

search that most of the western countries have been able to increase food production. I must congratulate our ex-Minister for Food and Agriculture, Mr. C. Subramaniam, who was responsible for encouraging the scientists, with the result today we see hybrid seeds used in many States. Government should consider giving more help and finance to agricultural research.

17 hrs.

I would quote from a bulletin brought out by the ministry to illustrate the poor attention we have been able to give all these years to agricultural research:

"To give an instance of the inadequacy of the support that has been available one may mention the Indian Agricultural Research Institute founded in 1905, which is not only the main national research centre for agriculture but at present the main nursery of the new generation of scientists required to incite and sustain an agricultural revolution. In recognition of its role the University Grants Commission invested the Institute with the powers of an University in 1958. It is well known that it maintains a very high standard of instruction as a result of which students from not only all over India seek admission but also those from other countries. Yet in this institution not even a single additional hostel room has been provided since 1951. For the expansion of staff and research facilities only Rs. 96.40 lakhs were provided during the entire Third Plan, and the scientists of the institute who are full of ideas and energy had to look to PL. 480 funds to provide additional urgently required funds. It is hardly necessary to point out that the research efforts during the Fourth Plan period must match the magnitude of our food needs and the urgency to make India self-sufficient in

food and other urgently required agricultural produce."

This would illustrate what a poor attention we have been able to pay to agricultural research.

If we go through the figures, we have been able to spend on agricultural education, during the third plan only about Rs. 30 crores compared to Rs. 135 to Rs. 140 crores spent on providing industrial education in so many institutions. Therefore, Government must provide more facilities and open more agricultural colleges and schools, particularly in rural areas, so that the farmers' sons will be able to learn the new techniques which have been evolved. At the same time, agricultural extension has to be strengthened more.

As you know, irrigation is one of the most important things for agriculture. We have to provide more irrigational facilities. There is limited scope under major and minor irrigation. Therefore, we must tap the underground water for irrigation.

I wanted to refer to a few other points also, but due to lack of time, I am not able to do so. I hope Government will take into consideration all the points which I have been able to mention.

✓ 17.05 hrs.

#### DISCUSSION RE: ABOLITION OF SPECIAL PRIVILEGES AND PRIVY PURSES OF FORMER RULERS OF PRINCELY STATES

Mr. Speaker: Before I call on Shri Madhu Limaye to raise the discussion . . .

Shri Ranga (Srikakulam): Sir, one hour will not be sufficient. The time may be extended.

Mr. Speaker: That is the time allotted. We have been extending it. Even if we extend the time by half-an-hour, according to the rule any Member who has previously intimated can be called to speak. Al-

[Mr. Speaker]

ready there are 21 names. Therefore, the first speaker may take 10 to 15 minutes and others may take 5 to 10 minutes so that I may be able to accommodate a large number of hon. Members.

श्री मधु लिमये (मुंबई) : अध्यक्ष महोदय, राज की बहस कानून की परिभाषा करने की बहस नहीं है जैसे कि तीसरे वर्ग के मैजिस्ट्रेट की अदालत में होना है। राज की बहस सिद्धान्तों की बहस है, दिशाओं की बहस है और जीवन मूल्यों की बहस है। वैसे तो यह प्रस्ताव राज्यों के खास अधिकारों तथा उन को जो निजी कोष, प्रिवी पर्स मिलता है, उस के बारे में है, लेकिन उस का सम्बन्ध बहुत व्यापक है.....

Shri R. D. Bhandare (Bombay Central): Sir, I rise to a point of order. I entirely agree with the sentiments and the sense of wisdom expressed by my hon. friend Shri Madhu Limaye.

Mr. Speaker: Is that the point of order?

Shri R. D. Bhandare: My point of order is that this matter was already discussed a week ago.

Mr. Speaker: Your objection is that it should not be discussed now?

Shri R. D. Bhandare: Sir, there was a cut motion in the name of Shri Madhu Limaye which reads as follows:

"Failure to introduce a measure to abolish the special privileges of ex-rulers of States."

