

MR. CHAIRMAN : The result* of the division is : Ayes 91 ; Noes Nil.

I regret to announce that the motion is not carried by the required majority.

The motion was not carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.

The motion was negatived.

17.20 hrs.

CONFERMENT OF DECORATIONS ON PERSONS (ABOLITION) BILL

SHRI J. B. KRIPALANI (Guna) : Mr. Chairman, I move :

"That the Bill to provide for the abolition of the practice of conferring by the State decorations, such as Bharat Ratna, Padma Vibhushan, Padma Bhushan and Padma Shri, and for matters connected therewith be taken into consideration."

Sir, I have brought before the House this Bill in pursuance of article 18 of the Constitution. As everybody knows, the Constitution prohibits any Indian Government from conferring any title on an Indian citizen or on a foreigner. Also, it prohibits Indian citizens from accepting any decoration from a foreign government. Not only that, when a foreigner is working in India, our Constitution provides that he cannot accept any decoration either from this Government or from any foreign government without the consent of the President of the Republic. These words are very clear in article 18.

Why was this done ? Why were these decorations abolished ? There was a reason for that. It was because the British Government consolidated its power by the grant of these titles and decorations. They degraded our people. They made them to flatter the authorities that be and the authorities took advantage of conferring titles and decorations on those people who would say ditto to whatever they did. This was the origin of article 18.

Let me point out to you what Sardar

Patel said when this article of the Constitution was being passed. He said :

"We have discussed carefully this matter and we have come to this conclusion which is embodied in article 18."

He said :

"We are legislating or trying to legislate on what the State will do or what the State should do, not on what the people can or should do. There may be party governments ;"

remember, Sardar Vallabhbhai said that there might be party governments—

"there may be other governments. They should have no authority to give any inducements or to corrupt people in order to build up their party or to obtain or derive strength by unfair means."

It is not only a foreign government that derives its strength by unfair means but an Indian Government may also do so. Remember that the Sardar had no doubt about his own government. It was a Congress government ; it was a government of those who had fought for the freedom of the people. But he was a foresighted Statesman. He did not think that in future or for all time to come the Congress government would be in office.

We have the continuance of the Congress Government. They may also claim that because the Congress worked for the independence of the country, they are the inheritors of that tradition. I have no quarrel if they make that claim though that claim will not be admitted by the general run of the people of India. But they are entitled to their own opinions and I would say it is a very natural claim but since 1967 they have seen with their own eyes that there are different Governments in different States. They have also seen with their own eyes that even at the Centre they have not a comfortable majority. Rather they are in a minority. They may be fair-minded persons. They may be good persons. But how are they sure that those who come behind them will be as fair-minded as they are ? Therefore, in the interests of the whole country, as Sardar said, there should be no temptation given to any government to utilise this kind of grant of decorations and titles and to strengthen themselves. The Government may

*The following Members also recorded their votes for AYES :

Sarvashri Kusbok Bakula and C. C. Gohani,

[Shri J. B. Kripalani]

be good or may be bad. Good government does not require this support. It is only a bad government that requires this support. The support was needed by the foreign Government because it was a foreign government, because it was an imperial government and because it was a tyrannical government. Why should any democratic government require these props to their power? This is what Sardar said.

Then there was a dispute whether only hereditary titles and decorations should be abolished or all decorations should be abolished. About this Mr. Masani who brought the amendment says :

"The first (change), which is an important one, is that the word 'heritable' be dropped. This will mean that the free Indian State will not confer any titles of any kind, whether heritable or otherwise.... The idea of a man putting something before or after his name as a reward for service rendered will not be possible in free India."

He said there is a dispute whether only heritable titles or all titles and all decorations should be abolished and Mr. Masani brought an amendment and he says 'all kinds of decorations' must be abolished.

Then let us see what Shri Sri Prakasa says :

"Other States also honour their citizens for good work but those citizens do not necessarily hang their titles to their names as people in Britain or British-governed parts of the world do... That State can honour the citizen; if the people want to honour a leader, then they can also honour him; but we want to abolish this corroding, corrupting practice which makes individuals go about currying favour with authority to get particular distinctions."

The word title means also Decorations. This has been made very clear by Shri Sri Prakasa.

How has the change come about? How have these Awards come in? It was done by going behind the Constitution, by some Executive order. I have enquired from all the living Cabinet Members of those days and they have told me this, that no such proposition was brought before the Cabinet. Among them is our hon. Minister of Defence.

