirit of the Constitution and the undertaking which the Constitution has given, it becomes impossible for me to support this Bill. It is for that reason....

AN HON. MEMBER : Double game.

SHRI MORARJI DESAI : Double game known only to my hon. friends who are shouting. Therefore, they constantly remember the double game.

I think it would be better if just read out what Sardar Patel had said when these clauses were included in the Constitution. It is very relevant even today. "Among other things, he says :

"Human memory is proverbially short." That is proved today.—

"Meeting in October, 1949...."

—we can as well substitute the words here "meeting in September, 1970—

"....we are apt to forget the magnitude of the problem which confronted us in August, 1947,"

He goes on to say :

"As the Honourable Members are aware, the so-called lapse of paramountcy was a part of the plan announced on June 3rd, 1947, which was accepted by the Congress. We agreed to this arrangement in the same manner as we agreed to the partition of India. We accepted it, because we had no option to act otherwise. While there was recognition in the various announcements of the British Government of the fundamental fact that each State should link up its future with that Dominion with which it was geographically contiguous, the Indian Independence Act released the States from all their obligations to the British Crown. In their various authoritative pronouncements, the British spokesmen recognised that with the lapse of paramountcy, technically and legally the States would become independent. They even conceded that theoretically the States were free to link their future with whichever Dominion they liked, although, in saying so, they referred to certain geographical compulsions which could not be evaded. The situation was indeed fraught with immeasurable potentialities of disruption, for some of the Rulers did wish to exercise their technical right to declare independence and others the join the neighbouring Dominion. If the Rulers had exercised their right in such an unpatriotic manner, they would have found considerable support from influential elements hostile to the interests of this country.

It was against this unpropitious background that the Government of India invited the Rulers of the States to accede on three subjects of Defence, External Affairs and Communications. At the time the proposal was put forward to the Rulers, an assurance was given to them that they would retain the *status quo*

[Shri Morarji Desai]

except for accession on these subjects. It had been made clear to them that this accession did not imply any financial liability on the part of the States and that there was no intention either to encroach on the internal autonomy or the sovereignty of the States or to fetter their discretion in respect of their acceptance of the new Constitution of India. These commitments had to be borne in mind when the States Ministry approached the Rulers for the integration of their states. There was nothing to compel or induce the Rulers to merge the identity of their States. Any use of force would have not only been against our professed principles but would have also caused serious repercussions. If the Rulers had elected to stay out, they would have continued to draw the heavy Civil Lists which they were drawing before and in a large number of cases they could have continued to enjoy unrestricted use of the State revenues. The minimum which we could offer to them as *quid pro quo* for parting with their ruling powers was to guarantee to them privy purses and certain privileges on a reasonable and defined basis. The privy purse settlements are therefore in the nature of consideration for the surrender by the Rulers of all their ruling powers and also for the dissolution of the States as separate units.

We would do well to remember that the British Government spent enormous amounts in respect of the Mahratta settlements alone. We are ourselves honouring the commitments of the British Government in respect of the pensions of those Rulers who helped them to consolidate their Empire, need we cavil then at the small-I purposely use the word small-price we have paid for the bloodless revolution which has affected the destinies of millions of our people.

The capacity for mischief and trouble on the part of the Rulers if the settlement with them would not have been reached on a negotiated basis was far greater than could be imagined at this stage. Let us do justice to them; let us place ourselves in their position and then assess the value of their sacrifice. The Rulers have now

discharged their part of the obligations by transferring all ruling powers and by agreeing to the integration of their States. The main part of our obligation under these Agreements is to ensure that the guarantees given by us in respect of privy purpose are fully implemented. Our failure to do so would be a breach of faith and seriously prejudice the stabilisation of the new order."

SHRI NAMBIAR : If it is a long quotation, it can be circulated....

(Interruption)

SHRI MORARJI DESAI : That is now complete.

MR. SPEAKER : Order please.

SHRI MORARJI DESAI : As I said, it is a quotation. And if it is a quotation, the hon. Member need not have worried. Why I have quoted this is very obvious. (Interruptions.)

MR. SPEAKER : Order, order. The hon. Members should listen.

SHRI MORARJI DESAI : These conventions and agreements which they have arrived at, were arrived at by independent States with the Government of India, each one of them separately. They were agreements which had been deliberately entered into, and then, they have been incorporated in the Constitution, and therefore, they get a validity which is beyond any doubt. (Interruption)

Now, why was this done? It was done in perpetuity; it was done at that time. If it had not been done, I do not think that we would have an integrated India as we have to day. (Interruption) There is no use the hon. Members shouting like this. Those hon. Members who are shouting like this now were the very people who shouted against us when we were fighting for freedom. (Interruption) These are the people who are now shouting against something which the Constitution has made.

SHRI BHOGENDRA JHA (Jainagar) : He was a Deputy Collector under the British Government. (*Interruption*) यह डिप्टी कलेक्टर थे ।

SHRI MORARJI DESAI : I would request my hon. friends to listen.

(*Interruption*)

SHRI BALRAJ MADHOK : Sir, I rise on a point of order. Some Member has referred to the hon. Shri Morarji Desai as Deputy Collector. This is an insult to the House and he should withdraw it. He must be made to withdraw it first. (*Interruption*) The communists are Blitz agents.

SHRI S. K. TAPURIAH (Pati) : What about the letter that Shri Dange wrote to the Viceroy? (*Interruption*)

MR. SPEAKER : Order, order.

SHRI BHOGENDRA JHA : He was a Sub-Deputy Collector.

MR. SPEAKER : Order, order. Such remarks cannot go on record.

SHRI MORARJI DESAI : I do not know why they are disturbed while I quote something. Well, I was a Deputy Collector. But I had the courage to resign and get out and join the freedom struggle, and these Members who are saying this were the people who were coming in our way when we were fighting the British people. (*Interruption*) But I do not want to touch that point. (*Interruption*) These are the lies which are propounded by people like them. May I say that the records are there, in the Government, and you can see them.

AN HON. MEMBER : Don't talk to them. (*Interruption*)

SHRI MORARJI DESAI : May I say, Sir, that these are only taking more time, and therefore, I hope you, Sir, will prevent them from doing so. Otherwise, I will go on.

The question now is, can this remain in perpetuity? Certainly, those have been

made in perpetuity, and we had under taken to do so. I readily grant and I do believe that as men of the word there is nothing in perpetual existence till infinity, lasting for ever, or anything like that. Therefore, these things cannot last for ever. That also can be understood. But it has to be done in a manner, in accordance with what is just. (*Interruption*)

SEVERAL HON. MEMBERS *Rose*—

MR. SPEAKER : Will you please sit down or not?

SHRI MORARJI DESAI : It must be remembered that when these agreements were made, the princes or the rulers were free to enter into them or not to enter into them, and nobody could have forced them to do that.

Today what is the position? (*Interruptions*)

MR. SPEAKER : May I request the members sitting opposite not to interrupt like this? This is a debate. Your party members also have to speak. If you do like this, there will be no end to it. आप में इतना पेशंस नहीं है। यह पार्लियामेंट है, पेशंस से सुनना चाहिये, इतना इम्प्रेशंस नहीं दिखलाना चाहिये कि आप दूसरे की बात सुनने को तैयार न हों। मैं नहीं समझता कि ऐसा करने से आपकी कोई बहुत शोभा होगी।

SHRI MORARJI DESAI : It was in the White Paper itself, which was published by the Government of India presided over by the late Pandit Jawaharlal Nehru that a tribute was given to the princes and the rulers for doing what they have done and for recognising that if they had not done this, there would have been no integration of this country. When I say this, I say it from practical experience. We had more States in Gujarat perhaps than anywhere else. In one or two States there, the rulers, before this had happened, had given full autonomy to the people. Then they became Chief Ministers and Ministers, after six months, they said, "We have got now full autonomy. Our Supreme Court is here. Everything is here."

[Shri Morarji Desai]

We have not to go outside. Why should we merge?" This was the condition obtaining in the country at that time.

Under these conditions, if Sardar had not shown the imagination and the skill with which he acted and persuaded the rulers also to see their duty, if the rulers had not seen their duty as they did, there would have been no integration in this country. That must be remembered. My hon. friends who shout loud today are the persons who want to disrupt the country and not to integrate the country, they do not mind any of these things. But one must recognise the fact that even they would not have been able to function if this country had not been free and if it had not become a democratic country, they would have been nowhere. But it redounds to the credit of democracy that such forces are also allowed to function and shout in this Parliament. *(Interruptions)*.

SHRI VASUDEVAN NAIR (Peermade): It is not by your grace.

SHRI S. N. BANERJEE : Including the Syndicate.

SHRI MORARJI DESAI : I am only sorry that he bears the name of his illustrious forefather because he is proving untrue to everything that is precious in this country. I do not know what he means by that. He has got to realise what has happened and what I am meaning when I say that this is not being done in a proper manner. If, when there were no compulsions for the rulers to do so, they agreed to come to this agreement and give up their ruling powers and territories and be satisfied with privy purses and privileges which would not compare with what they used to enjoy before, can we not have now the sense or the capacity to see that an agreement is made again and to see that these are ended?

I am quite sure that these rulers have for greater patriotism than the people who are shouting against them. . . . *(Interruption)*. . . . If coercive action is not taken and if threats are not launched, I am quite sure

that they would come to a reasonable agreement which would not be a burden to this country and which would be an honour not only for them but for the country, for the nation and for the Constitution. This is the spirit of the agreement. That has been done before.

I was glad that the Prime Minister told her party executive—that is what was reported—that we must act in the spirit of the agreements. I was glad to learn that and I thought that would happen. I had hopes also because when I was in the Cabinet she had asked me to arrive at an agreement with them. It was done deliberately in the beginning of 1969 two years after the decision had been taken. I was quite confident that the agreement would have been arrived at. But I left the Cabinet after that and I could not, therefore, do anything in the matter.

SHRI V. KRISHNAMOORTHY (Cuddalore) : Because you were obstructing that.

SHRI MORARJI DESAI : There is no question of anybody obstructing that.

I am quite sure that the rulers would have agreed to give up their privy purses in the interest of their people and to use them for the people with certain arrangements. That would not have involved any great expenditure or would not have involved compromise of honour for anybody or breach of faith on the part of Government or the nation.

These are things which have to be borne in mind and it is, therefore, that I am saying that this Bill is brought in a manner which is deceptive. If I may use the least offensive word that I can use. It is deceptive in the sense that here it is only said that these three articles are removed and in the preamble or the statement of objects and reasons it is said :—

“The concept of rulership, with privy purses and special privileges unrelated to any current function and social purpose, is incompatible with an egalitarian social order. Government have therefore decided to terminate the

privity purses and privileges of the Rulers of former Indian States. Hence this Bill."

Was Pandit Jawaharlal Nehru not a democrat? Was he not a socialist? Is not the Constitution, when it was enacted, a socialist Constitution? What are the Directive Principles in it? With all these, these articles were incorporated in it.

They say, today things are different. Things are different as new generations come and as new ideas also come. As I said, these things cannot last permanently; therefore, they have got to be ended some time or the other. I had also told them and they were also ready to terminate them, but terminate them with honour and self-respect. If these rulers do not maintain their self respect in this manner and compromise in a wrong manner only for the sake of money, I will have no respect left for them. But they did not compromise in that sense. They only want that they should be treated with self-respect and, as those agreements were arrived at, new agreements can be arrived at whereby a satisfactory position can be arrived at. I am quite sure that that can be achieved.

But what is sought to be done today? In this Bill it is said that these will be ended. But the Bill merely says that article 291 will go, article 362 will go and clause (22) of article 366 will go. What about covenants and agreements? They do not go because these articles go. They are there. One side of the agreement is carried out and the other is not. Does this not mean that it will be unconstitutional and illegal?

Therefore, this has got to be considered from all points of view.

15 hrs.

I say, it is deceptive because nothing is mentioned about that here. The Prime Minister merely mentioned in her letter to the Princes that some transitional arrangement should be made. I do not see why they are shy of paying compensation. Is it because of the friends she has and with whom she maintains the Govern-

ment? If that is so, then it is not honourable because this is a right which they have got under the Constitution and under the covenants and agreements. Even if you take away the guarantee under the Constitution, the covenants and agreements do remain.

Why do I call it dishonourable? I call it dishonourable because, whereas you are going back on the word that you had given, the guarantee that you had given you are still keeping them with their mouths shut and with no remedy open by keeping article 363 as it is.

These articles were a package arrangement. They were all together. Article 363 is now being utilised to end the covenants and agreements arbitrarily in a manner in which the Government may want to do, which was not the purpose of article 363, as is obvious from the white paper that was issued by the Government of India. The Government of India have in that white paper which they had issued to the Indian States set out the object of article 363 in this paragraph. I am not quoting the whole paragraph. I am quoting this :

"Article 363 has, therefore, been embodied in the Constitution which excludes specifically the agreements of merger or covenants from the jurisdiction of courts except in cases that may be referred to the Supreme Court by the President. At the same time, the Government of India consider it necessary that constitutional recognition should be given to the guarantees and assurances which the Government have given in respect of the rights and privileges of rulers."

They have mentioned that article 363 has been introduced because there are many customs and rights and privileges which different States enjoy and they might bring in those things and there can be disputes and that those disputes should not go to the courts. Therefore, article 363 was incorporated. That is what the white paper says.

Now, in spite of that, this very article is sought to be utilised for shutting the mouths of the rulers and taking away all

[Shri Morarji Desai]

remedies from them for any arbitrary action that the Government may take. This Parliament is the custodian of the honour and the self-respect, not only self-respect but honour and justice, of every citizen. The honour and justice must be to all, not to one. Even if it is an injustice to one person, it is an injustice and, therefore, we have got to see whether this is done honourably or not. In my view, this is not done honourably. Therefore, I have to oppose this Bill. That is why I am saying this article 363 ought to be amended to see that if these covenants and agreements are ended, the princes must be free to go to the courts if they want to do so. Otherwise, it is denying them a democratic right. You turn them from rulers into ordinary citizens. I can have no quarrel with it. But if you do that, then let them remain with the ordinary rights, the fundamental rights, of every citizen. These are also fundamental rights. These rights have been given to them by negotiation, by agreement, for which they have performed their part. They have given more than what they have received. Is it realised that they surrendered 12000 miles of railways without taking a pie of compensation? They have given up Rs. 77 crores and more to the Government of India. It cannot be said that these are matters which are trifling or which are not proper. All this was done. What I am asking for is not that you give them this or that. I am only saying that we must arrive at an honourable agreement and I am quite sure that the rulers will play their part if that is done. And if that is done, then the honour of the nation and the justice of the nation also will be satisfied and the Constitution also will be satisfied. I do not hold that these things can remain perpetually or should remain perpetually. That is not the demand of the rulers either, as I see it from the letters and the correspondence exchanged between them and the Prime Minister and the Home Minister.

Therefore, this is a matter where we have got to ponder and see whether we are really custodians of the honour, law

and justice of this nation. We have also to see this that nothing is mentioned as to what is going to be done as a result of this Bill having been passed. It is said that this Bill will come into effect from 15th October 1970. What happens then? That does not mean that the privy purses are ended. That does not mean that the privileges are ended because they are under agreements and covenants. Nothing is said here.

Therefore, I am saying this is not fair to the House. This is deceiving the House and hoodwinking it because afterwards they can do what they like. It is not necessary to come to the House after that. Therefore, one can give many things. One may not give anything. One may give to some people. One may not give to some other people. What is the guarantee that this will not be done? And the record of this Government is of double standards and is such that one cannot be sure. Therefore, I would say, especially when I am seeing what is happening now, and I have got to say this thing with great pain. I would, therefore, say that unless these matters are satisfactorily cleared, it is not possible for me or for my friends to support the Bill. We have to oppose the Bill.

श्री अमृत नाहाटा (बाड़मेर) : अध्यक्ष महोदय, मैंने बड़े ध्यान से सम्माननीय मोरारजी देसाई का भाषण सुना। . . . (व्यवधान) . . .

15.09 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

उपाध्यक्ष महोदय, अभी-अभी सम्माननीय मोरारजी देसाई ने हमारे देश के भूतपूर्व नरेशों को देश भक्ति का प्रमाण-पत्र दिया। मैं आशा करता था श्री मोरारजी देसाई शायद स्वतन्त्रता संग्राम के उन दिनों को याद करेंगे, इस ऐतिहासिक अवसर पर इतिहास के कुछ पन्ने उलट कर हम नौजवानों को बताएंगे कि देश की आजादी के आन्दोलन में इन नरेशों ने क्या भूमिका अदा की थी।

अमी-अमी श्री मोरारजी देसाई ने पंडित जवाहरलाल नेहरू का नाम लिया। उन्होंने कहा कि पंडित जवाहरलाल नेहरू तो समाजवादी थे, पण्डित जवाहरलाल नेहरू तो प्रजातन्त्रवादी थे। मैं पण्डित जवाहरलाल नेहरू की आटो-वायोग्राफी से कुछ हिस्सा पढ़कर सुनाना चाहता हूँ। पण्डित जवाहरलाल नेहरू ने अपनी आटोबायोग्राफी में लिखा है—उन पण्डित जवाहरलाल नेहरू ने जिनको इन नरेशों ने अपनी रियासतों में कमी आने नहीं दिया, उन पण्डित जवाहरलाल नेहरू ने जिन पर प्रतिबन्ध था उन देशी रियासतों में जाने पर, आज नरेशों को देश भक्ति का प्रमाण पत्र दिया जा रहा है....

श्री अब्दुल गनी डार : डा० कर्णसिंह की बात कहिये।

[شری عبدالغنی ڈار - ڈاکٹر کرن سنگھ
کی بات کہئے -]

श्री अमृत नाहाटा : पण्डित जवाहरलाल नेहरू लिखते हैं :

“A sense of oppression comes; it is stifling and difficult to breathe, and below the still or slow-moving waters, there is stagnation and putrefaction. Once feels hedged in, circumscribed, bound down in mind and body. And one sees the utter backwardness and misery of the people, contrasting vividly with the glaring ostentation of the princes' palaces. How much of the wealth of the State flows into the palace for the personal needs and luxuries of the prince; how little of it goes back to the people in the form of any service? A veil of mystery surrounds these States. Newspapers are not encouraged there.. Outside newspapers are often barred. Literacy is very low, except in some of

the Southern States. The principal news that come from the States is of a viceregal visit with all its pomp...or of an extravagantly celebrated marriage or birthday of a Ruler.....Public meetings are almost unknown.”