श्री मधु लिमये : वह पेश नहीं हुई, क्योंकि मैं हाजिर नहीं था इसलिए पेश नहीं कर सका।

Shri R. D. Bhandare: I am coming to that point. I will not be unjust to my hon. friend. This discussion under Rule 198 says: "... to raise a discussion on the question of abolishing the special privileges and privy purses of

the former rulers of the princely States." I am purely on the procedural matter. I am not going into the rationale or the wisdom of the proposition. Either the cut motion must have been moved or it must not have been moved. When it was not moved, it means it was not felt necessary that the matter should be brought before the House. If it was moved, then it has already been defeated. I am not being unjust to the hon. Member, I am only trying to make the position quite clear.

श्री मधु लिमये : जो प्रादमी सदन में रहता नहीं है वह कैसे पेश कर सकता है।

Shri R. D. Bhandare: When he himself had put in a cut motion and had not felt the necessity and urgency to come forward and move it. I think it is not proper that the House should discuss a matter which has already been discussed a week ago. Therefore, under Rule 338 the matter is out of order. I am submitting this for your judgment.

Mr. Speaker: Since I have already permitted it, he may continue.

श्री मधु लिमये : तो अध्यक्ष महोदय, मैं यह प्रश्न कर रहा था कि यह बहस सिद्धान्तों की है, दिशाओं की है तथा जीवन मूल्यों की है, और इस का सम्बन्ध भी व्यापक है। वैसे प्रस्ताव में केवल राज्यों के खास अधिकारों और निजी कोष की चर्चा की गई है, लेकिन जो बहस मैं उठाना चाहता हूँ वह सभी खास अधिकारों के खिलाफ और जहाँ जहाँ इस तरह की विशेष सुविधाओं के मङ हैं, उन को खत्म कर के लिये उठ रहा हूँ। मुझे यह उम्मीद है कि अन्तर यह राज्यों के विनाश अधिकार और प्रिवी पर्स खत्म हो जाते हैं और ये मुक्त मानव बन जाते हैं तो मेरे जैसे लोगों का वे साथ देने अन्य खास अधिकारों और विशेष सुविधाओं को खत्म करने के काम में।

श्रव प्रायशः महोदय, सब से पहले मैं यह बात आप के सामने रखना चाहता हूँ कि वर्तमान कानून और संविधान के मातहत इन को क्या क्या खास सुविधायें उपलब्ध हैं? आज तक जो चर्चा चली है—वह उन को जो रकम मिलती है उस के बारे में ही चली है।

जहाँ तक रकम का सवाल है एक लाख से अधिक जिनको वह निजी कोष मिलता है ऐसे राजाओं की संख्या 102 है और जिनको दस लाख से अधिक मिलता है ऐसे राजाओं की संख्या 6 है। यह सोचने की बात है कि इनको यह जो प्रिवी पर्स मिलता है उस पर किसी किस्म का भ्रामदनी टैक्स नहीं लगता है और दूसरे कर्से से भी इन्हें मुक्ति है। मैंने कई लोगों से पूछा है। मैं इनकम टैक्स के बारे में इतना जानकार भ्रामदनी नहीं हूँ। दाढ़ेकर जैसे लोग बता सकते हैं इसके बारे में। लेकिन मुझे कई लोगों ने बताया है, जब मैंने उन से पूछा कि 17 लाख और 26 लाख आदि जो कोष इनको मिलता है टैक्स देने के पश्चात्, इतनी राशि प्राप्त करने के लिए भ्रामदनी को कितना कमाना पड़ेगा, कि वे इसकी कल्पना ही नहीं कर सकते हैं कि वर्तमान जो टैक्स सम्बन्धी कानून है उन कानूनों के अनुसार सारे टैक्स देने के पश्चात् किसी भी व्यक्ति के पास इतना पैसा बच सकता है। इसी से आपको यह पता चल सकता है। कि कितना बड़ा विशेष अधिकार इन लोगों को मिला हुआ है। इसका कारण यह है कि जिसकी इतनी भ्रामदनी होगी उसके पास कुछ सम्पत्ति भी होगी क्योंकि किसी भी भ्रामदनी को इतनी तनछाह तो मिलती नहीं है और भ्रगर होगी तो सम्पत्ति कर भी उनको देना पड़ेगा और दूसरे सारे टैक्स देने पड़ेंगे। तो आज वर्तमान कानून की जो व्यवस्था है, टैक्स कानून की जो व्यवस्था है, उसके मातहत इस तरह की नकद भ्रामदनी किसी भी व्यक्ति की नहीं हो सकती है। इसी से आपको पता चलेगा