I don't know what Minister he was then.— Shri Jagjiwan Ram. And then, the gentleman from the South, who used to be Finance Minister, Shri T. T. Krishnamachari and the Maharashtrian Shri Deshmukh, have told me. I have enquired from them. They tell me that they have no knowledge of such a proposition ever having been kept before the Cabinet. This has been brought about by the back door and by a slight change of word which has no meaning at all, whether it is "Award", "Decoration", or "Title". Article 18 is clear about it and the speech that was made by Shri Masani is clear about it. It says, any 'decoration,' not inheritable or heritable. It is very clear. There may be a difference of words, but there is no difference of meaning. The 'awards' are appended to the names of the people; they come behind their names. They get invitations from the Government mentioning the award.

They are called : Bharat Ratna ; Padma Shri ; Padma Vibushan, etc. All these titles are mentioned. The Government recognises them in their protocol. This is violation of the Constitution. It has no basis in the Constitution. It is circumventing the Constitution by changing only slightly a name, instead of calling it decoration, they call it 'Award'. But one thing is clear about it that these awards are decorations. That they are decorations will be plain from the fact that the recipients of them go and hang them in a frame, and put the frame in their offices to advertise what they have received. They put it in their drawing rooms. They exhibit it as titles used to be exhibited. They exhibit it just like titles in the British days which were not inheritable, like Rani Sahibs and Rao Bahadurs which were not inheritable. This was done by a sleight of hand. If you change the name, you don't change the thing itself. As Shakespeare has said, "The rose will smell as sweet even if it were called by any other name."

But I say that a thing has got a bad smell will smell bad even though it be called a rose. Calling it an award does not make these titles acceptable in a free community.

Then, as I have said, Government is sitting now on a volcano itself. It must remember that it must not do something that will come in its own way. Another more cursed government than we have got at

present may come forward and utilise these titles as they are now being utilised.

Supposing there is an ugly woman, and you call her a *sundari*, she does not become a *sundari*. Suppose there is an old hag and you call her young, she does not become a young lady.....

AN HON. MEMBER : All women are young.

SHRI J. B. KRIPALANI : Of course, all women are young. I have no objection to that proposition. At least I have no objection in the case of those ladies who are sitting in this House.

Let us see whether these awards are given always to the deserving persons. We are a State which believes in prohibition. Will you be surprised to know that those who produce liquor are Padma Shris ?

SHRI ATAL BIHARI VAJPAYEE (Balrampur) : But they do not drink.

SHRI J. B. KRIPALANI : My hon. friend may know that. It is not a question of whether they drink or not. It is not even a question of whether they are capitalists or not. The question is that prohibition is one of our State policies. That the brewers of liquor should get titles looks rather incongruent. Either take away prohibition and say that it is not our policy ; then I can understand, or else do not do such things. If you take away prohibition, then a brewer also becomes a capitalist, and you can give the award to him I can understand that.

Again, we are a socialist State. But will you believe it when I say that many awards have gone to the capitalists ?

SHRI MADHU LIMAYE (Monghyr) :
To Shri Gujar Mal Modi.

SHRI J. B. KRIPALANI : The award has not gone to Mr. Tata. One can say that an industrialist benefits the country. All right, if that is the criterion, then the Tatas benefit the country more than any other house. But there is no award to him ..

SHRI S. M. BANERJEE (Kanpur) : But the Britishers decorated him with 'Sir'.

SHRI J. B. KRIPALANI : The Britishers

decorated them in their time because they were serving the British. Now, they are not serving them ..

SHRI RABI RAY (Puri) : Now, they are serving Mrs. Gandhi.

SHRI J. B. KRIPALANI : I think some Birla also has got a title, some Padma Bhushan or something like that, I do not know, and I stand to be corrected. But the Tatas have not got anything. The Mafatlals have not got anything. All these titles are given in the east only and not in the west. Bombay is in the west of India. Do my hon. friends know that in UP, where the condition of the people is that of the middle ages, people get the titles, and this man, our labour leader ; Shri Banerjee, does not object to it.

Industrialists from Kanpur have got the awards. They are not very big houses, but because they had influence with the Chief Ministers, therefore, they have got the award. For instance, Mr. Gujar Mal Modi. Then, there is Padampat Singhania. Why did he get it ? He does not represent one of the big business houses.

These awards are introduced by an executive order. What does the order say ? That these awards are conferred by the State for 'exceptional service towards achievements in art, literature and science and in recognition of public service of the highest order'. Public service of the highest order ! What were Modi's Public services ? Even so far as that is concerned, there is inconsistency.

I beg to submit that Government is not the best judge of the merits of the people. How are the merits of the people judged ? A friend of mine who got some title related the story to me. He wanted to receive his title. When he came back, I said : 'Should I congratulate you or sympathise with you ?' He said 'Please do sympathise with me'. I asked why. He said : 'I was sitting there in the midst of cinema actresses and they were all in make up in daylight'—make up in the night, one can understand. He said 'these artists looked like Bhoothnis. I was ashamed to sit among those Bhoothnis'. Not that they had bad figures, but a good figure can be made bad by plastering it with all sorts of make up material in the broad daylight of India. It is not the muggy atmosphere of England where this make-up can deceive a

[Shri J. B. Kripalani]

person. Here you can see through it all right.