इतना ही नहीं, हम अच्छी तरह से जानते हैं कि स्वतन्त्रता आन्दोलन के दिनों में इन नरेशों ने अंग्रेजी साम्राज्यवाद को इस देश में कायम रखने का काम किया, वह अंग्रेजी साम्राज्यवाद के खास पाये थे। उन को ब्रिटिश इम्पीरियलिज्म का वाच डाय कहा जाता रहा है, उन को ब्रिटिश इम्पीरियलिज्म की पुलिस कहा जाता रहा है। यह मैं नहीं कह रहा हूँ अंग्रेज बराबर कहते रहे हैं। मैनचेस्टर गार्जियन में जे०टी० ग्विन लिखते हैं :

“Hardly any of the States have the attributes required for making a modern nation State. The frontiers are artificial and do not correspond with differences in race or language or culture.... It would seem to follow that the ruler's hold upon the affections of his subjects is far weaker than is generally said to be the case.”

इतना ही नहीं जो अंग्रेजों के वकील थे रशदुक विलियम्स उन्होंने भी लिखा है :

“The rulers of the Native States are very loyal to their British connections. Many of them owe their very existence to British justice and arms. Many of them would not be in existence today had not British power supported them during the struggle of the later part of the eighteenth and the early part of the nineteenth century. Their affection and loyalty are important assets for Britain in the present troubles and in the re-adjustment which must come... The situation of the Feudatory States, checker-boarding all India as they do, are a great safeguard. It is likely establishing a vast network of friendly fortresses in debatable territory. It would be difficult for a general rebellion against the British to sweep India because of this network of powerful loyal Native States.”

[श्री अमृत नाहाटा]

आज इतिहास इस बात का साक्षी है कि अगर अंग्रेज साम्राज्यवाद इस देश में इतने दिनों तक टिका रहा तो इसका मुख्य कारण यह था कि इन नरेशों ने बड़ी स्वामिमक्ति से अपने आका अंग्रेजों की खिदमत की और जाता को कुचल कर रक्खा, उन को दबा कर रक्खा, उनके नागरिक अधिकारों को कुचल कर रक्खा। मैं राजस्थान से आता हूँ जो इन भूतपूर्व नरेशों के अत्याचारों को, उन के दमन का और उनके जुल्म का हमेशा शिकार रहा है।

अभी श्री मोरारजी देसाई ने कहा कि यदि इन नरेशों ने त्याग न किया होता, बलिदान न किया होता तो हमारे देश का एकीकरण न होता। इतनी जल्दी इतिहास को झुठला देना श्री मोरारजी देसाई का काम है। हम जानते हैं कि जब हिन्दुस्तान आजाद हुआ तब इन नरेशों से कह दिया गया कि तुम खुदमुस्तार हो, तुम सावरेन हो। मुझे याद है जोधपुर में सरदार पटेल तशरीफ लाये थे। उन्होंने एक सार्वजनिक सभा में भाषण दिया था। सरदार पटेल ने कहा—मुझे उन के शब्द अक्षरशः याद हैं—उन्होंने उस सभा में कहा कि यह राजा लोग कहते हैं कि हम खुदमुस्तार हो गये। मैं उनसे पूछता हूँ कि तुम कब खुदमुस्तार थे। पहले तुम मुगलों के जूते चाटते रहे, उसके बाद अंग्रेजों के जूते चाटते रहे। तुम कभी खुदमुस्तार नहीं थे। (व्यवधान) मैं जानता हूँ, हिन्दुस्तान की जनता जानती है, हिन्दुस्तान के आजाद होने के बाद ट्रावनकोर कांचीन ने कहा कि वह खुदमुस्तार रहेगा, निजाम हैदराबाद ने कहा कि वह स्वतंत्र रहेगा। जोधपुर ने कहा कि वह पाकिस्तान में शामिल होगा, भोपाल ने, जूनागढ़ ने, काश्मीर ने.....

श्री यशपाल सिंह : उपाध्यक्ष महोदय, यह लफ्ज निकाले जायें। यह रेशल हेट्रेड पैदा करते हैं। इन लोगों ने अंग्रेजी हुकूमत से लोहा लिया था। उन्हें इसलिये हटाया गया कि वह ब्रिटिश

इम्पीरियलिज्म के सबसे बड़े दुश्मन थे। यहां रेशल हेट्रेड फैलाई जा रही है, यहां जाति का अपमान किया जा रहा है। अगर इतिहास को देखा जाय तो उन्होंने डट कर लोहा लिया था। उन्होंने आठ सौ साल तक खून के दरिया बहाकर अपनी आजादी को कायम रक्खा है। यह झूठ बोल रहे हैं और इल्जाम लगा रहे हैं। इसको एकस्पन्ज किया जाये। यह रेशल हेट्रेड पैदा करना चाहते हैं। (व्यवधान)

श्री अमृत नाहाटा : इतिहास की जो बात है वह मैं आपको बतलाना चाहता हूँ। जोधपुर और बीकानेर तथा जयपुर के महाराज मुगलों के पांच हजारी और सात हजारी मनसबदार थे। यह इतिहास की बात करते हैं, आप पढ़िये “वीर विनोद”। “वीर विनोद” में लिखा हुआ है कि जिस उदयपुर ने कभी मुगलों के आंग सिर नहीं झुकाया, आखिर में उसके राणा राजसिंह के राजकुमार तीन दिन के लिये मुगलों की अदालत में गये। (व्यवधान) और उन्होंने मनसबदारी स्वीकार की। इसलिये इतिहास की बात आप मत कीजिये। जनता को आपकी सूचना है। आज सिर देने की बात कही जाती है। राजा लोग कहते हैं कि हमने सिर दिया। सिर नहीं दिया, उन्होंने अपनी बहन बेटियाँ दी हैं, उन्होंने जनता का सिर कुचला..... (व्यवधान)

श्री यशपाल सिंह : किसको अपनी बहन बेटियाँ दी? यह रेशल हेट्रेड फैलाई जा रही है। राजपूत जाति के खिलाफ प्रचार किया जा रहा है। यह अनपार्लियामेंट्री रिमार्क हैं, यह इतिहास के खिलाफ है। अगर राजपूत न होते तो इनका पता भी न लगता कि यह कहाँ थे। (व्यवधान)

श्री हुकूम चन्द कछवाय (उज्जैन) : मेरा व्यवस्था का सवाल है, आप सुनते क्यों नहीं हैं?

MR. DEPUTY-SPEAKER : Order, order. Let hon. Members resume their seats.

I am not able to follow what is going on. Order, Order. Let me first follow what is going on.

श्री ओंकार लाल बेरवा (कोटा) : यह शब्द निकाल दिये जायें।

उपाध्यक्ष महोदय : ऑर्डर, ऑर्डर।

DR. MAITREYEE BASU (Darjeeling) : On a point of order. Such speeches should not be permitted. I will vote for the ruling party, but not if such speeches are delivered.

श्री अमृत नाहाटा : मैं अपने शब्द वापस लेने के लिये तैयार हूँ।

श्री शिव नारायण (बस्ती) : यह अपमान हो रहा है हमारी मां बहनों का। यहां उनको गाली दी जा रही है। (व्यवधान)

MR. DEPUTY-SPEAKER : Order, order. I am not following anything.

श्री अमृत नाहाटा : मैं अपने शब्द वापस लेता हूँ।

MR. DEPUTY-SPEAKER : I would request members to take this discussion seriously and allow the Chair to understand what is going on. If any member has any grievance that something wrong has been said, at least let me be allowed to understand what it is that has been said. If 6 or 7 or 8 or 10 members get up and shout simultaneously at me, I am not able to follow what is wrong and what is right. Members will kindly co-operate. If Shri Nahata has used any language that is provocative...

SHRI ATAL BIHARI VAJPAYEE : He has withdrawn it.

MR. DEPUTY-SPEAKER : That should be enough. I could not follow that he had withdrawn it.

DR. KARNI SINGH (Bikaner) : On a point of order....

MR. DEPUTY-SPEAKER : I would like to make a general request. By all means let us put as much punch and vigour into arguments as possible, but let us avoid language that is provocative.

DR. KARNI SINGH : May I make a very humble request to the hon. House? This hon. member has been talking about marriages between two religions 500 years ago. We can also retort and say that Shri-mati Gandhi married a Parsi. But what has that got to do with this debate?

MR. DEPUTY-SPEAKER : When your turn comes, you can speak.

DR. KARNI SINGH : Let us keep everything in its proper perspective.

श्री अमृत नाहाटा : मुझे अफसोस के साथ कहना पड़ता है कि हमारे स्वतंत्रता संग्राम के सेनानियों को जेलों में ठूस ठूस कर जला दिया गया, जिन्दा जला दिया गया। हमारे यहाँ जैसलमेर के सागर मल्ल गोपा को इसलिए जेल में जिन्दा जला दिया गया कि उन्होंने जिम्मेवार हकूमत की मांग की थी। जोधपुर में मेरे साथी श्री बालमुकुन्द बिस्सा को जेल में जिन्दा इसलिए मार डाला गया कि उसका अपराध था कि वह जनता की हकूमत चाहता था। मुझे याद है मेरे एक साथी को पुलिस ने इतना पीटा कि वह मर गया। उसका अपराध केवल इतना था कि वहाँ के राजा का जब देहान्त हुआ गया था तो उसने अपना सिर मुंडवाने से इन्कार कर दिया था। उसको पुलिस ने इतना पीटा कि वह मर गया। ये जुल्म और अत्याचार नरेशों के राज्य में हुआ करते थे। आज उन्हीं नरेशों को देशभक्त होने का खिताब दिया जाए, यह मानने के लिए मैं तैयार नहीं हूँ।

आजादी के बाद जनता के आन्दोलनों ने और भी जोर पकड़ा। त्रावणकोर कोचीन, काश्मीर, राजस्थान, हैदराबाद, सभी जगह जनता ने आन्दोलन किए। उन आन्दोलनों की वजह से नरेशों को मजबूर हो कर भारत के साथ आना पड़ा। वे आना नहीं चाहते थे लेकिन

[श्री अमृत नाहाटा]

मजबूरी में आए। आप तो जानते ही हैं कि जोषपुर पाकिस्तान के साथ जाना चाहता था। निजाम स्वतंत्र रहना चाहते थे और वह यू.एन.ओ. में भी गए थे। त्रावणकोर कोचीन ने अपना अलग संविधान बनाने की घोषणा की थी। एक के बाद एक नरेश ने इस देश के खिलाफ विद्रोह किया और अलग अलग से एलान किए। लेकिन जनता के आन्दोलनों ने उनको मजबूर किया कि वे हिन्दुस्तान के साथ आए। उस वक्त निश्चय ही सरदार पटेल ने दूरदर्शिता से काम लिया। उन्होंने हमेशा विवड प्रो को शब्द का इस्तेमाल किया। वह महत्वपूर्ण है। सरदार पटेल इन नरेशों के इतिहास को जानते थे, इनकी मनोवृत्ति को जानते थे। उनको पता था कि जन आन्दोलन के दबाव में आ कर ये ऐसा कर रहे हैं। नरेश भी समझते थे कि यदि इस वक्त देश के साथ नहीं आए तो उनका अस्तित्व ही खतरे में पड़ जायेगा। अपने अस्तित्व को बचाने के लिए मजबूर होकर उन्होंने कान्वेन्टस पर हस्ताक्षर किए थे। सरदार पटेल ने नरेशों की ऐतिहासिक दुर्बलताओं का लाभ उठाया और उन रियासतों को भारत में विलीन किया। वे जानते थे कि इन्होंने शोषण किया है।

श्री मोरारजी भाई कहते हैं कि जो संविधान में लिखा गया है वह स्याई नहीं है, सनातन नहीं है लेकिन यह जो तरीका है यह ठीक नहीं है कि संविधान में जो हर नागरिक को अधिकार हैं कि वह सुप्रीम कोर्ट में जा सकता है, उस अधिकार से इनको वंचित क्यों किया जाए। इनको सुप्रीम कोर्ट में जाने का अधिकार क्यों नहीं दिया जाता है, यह उन्होंने पूछा है। 33 वर्ष से नरेशों को विशेषाधिकार प्राप्त रहे हैं, प्रिवीपर्स इनको मिलते रहे हैं। साथ ही संविधान में यह भी लिख दिया गया था कि ये कान्वेन्टस और ये जो इनके साथ इकरारनामे हुए हैं, इनको कोई चुनौती नहीं दे सकता है, इनके सम्बन्ध में कोई अगर विवाद हो तो उसको सर्वोच्च न्यायालय में नहीं ले जाया जा सकता

है। 33 वर्ष तक कोई भी आदमी सर्वोच्च न्यायालय में जा कर यह नहीं कह सकता था कि ये प्रिवीपर्स और ये विशेषाधिकार संविधान की आत्मा के विरुद्ध हैं, संविधान में हम एक रिपब्लिक हैं और रिपब्लिक में नरेश नहीं हो सकते हैं, रिपब्लिक में नरेशों को प्रिवीपर्स नहीं मिल सकते हैं और ऐसा जो हो रहा है यह हमारे संविधान की आत्मा के विरुद्ध है। हम ने इसको संविधान में इस वास्ते डाल दिया था ताकि कोई सर्वोच्च न्यायालय में जा कर इन नरेशों के प्रिवीपर्सों के बारे में और विशेषाधिकारों के बारे में चुनौती न दे सके। जब इस तरह की धारा 33 वर्ष तक संविधान में कायम रही और प्रिवीपर्स तथा विशेषाधिकार सुरक्षित रखे गए तब तो कभी किसी नरेश ने यह नहीं कहा कि हम को सुप्रीम कोर्ट में जाने का अधिकार होना चाहिये, तब तो किसी नरेश ने यह नहीं कहा कि जनता का कोई भी आदमी सुप्रीम कोर्ट में जा कर कह सकता है कि यह धारा निकाल दी जाए, प्रिवीपर्स जो दिये जाते हैं ये संविधान की आत्मा के खिलाफ जाते हैं और जब इस धारा का लाभ इन नरेशों ने आज तक उठाया है तो आज यहां भांग क्यों की जाती है कि इनको सुप्रीम कोर्ट में जाने का अधिकार दिया जाए? अगर इनको अधिकार होता और जिस दिन यह संविधान बना उस दिन से यह धारा अगर इस में न होती तो आज यह धारा नहीं डाली जाती, कतई नहीं डाली जाती। लेकिन 33 साल तक इस धारा का लाभ इन नरेशों ने उठाया है और इन्होंने संविधान की आत्मा के विरुद्ध भी विशेषाधिकार का उपयोग किया है। यह लाभ प्रजातंत्र में किसी नागरिक को नहीं मिल सकता है। मैं इस वास्ते चाहता हूँ कि अब भी यह धारा बनी रहनी चाहिये इसलिए नहीं कि हमारा विश्वास है कि जो हम कर रहे हैं यह कोई कानून के खिलाफ नहीं है, संविधान के खिलाफ नहीं है लेकिन केवल इसलिए कि एक अवैधानिक चीज विधान में 33 वर्ष तक रही है और अब उसको

विधान में से निकालने की बात क्यों पैदा हो। इस वास्ते जो धारा 363 है वह संविधान में बनी रहनी चाहिये।

आत्मसम्मान की बात श्री मोरारजी देसाई ने कही है। उन्होंने यह भी कहा है कि यदि दो व्यक्तियों के आत्मसम्मान को ठेस लगती है यदि दो व्यक्तियों के साथ भी अन्याय होता है तो वह अन्याय है। यदि श्री मोरारजी देसाई यह कहते कि सिर्फ दो आदमियों के प्रति अन्याय होता है तभी अन्याय है तो यह बात मेरी समझ में आ सकती थी। आप देखें कि जैसलमेर के नरेश को 1 लाख 80 हजार रुपये प्रतिवर्ष दिया जाता रहा है। अब भी अगर उनको यह न दिया जाए तो क्या उनके प्रति अन्याय होगा? जैसलमेर की जनता पिछले 30 साल से पीने के पानी की एक एक बूंद के लिए तरसती रही है। क्या यह उनके प्रति अन्याय नहीं हो रहा था? तब क्या उस अन्याय के खिलाफ कोई आवाज उठाई गई थी? 1 लाख 80 हजार रुपये से आज तक जितना रुपया जैसलमेर के नरेश को दिया गया है, उस रुपये में जैसलमेर की जनता को पीने का पानी पिलाया जा सकता था।

यह जो कहा जाता है कि सरकार ने राजाओं के साथ जो वादे किये हैं और प्रामिजिज् किए उनको तोड़ना जाए तो मैं पूछना चाहता हूँ कि जनता के साथ जो वादे किए गए थे, उसके साथ जो प्रामिजिज् किए गए थे वे ज्यादा महत्वपूर्ण हैं या मुट्ठी भर जनता के शोषकों और साम्राज्यवाद के पहुँचेदारों के साथ किए गए वादे ज्यादा महत्वपूर्ण हैं। मैं समझता हूँ कि जनता के साथ किए गए वादे ज्यादा पवित्र और महत्वपूर्ण हैं।

यह भी कहा जाता है कि विदेशों में हमारी साख घट जाएगी, सरकार नरेशों के साथ किए गए वचनों का इस प्रकार तोड़ेगी ता भारत-वर्ष की साख मिट जाएगी। इस सम्बन्ध में

मेरा निवेदन है कि आज तक विदेशों में हमारे देश का मजक उड़ाया जाता था और कहा जाता था कि तुम्हारी कैसी रिपब्लिक है जहाँ राजे महाराजे भी हैं, यह तुम्हारी कैसी डेमोक्रेसी है, कैसा जनतंत्र है कि प्रिवीयस भी उनको मिलते हैं। तुम्हारे राजाओं का विशेषाधिकार प्राप्त है; तुम उनके खिलाफ मुकदमा नहीं चला सकते; वे लाख जुल्म करें, तुम उनके खिलाफ आवाज नहीं उठा सकते।

मैं दावे के साथ कह सकता हूँ कि जो प्रजातांत्रिक सुधार आज किया जा रहा है, नरेशों के प्रिवी पर्सिज् और विशेषाधिकारों को समाप्त करने का जो ऐतिहासिक कदम आज उठाया जा रहा है, उससे सारे विश्व में इस भारतीय गणतंत्र की, भारत सरकार की और भारत के प्रधान मंत्री की प्रतिष्ठा बहुत अधिक बढ़ी है और बहुत अधिक बढ़ेगी—दुनिया की जनता इस देश को, और हमारे प्रजातंत्र को अधिक आदर के साथ देखेगी।

SHRI SRIRAJ MEGHRAJI DHRAN-GADHRA (Surendranagar): Mr. Deputy-Speaker, The hon. Member before me referred to certain individual princes which made me think that this was to be some kind of public trial of princes. I am quite sure that the House will agree with me that we are not sitting here as a public court for trying princes or for considering their merits or demerits. If there had to be a court for such trial, that court very properly might have been the Constituent Assembly of India. But you all know what the Constituent Assembly of India had to say about the Princes, about their record of service, and about their contribution to the country and their self-abnegation in consolidating the Union of India.