कि एक विशेष कोटि में ये लये जाकर बैठे हैं और उनको यह खास अधिकार प्रिवी पर्स के जरिये मिल गया है।

दूसरे उनके कई अधिकार हैं। इनके जो भ्रकाव हैं, जेवरात आदि हैं सब चीजें हैं उनके बारे में भी इनको सहूलियतें दी गई हैं। साल नम्बर की गाड़ियों का वे इस्तेमाल करते हैं। उसी तरह पानी और बिजली भी इनको मुफ्त मिलती है। उनके वह व्यक्तिगत इस्तेमाल के लिए है। लेकिन बेरे पास ऐसे उदाहरण मौजूद हैं और एक उदाहरण मैं अभी आपको देता हूँ जिसमें इस अधिकार का दुरुपयोग होता है। रामपुर के राजा साहब हैं उनको जो मुफ्त बिजली और पानी मिलता है वह उनके व्यक्तिगत इस्तेमाल के लिए है लेकिन उन्होंने खास बाग, राज प्रासाद में.....

एक माननीय सभ्य : यह कौन है ?

श्री भद्र लिखये : वे नवाब हैं। रामपुर के नवाब हैं। सदन के सदस्य नहीं हैं। वह शायद उनके भाई हैं। उनकी चर्चा मैं नहीं कर रहा हूँ। मैं नवाब साहब की चर्चा कर रहा हूँ। इन्होंने अपने खास बाग, राज प्रासाद में कई इफतार लगाये हैं, कई होटल लगाये हैं और उनके लिए इनको जो मुफ्त बिजली और पानी प्राप्त होता है, उसी का इस्तेमाल किया जाता है। यह मैं दुरुपयोग का उदाहरण दे रहा हूँ। जैसे तो इस तरह की सहूलियतें सभी राजाओं को मिलती हैं।

एक बात और है। विदेशों से जब ये लौटते हैं तो इनके पास जो सन्धूक आदि होते हैं उन की तलाशी नहीं ली जाती है जिनको दस बन्धूक वाली सलामी मिलती है, या पन्द्रह बन्धूक वाली जिबको सलामी मिलती है। इस तरह से इनका भी वर्षिकरण है और इनको भी सन्धामिबां दी जाती है।

कुछ राजा ऐसे भी हैं कि उनके द्वारा जो पेट्रोल आदि खर्च किया जाता है.....  
शुक्ति पेट्रोल पर एक्साइज इयूटी बहुत

[श्री मधु मिलये]

ज्यादा होती है, इस वास्ते इन लोगों के लिए यह एक्साइज ड्यूटी भी माफ कर दी जाती है, वह उनको वापस लौटा दी जाती है। इस तरह के पचासों अधिकार, विशेष अधिकार इनका मिले हुए हैं। अगर उनके ऊपर आप कोई केस आदि करना चाहें तो जिस तरह नए राजा हैं, हमारे मंत्री लोग हैं और उसी तरह बड़े नौकरशाह हैं, उनके खिलाफ अगर कोई केस करना होता है तो सरकार की इजाजत लेनी पड़ती है और बिना इजाजत लिबे उनके खिलाफ मुकदमे नहीं चल सकते हैं। एक्साइज इन लोगों के खिलाफ मुकदमे बिना केन्द्र की इजाजत लिये नहीं चल सकते हैं।

मैं कहना चाहता हूँ कि क्या किसी भी प्रजातांत्रिक, लोकतांत्रिक देश में इस तरह के खास अधिकार और विशेष सुविधाएं कुछ इने गिने लोगों को दी जा सकती हैं? संविधान की धारयाँ बिल्कुल साफ़ हैं। कानून के सामने सभी लोग समान हैं, सब के लिए समान मौके की भी बात है। आगे चल कर इस सिद्धान्त को भी माना गया है कि जो पिछड़े हैं, दलित हैं, दबे हुए हैं उनको विशेष अधिकार मिलने चाहियें। कोई भी यह नहीं कहेगा कि इनको ये खास अधिकार इसलिये दिये गये हैं कि ये बहुत दबे हुए हैं, दलित हैं और पिछड़े हुए लोग हैं। इस वर्गीकरण में ये लोग नहीं आते हैं। हमारे संविधान की जो बुनियाद है, उसके बरखिलाफ ये सारे खास अधिकार और विशेष सुविधाएं जाती हैं।