There is a recent case. They, the Government, appointed a panel to give award to a cinema star. The panel recommended the name of V. Shantaram.—The Maharashtrians know him. And who got the award? Devika Rani. Who is Devika Rani? I do not know.

AN HON. MEMBER : She is a good actress.

SHRI J. B. KRIPALANI : May be. When they appointed a panel, they did not even inform the panel that they are going to give that award to some one else. Devika Rani may be very old now. I used to see her acting some 25 years ago. May be she is an old beauty. I do not know. My eye sight is not as good as of younger people. I do not go to cinemas. Even if I want, I will not be able to see clearly.

This is how awards are given. The Government is not the best judge. Even if it were the best judge, its successor will not be the best judge. Why are they creating conventions which spoil our land?

श्रीमती लक्ष्मीकान्तम्मा (लक्ष्मण) :
श्री कृपालानी कह रहे हैं कि उन्होंने सिनेमा नहीं देखा है।

श्री नाथ पाई (राजापुर) : जब देविकारानी युवती थी, तब देखा था।

श्रीमती लक्ष्मीकान्तम्मा : वह किसको एवार्ड देना चाहते हैं?—देविकारानी को या मीना कुमारी को?

SHRI J. B. KRIPALANI : See how these awards began. First it was given to Jawaharlal. Then, our President Shri Rajan Babu gave it to himself—a very funny thing. A humble man like Rajan Babu could not have done it but at the instance of the Government. Two or three people who had rendered very magnificent service in the freedom struggle were also given such awards. This trickle has now become a stream. There used to be only one occasion

in a year, but now on every occasion there is a list of awards.

If I may give an example which may annoy our lady Prime Minister, an award was given to an artist who called Gandhiji 'the son of a pig'. We were told that he was a great artist. Should he show his art by abusing Gandhiji? Our artists in ancient days were not like that. They used to be sadhus and sanyasis. The pictures in Ajanta were painted by anchorites. It is not our tradition that our artists should be Bohemians. Our artists have been people of religion, people of literature. We were told by the Prime Minister that we must have charity for him. I can show charity to a man who abuses me but not to a man who abuses my nation, my leader. Gandhiji had charity for those who injured him. A Pathan injured him in Africa and, he said that he would not file any case against him. But the Government filed a case against him because it was a public offence, and Gandhiji said that the Government was justified in doing so. Then there was Jalianwala Bag. Did Gandhiji want punishment for the perpetrators or not? He was very charitable to those who injured him, but never charitable at the expense of his friends, at the expense of the leaders of this country whom he always praised, at the expense of the honour of the country. These are all facts and have been mentioned before also.

Then you must remember that this article 18 occurs in the Chapter on Fundamental Rights. This violates the Fundamental Rights of equality and it is against the democratic practice, it is against socialism by which all parties here swear. Remember that neither democracy nor socialism is a cluster of doctrines, dogmas and ceremonials.

It is not a question of slogans; it is a way of life, how people behave. If we cannot behave properly with our servants, with our subordinates, with the opposition parties, then I say we are not democratic; we are not socialist. It is an eyewash; it has nothing to do with democracy or socialism. Article 18 occurs in the Chapter on Fundamental Rights of the people. These awards are a violation of our Fundamental Rights; the sooner these titles are taken

away the better for the country I shall read to you the list of countries where titles had been abolished : USA, Ireland, Korea— Even Korea—Mexico, Norway, Phillipines... I have given only a few names ; there are others.

I therefore bring this Bill before this hon. House. These awards violate our Constitution, violate article 18 ; they are against democracy ; they are against socialism ; they are against equality that is guaranteed to the citizens ; they demoralise the people ; they degrade the giver and they degrade the receiver. Therefore the sooner they are abolished the better. I do not think that there will be anybody in this House who would oppose my Bill, if he is really a democrat, if he is really a socialist, if he does not use the word democracy to deceive people and socialism to fill his own pockets.

सभापति महोदय : अपने भाषण के दौरान श्री आचार्य जी ने एक बात यह कही कि राजेन्द्र प्रसाद जी ने अपने आप को यह उपाधि दी थी तो वास्तव में राधाकृष्णन जी जो उन के उत्तराधिकारी थे उन के समय में यह दी गई थी ।

SHRI J. B. KRIPALANI : I have myself said that it was the Government which did it. All awards are given by the President at the instance of the Government. Shri Radhakrishnan merely performed the ceremony as Vice-President.