The hon. Mover of this motion, the Prime Minister, has referred to her communications and quoted from her letters to the Princes. But she has not quoted from the replies sent to her. I take the liberty of making up that lacuna. In our letter, dated 15th August, referring to her letter, we said:

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"You have been pleased to say that there is no intention to cause hardship to the Rulers or injure their self-respect. I know you will agree that there can be no greater hardship than dishonour. What everyone values and cherishes the most is his self-respect or *izzat*. Therefore any solution to be found has to be consistent with this and based on mutual understanding. Our previous talks with the Government were clouded by Government's emphasis on privy purse compensation and such things; and references to impending constitutional changes."

In our second letter we had expressed our surprise at the abrupt decision taken to introduce a Bill while talks were going on. The Prime Minister refers to that in her letter and speaks of her being surprised at our being surprised. This is a part of our letter:

"Our surprise therefore at your sudden decision was not unnatural. It was occasioned by the fact that your Cabinet took the decision just at a time when, your having initiated a fresh and welcome approach and our having responded to it in full measure and good faith—, our talks were actually progressing and while we were still awaiting a call for our first meeting with you as Prime Minister and Home Minister. Your letter, suggesting a clarificatory meeting, came after your Cabinet had decided to go forward with the Bill. Had you taken the decision after your conference with us, had you found that there was no meeting ground, but an impasse, your decision would have been less surprising."

Then again:

"You have said that in the six months between the Presidential Address and your letter of 31 July 'no concrete or serious proposals have been placed before Government by the Princes.' You are saying so is surely something to be marvelled at. If any concrete or serious proposals were to be put forward, by one party to another, they must surely come from the party

which is proposing to resile from its agreements."

"I must however protect against your saying that no proposals have been made by the princes. Twelve days after the President's Address, a most responsible letter of memorial, dated 3 March, was presented on our collective behalf to the President, moving him to refer the question to the Supreme Court for its advisory opinion under article 143. You cannot seriously mean that this was not a "serious" or concrete proposal.... When you say, 'It seems to me that our genuine interest in purposeful negotiations has been misunderstood,' I think, Madam, we are perhaps more justified in saying this to you than you to us."

Mr. Deputy-Speaker, as many of you know, I stand before you in more than one capacity. My prime capacity, indeed my warrant to speak to you at all, is that I am one of you, a Member of this hon. House.

SHRI AMRIT NAHATA : Sir, I rise to a point of order. It is a very important point. If you go through May's Parliamentary Practice, and other great books on the subject, you will find that it has been held as a convention, and a sacred convention in all Parliaments of the world, that if a Member of Parliament has any direct, personal or pecuniary interest in a particular matter, he must state it before he speaks. That is the convention: so he must state it before he speaks on the subject which is vital or of any pecuniary interest to him. (*Interruptions*)

MR DEPUTY-SPEAKER : It is a very simple point. This is not a question where a Member has any direct or pecuniary interest. It not only involves him but many others also; it involves a question of State policy. Therefore, it is not a point of order. You may continue your speech.

SHRI SRIRAJ MEGHRAJJI DHRANGADHRA : Sir, it happens that I am also one who signed the Instrument of Accession by which my State and my people became a part of the Union of India.

(*Interruption*) Yes; indeed my people. Subsequently, I entered into a covenant under which I resigned the powers of Government to help integrate and consolidate the new-found Union, as did the other Princes. It also happens, as some of you know, that for the time being I have a certain representative position, in behalf of the princes, to discuss some of the matters which are before you, with the Government of India. I am grateful to the Swatantra party for allowing me the party time to speak in one or other of the capacities while representing the party's views about reference to the Supreme Court. I am no less grateful to the house itself in affording me a hearing before this High Court of Parliament. I have yet one more capacity—the capacity that you and I all share, and cherish the most—that of being an Indian and a citizen of this Republic.

Sir, I will first take up the question of the Princes before I pass on to the far more critical and crucial issues before us,—issues which affect the health and well-being of our national State and society, which has a respected place in the comity of nations, a place we have secured by our having followed the guiding light of the Father of our Nation, Mahatma Gandhi, and as we still regard his principles as precepts to be followed in our national life.

I do not consider the princes, or their record, or their viewpoint, as being material to the essential issues before this House. I do not propose to be their champion or advocate. They have stated their viewpoint in clear and unambiguous terms. If I dilate upon them, it will be to present and appraise the facts, as evidence, and I hope I will do so impartially and without prejudice. A good deal has already been said on the subject, and I will try to be as brief as possible.

In the 20 years between 1947 and 1967, between the time when the Rulers and the Government of India entered into certain mutual compacts and right up to the time of the passing of a resolution by one party against the other, the relations between the Government of India and the Rulers were harmonious and cordial. The only material change in this period so far as their compactual relations are concerned

was that the privy purses had dropped to about a third or fourth of their original value and a good many of the so-called privileges were no longer being availed of or were no longer available. All this steady diminution had been quietly acquiesced in.

The ruling party then suddenly decided that even what remained should be curtailed or done away with. The Rulers felt, as indeed would any party to an agreement, that the other party, namely, the Government, should at least have taken them into confidence and consulted with them, before taking an arbitrary, unilateral decision.

I do not wish to put too much blame on the ruling party, in which expression I include members now sitting on both sides of the House—because it seems there were hardly 20 or so members present and voting when the AICC resolution was passed.

Some four months after this, and after many avoidable things had been said by Government spokesmen on the subject, the Government invited the Rulers' representatives for a preliminary talk and asked their cooperation.

One thing is clear about the discussion between the Government and the Rulers from the beginning up to now. And, it is a paradox. The Government, on its part, has invited the Princes to cooperate and the Princes on their part have offers their cooperation to Government; and yet they have not been able to find a meeting ground between them. The Princes have taken one uniform consistent stand from the beginning, right up to now. Briefly, and to quote from their latest letter to the Prime Minister, dated yesterday:

“Our basic objection has been and is to any unilateral proceeding or coercive process.”

In previous communications, they have said that if the kind of cooperation sought by Government means nothing but an object submission to the might of Government, they could not bring themselves to accede to it. It cannot be expected by any Government from any citizen, however

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weak and vulnerable he may be, that he must bow and prostrate himself before the oppressive exercise of overbearing power or arrogant authority.

If nothing else, this stand at least must excite the sympathy of every Member and be vindicated by the vote of this House : that while the Government of the day has every right to exhort cooperation, and even to demand it, it cannot take away a citizen's self respect. This is one basic issue on which you will be voting.

If, in spite of the unbending attitude maintained by Government, the Princes have offered their cooperation, what does it mean? It is merely a pretence or a façade? Or, is it something meaningful and constructive? This the Members must judge for themselves from what the Princes have formally and officially said.

Sir, I quote from the first Note passed by the Rulers to Government at their first formal meeting in May 1968:

"It should be stressed that Rulers have always been and will always be found to be reasonable. It is to be observed that the national settlements were achieved through mutual understanding and on the basis of free and willing consent.

The Rulers have declared before and do categorically declare again that they shall never be found wanting or backward in rendering whatever service they can to the State and people of India. Any appeal made to them in the name and interests of the country will never fail to evoke an immediate and patriotic response. The Rulers should like to assure the Government of their whole-hearted willingness to cooperate with the public authorities in all matters of common weal."

To this Note, passed to Government two years ago, there has been no reply.

A year later, by July 1969, there was some confusion about the matter in ques-

tion and I myself issued a note of clarification. I quote from it:

"Whatever may be the motivation behind the move to repudiate the treaties and compactual engagements with the Rulers, it certainly cannot be justified on the grounds of socialism or democracy. Socialism will not be advanced by expropriating, say, the privy purse of the Ruler of Katodia, which is Rs. 192 a year. If the settlements which introduced and established democracy in India are themselves 'undemocratic', then clearly the founding fathers "did not know what they were doing"—to quote the words used in the letter of objection written by some 40 Congress members to the Prime Minister in the last session.

It cannot be undemocratic if a person who is lawfully entitled to a certain fixed income, voluntarily and in good faith, 'nationalises' it by entrusting its payment to the public authority of the State. There cannot surely be a better, more fitting or faithful, trustee in any organised society than the State itself.

It is understandable that there may be some who want the Government to repudiate its, or rather the Union's, small obligations. But to propel the Government into a course of wrong doing is not a good thing. If it succeeds and sets the fashion, it must initiate repercussions, serious and unending, in our national society and indeed in our national character."

I now jump to the present year. The Rulers, after their full Convention in Bombay in February, 1970, issued a public statement from which I quote :—

"The Convention considered that the primary need was for a stable, progressive, and modern government... If, in the national counsels and wisdom, some form of democratic socialism is accepted to be the best means of securing the national well-being the Rulers are prepared to play their part in it...."

“The interests of social well-being and progress demand that all citizens must co-operate and contribute..... In the present context they see no great difficulty in the gradual utilization of private wealth and income for public benefit and for the ultimate realisation of the ideal of trusteeship, which is one of the three declared aims of the Concord.....”

“The Convention unanimously favoured the idea of setting up funds or trusts for social service and public benefit..... It was considered the most appropriate means for the steady achievement of the general aim in view.”

I now come to the letter we wrote to the Prime Minister just a week ago on the collective behalf of the Rulers. I quote from it:—

“Your earlier letter had led us to believe that our consultations with you would precede any legislation on the subject. It was on this presumption, and in the light of your statement to the Executive of your Parliamentary Party, that it was your desire to respect the spirit of the original agreements, that we had whole-heartedly responded to your invitation, so as to resolve this matter in a manner befitting and in keeping with the spirit of co-operation which had inspired the Rulers to join the Indian union and abnegate themselves in the high interests of national unity and national advancement.

Now that you have taken the decision we have no alternative but to face the situation as best as we can. We regret that this should have been the outcome of the sincere offer of co-operation that we had made in our earlier letter and the confidence we had placed in the sincerity and goodwill of Government as evidenced by the new approach we thought you were making.....

“The relations between the Union Government and the Rulers,—during the twenty years since their co-partnership in the national resurgence,—have been marked with mutual courtesy, respect, and understanding. They stand as a

tribute to our respective predecessors, which we on our part here acknowledge.”

“A glorious chapter had been written in the annals of India, by the founding fathers, the great leaders and the Rulers of the time, acting in concord for their mother country, which wrought a tremendous change, a peaceful transformation, in the land. This, it seems, is now to be brought to an inglorious end. The present is an unhappy sequel, an unstatesmanlike outcome, which will leave an impress on India's history and tradition. It is a matter of sadness and regret for all alike.”

Now it is for the House to consider whether these several utterances and declarations by the Rulers breathe a spirit of ‘intransigence’ or of co-operation, and even of further self-sacrifice, whether they are obstructive or constructive, whether they are backward-looking or forward-looking.

This, more or less, concludes the Princes side of things and their attitude. But I submit again that the Princes, their merits or demerits; their willingness or unwillingness, to fall in line with Government, are things totally irrelevant to the basic issues before this House.

Before going to these basic issues, I would briefly turn to the Government's attitude, which can only be described as strange and inscrutable, and beyond ordinary understanding. I will also take up my own motion before the House.

When it was found that to every move and gesture of cooperation made by the Princes, the Government had a closed mind and presented a blank wall, the princes appealed to the President under the Constitution. Letters of Memorial were presented to the President in February and March this year, moving him to refer the question to the Supreme Court for its advisory opinion under article 143. This is also my present submission and motion before the House.

I quote from the Letter of Memorial, dated 3rd March, 1970 which deals with article 143. It says:

[Shri Sriraj Meghrajji Dhrangadhra]

“Mr. President, there is no citizen or national in any free country in the world who is barred from the redress of courts or access to justice.

The right to justice is the basis of all civic assurances, the foremost of all social expectations, the one essential in the life of a State. It is the most basic of fundamental rights, the most universal of civilised rights, the most prized of human rights. The denial of such a right to any individual would be an abomination, as repugnant to law as to conscience.

Is it conceivable that the Constituent Assembly would have countenanced or connived at such a denial, a discrimination of the most exceptionable and abhorrent kind?

It is patent that, in so far as the personal rights and interests of the Rulers were concerned,—as against any public or State issue that might be raised,—this was not the intention of the Constitution makers. They, therefore, inserted a specific corrective in Article 363, to set aside the routine bar. So, the Article reads as follows:

“Notwithstanding anything in this Constitution, but subject to the provisions of Article 143,” By providing this door, the Constitution-makers laid open the avenue to justice in all such cases. The exclusion of the ordinary jurisdiction of courts was made expressly subject to the advisory opinion of the Supreme Court.

“The Constitution-makers anticipated the contingency; they visualised the proper and lawful resolution of any such case or dispute; and, in their anxiety, they provided the necessary means whereby any honest difference between the parties would be settled in accordance with law and, therefore, with the opinion of the Supreme Court. And in so doing, they vested a special function in the President.”

Sir, to these Letters of Memorial, respectfully submitted to the Head of the State six months ago, the Government has not seen it fit to return a reply.

As you all know, and it is now a part of history, that some 70 hon. Members of the Congress Ruling Party wrote to their leader to accede to the request for reference to the Supreme Court so that the world may not suppose that the party and its Government would flout justice. Sir, I remember those Members today and honour them. The Government has preferred to flout them, their well-meant advice, and also justice.

Let the House now judge for itself whether the Government has been reasonable and just, or whether it has been intractable and intransigent.

Sir, the grounds for my present motion before the House under article 143 are the same as those adduced in the Memorial of 3rd March, 1970. I shall read it briefly:

“The rationale of Article 143, especially read with Articles 131 and 363, is to procure advance juridical guidance and light on important questions of a complex kind and particularly on those likely to prove controversial.

This is to save and safeguard the Executive and the Legislature, and ultimately the Supreme Court, from getting embroiled in matters of doubtful validity matters which call for scrutiny and examination before being proceeded with. It is to save time and energy from being needlessly consumed in such involvement. Apart from other considerations, there have already been ‘confrontations’ between the Executive and the Legislature on the one side and the Judiciary on the other side, which are best avoided.

According to the opinions of Shri M. C. Setalvad and Shri N. A. Palkhivala, any legislation by Parliament, under Art. 368, purporting to amend or omit the relevant Articles and take away the rights in question, would be invalid.

If Parliament enacts the purported enactment, India will lose her fair name and credit; if the amendment is struck down by the Supreme Court, which seems probable if not certain, the loss of name and credit will have achieved nothing."

I now pass on to things which are absolutely basic and fundamental to society, things of essence, of which the national legislature is the guardian. Sir, I have dealt with these points in a letter to my colleagues. I beg to draw from that source.

Firstly, Trust. A man's trust in another's word, and his faithful adherence to his own, has been an ingredient of our Indian culture and character, upto now. In this case it is not a man's but a nation's word, the written pledges given by the Union itself. When the State itself commits a breach of faith so open, the tradition must come to a stop and start in reverse. Who shall then trust whom? Who shall have confidence in the integrity of the public authority in India? Who shall trust us and our well-meant, sincere promises?

Secondly, Honour. It is not the handful of Princes—now bereft of power—who will be dishonoured. They may be humiliated, yes. But if you will ponder over it, it is the honour of the Government of the country, of Parliament and of the Indian people themselves, which is in balance.

Thirdly, Justice. If the Constitution has put the Rulers in a special category, because their rights derive from the instruments which have constituted the Union, it has also barred them from access to courts. If Parliament now removes the provisions about these rights, without removing the bar,—if a few individuals are deliberately denied justice,—where shall justice be found? If the State itself derogates law and the rule of law, how shall it enforce it?

Parliament will now be sitting in judgment,—less as a legislature made up of Parties and Groups, than as a Constituent Assembly, made up of the nation's representatives. It has, therefore, to take, not

a partisan view, but a national view. Parliament in such an exercise is the supreme custodian, the ultimate arbiter, of the nation's honour, law and justice, as the hon. Shri Morarjibhai said before me.

I submit, Sir, that each hon. Member is individually and personally the guardian of the Constitution and of what is written therein by the Founding Fathers.

When the Constituent Assembly was concluding its labours, one eminent Member spoke these words on 17th October, 1949 :

"I want this House to remember that what we have enunciated are not merely legal, constitutional and formal principles, but moral principles; and moral principles have got to be lived in life. They have to be lived whether it is commercial life, political life, or the life of an administrator. They have to be lived throughout. These things we have to remember if our Constitution is to succeed."

The eminent Member I refer to Sir is present in the House today Acharya Kriplani. I make my obeisance to him.

I am grateful to you and this House for the patience and kindness with which you have heard me. I conclude with the words which conclude my Letter of memorial, as a Ruler, to the President:

"It is for you, Sir, your Government and for the people, to consider what you will do with the trust and faith we have put in you."

16 hrs.