SHRI BEDABRATA BARUA (Kaliabor) : I support the Bill brought forward by revered Acharyaji. Comparisons are not quite relevant everywhere. There are countries in the world where the tradition is such that a certain respect is signalled for these people by such things. But these decorations do not at all fit in with our historical perspective, with conditions in which we exist. The Government made an attempt to see if this could at all be made to fit in with the tradition of the country. It is now time that we realised that these decorations were completely misfit in our system for various reasons ; they have to go. It was possible to continue them in England because of feudal traditions which inspire them to have such decorations from the kings. We are a republic. We do not have

a monarch. The whole prestige of the monarchical and feudal order has gone ; it no more enjoys that respect ; very rightly this House has voted overwhelmingly for the abolition of the privy purses. The feudal order has come to an end in the country. In those days of ancient times so many things deserved our respect and adoration. But this is something which is absolutely incongruous ; it does not fit in with our present day life ; it does not even emanate from our past ; it does not acquire any prestige anywhere and it is not even coveted ; it even insults the persons concerned.

As Acharyaji said, when the person who gets it may feel that he is not in the right company even in England. That happened. They were giving some titles to the beetles ; some honour was conferred on the beetles ; they were all feudal orders. But the people of England are very much charmed by these feudal traditions. Even then, some people have returned these honours, that were given to them, because they would not like to be such a company.

Secondly, the reason why these decorations should go is this. Every honour that has been given is always a subject of controversy, even if the honour is given by the Government which has a great tradition. But the Indian Government cannot possibly claim a tradition for centuries, because we ourselves have removed the monarchy and we do not have monarchy, as I said. Because of that, every honour that is given, whether given to Mohan or somebody else, it is controversial. When it becomes controversial, the person concerned does not get the respect. It does not become sacred anyway. And, therefore, the sooner it is abolished, the better.

We have abolished the privy purse and that was, I think, the most historical decoration. Whether it was abolished constitutionally or not, I say it was removed democratically. So far as this House is concerned, it voted for the abolition of it with an overwhelming majority ; by more than two-thirds majority ; it was done by this popularly elected House. Having done that, what we intended was this. What we intended even then was that those who got the honour should get the respect of the people. I do admit even today that those feudal honours, of the traditional monarchy,

[Shri Bedabrata Barua]

even those decorations have got respect in this country. Those with the decorations have got the respect or prestige which we do enjoy even now. But even those things, we want them to go. Then, why these vicarious decorations which we have created most egregiously in a hot-house? Why should they be allowed to continue?

It is against the Republican spirit. In America also, these decorations were prevailing, but then they dropped them within one week. What happened in America? They appointed a Committee. The senators gathered and said, "Let us call him the President." Some of them said that it is very bad to call somebody as Mr. Ike or some such name. Some said, "Let us call him 'his Excellency'." Somebody else said, "No, no. Let us call him 'his Majesty'." They could not find out.

I am speaking the truth. Actually it happened a few decades ago in America. Then, somebody suggested, "You call him the 'Vice-President'." Somebody said that he could be called "His Superfluous Excellency." The Americans simply do not understand the decoration, and what to do with decorations. So, ultimately, it was reported that the committee of senators thought seriously and decided that he may be called "His Superfluous Excellency." Because, he does not have power; then ultimately the idea got dropped and it was ridiculed. So, in our country also, it is getting to be ridiculed. It is high time we abolished these decorations. We have given these to industrialists. We have give them to the politicians. The industrialists who sell wine may get and sell better wine; if they do it you cannot prevent it, and possibly they are doing it. The politicians may go to vote with these titles. As a result, the impartiality and the highmindedness may go away, I presume; I do not

think it is true. But with these monarchical houses, princely houses, with a big compound and high walls and big pillars and all that, it is just an attempt to create a sort of sacredness around the whole thing. We cannot even create that, because those whom we decorate are not prepared to be honoured in that fashion. They are not going to withdraw themselves to the ivory tower; those whom we want to decorate are not simply wanting to be decorated and have titles anywhere.

Therefore, we are living in a system where honesty is not at a premium. It is at a discount now. Everybody's honesty is questioned. If we go on giving these things, these titles and decorations, what happens? They are given in a very big way, in a wider way, and with so many people everywhere with these decorations, it has really become a menace. People now begin to feel that people who are notorious may get the decorations tomorrow. It is not because of Government. After all, Government have a source of information. People have all types of information, right or wrong, good or bad. That type of information is flowing from all sides; some of them false, and some of them may be allegations. But nobody would find out. So, in this country, if we try to decorate some people with these titles, I think we are going to bring our system into disrepute. I think, however, that after all decorations have to be given sometimes. There are occasions—

MR. CHAIRMAN: You may continue your speech on the next occasion.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, November 16, 1970, Kartika 25, 1892 (Saka).