SHRI R. D. BHANDAKE (Bombay Central) : Mr. Deputy Speaker, Sir, I heard the speech of the last speaker very carefully and attentively. He referred to the moral principles and the word of honour. He said about breach of faith. All I can say is this. Let me explain this point. Mr. Deputy-Speaker, Sir, unless we amend the Constitution and delete the Article dealing with Privy Purses and pri-

[Shri R. D. Bhandare]

vileges, we cannot have a legislation dealing with compensation. So long as that Article is there I doubt very much whether it will be possible for us under Art. 362 to pass any legislation which can deal with compensation or to remove the hardships the princes may experience. Such legislation shall have to be preceded by discussion. I hope and trust that the princes will not close their doors to the negotiations after the passing of the Constitution Amendment Bill and deletion of Articles 291 and 362.

Coming to Shri Morarji Bhai, I would like to say this. He was a Member of the Working Committee and of the AICC. In 1967 when the 10-point programme was accepted, he had not raised his voice, as also in the subsequent meetings of the AICC—if I remember right, there were two AICC meetings thereafter—he never raised any objection to the 10-point programme and abolition of the privy purses and privileges.

I am aware of the fact that at the time of the framing of the Constitution a number of princes came forward to take part in the Constituent Assembly. I do not want to deride the efforts which they made. I simply wish to quote the words of Dr. Rajendra Prasad. He said :

“The great move for the unification of India could materialise primarily because of the goodwill and ready willingness of Princes like Maharaja Sadul Singhji to participate in Constitution-making and to send their representatives to the Constituent Assembly of India.”

This fact is not forgotten by the party in power or, speaking for myself, I have not forgotten that aspect at all. But Mr. Morarji Desai laid down an absolute proposition. He said there would never have been an integration had the princes not volunteered themselves to join the Constituent Assembly. Barring some few and far between examples, let me tell the House, it was political compulsion that led some of the princes to join the Constituent Assembly and work for integration of the country.

Sir, you know, paramountcy lapse with the departure of the Britishers. What does it signify? It signifies that sovereignty had always remained with British power. Even though some of the princes were ready and willing and played their patriotic role for getting the independence and freedom of the country, the fact remains, as long as paramountcy remained with the British they had no power to fight against this British. The sovereignty was also superior to paramountcy. In fact, it was the right and duty of the British Government to preserve peace, good government and order in every State in the interests of the people. That was also a political fact which could not be ignored. In the international field, the Indian States had no place. Therefore, when our country got Independence, they had to step in and join the Indian Union. Then, the British Government had to give safety and security to the States both from internal revolt and from external aggression. These were the political compulsion under which the princes had to join the Indian Union. There was also a social compulsion.

What were the social conditions of the people in the Indian India? I would simply quote a few lines from the speech made by Pandit Jawaharlal Nehru on a draft resolution prepared by him in 1939. This was what he stated :

“With the hard-earned money of the poverty-stricken and miserable people, enjoyment is sought and luxury is flaunted, by these rulers in foreign countries and in India. This system cannot continue. No civilised people can tolerate it. The whole argument of history is against it. The temper of the Indian people cannot submit to it.

These were the words uttered by Panditji.

In spite of the fact that these were the political and social compulsions under which the princes joined the Union, the fact remains that the founding fathers of the Constitution accepted and appreciated the deeds of the Princes, the patriotic feelings of the princes and, therefore, after their joining the Indian Union and after achieving integration, at the time of framing of the

Constitution, decided to make certain provisions for privy purses and privileges.

Now, coming to the point, since we have accepted democracy, the question is bound to be raised, as I would like to raise it, namely whether at the cost of stability, the hands of the future generations are to be bound down permanently. Should we not move according to the changing times, or should we adhere to what has been done in the Constitution itself? This question has always been raised whenever there is Constitution. This question is very ticklish. It is not for the first time that we are arising this question. There comes a time in the life story of every individual as it does in the life-story of every nation that when society cannot be made permanent and static there ought to be some changes, and we must move according to the changes. This is the reason why Government have decided to abolish the privy purses and privileges. There are millions of people who suffer from poverty, hunger, squalor and starvation. Should we allow certain privileges and purses to a few individuals?

DR. KARNI SINGH : Ten lakhs of people eat from it.

SHRI R. D. BHANDARE : I know, but I am talking of the millions of people who suffer. In a democracy, when we talk of justice where is the justice when privileges and purses are given to a few individuals, a few selected individuals?

DR. KARNI SINGH : What about the privileges that we enjoy as MPs?

SHRI R. D. BHANDARE : As legislators, we have certain functions to perform. The hon. Prime Minister was right in raising the question as to the functional utility or use of the privileges and purses. The privileges of the MPs are accompanied by certain functions and utilities. But the privileges of the princes have no functional value and no functional utility. That is the position. Therefore, it is but natural that we must abolish them.

I need not repeat the point that unless article 362 is deleted, there can be no legislation, I know that legislation must

be in conformity with the principles of that article, even the compension for abolition of the privy purses. This legislation could follow after discussion. The Prime Minister is prepared to discuss. Therefore, I again appeal to the princes not to close the door for discussion. The matter could be thrashed out at the conference table. With these words, I support the Bill.

SHRI S. A. DANGE (Bombay Central South) : I am very glad to see that at last a measure which was overdue for the last 21 years has been brought forth. In fact, one may say that since last year many things which were overdue have been set in motion, but it is also a fact that many other things which are still overdue have not been set in motion. So as such this measure is very welcome.

Now to certain points that have arisen in the debate. I want to make a reference to princes. But before I do so, I want to make it clear that my reference to them should not be taken as personal ones by those who are present in this House. So that there need not be a quarrel about their personal origins or integrity or anything of the kind—I am not referring to them.

Now so far as the princes are concerned, some trace their origin to the sun and moon. Therefore, they claim that since like the sun and moon they had no beginning, there cannot be an end to their privileges and purses. Now that was acceptable about a hundred years ago when they had the right to be crowned according to vedic rights. But at present there is no crowning, but somewhere sometimes clowning only. Therefore, that argument does not remain.

But then leave aside that argument. If you ask, how did they originate? Let us not go into that history. Every kingdom, every prince, had his origin in the right of the sword. If you deny violence, in that case, you must deny your prince-hood, because in the present epoch, if you deny violence as a philosophy or as an instrument or as a right or anything, in that case, your origin being completely in violence and nothing else—of which you are proud—you must renounce the prince-hood also. Sometimes that violence was very good because

[Shri S. A. Dange]

they fought against the invaders; sometimes it was very good, because it protected the subjects, as is described in ancient literature. But if you now swear by non-violence, you must give up the right to your origin, to your continuation and to the purses. So much with regard to the origin of princes hood, which lay in conquest, in the sword. Therefore, let us not go into that.

Let us take the second question. How did they survive? When the British started invading India, some of them fought them; some totally surrendered from the beginning to the British. There is no doubt about that. Those who accepted Wellesly's subsidiary army and paid for that army and protected themselves against other princes who did not agree with them—what were they if they were not compromisers with the British, voluntarily surrendering their sovereignty? Now they cannot expect this country, at this stage, to return to them the sovereignty and then argue about buying it out by compensation and so on and so forth.

So, how did they survive or fight the British? It is history worthwhile knowing, but this is not the time to discuss that. Some did fight, some did not, but then can we make a distinction now in treating them and give them a differential treatment? A differential treatment is not possible because since the Constitution came into existence a new set of values is ruling this country. A new set of values has come in under the Constitution. This Constitution under which we live is a departure from the past completely, and this Constitution is bound to abolish all kinds of privileges and vested interests. Whether you do it or not is a different matter, but it is not only the princes' value that is being abolished. We bought away the landlords and zamindari was abolished. You may quarrel with the compensation, you may quarrel with the fact that it has not been completely abolished, but a very ancient vested interest called zamindari was abolished under this Constitution. We may have a complaint with the manner, with the compensation, or continuation under subterfuge of that zamindari. So, the biggest vested interest, the zamindari,

was abolished by the Constitution, and thereby it did liberate something like 40 per cent of the estates in this country and millions of peasants.

The Second thing is that for 20 years we found monopoly concentration. Then, under the Directive Principles we did take action and a certain law has been passed extinguishing certain rights, the right of development of monopolies, because the Directive Principle says that you shall not concentrate property to such an extent as to harm the people. So the second measure was taken.

We have abolished untouchability. Though it exists, yet in principle we have abolished it and thereby this Constitution in principle and in foundation represents a momentum of social revolution. It is not being fully carried out, but that we need not discuss just now because, after all, it is a question of class revolution. Those who have power and can get into power, to preserve their class interests, will prevent the full translation of the objectives of the Constitution, as given in Part IV, completely to the satisfaction of either the peasants or workers.

Therefore, as I was submitting, we cannot distinguish between the set of Princes who really fought the British and those who did not. Even before that some of them fought in a different way. There was, for example, the great Rana Pratap who vowed that until Udaipur was liberated he would not sleep on a bed. Udaipur was not liberated. His successor kept the pledge by putting grass blades under the mattress and slept over the mattress. Such things are also there. Can the present Udaipur Princes be credited with carrying out the vow of Rana Pratap to the last? We cannot. So, we are not going to distinguish between one set of Princes and the other.

The third question I am asking is this. How did they behave in the first revolution which occurred in this country? When the 1857 battle started in this country to overthrow the British, how did the Princes behave? Perhaps except for the Rani of

Jhansi and at a later stage Bahadur Shah who agreed to become the Emperor and pass the decrees and give a certain legitimacy to the rebellion, most of them betrayed the 1857 revolution. Therefore, what is the use of their claiming that they have served the country, that in their origin they are godly, that in their career they are patriotic and that in service to the country they are the highest emblems?

SHRI ABDUL GHANI DAR : Great Mr. Dange, in 1942 what did you do in the people's war?

SHRI S. A. DANGE : I thought I would avoid discussing personalities. If my friend wants to know, I am a person who has spent 16 years in prison.

SHRI ABDUL GHANI DAR : I have spent more. My brother died, my wife died, my niece died.

SHRI S. A. DANGE : We know who was on which side at the time of the Chinese invasion. I am not discussing your career or my career. How did they behave under the British rule?

I admit and I make bold enough to say that certain individual princes proved to be progressive. I cannot forget the services of the old maharaja of Baroda to the great Loka Manya Tilak whom he patronised and who served them also in a case. Baroda was in those days an emblem of patriotism while keeping the principality. Highest percentage of education was achieved by the House of Baroda in that State. The second progressive House in regard to certain social measures was Mysore. The third one—I do not politically agree with that House—was that of Kolhapur. The Kolhapur Maharaja took certain revolutionary measures in abolishing caste inequalities, etc. During the British rule, while remaining faithful to the paramount power certain princes did render good service within the limitations of their powers.

But what were the others doing? I do not want to go into it or name them. There was a certain heroic Maharaja of one State who certainly performed a great feat one day by running away with the daughter of the viceroy and the viceroy

banished him from entering Simla. Was it a heroic deed?

May be, I do not know.

SHRI C. K. BHATTACHARYYA (Raiganj) : Romantic deed.

SHRI S. A. DANGE : Then came Independence. What was the attitude of the British? To divide the country into two parts and incite many of these princes to revert to independence under the doctrine of paramountcy. The doctrine of paramountcy was introduced by the British in order to perforate our independence. If at that time these gentlemen were patriotic they should have said that paramountcy is handed over to Pakistan and to India and we go either under the Indian paramountcy or Pakistani paramountcy. Instead of that they wanted to build six hundred different States in the whole country. Was that apatriotic act?

Then came the great statesman Sardar Vallabhbhai Patel. Certainly we have differences with him. He had taken the road to solving the problem but not in the revolutionary way but in the way which the Congress Party adopted at that time. It was certainly not a revolutionary way. If the revolutionary way had been allowed to take its course many of these princes would have received the treatment which the French Revolution gave to Louis XVI or what Cromwell gave to Charles I.

DR. KARNI SINGH : Which the Naxalite will give them shortly.

SHRI S. A. DANGE : They are safe enough, do not worry about them. When this question came it was not being solved in a revolutionary way and what did he do? Ultimately he bought them by saying:—What will you get by going this way and that way? What do you want ultimately? Your palaces, your forts, and pensions which you had from the British. We shall give you that. Why do you give trouble? When they said that they were going to be independent, he replied: after all what are you going to get out of independence? Some revenue. So he

[Shri S. A. Dange]

capitalised the whole revenue into privy purses. As we capitalised the amount of rent that the zamindar was getting. He called it privy purse and gave it to them. He said that they can keep their forts and palaces and other things. In fact I understand that the Rajasthan Assembly Hall is a rented place of the Maharaja of Jaipur. From Dr. Karni Singh's pamphlet on the privy purse distributed to the Members of Parliament I find that every year he has a deficit of Rs. 5.55 lakhs.

He says, Rs.10 lakhs is the privy purse and his expenditure is Rs.15,55,000 and that the total expenditure exceeds the privy purse of Rs.10 lakhs by Rs.5,55,000-

DR. KARNI SINGH : These are the official figures ; taxation figures.

SHRI S.A. DANGE : I will believe that. My argument is, if they could live for all these 20 years in a deficit of Rs.5,55,000 every year, how much other income they have got?

DR. KARNI SINGH : The other income is nullified by 93 per cent income-tax.

SHRI S.A. DANGE : I am only reading out from the figures supplied by you to the MPs.

DR. KARNI SINGH : That was distributed at the request of friends in the communist party.

SHRI S.A. DANGE : Thank you very much. If you say that every year there is a deficit, I say that Rs.5,50,000 is enough for you for the next 10 years, because the minimum wage rate of a Government employee of Class IV is just Rs.110 plus dearness allowance and if you are a democrat, you will certainly have to go by what a Class IV or Class III Government employee gets or what even an engineering worker gets : Rs.400 or Rs. 500 a month is enough for you. I do not want to go into details.

Therefore, Sardar Vallabhbhai Patel, in his own way, solved the problem by doing what? By capitalising what revenue

they were making and made it into the privy purse. Now, we tried to see whether these gentlemen, whose rent we had bought, whose services we had hired, merged into the Indian stream and whether they were going the right way or not. The general verdict in the country is they are not going very much in the right way. I do not want to enter into any discussion, and divisions among the princely order and so on. Even now, today, some of the princes are proud, and proud of what? That they could have an international reputation of being a great golf player. Certainly we did not hire them for India to play golf in London.

AN HON. MEMBER : That is irrelevant.

SHRI S.A. DANGE : I am just saying what those who claim that they must survive in order to serve our country better, have been doing for the last 20 years. Only the other day, somebody took pride on the fact that he is a great lover of dogs and horses. The privy purse maintains their wonderful dog kennel. If you go on like that, if that is the service which Sardar Vallabhbhai Patel rendered is it not time to terminate the horses, golf and the dog kennels? That is a simple thing. We are not saying anything more. And those who want really to serve some of them are there. For example, the Minister in charge of the airlines is serving the country very well. There are some. So, apart from orchards and the palaces that they maintain,....(Interruption) the claim of the princely order is that they are wonderful servants of the country and, therefore, the payment for their services should continue, and if we terminate their services, there should be compensation. Compensation for what? Compensation for having descended from the sun and the moon? Compensation to give up the titles? Compensation for the 1857 betrayal? Compensation for admitting Wellesley's army? Compensation for fighting the Congress and other patriotic parties during the British regime? Compensation for threatening to go over to the British unless something is given? An compensation for the last 20 years of golf, race-

horses and the dog kennels? Compensation for what?

AN HON. MEMBER : For serving the Congress.

SHRI S. A. DANGE : So, Sir, my simple formula is that Sardar Vallabhbhai Patel hired them for a job to build up the country and consolidate it. Their services are now over. We have consolidated the country. Chapter IV is now binding on us : the directive principles... (Interruption) I am trying to be as less bitter as possible. Finally, Sardar Patel or anybody else, including after him Mr. Morarji Desai and others, clearly hired the services of these people when the Constitution was brought in. According to trade principles and the principles of capitalism, a servant who is hired can be fired. That is the doctrine having hired their services for 22 years, now in order to give effect to Part IV—the Directive Principles—where privileges and vested interests have to be extinguished, these privileges and privy purses ought to be terminated.

There is no reason why any transitional payment should be made. Transition to what? From what they came is very clear. And, the transition is going to be what, for which we are going to pay them? The transition is going to be in this camp. So, we are going to compensate them to oppose the Directive Principles, to oppose the development of democracy in this country, to oppose the extinction of landlordism and monopoly capital! They are all siding with monopoly capital and landlordism, opposing the peasants movement. Therefore, for that transition we are asked to pay more, according to the statement of the Prime Minister. I do not agree with that part.

Now comes the question to whether they will suffer. Sufferance does not exist, according to the break-up of the privy purses by one Maharaja, who is certainly an amiable gentleman as for as persons are concerned and takes interest in culture and all that. I am not quarrelling about persons and their abilities. I am arguing about a class in Indian society. We are out to extinguish the landlord class. Half

of it has gone and half remains. That is also on the way out. We are out to extinguish monopoly capital. Therefore, we are out to extinguish the princely order which takes an absolutely anti-democratic position. Therefore, if you wish to develop the democratic revolution further, the sooner this Bill is passed the better it will be and without compensation.

श्री चंद्रजीत यादव (आजमगढ़) : उपाध्यक्ष महोदय, प्रधान मंत्री जी ने जो विधेयक आज प्रस्तुत किया है, उस का विरोध करते हुए माननीय श्री मोरारजी देसाई और माननीय महाराजा धरंगधरा ने जो तर्क उपस्थित किये हैं, मैं चाहता हूँ कि सदन उन पर बहुत शान्तिपूर्ण तरीके से विचार करे। श्री मोरारजी देसाई को सिद्धान्ततः इस बात से विरोध नहीं है कि राजाओं के प्रिवी पर्स और उन की सुविधाओं को समाप्त किया जाये। उन को केवल यह आपत्ति है कि जिस प्रकार से यह विधेयक लाया गया है, उस ढग को, उस तरीके को, वह पसन्द नहीं करते हैं।

महाराजा धरंगधरा ने अपने भाषण में कहा कि कांग्रेस पार्टी की अखिल भारतीय कांग्रेस कमेटी ने बहुत थोड़े से मतों से इस प्रस्ताव को पास किया और केवल उस का बहाना ले कर इस विधेयक को यहां लाया गया है। मैं उन को याद दिलाना चाहता हूँ कि केवल हमारी अखिल भारतीय कांग्रेस कमेटी ने ही नहीं, बल्कि जिन श्री मोरारजी देसाई ने आज उन के केस की बड़ी बकालत की है, खुद उन की पार्टी ने भी अलग होने के बाद ग्रहमदाबाद में एक प्रस्ताव पास करके यह निर्णय किया कि राजाओं के प्रिवी पर्स और उन के विशेषाधिकारों को समाप्त किया जाये।

इस लिए यह प्रश्न नहीं है कि एक पार्टी ने कितने मतों से इस प्रस्ताव को पास किया है। वास्तविकता यह है कि पिछले आठ दस वर्षों में देश में एक नया वातावरण तैयार हुआ है देश में नई परिस्थितियां पैदा हुई हैं, देश की जनता में जागृति और चेतना आई है, जनता

[श्री चन्द्रजीत यादव]

ने अपने अधिकारों की प्राप्ति के लिए आगे कदम बढ़ाया है। आजादी के बाद हमारा यह निरन्तर प्रयास रहा है कि देश की आर्थिक हालत को सुधारा जाये और सामाजिक, आर्थिक और अन्य प्रकार की सभी विषमताओं को दूर किया जाये। लेकिन यह तथ्य है कि हमारे सारे प्रयासों के बावजूद अभी भी देश में कुछ भेदभाव हैं, कुछ विषमतायें हैं। राजनैतिक जागरण और चेतना से युक्त आज़ादी की जनता उन भेदभावों और विषमताओं को बर्दाश्त करने के लिए तैयार नहीं है। यह स्वाभाविक है कि ऐसे सभी दल, जो जनता का प्रतिनिधित्व करते हैं, अपनी अपनी नीतियां और कार्यक्रमों के अनुरूप, जनता की उन भावनाओं को अपने दिमाग में रखते हुए, उन को मूर्त रूप देने के लिए प्रयास करते हैं।

अभी हाल ही में एक प्रश्न सदन के सामने आया कि एक प्रदेश के मुख्य मंत्री ने, वहां के मंत्रि-मंडल ने, यह मांग की है कि उन्हें अपनी कारों और बंगलों आदि पर अपना एक अलग झंडा लगाने का अधिकार होना चाहिए। वह एक चुनी हुई और प्रजातांत्रिक सरकार है। लेकिन आप ने देखा कि इस सदन में माननीय सदस्यों ने उस मांग पर कितना रोष प्रकट किया। इस का कारण यह है कि शायद वे अनुभव करते हैं कि अगर किसी प्रदेश को अलग से कोई झंडा दिया गया, तो उस से हमारी राष्ट्रीय एकता और राष्ट्रीय प्रभुसत्ता पर आघात लगेगा और उस झंडे के मुकाबले में राष्ट्रीय झंडे को कोई नीचे का दर्जा मिलेगा। मैं उन माननीय सदस्यों की भावनाओं की कद्र करता हूँ, प्रशंसा करता हूँ। लेकिन क्या यह सत्य नहीं है कि आज भी हमारे देश के पाँच सौ से अधिक भूतपूर्व नरेशों को इस बात का अधिकार है कि वे अपनी कारों और बंगलों पर अपने झंडे लगायें और अपनी कारों पर अपनी प्लेट लगायें? अगर आम जनता इन सुविधाओं के खिलाफ आवाज़ उठाती है, तो हमें उसकी प्रशंसा करनी चाहिए।

अगर जनता द्वारा चुने हुए इस सदन के माननीय सदस्य, जिन को राजनैतिक जीवन का बड़ा अनुभव और तजुर्बा है, यह महसूस करते हैं कि आज के प्रजातांत्रिक ढाँचे में किसी प्रदेश की चुनी हुई सरकार और उस के प्रतिनिधियों को भी राष्ट्रीय झंडे से भिन्न कोई अलग झंडा लगाने का अधिकार नहीं है, तो अगर जनता कहती है कि भूतपूर्व नरेशों को आजादी के बीस, बाइस साल बाद अपनी कारों और बंगलों पर अपने झंडे लगाने का अधिकार नहीं होना चाहिए और उन्हें वे सुविधायें नहीं दी जानी चाहिए, जो आम जनता को प्राप्त नहीं है, तो उन माननीय सदस्यों को जनता की उस भावना की प्रतिष्ठा करनी चाहिए। हम राजाओं को करोड़ों रुपये प्रिवी पर्स के रूप में देते हैं। इस के अतिरिक्त उन्हें पानी और बिजली मुफ्त दिये जाते हैं, उन से कस्टम ड्यूटी नहीं ली जाती है और पेट्रोल पर एम्साईज ड्यूटी नहीं वसूल की जाती है।

श्री ओमप्रकाश त्यागी (मुरादाबाद) : उपाध्यक्ष महोदय, मेरा पायंट आफ़ अर्डर है। माननीय सदस्य ने अभी झंडे का जिक्र किया है इस देश में पार्टीज के झंडे हैं, व्यक्तिगत झंडे हैं और धार्मिक झंडे भी हैं। लेकिन पोलिटिकल झंडा नेशनल झंडा, एक ही होना चाहिए। राजाओं के अपने व्यक्तिगत झंडे हैं। वे राष्ट्रीय ध्वज नहीं हैं।

MR. DEPUTY-SPEAKER : That is a question of opinion.

श्री चंद्रजीत यादव : आज देश में जो वातावरण बना हुआ है, हमें उसको अपनी दृष्टि में रखना चाहिए।

यह भी कहा गया है कि हम इस काम में बड़ी शीघ्रता कर रहे हैं और हम राजाओं पर जबर्दस्ती कोई कानून थोप रहे हैं। मैं निवेदन करना चाहता हूँ कि प्रजातंत्र में यह एक माना हुआ सिद्धान्त है कि जो कोई भी दल शासन

में है, अगर उस की सर्वोच्च संस्था और संगठन का कोई अंग कोई निर्णय करता है, तो उस दल का यह कर्तव्य हो जाता है कि वह उस निर्णय को कार्यान्वित करे। विरोधी दलों की ओर से हमेशा हमारी आलोचना की जाती है कि आप की पार्टी का अमुक निर्णय है, आप उसको लागू क्यों नहीं करते हैं या आप अपनी पार्टी के निर्णय से पीछे जाते हैं। 25 जून, 1967 को अखिल भारतीय कांग्रेस पार्टी ने यह प्रस्ताव पास किया। उस के बाद सरकार का यह कर्तव्य था कि वह जल्दी से जल्दी उस निर्णय के अनुसार विधेयक लाती और उस को कानून का रूप दे कर राजाओं के प्रिन्स और सुविधाओं को समाप्त करती। लेकिन जैसा कि प्रधान मंत्री ने कहा है और जैसा कि माननीय श्री चव्हाण ने, जिन पर गृह मंत्री होने की हैसियत से उन दिनों यह जिम्मेदारी थी, एक बार नहीं, अनेकों बार कहा है, सरकार एक अनुकूल वातावरण में, एक सद्भावना के वातावरण में बातचीत करके कोई रास्ता निकालना चाहती है यही कारण था कि तीन वर्ष पहले जो प्रस्ताव पास किया गया उस के बाद से ही सरकार का निर्णय यह नहीं था कि फोरम हम कानून ले आएँ, सरकार ने यह निर्णय किया कि राजाओं से अलग अलग भी और सामूहिक रूप से भी अगर वह चाहते हैं तो उन से बात करनी चाहिए और बात शुरू की गई। मोरारजी भाई ने स्वयं कहा वह मंत्रि-मंडल के एक वरिष्ठ सदस्य थे, प्रधान मंत्री ने उचित समझा कि अगर मोरारजी भाई राजाओं से बातचीत करके कोई हल निकाल सकते हैं तो निकालें। काफी लम्बा समय मोरारजी भाई ने राजाओं से बातचीत करने में लिखा। लेकिन राजाओं का एक दृष्टिकोण था वह कुछ बातों को समझ नहीं पा रहे थे। वह अड़े हुए थे। कोई रास्ता नहीं निकला। इस के बाद माननीय चव्हाण साहब ने निरंतर राजाओं की बैठक की, अलग अलग उन से मिले और सामूहिक रूप से भी मिले। एक एक जो कदम उठाए जाने थे सब के ऊपर व्यापक रूप से विचार किया गया। लेकिन कोई उस का हल नहीं निकला। मैं राजा

धरंगधरा साहब को याद दिलाना चाहता हूँ कि इस वर्ष भी 8 जनवरी को प्रधान मंत्री ने सार्वजनिक रूप से एक वक्तव्य दे कर आप से निजी रूप से अनुरोध किया था कि आप कृपा करके इस मामले में हमारा सहयोग करें और एक सद्भावना के वातावरण में बैठ कर के इस मसले का हल निकालें। तो इस प्रकार का आरोप इस सरकार पर लगाना कि कोई चीज जबर्दस्ती इस सरकार ने थोप दी या कोई ऐसा कानून आपकी सारी सम्पत्ति को समाप्त करने के लिये या आपकी जीविका को समाप्त करने के लिए लाया जा रहा है, यह बात सच्चाई से परे है। सरकार की तरफ से निरन्तर इस बात का प्रयास हो रहा है कि हम इसका कोई हल निकालें और आज भी सरकार का यह निर्णय नहीं है कि आप के सारे के सारे प्रिन्स परस समाप्त किए जाएंगे या आप की जीविका के लाले पड़ेंगे या आप के भविष्य की कोई चिन्ता नहीं की जायगी। संविधान की धाराएँ जो इस बात के रास्ते में दिक्कत पैदा करती हैं और आज की हमारी जनता इस बात को स्वीकार करने को तैयार नहीं थी, हमें इस बात को मानना चाहिये कि जब हम कोई बात करते हैं कानून के बारे में, किसी दृष्टिकोण के बारे में तो बीसवीं सदी और 1970 का यह वर्ष है। वह युग बीत गया जब राजा अपने को भगवान का प्रतिनिधि कहते थे जब राजा का शब्द कानून माना जाता था, जब राजा जिस तरह से चाहता था, जनता के साथ व्यवहार करता था। आज बीसवीं सदी में राजा का वाक्य और राजा के भगवान के प्रतिनिधि होने की बात नहीं चल सकती। इस बीसवीं सदी में जनता देश की मालिक है और जनता की भावना, इच्छा और आवश्यकता को कोई भी सरकार ध्यान में रखेगी, उसने लिए पग उठाएगी और कानून बनाएगी।

प्रश्न यह है कि आज दृष्टिकोण समस्याओं के बारे में बदल रहे हैं, आज दृष्टिकोण परिस्थितियों के बारे में बदल रहे हैं, आज

श्री चन्द्रजीत यादव

दृष्टिकोण समस्याओं का हल निकालने के बारे में बदल रहे हैं और वह दृष्टिकोण हमारे प्रजातांत्रिक ढांचे के अन्दर हम को आपस में पैदा करना चाहिये।

मोरारजी भाई ने प्रश्न उठाया कि यह भेदभाव क्यों एक नागरिक के साथ दूसरे नागरिक का ? 363 अनुच्छेद को क्यों नहीं वापिस लिया जा रहा है ताकि राजाओं को इस बात की आजादी मिलती कि वे सुप्रीम कोर्ट में या न्यायालय में जा सकते ? लेकिन मैं पूछना चाहता हूँ कि क्या आज भेदभाव नहीं है ? एक नागरिक कोई काम करे तो उसके खिलाफ कोई न्यायालय में जा सकता है लेकिन एक राजा इन सुविधाओं के रहते हुए कोई काम करे तो उसके खिलाफ न्यायालय में मुकदमा नहीं चल सकता जब तक भारत सरकार अनुमति न दे। क्या साधारण नागरिक के मुकाबले में आपके साथ यह भेदभाव की नीति नहीं है ? क्या आपको ऐसी सुविधायें नहीं मिली हुई हैं कि जो प्रजातंत्र के अन्दर और आज के वातावरण में एक विषमता की भावना पैदा कर रही हैं ? लोगों के अन्दर एक ऊँच नीच की भावना पैदा कर रही हैं, लोगों की बराबरी और समता के अन्दर एक दीवार बन कर खड़ी होती हैं ? अगर उस विषमता को समाप्त करने के लिए प्रयास किया जा रहा है तो एक नागरिक की समता के नाम पर और एक नागरिक के अधिकारों के नाम पर उन बातों का उल्लेख नहीं किया जा सकता। मैं समझता हूँ डांगे साहब ने जो शुरू में कहा वह बात सही है। इस देश में हमने लाखों जमींदारों की जमींदारियाँ लीं। उनकी भी मांग थी कि जमींदारी उनकी विरासत है, जमींदारी उनका कानूनी अधिकार है और वे समझते थे कि वह एक ऐसी व्यवस्था है जो युगों से चली आ रही है, उसको तोड़ना उनके साथ इंसाफ की बात नहीं —

श्री ट्वा०ना० तिवारी (गोपालगंज) : अभी तक कम्पेंसेशन भी हम लोगों को नहीं मिला।

श्री चन्द्रजीत यादव : हाँ, वह भी नहीं मिला और वह लाखों की संख्या में गरीब जमींदार थे। सवाल यह नहीं था कि कितने बड़े जमींदार थे। सवाल यह नहीं था कि कितनी बड़ी उनके पास भूमि थी या कितनी बड़ी उससे उनकी आय होती थी। सवाल था एक व्यवस्था का जो हमारे राष्ट्रीय आन्दोलन का एक बड़ा मुद्दा था। उस जमाने में गांधी जी ने कहा था कि जमीन का जोतने वाला जमीन का मालिक बनेगा। जमींदारी तोड़ी जाएगी आजादी के बाद और हमने उन भावनाओं को ध्यान में रख कर जनता को इकट्ठा किया। जनता में एकता पैदा की। जनता में अंग्रेजी सत्ता के खिलाफ एक बगावत की भावना पैदा की। जनता में आजादी के लिए—एक लहर पैदा की। उन वादों को हमने पूरा किया। यह बात सही है कि अंग्रेज चाहते थे, हमारे यहां मुस्तलिफ रियासतें थीं और उनकी इच्छा थी कि आजादी के बाद ये राजा बगावत करें ताकि भारतीय एकता न हो पाए। उस जमाने में हमारे नेताओं ने इस बात को उचित समझा कि बातचीत करके समझौते के जरिये से जो देश में एक नया वातावरण पैदा हुआ है, उसके अनुरूप कार्य किया जाए। उन्होंने देश की राष्ट्रीय एकता को महत्ता दी और मुझे खुशी है कि बहुत से राजाओं ने उस जमाने में इस बात को महसूस किया कि राष्ट्रीय एकता का तकाजा है, राष्ट्रीय प्रभुसत्ता का तकाजा है और देश में नई पैदा हुई भावना का तकाजा है कि हम अपने कुछ अधिकारों को छोड़ें। उनके सामने सरकार ने हाथ बढ़ाया और उन्होंने भी अपना हाथ बढ़ाया और एक समस्या का निराकरण किया। देश ने इसका स्वागत किया और आज भी प्रधान मंत्री ने इस बात का गौरव आपको दिया, आपकी प्रशंसा की, देश इस बात की प्रशंसा करेगा, हम उस भावना की इज्जत करते हैं, कद्र करते हैं लेकिन हम आप से अनुरोध करके कहना चाहते हैं कि आज एक नई परिस्थिति देश में पैदा हो रही है, आज देश के मूल्यों में

नए परिवर्तन हो रहे हैं, आज देश की आम जनता अपने कुछ अधिकारों के लिए सतर्क और सचेत हो कर आगे बढ़ना चाहती है, आज मंत्रियों के लिए कहा जाता है कि इतने खर्चे होते हैं और कितनी शान शौकत की जिन्दगी वे बसर करते हैं, यह क्यों होता है ? यह इसलिए होता है कि आम जनता में और दूसरे लोगों में कोई भेदभाव नहीं होना चाहिये। यह भावना अच्छी है। हम इस भावना की कद्र करते हैं। अगर हमारे देश की जनता सतर्क हो और जागरूक हो, समाज के अन्दर हर प्रकार की विषमता को चाहे वह सामाजिक विषमता हो, आर्थिक विषमता हो या राजनीतिक विषमता हो, समाप्त करने के लिए आवाज उठाती है तो एक प्रजातांत्रिक देश के नागरिक होने के नाते हमें उसकी कद्र करनी चाहिये, हमें उस भावना की सराहना करनी चाहिये। इसी स्पिरिट के अन्दर यह विधेयक पेश किया गया है।

यह संसद हमारे देश की जनता की भावनाओं का प्रतिनिधित्व करती है, हमारे देश के अन्दर जो सामाजिक चहल पहल हो रही है, जो सामाजिक परिवर्तन हो रहे हैं, आज उनकी अभिव्यक्ति संसद के अन्दर होती है, जनता की भावनाओं की अभिव्यक्ति यहां होती है, जनता की आवश्यकताओं की और जनता के दृष्टिकोण की अभिव्यक्ति होती है। मैं कहना चाहता हूँ कि आज इसी दृष्टिकोण से यह विधेयक सदन के अन्दर प्रस्तुत किया गया है। मुझे पूरी आशा है कि जब कभी दूसरा विधेयक आया जिस में राजाओं को मुआवजा देने की बात होगी, तो उसके ऊपर न्यायसंगत बात हो सके और सामाजिक न्याय हो सके, भारत सरकार उसका भी ध्यान रखेगी। मुझे यकीन है कि हमारे देश की जो आज भावना है उसको ध्यान में रखते हुए हमेशा इन कामों को किया गया है और उस में जनता का सहयोग मिला है और इन्हीं शब्दों के साथ मैं आशा करता हूँ कि यह विधेयक जिसकी इस देश की करोड़ों जनता ने आवश्यकता महसूस की, जिसके लिए उसने अपनी आवाज उठाई, जनता की

भावनाओं के अनुकूल सरकार ने इसको प्रस्तुत किया है और प्रधान मंत्री ने सही कहा है कि यह एक ऐतिहासिक विधेयक है, इसको संसद के अन्दर पारित किया जाएगा और संसद इसको पारित करके समाज के अन्दर फैली हुई भारी विषमता को दूर करेगा।

श्री अटल बिहारी वाजपेयी (बलरामपुर):
दिल्ली के कुछ समाचार पत्रों में इन दिनों एक विज्ञापन प्रकाशित हो रहा है। जिसमें एक व्यक्ति कि तसवीर है लेकिन जिसका मूंह नहीं दिखाई देता है और उस में पूछा गया है कि कौन है यह व्यक्ति जिसकी वार्षिक आय चार लाख 48 हजार रुपये के बराबर है ? कौन है यह व्यक्ति जिस की आय प्रति भारतीय नागरिक से 848 गुना अधिक है ? कौन है यह व्यक्ति जिसकी आय किसी भी कम्पनी के उच्चतम अधिकारी से ढाई गुना अधिक है ?

क्या यह व्यक्ति कोई राजा है, पुराना नरेश है ? क्या इस व्यक्ति को अपने पूर्वजों कि किसी पुष्पायी के फलस्वरूप यह वार्षिक आय दी जा रही है ? यह व्यक्ति कोई राजा नहीं है, यह प्रजा का सेवक होने का दावा करता है। यह व्यक्ति कोई सामन्तवादी नहीं है, यह समाजवाद का डिम-डिम बजाता है। पुराने राजा समाप्त किये जा रहे हैं, राज-मुकुटों की चमक अतीत के इतिहास में विलीन हो रही है, मगर राष्ट्रीय रंग मंच पर समाजवाद का दम भरने वाले, नये राजा और रानियों को खड़ा कर रहे हैं। उन के विशेषाधिकारों का क्या होगा ?

उपाध्यक्ष महोदय, यह विधेयक श्री यशवन्त राव चव्हाण ने प्रस्तुत किया था, आज कल वह गृह मंत्रालय के बजाय वित्त मंत्रालय में विराजमान हैं। बड़े परिवर्तनों की चर्चा हो रही है, यह भी एक परिवर्तन का ही प्रतीक है। श्री यशवन्त राव चव्हाण ने कहा था इस विधेयक को इस लिये लाया जा रहा है कि राजशाही की परिकल्पना, राजाओं का जेब खर्च, उन के विशेषाधिकार समता पर आधारित समाज की परिकल्पना से मेल नहीं खाते। मैं पूछना चाहता हूँ - यह मेल

[श्री अटल बिहारी वाजपेयी]

खाना कब से बंद हो गया ? 1950 में भारत का संविधान बना, उस संविधान में हमारे स्वतन्त्रता संग्राम में सेनानियों ने उन प्रावधानों को रखा, जिनको आज हटाने की बात की जा रही है। मैं कामरेड डांगे की स्थिति समझ सकता हूँ, जो प्रारम्भ से ही प्रीवीपर्स के खिलाफ थे, और भी दल हैं जो संविधान के निर्माण के समय से ही इस के विरोधी थे, लेकिन उन की बातों को अस्वीकार कर के, सरदार पटेल की नीतिमत्ता को स्वीकार करके राजाओं की देशभक्ति का सभादर कर के जिन संविधान के निर्माताओं ने — जिन के उत्तराधिकारी होने का दावा करते हैं — मेरे सामने बैठे हुए माननीय सदस्य और सदस्यों— उन्होंने क्या सोचकर यह बात संविधान में रखी थी ? 20 साल तक ये प्रीवीपर्स देते रहे, उनके विशेषाधिकार मान्य होते रहे, 1967 से पहले सत्तारूढ़ दल ने प्रीवीपर्स समाप्त करने की बात नहीं कही—व्या 1967 में समाजवाद का अचानक रहस्योद्घाटन हो गया, क्या परिवर्तन की लहर 1967 में ही टकराई, जब 9 राज्यों में सत्तारूढ़ कांग्रेस ध्वस्त हो गई और जनता ने कांग्रेस को परित्याग कर दिया ?

किस परिवर्तन की बात की जा रही है ? परिवर्तन आवश्यक है, हम भी परिवर्तन के हामी हैं, लेकिन आज तक हमारे स्वतन्त्रता संग्राम की शृंखला यह रही है कि परिवर्तन के साथ परम्परा कायम रहनी चाहिये। डांगे का परिवर्तन अलग है, जहाँ स्टालिन की कन्न को खोदा जा सकता है, जहाँ क्रूश्चेव का नाम लेना पाप घोषित किया जा सकता है, लेकिन भारत के देश में ऐसा परिवर्तन नहीं आयेगा। राजाओं की देश भक्ति को जगानेवाले सरदार पटेल का भी आनेवाली संततियों नाम लेंगे और सरदार पटेल की नीतिमत्ता से प्रेरित हो कर अपने राज्यों को विलीन करनेवाले राजाओं का भी आदर किया जायगा।

उपाध्यक्ष महोदय, राजाओं का जब खर्च बन्द किया जाय, उन के विशेषाधिकार समाप्त

किये जाये, क्या यह जनता की मांग है ? (व्यवधान) उस जनता की जो उन्हीं राजाओं को इस सदन में चुन कर भेजती है। ग्वालियर की राजमाता सिन्धिया ने चुनौती दी थी, प्रीवीपर्स समाप्त करने के सवाल पर रियासतों की जनता का मत लिया जाय, इस शासन में साहस नहीं हुआ मत लेने का। अगर जनता चाहती है कि प्रीवीपर्स समाप्त हो, तो जनता से पूछा जा सकता है। वह जनता राजाओं को चुन कर भेजती है, सत्तारूढ़ दल में भी राजा बैठे हैं, वे पुराने कांग्रेसियों को हरा कर आये हैं, वोटों की दृष्टि से उन की सफलता सराहनीय रही है। अगर लोकप्रियता कसौटी है तो ईमानदारी से स्वीकार करना होगा कि अच्छे, भले, बुरे सब तरह के व्यक्तियों के बावजूद आज के राजा हमारे वर्तमान नेताओं से अधिक लोकप्रिय हैं। यह लोकप्रियता चुनावों से प्रमाणित हो चुकी है ..

उपाध्यक्ष महोदय, मैं स्वीकार करता हूँ कि देश में परिवर्तन की आवश्यकता है, लेकिन परिवर्तन की प्रक्रिया क्या होनी चाहिये ? यह तो सरकार की नीतिमत्ता का दिवाला है कि वह राजाओं को समझा नहीं सकी। अगर सचमुच जनता प्रीवीपर्स की समाप्ति चाहती है, अगर मूल्य बदल गये हैं, अगर नया युग आ रहा है, अगर परिवर्तन की लहर समय की चट्टानों से टकरा रही है, तो फिर ये राजा परिवर्तन की आवाज़ को अनसुना नहीं कर सकते। मगर उन की देश भक्ति, वर्तमान मूल्यों के प्रति उन की निष्ठा को जमानेवाला कोई है ? जो काम सरदार पटेल कर सके, वह आज कोई नहीं कर सकता। कमी राजाओं की नहीं है, कमी राजाओं को समझाने वाले की है, कमी माबलों की नहीं है, कमी छत्रपती शिवाजी की है, कमी प्रताप के इशारों पर सर्वस्व समर्पण करने वाले मामा शाहों की नहीं है, कमी महाराणा प्रताप की है।

इस का कारण स्पष्ट है। आज यह समझा जाता है कि प्रीवीपर्स को समाप्त करने की बात राजनीतिक कारणों से की जा रही है

20 साल तक आप प्रिवीपर्स देते रहे। जब तक राजा सत्तारूढ़ कांग्रेस के साथ चलते रहे, वे राजा भी अच्छे थे, दूध के घोये थे, वे जनता के सेवक थे और प्रिवीपर्स देना भी अच्छा था, वचन का पालन भी आवश्यक था, प्राण जाय पर वचन न जाई। लेकिन 1967 में पहली बार कुछ राजाओं ने कांग्रेस का विरोध करने का साहस दिखाया—कुछ राजाओं ने — अभी भी अधिकांश राजा उधर ही हैं और राजाओं के समर्थन से चुनाव जीतने वाले भी उधर हैं। लेकिन 1967 में उन्होंने जरा सा साहस दिखाया, तो फिर पुरानी संघियों का रद्दी की टोकरी में फेंक कर, सरदार पटेल की प्रतिष्ठा को मिट्टी में मिलाकर, संविधान की मर्यादा का उल्लंघन कर के, अब समाजवाद का नारा लगाया जा रहा है और कहा जा रहा है कि वक्त बदल गया है। वक्त 1967 में ही बदला, 1962 में नहीं बदला और क्या वक्त 1970 तक नहीं रुक सकता ?

मैं पूछना चाहता हूँ—उपाध्यक्ष महोदय, 4 करोड़ का मामला है, प्रधान मंत्री तो क्षतिपूर्ति देने वाली हैं, यद्यपि डांगे साहब को वह भी पसन्द नहीं है। आज डांगे साहब के कथन पर प्रिवीपर्स समाप्त किया जा रहा है, कल क्षतिपूर्ति के संवाल पर सरकार को दबाया जायगा, फिर भी डांगे साहब को सन्तोष होने वाला नहीं है, मांगे जारी रहेंगी, सस्ती लोकप्रियता प्राप्त करने के प्रयास में प्रधान मंत्री अपना पद भी खो बैठेंगी—इस की आज मैं भविष्यवाणी करना चाहता हूँ।

17 hrs.

आज थोड़े से युवा तुकों के तेज तीरों से बिद्ध हो कर, राजाओं से बातचीत को तोड़ कर, इस विधेयक को स्वीकृत कर के उन के सिर पर तलवार लटकाई जा रही है। उपाध्यक्ष महोदय, बातचीत चल रही थी, राजा वार्ता के द्वारा किसी समझौते पर आने के लिये तैयार थे, लेकिन कोई भी स्वाभिमानी व्यक्ति यह नहीं मान सकता कि छाती पर पिस्तौल रख कर समझौता कराया जाय और मैं राजाओं को बघाई देता हूँ—आत्म सम्मान के विपरीत उन्होंने

आचरण करने से इन्कार कर दिया। लेकिन क्या यह लोकतन्त्रात्मक तरीका है? क्या यह लोकतन्त्रात्मक जीवन मूल्यों की रक्षा है, एक तरफ वार्ता की बात की जा रही है और दूसरी तरफ तलवार लटकाई जा रही है।

उपाध्यक्ष महोदय, आप प्रातःकाल सदन में थे, अब यह विधेयक अगर पास हो गया—मुझे विश्वास है पास नहीं होगा—सारी शक्ति इस सरकार के हाथ में केन्द्रित हो जायगी और सरकार यानी प्रधान मंत्री, जो गृह मंत्री भी हैं, और वह राजाओं से चर्चा करेगी। किसको कितना मुआवजा मिलना चाहिए, क्या क्या बातें होंगी, कौन कौन से बायदे लिये जायेंगे, राजनीति की शतरंज पर कौन सैं गोटे चली जायेंगी—यह कोई नहीं जानता। यह सारी शक्ति अपने हाथ में केंद्रित करने की लालसा क्या है? क्या इसके पिछे राजनीति काम नहीं कर रही है? क्या सरकार क्षतिपूर्ति के बारे में सदन को विश्वास में नहीं ले सकती? लेकिन क्षतिपूर्ति के बारे में सदन को विश्वास में लेगी तो फिर यह विधेयक पास होना मुश्किल हो जायगा क्योंकि विधेयक के समर्थन के लिए जिनका सहयोग आवश्यक है वह अभी स्थिति स्पष्ट कर गए हैं।

कामरेड डांगे ने तो बड़ी मजेदार बात कही—उन्होंने कहा कि राजा अगर चाहें तो महाराज कर्ण सिंह की तरह से सेवा कर सकते हैं। इन्दिरा जी के दरबार में सेवा करें तो अच्छे हैं और अगर इन्दिरा जी का विरोध करने का साहस करें तो उनका जेब खर्च बन्द करने की धमकी दी जायेगी, उनके सारे इतिहास को कलंकित करने का प्रयत्न किया जायेगा। यह समय नहीं है इतिहास में जाने का अगर कोई भूल सकता है इस बात को कि एक निजाम ने भारतीय संघ में शामिल न होने का निर्णय करके सारे भारत को संकट में डाल दिया था। अगर और राजा यही करते तो क्या होता? आज जम्मू काश्मीर का भारत में विलय भी एक राजा के इन्स्ट्रुमेन्ट आफ एक्सेशन पर दस्तखत के कारण है—क्या इसको भुलाया जा सकता है? राजाओं में अच्छे बुरे सभी लोग हैं लेकिन राजाओं को देशभक्ति को दुतकार कर यह सदन अपनी प्रतिष्ठा नहीं बढ़ा रहा है?

[श्री अटल बिहारी वाजपेयी]

क्या इस प्रकार जिन जनतांत्रिक जीवन मूल्यों की रक्षा की बात हम करते हैं उन की रक्षा हम कर सकते हैं ?

कोई इनकार कर सकता है कि राजाओं के साथ संधियां हुईं और क्या उन संधियों को एकपक्षीय ढंग से तोड़ा जा सकता है ? कभी सोचा है कि राजाओं के साथ हुई संधियां तोड़ने का परिणाम क्या होगा ? कभी सोचा है कि भूटान और सिक्किम में उसकी प्रतिक्रिया क्या होगी ? सिक्किम का भी एक राजा है जोकि हमारे साथ संधियों के सम्बन्धों से बंधा हुआ है । भूटान के महाराज भी हमारे साथ संधि के सम्बन्धों से बंधे हुए हैं । आप अपने राजाओं की संधि एक तरफा ढंग से तोड़ दें तो क्या उनके मन में संदेह पैदा होने की आशंका नहीं है ? भेरे पास भूटान से समाचार आया है । जब हमारे एक मन्त्री भूटान गए तो भूटान के महाराजा ने कहा कि आपका कोई भरोसा नहीं है, जब चाहें हमारी संधि तोड़ सकते हैं इसलिए हमें तो यूनाइटेड नेशन्स में जाना है । अगर आप हमारा नाम रखें तो आपके द्वारा हम जायेंगे नहीं तो हम किसी और शक्ति से नाम रखवा कर यूनाइटेड नेशन्स के मेम्बर बनेंगे । यह प्रतिक्रिया हमने भूटान में जगाई है । हम भूटान को अपने साथ रखना चाहते हैं । भारत और कम्युनिस्ट चीन के संघर्ष में हम भूटान की निष्ठा अपने साथ रखना चाहते हैं । हम भूटान और सिक्किम को लोकतांत्रिक ढंग में रखना चाहते हैं लेकिन अपने राजाओं के साथ ऐसा व्यवहार करके हम उन नरेशों के हृदय में भारत के वचनों के प्रति दृढ़ रहने की भावना नहीं जगा सकते हैं ।

जब रियासतों का विलय हुआ तब राजा अगर चाहते तो अपने लिए और भी सुविधायें प्राप्त कर सकते थे । मैं ग्वालियर का उदाहरण जानता हूँ जहाँ के महाराज ने पचास करोड़ रुपया नकद केन्द्रीय सरकार के खजाने में दे

दिया । क्या वे वह रुपया अपने पास नहीं रख सकते थे ? लेकिन आज उनकी देशभक्ति को चुनौती दी जा रही है ।

श्री सोनावने (पेंडरपुर) : वह रुपया कहाँ से लाये थे ?

श्री अटल बिहारी वाजपेयी : हमारे सोनावने साहब पूछते हैं कि उनके पास रुपया कहाँ से आया । वहीं से आया जहाँ से आपके पास आता है पुराने राजाओं के पास रुपया आसमान से आता था और आज के राजाओं के पास गंगाजली में से आता है, ऐसी बात नहीं है । लेकिन उन्होंने 50 करोड़ रुपया केन्द्रीय खजाने में दे दिया क्योंकि देश परिवर्तन के कगार पर खड़ा था । अंग्रेज भारत को पांच सौ टुकड़ों में बांटना चाहते थे । पाकिस्तान षडयन्त्र-रत था । उस समय राजाओं ने अपनी भूमिका का जिस तरह से निर्वाह किया उसका इतिहास में मूल्यांकन होना चाहिए और इस सदन को भी इसके प्रति अपनी अच्छी भावनायें प्रकट करनी चाहिए ।

मैं समझता हूँ अभी भी समय है, प्रिन्सिपल और विशेषाधिकार का मामला बात-चीत के साथ ठीक ढंग से हल किया जा सकता है । लेकिन बात-चीत के लिए वातावरण बनाना होगा । विधेयक की तलवार लटकाकर, विधेयक स्वीकृत कराने की धमकी का वातावरण बना कर राजाओं को अधिक त्याग और बलिदान करने के लिए प्रेरित नहीं किया जा सकता है । उसके लिए तो इस विधेयक को अस्वीकार करना होगा और फिर राजाओं के साथ नये सिरे से चर्चा चलानी होगी ।

मैं यह समझने में असमर्थ हूँ कि अगर राजाओं के विशेषाधिकार लिए जा रहे हैं, उनका जेबखर्च बन्द किया जा रहा है तो उन्हें सर्वोच्च न्यायालय में जाने की छूट क्यों नहीं होनी चाहिए । यह बात किसी भी कसौटी पर ठीक नहीं उतर सकती है । इस देश का हर नागरिक बराबर है । हर नागरिक

को न्यायालय का दरवाजा खटखटाने का अधि-कार है। आप एक तरफ विषमता खत्म कर रहे हैं और दूसरी तरफ विषमता उत्पन्न कर रहे हैं। इससे स्पष्ट लगता है कि विषमता मिटाना आपका उद्देश्य नहीं है बल्कि कुछ राजाओं को दंडित करना ही आपका उद्देश्य हो सकता है या समाजवाद की सस्ती लोकप्रियता प्राप्त करना आपका उद्देश्य हो सकता है।

जहां तक पैसे का सवाल है जो चार करोड़ रुपए हैं वह भी प्रति वर्ष कम होते जा रहे हैं। हर मीत प्रिवी पर्स की रकम घटा देती है। अब पहले से आधा रुपया रह गया है। यह और भी घटने वाला है। चार करोड़ की इतनी छोटी रकम कोई आम जनता के भाग्य को संवार देगी, सजा देगी, इसकी कोई कल्पना नहीं कर सकता है। स्पष्टतः यह कोई बहुत बड़ा सवाल नहीं है।

ऐसा लगता है कि बुनियादी परिवर्तन करने में असफल रहने के कारण ये सस्ते और हल्के सवाल उठाये जा रहे हैं जोकि राजनीतिक मंच के लिए शोभा दे सकते हैं लेकिन न तो लोकतन्त्र की जड़ों को मजबूत कर सकते हैं और न ही संविधान की गरिमा को बढ़ा सकते हैं। जिस परिवर्तन की दुहाई दी जा रही है उस परिवर्तन का हवाला देकर मैं कहना चाहता हूँ कि आज इस सदन के सदस्यों को अपनी आत्मा से पूछना होगा। राष्ट्रपति के चुनाव में जो आत्मा जागी थी क्या वह सो रही है। अब कहा जा रहा है कि प्रिवी पर्स का सवाल रुपए पैसे का सवाल है। श्री भानु प्रकाश सिंह ने जो जवाब दिया है मैं उसको यहां पर दोहराना नहीं चाहता हूँ लेकिन प्रधान मंत्री से एक बात कहना चाहता हूँ कि अगर आत्मा है और अगर वह जागती है तो बेल आपके निर्देशों पर नहीं जागेगी। अगर आत्मा है और वह जागती है तो जहां अन्याय होगा, जहां विषमता रहेगी वहां जागेगी और यह विवेक इस सदन के द्वारा ठुकरा दिया जायेगा।

श्री राजदेव सिंह (जौनपुर) : श्रीमानजी, आज जिस विषय पर यहां चर्चा चल रही है उस विषय पर लोगों कि भावनाओं को थोड़ा सुनने का मौका मिला है। मैं उन लोगों में से हूँ जोकि सन् 1930 से आजादी की लड़ाई में हैं। हमारी भावनायें क्या हैं, मैं थोड़े में आपके सामने व्यक्त करना चाहता हूँ। रोज सदन समाप्त होने के बाद जब हम घर जाते हैं तो दिल पर चोट लगती है। यह तस्वीर सामने आती है कि महाराजा बीकानेर की कार, मेरी कार और मिनिस्ट्रों की कार सामने होती है। मैं कोई बड़े परिवार का नहीं हूँ, लेकिन हमें उस कार के लिये 100 रु० साल का रोड़ टैक्स देना होता है, लेकिन महाराज कर्णी सिंह जो हमसे कई गुने अमीर हैं, उनको बड़ी भारी रियासत थी, उनको एक पैसा भी नहीं देना पड़ता। चोट लगती थी हम लोगों के दिल में यह देख कर कि यह क्या प्रजातन्त्र है जिसमें दो तरह की नागरिकता होती है। यह नहीं हो सकता है। हमने किताबों में पढ़ा और दूसरी जगह देखा कि प्रजातन्त्र का मतलब क्या है, हर एक जगह यही मिला कि दो तरह की नागरिकता नहीं हो सकती, एक ही तरह की नागरिकता होनी चाहिये।

1947 के पहले यह चित्र देश का था कि हजारों साल पहले तक देश का कोई एक झंडा नहीं था, सैकड़ों झंडे इस देश में होते थे और उन झंडों के पीछे उनकी फौज हुआ करती थी, अदालतें होती थीं। 1947 में पहली दफा सरकार की तरफ से एक झंडा बनाया गया। हमसे कहा गया कि अगर 1947 में महाराजा लोग हमारी बातों को न मानते तो हमें बड़ी परेशानी का सामना करना पड़ता। कुछ रियासतों ने हमारी बातों को नहीं माना और हमको परेशान करने की कोशिश की। वह भी नक्शा हमारे सामने है उनके सामने हालत क्या थी? जो उनकी प्रजा थी, वह हिन्दुस्तान की कुल आबादी का १/१० हिस्सा थी, उसके मूड क्या थे? आन्दोलन चल रहे थे राजाओं के विरुद्ध प्रजातान्त्रिक ढंग से अपना राज चलाने

[श्री अटल बिहारी वाजपेयी]

के लिये। हर एक स्टेट में मूवमेंट होते थे। उस वक़्त हमारे पूज्य नेता पंडित जवाहरलाल नेहरू स्टेट्स में नहीं जाने पाते थे। छोटे मोटे दूसरे लोग पहुंच जाते थे तो उनको तुरन्त गिरफ्तार कर लिया जाता था। यह हालत उस वक़्त देशी रियासतों की थी।

1857 में देशी कुछ रियासतों ने आगे बढ़ कर आन्दोलन में हिस्सा लिया था। लेकिन उसमें भी हमें उनमें पैट्रियाटिज़म की बू नहीं मिलती। वह तो डाक्ट्रिन आफ लैप्स से परेष्ठान हो गये थे, अगर वह मूवमेंट में आगे आये थे तो वह यह समझते थे कि अगर यह आन्दोलन कामयाब हो गया, अगर देश स्वतन्त्र हो गया तो हमारी रियासत हमको मिल जायेगी। उनका उद्देश्य यह था। यह देखा जाता है कि और उनका कोई उद्देश्य नहीं था। 1857 में भी और उसके बाद भी हमें कभी उनके कार्यों से देशभक्ति का कोई परिचय नहीं मिलता है।

इस लिये जैसा मैंने पहले कहा, पार्लियामेंट में आते समय और जाते समय हमारे दिल में खटकता है। स्टेट बैंक में जब हम बिजली का बिल जमा करने जाते हैं तब देखते हैं कि उनका बिजली का बिल नहीं जमा करना पड़ता है, हमें करना पड़ता है। वह हमसे भी ज्यादा गरीब हो गये। आज देश की हालत क्या है? आधी आबादी 50 पैसे रोज से अधिक खर्च करने की ताकत नहीं रखती है। 50-60 वर्ष की उम्र होने के बाद भी उनको यह पता नहीं कि अच्छा खाना किसको कहते हैं वह उनको मयस्सर नहीं हाता। कई जाड़े के मौसम उनकी जिन्दगी में गुजर गये, लेकिन कभी उनके पैर को पहनने के लिये जूते मयस्सर नहीं हुए इधर इस तरह का इन राजाओं का रेकार्ड है। इस तरह की बातें आज शोभा नहीं देती हैं।

यहां कांस्टिट्यूशन की बात कही जाती है। मैं कांस्टिट्यूट असेम्बली के ऊपर रिफ्लेक्शन नहीं करना चाहता, लेकिन जिस समय कांस्टिट्यूट

असेम्बली बनी उस समय यहां पर एडल्ट फ्रेंचाइज नहीं था। उस समय फ्रेंचाइज की बेसिस प्रापर्टी थी। पापुलेशन का दसवा हिस्सा मुश्किल से वोटर होते थे। वही लोग असेम्बली चुनते थे और उन असेम्बलियों के जरिये से कांस्टिट्यूट असेम्बली में रिप्रेजेंटेशन हुआ था। उस वक़्त कांस्टिट्यूट असेम्बली का चाहिये था कि 10 साल के बाद कंट्री में ओपीनियन पोल करने की बात रखती ताकि मालूम हों कि इसके बारे में जनता की राय क्या है। मैं ता समझता हूँ कि यह बिल बहुत देर से आया है। इसको आज से दस वर्ष पहले आना चाहिये था। अगर उस समय ओपीनियन पोल रेकार्ड किया गया होता तो 90 फी सदी से ज्यादा लोग इस विधेयक के पक्ष में होते। लेकिन उस समय यह नहीं किया गया।

यहां सरदार वल्लभभाई पटेल की बात कही गई। अगर आज सरदार वल्लभभाई पटेल जिन्दा होते तो वह इसका ठीक जवाब देते, लेकिन मैं समझता हूँ कि अगर आज वह होते तो जो बातें इधर के लोग कह रहे हैं उससे भी आगे बढ़ कर इधर की बात वह कहते, जो बातें उधर के लोग कह रहे हैं उस तरह की बात वह शायद न करते।

आज मैं इसको बहुत बड़ा मौका मानता हूँ कि हमारी प्रधान मंत्री ने हमें एक अवसर दिया है कि जो हमारे संविधान में एक काला दाग था उसका हम हटायें। इस गरीब देश में जो डिमाक्रेसी चल रही है उस डिमाक्रेसी के तरीके में दो तरह की सिटिजेंशिप नहीं चल सकती। आज हम देखते हैं कि अगर हम अपनी कार में अपना नाम और अपनी जगह का नाम लिख लें तो हमारा चालान हो जायेगा, लेकिन महाराजा कर्णी सिंह की कार पर बीकानेर का नाम लिखा होता है। यह दो तरह की सिटिजेंशिप हमको रोज यहां दिखाई पड़ती है। अगर उनकी कार से कोई कुचल जाये ता कुछ नहीं होता लेकिन अगर हमारी कार से कोई कुचल

जाये तो हमारे हथकड़ी पड़ सकती है। यह बात मेरी समझ में नहीं आती। यह हमारी डिमाक्सेसि के साथ मेल नहीं खाता।

इस खयाल से जो यह विधेयक आया है वह बड़ा अच्छा है और मैं तहेदिल से उसका समर्थन करता हूँ। मैं हाउस से कहना चाहता हूँ कि हमें जनता के प्रतिनिधियों का मुंह देख कर यहाँ बात करनी है, हमें इन राजाओं और महाराजाओं का मुंह देखकर बात नहीं करनी है। आज हम यहाँ उनके प्रतिनिधि बन कर आते हैं जिनके पैरों में पहनने के लिये जूते नहीं हैं, रहने के लिये मकान नहीं हैं, खेतों के लिये पानी का ठिकाना नहीं है। ऐसे हिन्दुस्तान के लोगों के हम प्रतिनिधि हैं। यहाँ पर जिस तरह से दो नागरिकता चल रही हैं वह शोमा नहीं देती। यह जितनी जल्दी खत्म हो जाये उतनी ही हमारे लिये अच्छा है।

SHRI SEZHIYAN (Kumbakonam) : Mr. Deputy-Speaker, Sir, the present Constitutional amendment flows out of a long-drawn demand from all sections of the people and from almost all parties inside Parliament. There is also a parliamentary obligation on the part of Government to bring forward such a Bill to abolish the privy purse and the privileges given to the princes hitherto.

In the Rajya Sabha, on the 19th December, 1969, there was a resolution brought forth by Mr. Banka Behari Das which read as follows:

This House is of the opinion that Government should take all legal and other steps for the abolition of the privy-purse and privileges of ex-rulers before the presentation of the general budget in the forthcoming February session of Parliament.

This resolution was passed unanimously by all sections which included the Jan Sangh, Swatantra party and all the parties there in the Rajya Sabha. (interruption)

AN HON. MEMBER : Vote was not taken.

SHRI SEZHIYAN : Vote was not taken; to that extent it was unanimous. Some Members' opposed it and afterwards when the Minister in charge spoke on it, probably they were convinced and it was passed unanimously.

SHRI ATAL BIHARI VAJPAYEE : If there is no voting here also, we will be unanimous.

SHRI SEZHIYAN : I welcome that. Some Members spoke that this was a fit thing which should go to the people; that a referendum should be taken and people's wishes should be ascertained. I think that there was a move made by Shri Vajpayee. I do not think the Congress Organisation take that stand because their spokesman in the Rajya-Sabha, Mr. Gurupadaswamy, said:

I hope and trust that the Government will realise and recognise the feelings of the House. This House represents the feeling of vast sections, vast multitudes outside. I have said that the privy purse and the privileges of the princes have got to be abolished forthwith. I do not want any dilly-dillying, any postponment, any vacillation in this regard.

This is what their spokesman said in the other House.

AN HON. MEMBER : He is their Deputy Leader.

SHRI SEZHIYAN : Yes, Deputy Leader. Let us see the view of the Leader of the Opposition here. On the 6th December, 1969, briefing the newsmen after the day's meeting of the Party Executive Committee, Congress Organisation, Dr Ram Subhag Singh said:

We will continued to press the Government to implement the AICC direction on the Privy Purse forthwith.

The word "forthwith" is to be underlined:

"His party had been maintaining that the so-called socialism of the Prime Minister was a facade to conceal her own personality cult. We felt that this was an issue on which we could test her fate

[Shri Sezhiyan]

and sincerity in implementing the programme."

They wanted this to be implemented forthwith, but when the Prime Minister has come forward to implement it, they say, we accept the principle, but the manner in which this is being brought is not suitable to us." Mr. Morarjee Desai said that it is deceptive. I do not know how it is so. (*Interruptions*). These people said that the 10 point programme should be implemented, but the Government is dilly-dallying with it. But when the Government has come forward with this, they oppose it. There is a proverb in Tamil that the mother-in-law will always find fault with the daughter-in-law. If the daughter-in-law sit down, she will say "You are not showing any respect". But if the daughter-in-law stands, she will say, "Why are you standing? Why not sit down and do some work?" The mothers-in-law, to be exact the fathers-in-law are here. The daughter-in-law is sitting there. Every mother-in-law has a grouse against the daughter-in-law that she has weaned away her son. Here also they feel that the Congress organisation has been weaned away by her and they are angry with her. This is a family quarrel which they can settle among themselves. But the very persons who were demanding the implementation of this forthwith are now opposing it on the ground that they are not satisfied with the manner in which it is being brought.

From today's papers we find that the working committee of Congress (O) has left it to Mr. Nijalingappa to give appropriate directions to the parliamentary party at the appropriate time. Today, Mr. Morarji Desai has opposed this Bill. I hope Mr. Nijalingappa will issue a directive at the appropriate stage. For Mr. Nijalingappa has been urging for long that the Privy Purses should go. On February 7, in Bhopal, Mr. Nijalingappa said: "The princes' privy purses and privileges should go, but the Government should make adjustments with them so that they are satisfied". It means they are one with the objective of abolishing the privy purses and privileges, but the only trouble with

them is the manner in which it has been brought. It is being brought by the Prime Minister. We know how much they dislike her. Therefore, these things are inherent in a family quarrel, with which we are not concerned. As parliamentarians, our concern is, there is a directive given by one House to the Government to implement this immediately; and, if the Government has not brought forward this Bill, it would be shirking the responsibility cast on it by a House.

We have nothing against the princes as individuals. There are good princes and bad princes. Some princes are good administrators, sportsmen, parliamentarians and good Indians also. Probably in spite of being princes, they have been doing all this. In today's papers, there is an account given by one of our colleagues who has said that he has been receiving Rs. 10 lakhs but spending about Rs. 15 lakhs. I feel very sorry for him that he should bother to receive Rs. 10 lakhs and fulfil his responsibility by spending more. That is why I say we should abolish the privy purses and leave them in peace, so that they need not spend over and above what they receive.

So much was made about the sacrifices made by the princes and rulers, Mr. Morarji Desai said, they have surrendered about 12,000 miles of railroads, Rs. 70 crores of income every year and so on. What could they have done with the railways? Could they have taken it to their places and put it inside? I do not know.

In modern political thought, the state is not the private property or estate of the ruler. A distinction should be made between the private property and the public estate given to him in trust of a ruler. Once you take away the latter, I do not think the Rs. 70 crores belong to him or the railways belong to him.

These rulers have been also repatriated themselves. Some of them have become diplomats, industrialists, businessmen and excellent hoteliers converting their palaces into posh hotles. They are slowly and

steadily integrating themselves into society.

So much was said about Constitutional property. Nowhere in the Constitution has a promise been made about privy purses. That should be very clear. There was a political settlement in 1950 by covenants and agreements but nowhere in the Constitution was it ingrained. Even article 291 says that the amount you pay will not be subject to tax and all other things. There is no directive in the Constitution that you should pay it in perpetuity. Even if you take articles 294 and 295 which give the obligations of the States, provinces and the Union, all the other things are listed there but the privy purse does not find a place.

As the political situation changes, the political settlement has to change. As a Member of Parliament and as a citizen, who has to respect and protect the Constitutional provisions, I do not find anything in the Constitution which says that it should be paid in perpetuity. The only thing given there is, if you pay what the procedure should be. Therefore, whatever agreement has been made between the Government then and the princes, if the princes had taken their word on its face value, it is they who should go about it.

About the perpetuity, it was also said that this is a thing which should be paid to them because they have surrendered their rights and have sacrificed so much. I think, the previous speaker has talked of the sacrifice made by Maharana Pratap, Shivaji and all those persons. When the illustrious predecessors have sacrificed so much for the country, why do the present ex-rulers not sacrifice the privy purse which, even if they receive, is not enough, according to them?

Then some princes are receiving Rs. 20 lakhs and one prince is receiving Rs. 192 only. For a man who has received Rs. 20 lakhs for 20 years, he has had enough. He should be satisfied if it is now cut off. For a man getting Rs. 192, it is such a paltry sum that he can afford to give it up. Those who receive big amounts should be satisfied now and those who receive very small amounts are not going to lose much.

Therefore, on this account also we should not be sorry that this going to be done away with.

Much was made about perpetuity and all these things and the moral obligation set on this country. It is true, at that time they had to make adjustments, but did Sardar Patel or his assistant, who helped him very much in this work, Shri V. P. Menon, have in their mind that the concessions and privileges given to these princes are going to be eternal? I think, all the speakers agreed on this point that it was not going to be in perpetuity. The manner in which it should be abrogated and the tapering off should be done only was talked by them. Even Shri V. P. Menon, when he wrote about this, has made this point very clear. He has said:

“Apart from the privy purses, we permitted them to retain certain private properties and guaranteed them the personal rights, privileges and dignities which they had hitherto been enjoying. We believed that these concessions would, in due course, enable the rulers and their successors to adjust themselves to the new order of things and to fit themselves into modern social and economic pattern.....”

20 years had been given to them to readjust themselves to the new order of things and to fit themselves into modern social and economic pattern. 20 years is such a long time. By this time, I hope, they would have settled and would have fitted themselves into society. They had been princes once. They still call themselves rulers but those states do not exist now. If you take the Hyderabad State, the entity of Hyderabad State is not existing now; it has been split into three parts and the original State is gone. Therefore they are rulers of states which do not exist. Times have changed. A new order has come.

Much was made about the privy purses only, but there are so many privileges given to them. If you are prepared to do away with those privileges, there is nothing to prevent us to do away with the privy purse also. There are as many as 20 privileges. If you read these privileges, it looks very ridiculous in the modern set of things and

[Shri Sezhiyan]

in the democratic way of life. No sensible man or citizen will tolerate this thing.

I would like to read out some of the privileges given to the princes. These are as follows:

“Free medical attendance and treatment for former rulers and their families in Government hospitals.

Provision of armed guards at the palaces.

Exemption from local taxes on the rulers' residence.....”

Not only the privy purses are exempt from tax but exemption is given even for small local taxes. Then other privileges are :

“Free registration of ruler's cars and free driving licences.....”

The registration fee for car and the driving licence of Rs. 15 or so are also exempted. Then, there is a privilege, namely:

“Exemptions from customs on the rulers' baggage.”

I do not know why this free allowance is given. Further, their fishing and shooting rights are protected. They are the only persons in the country who can go about shooting and fishing without any obstacle whatsoever.

Then, my hon. friend Shri Vajpayee mentioned what perquisites are being given to the Ministers. I also don't agree with the perquisites being given. We give the same perquisites to the princes. They are:

“Free supply of water and electricity for some rulers in their palaces in their States.

Postal and telegraph facilities, such as licensed booking of priority trunk calls, immediate telegrams and free radio licences.”

Even a free radio licence is given. These are some of their privileges which look so ridiculous.

Only in a feudal society, these privileges have any place. In a democracy, it is the contract between the individual and the society as to how far he is useful to the society. Here, we want the princes to sacrifice for the country and to be realistic enough to adjust themselves to the democratic set-up of the country. Mr. Bal Raj Madhok and others are wanting to Indianise the people. First of all, let them Indianise the princes and make them common citizens of the country.

SHRIMATI SUSHILA ROHATGI (Bilhar) : Mr. Deputy-Speaker, Sir, the House stands tip-toe on the eve of taking a momentous decision. It is for the hon. Members of this august House to decide whether to make history or to mar history.

I wish the hon. Members of this House had chosen to continue in this same line, in the same dispassionate spirit, in which the hon. Prime Minister made the speech appealing to all the sections of the House irrespective of their party affiliations to take it not as a political measure but as a historic measure, as a revolutionary gesture the goal to which all of us are dedicated and that is to fight and eradicate poverty. It is our dedicated goal of emancipation of India, not only a political emancipation of India but the economic emancipation of India in the establishment of an egalitarian society, in the establishment of a classless society. It is a matter of vital interest to us today.

And when Mr. Vajpayee who is one of most eloquent speakers and one of the most respected speakers of the House said: ‘What is the hurry? Could we not wait till 1972?’, I would only ask him, I would only request him, I would only beseech him as an eminent citizen of the country to cast his eyes towards the condition of the country, to see the state of chaos which is prevailing all over in every State. Let us catch it time by the forelock. If we do not do it now, the wave of Communism, the wave of violence, the wave of difficulties that is arising the country will sweep all of us, not only the Congress, but each and every Party and each and every individual. It will strike at the very root,

it will strike at the very fabric of life and it will strike at the very nature of the Constitution and there shall be no Constitution but there shall be only violence for which each of us will be answerable. Therefore, I appeal to Mr. Vajpayee and I appeal to hon. Members to rise above their respective Party affiliations and visualise this as a matter of vital national interest today.

I know this is very important matter. It has divided the society. It has divided the Members of our House into two sections. There are those who have taken cudgels with the Government. There are those who have cast their lot with the Operation Princes and have fought for the privy purses. I have full sympathy with them. I am not one who says that the princes are all bad. I shall not subscribe to the view that the princes have not been patriots. I have been a student of history. The part which has been played by the princes has been an honourable part. No student of our history can change as part of the patriots and rulers in India. But, at the same time, we cannot go against the aspirations. We cannot go against the dedicated principles of our Party which has fought only for the eradication of poverty in the country. We cannot go against our goal and that goal is to go ahead at every step.

I certainly would have been the happiest Member if this Bill had been brought in a different manner. I am not one who subscribes to the view that these sacred treaties and contracts are merely to be wished away as merely historical documents. I do not believe in that. I believe they are sacred documents. They should not have been unilaterally abrogated. But let us at the same time see the historical context. What sweat, what labour, what pain and what anguish has gone behind them? Let us visualise the historical and human factor behind it. At what stage of history we have come. Nearly three years have been taken for us to come to this decision. I am still hopeful that if the Members co-operate and if the appeal of the Prime Minister is heard by them, then I think there is still a possibility and there is still a way of hope for the princes who have always been at the forefront sacrificing for the cause of the

nation to once rise to the occasion and they should not mind sacrificing at the national altar. But at the time the princes say that the damocles sword should not have been hung over them and they should not have been expected to come and co-operate in the process of their self annihilation. I wish this process which the Prime Minister has started in May of writing individually to each of the princes had been started earlier. I wish that the individual appeal was made earlier. I wish at the same time they should have come round. I am afraid that the same amount of response has not come from the princes which was expected. A certain amount of prestige, a certain amount of dignity, a certain amount of self-respect—these are things quite understandable even to a common man and since we have to deal with the rulers, I realise the princes also have their stand. But I fail to understand what Mr. Vajpayee said. I think this is an occasion when we should really forget all these things and rise to the occasion. I would like to repeat the words Shri Morarjibhai has said. I was yet ruminating over what he said. He has accused the Congress of deception. He has accused the Congress of betrayal. I think he is one of our most highly respected leaders but I would only like him to recall the history three years ago, when on the dais of the undivided Congress, the very same personalities stood in front and at the time when only there was an official resolution for the abolition of the privileges, only an amendment was brought and all these people co-operated and none of them had the courage at that time to get up and say that they shall not be incorporated in that. Today I know there may not be a great deal of propriety in the manner in which it has been brought. But I would recall the words of the Leader of the Opposition, Dr. Ram Subhag Singh, which has been published in the HINDUSTAN TIMES of 6th December. He said that he 'will continue to press the Government to implement AICC directive on privy purses'. Is this what is known as 'pressing Government for implementation'?

Is this the time to renege over the manner in which we are bringing it? What the country needs today is implementation; what the country needs today is action; what the country needs today is to harness all the energies. Our youth are frustrated;

[Shrimati Sushila Rohatgi]

the country is going to dogs. At the same time we are worrying over these small matters.

I do not find the Hon. Leader of the Opposition; nor do I find Shri Morarji Bhai; I do not find the Deputy Chief Whip. This is the interest shown by the Leader of the Opposition and opposition parties! But I wish to say that the commitment is clear and this commitment will be on record. What they have accused of 'deception' and 'betrayal' is only hypothetical, but what they have said today is on record and if they are not prepared to implement their own words, how do they expect others to implement? I do not understand this. Who betrays whom? It is a matter for history to find out. It is not for us to say today.

I would like to draw attention to what Shri Nijalingappa himself said on this issue. Shri Nijalingappa said:

"The Privy Purses must go."

It is a categorical, imperative, mandatory instruction that 'The Privy Purses must go.' When the motion is brought up, I do not know why they are not supporting.

I wonder what is their party ideology. I wish Mr. Nijalingappa had issued instruction to his people, even in spite of the way in which it has been brought I know that. Even in spite of that, I wish Mr. Nijalingappa had instructed his partymen remembering the words and the commitment that he has given.

श्री अब्दुल गनी डार : जिस की अपील को ठुकरा कर आप ने गद्दारी की और संजीव रेड्डी को हराया ।

[شری عبدالغنی ڈار - جس کی اپیل کو ٹھکرا کر آپ نے گداری کی اور سنجیو ریڈی کو ہرایا -]

SHRIMATI SUSHILA ROHATGI : I am extremely happy that the venerable leader there has been provoked into saying things which I would have wished him to say. Mr. Vajpayee has appealed to the voice of conscience. I and many others of the Congress party at that time were there who stood by the party discipline and not of the voice of conscience. (Interruptions) I tell you, it is the same voice which we hear now, it is the national voice; it is the voice in the larger interests of the country. What you are accusing us today, applies equally to you, and to many others. Our argument is based on the national interest. Our party is dedicated to the national goal. As such I appeal to them not to ask us to invoke the voice of conscience in this particular thing.

The CPI Leader, Professor Dange appealed that there should be no compensation. I can quite understand Prof. Dange preaching like that, because he and his party subscribe to the theory of 'grabbing' It may be land-grabbing today; it may be grabbing of the purses of princes today; it may be another grabbing in future. But those of us who are wedded to Democracy—and democracy needs compromise and toleration—cannot yield to his arguments.

I am very glad the Prime Minister has given an assurance that they shall be given compensation which will be befitting to their dignity and their honour.

With these words, I would once again beseech hon. Members to rise above parties, not to treat this as a party issue, but to take it up as a national interest, and support the Bill. Thank you.

SHRI J. B. KRIPALANI (Guna) : Mr Deputy-Speaker, Sir, at this age of mine and at this time of the day, the House may not expect me to indulge in eloquence which have marked the discussions of today.

The Prime Minister has told us that this is a historic occasion. I would only

remind her that historical occasions need historical perspective. When that historical perspective is not there, the occasion is no more historic.

We seem to have forgotten the history of 1947 when this country became independent. But it is natural for people to forget 24 or 25 years' back-history, when they have forgotten even the Father of the Nation, and the people allow him to be abused and those who abuse him are given titles; so there is nothing new in this.

At that time, the country was in a conflagration. Life and property was not safe, either in the north or in the east of India. The British people, having carried on their government by the policy of divide and rule gave us the last kick by dividing the whole country. It was not only Pakistan and India that was divided but their intention was that every Indian State should be divided from the Indian Union. We must remember that. And it was the genius of Sardar Vallabhbhai Patel who somehow or the other with the help of some kind of Menon—I do not remember his initials.

SHRI NATH PAI (Rajapur) : V. P. MENON.

SHRI J. B. KRIPALANI : Yes, V. P. Menon (they are all clever fellows)—brought about this integration of India. And remember that the Constitution that we have made could not have been possible if that integration had not been brought about. The basis of that Constitution is this that India is one and that there are no Indian States at all.

I shall not talk of the sacrifices that were made by the Indian princes. Even Shri S. A. Dange had to admit that some of the princely Governments were more in advance than those in British India. So, I need not go into the question whether the rulers were good people or bad people. But the point is this. We did make a promise to them. It was not the Constituent Assembly that made the promise; it was a treaty or understanding or agreement or whatever you call it, between

the Government of India and the princes and not the citizens of India, they were not the citizens of India, and they were independent; the British people saw to it that they had their independence. They took away their suzerainty over them. Nobody could have coerced them. It was impossible. There was only one prince whom we had to coerce and that was the Nizam, and we know what trouble we had.

I can say with confidence that each big State could have played that part, and we would have been put in a great quandary. But I am not talking of these things. I am only talking of what amendments are put before the House.

Has anybody given attention to these amendments? These amendments have nothing to do with the privy purses. The Constitution merely recognises a fact, the fact of agreements between the Government of India and the princes. All these articles that are sought to be deleted—I do not remember the numbers—only recognise the fact of agreement between the Government and the princes. Also they go further and recognise the way in which money is to be paid to the princes, how the privy purses are to be paid to them. These articles are being taken away.

What is the effect of it? Does it affect the agreements? Not at all. I really do not know why this thing has not occurred to our learned people here, that it has nothing to do with the agreements, because these articles only recognise the fact. And when did that fact come into existence? It came into existence before the Constitution was made. It was an agreement entered into by the Government of India with certain people; call them sovereign or non-sovereign, they were not citizens of India. Therefore, it is a question of international law; it is not a question of municipal law. It is not a question of the Constitution. The Constitution only recognises the fact of these agreements, and the Constitution indicates how this compensation is to be paid. Whether it was right or wrong is not the question; whether Vallabhbhai was wise or foolish

[Shri J. B. Kripalani]

in making these promises is not the question.

The question here is : these are treaty arrangements not between citizens of India and the Government of India—there can be no treaty between a citizen of India and the Government of India. If there is an agreement between the Government of India and citizen of India and if there is a dispute, it will have to be referred to the judiciary. Is that not a fact? But in the Constitution it is said that this dispute shall not be referred to the judiciary. The Constitution definitely says so, that the judiciary has no place here. Therefore, these are agreements between the Government and some non-citizens; they have the force, I may say, of international law. They were made before we frames the Constitution, and before the Constitution came into existence. The Constitution merely recognises the fact and made provision for payments. These payments are not subject to the vote of this House. Remember that. They are paid from the Consolidated Fund of India. We have nothing to do with it. Now you take away these provisions.

SHRI V. KRISHNAMOORTHY : Let them agitate in the UN.

SHRI J. B. KRIPALANI : When you take away these provisions, you take away the moral consideration. I talk of morality not in the ordinary moral sense, but I am talking of Political morality. There is such a thing as political morality, also, however much you may talk in the name of conscience or in the name of the good of the people. I do not know why people who have been waxing eloquent about a socialist pattern of society, to which our Government seems to be Pledged, go to astrologers. I have seen here Minister after Minister consulting astrologers. Is that an index of a socialist pattern of society? I have seen those who talk of socialism, but I have never seen their wives. They keep their wives in purdah. They talk of socialism, but their ladies wear sarees the colour of which is prescribed by the yogi or the astrologer. What nonsense are we talking about?

I was told each Minister costs Rs. 1,50,000 per annum.

SHRI PILOO MODY : Rs. 4, 50,000.

SHRI J. B. KRIPALANI : I am subject to correction. I do not know these statistics. And we are talking about socialist society. We are saying that this is being done on account of socialism, I say that every Government has the right to repudiate any treaty or promise that it has made. It does not require the sanction of the House. Why do you bring us in? We were and are nowhere in the picture. you are doing a thing which some of us consider to be not right. Then why do you oblige us to vote with you or not to vote with you? You have the power, you can repudiate. Every treaty is repudiated by people who have the power to do so. No treaty is sacrosanct. It is not a question of eternally lasting or not lasting. In one word you can say that the privy purses and the privileges are abolished, that they will be abolished, and it is for the Princes to find out if they have a remedy. As you know, they have no remedy. Where do we come in?

What is the point in retaining Article 363? The Princes are neither citizens nor non-citizens. If they are citizens, they must be able to go to the Supreme Court for their rights. Here you make them hang like Trisanku. They are neither nationals nor non-nationals and you want to treat them as partners in democracy. This is very strange.

But nobody has talked about this that we come nowhere in the picture. It is a question of the Government; if the Government wants to repudiate the agreements it can do so; but it wants a camouflage, it wants to show that it is carrying out the instructions of the party. If you are carrying out the instructions of your party, the instructions of your party are that privy purses be abolished: let them be abolished

today by your order, and nobody, not a dog will bark here, because the dog has no permission to bark. You have the power, you do not want to exercise it and you want to throw the blame upon us. Please exercise your power and abolish the privy purses. This is the mandate that you have got from your party. Why don't accept it? I say this is dishonest. What you can do yourself you refuse to do because you are afraid of doing it. You want to kill a fly with a hammer, what is the meaning of this? There is no example in history like this.

There are old Nawabs living in Lucknow. Even today their pensions are being paid by this Government. And remember this is the swaraj Government. They are entitled to it. Who were these people? Whoever they were, good or bad, we are keeping up the tradition that the British introduced here of paying pensions to them. And I know that every year a Nawab who is now a *ekka* driver takes out his *achkan*, decorates himself and goes to receive Rs.5 from your Government, not from our Government, but from your Government. You are keeping up that farce and you have an objection to this farce on the ground of democracy, on the ground of socialism.

Where is democracy in India, where is socialism in India? It is only in your mouth, it is not in your action, it is in none of your actions. We are talking nonsense, we are the greatest humbugs going in the world. There is no nation that suffers from more sanctimonious humbug than we do. We call a man the Father of the Nation and we degrade him. Nobody objects to it. We call Subash Chandra Bose the maker of modern India, but not a sentimental Bengali has anything to say about his being dishonoured. In any other country if such national leaders were insulted by people, they would be lynched there and then. It is the people who will do it, they will not wait for the Government.

18 hrs.

You are talking of democracy, you are talking big words. Small minds, I say. If you want to crush them, crush them plainly, say you have the power, you

repudiate these promises. There is no harm in repudiating them. So many things have been repudiated after independence. Treaties are not sacrosanct for people who have the power and power gives them the right of might. Why do you not exercise that right? Why are you so cowardly if you are so brave? It is very easy to talk of brave deeds, Brave deeds do not come from brave words and socialism does not come by more slogans.

Democracy is a way of life; socialism is a way of life. We lack that way of life. Let us not talk of socialism. Let us plainly say: these are inconvenient things, there are some among us who want them to be removed, who consider themselves to be radiculous riding us and there are others who see the votes we shall suffer; they do not want these things, Why do you want to make a show. This is merely a camouflage and a show. It has nothing to do with privy-purses. If you are carrying out these amendments, carry them out fully. You deny to a citizen of India the liberty of going even to the Supreme Court. You want to have it both ways. Abolish Article 363. Then I would say that you are doing something that is logical and understandable. This is not the way a mighty Government, like the Government of India should act, and in a cowardly manner, in an indirect way seeking to abrogate the innocent article in the Constitution. You are out of Court. Abolish the privy purses. We are all with you. Have you the guts? Then do it today. Mr. Dange will bless you. What did he say? Those who hire can fire. Will he admit that proposition in a mill? The mill owner hires. Can he fire a worker? He will at once go into what is called gherao. What nonsense these people are talking? Today there is that land grab movement. But every Communist's land; is sacred. The land of his father and grand father is safe. I have known people becoming Communist because they want to save their lands. . . . (Interruptions) It is a fact. We are living in confusion. We are not living in a civilised society. There is no law, there is no order. Any body can do anything. In Bengal what do you find today? There is a revolt here today and there is a revolt there tomorrow. There is so much material

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from which five thousand bomb can be made which is found out by Police. Yet every time our Minister, the Home Minister and our Prime Minister says that things are improving in Calcutta. Are things improving? Are we living in this world or are we living in the world of make believe? Our ancients used to say that this world is maya. There is no greater maya

then the one in which our Government is living.

18. 5 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, September 2, 1970, Bhadra 11, 1892 (Saka)