यह मैं जानता हूँ कि आज हमारे देश में दूसरे वर्ग भी ऐसे हैं, सत्तारूढ़ वर्ग के हिस्से, जैसे हमारी कम्पनियों के लोग हैं, पूंजीपति हैं, उनके अपने खर्च के खाते होते हैं, एक्सपेंस एकाउंट होते हैं। ये भी इसी तरह की विशेष सुविधाएं और खास अधिकार हैं। मंत्रियों और नौकरशाहों के बारे में मुझे यह कहना है कि क्या मुफ्त मकान और गाड़ियाँ और

पचासों तरह की उनको भी सुविधाएँ हैं.....

**Mr. Speaker:** They do not get any privy purse. It is irrelevant. The discussion is about privy purses.

श्री मधु मिलये : आखिरकार अध्यक्ष महोदय, प्रिवा पर्स के हम लोग क्यों खिलाफ हैं? मेरी कोई राजाओं से व्यक्तिगत दुश्मनी नहीं है। मैं तो उदाहरण के लिए बता रहा हूँ। यह एक बुनियादी उमूल हमने माना है कि कानून के सामने समानता हो, समान नागरिकता हो और विशेष अधिकार और खास अधिकार इने गिने लोगों को न मिलें। मेरी राजाओं से कोई व्यक्तिगत दुश्मनी नहीं है जो मैं उनके विशेष अधिकारों की आलोचना कर रहा हूँ और मांग कर रहा हूँ कि उनको समाप्त किया जाए। कहीं कोई गलतफहमी न हो इसलिए यह कहना भी जरूरी है कि सत्तारूढ़ वर्ग के जो दूसरे हिस्से हैं जिन को भी इस तरह के खास अधिकार प्राप्त हैं उनको भी समाप्त करने के बारे में कार्रवाई होनी चाहिये और उम्मा यह सूत्रपात है, यह पहला कदम है, ऐसा मैं मानता हूँ।

धुमा फिरा कर यह कहा जाएगा कि हमने जो आश्वासन दिये थे, जो करार किये थे, संविधान में जो बात है, उसका आखिरकार हम पालन करेंगे या नहीं करेंगे? हमारे मित्र श्री कर्णोत्सव जी ने एक पुस्तिका परिचाजित की है। उसमें उन्होंने तुलसीदास जी के रामायण की चर्चा की है और यह दोहा भी उद्धृत किया है :

रघुकुल रीति सदा चलि आई,  
प्राण जायें पर वचन न जाई।

मैं जानना चाहता हूँ कि एक राज्य जो लोकतन्त्र के ऊपर आधारित है उसको अगर इसके बारे में फैसला करना है कि ये सारे जो करार आदि हैं ये किस समय किये गये

क्या उनका संदर्भ था तो इसमें कौन सी अनुचित बात है ?

सरदार पटेल का बार बार जिक्र किया जाता है। उनके एक भाषण से मैं तीन जुमले पढ़ना चाहता हूँ जिससे पता चलेगा कि किस पृष्ठ भूमि में ये सारे करार किये गये थे, आश्वासन दिये गये थे। सरदार पटेल कहते हैं :

"The so-called lapse of paramountcy was a part of the plan announced on June 3, 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."

उस वक्त हालत ऐसी थी, ऐतिहासिक हालत ऐसी थी और कुछ नेताओं की भी कमजोरी थी, हम सब लोगों की कमजोरी थी जिसकी बदौलत मजबूर हो कर, लावार हो कर बाध्य हो कर कांग्रेस के नेताओं ने कुछ बातों को कबूल किया। अब क्या इसका यह मतलब है कि मजबूरी में जो करार किये जाते हैं जो आश्वासन दिये जाते हैं दो व्यक्तियों के बीच में नहीं हैं एक और समूचा हिन्दुस्तान है, हिन्दुस्तान की जनशक्ति है और दूसरी और ये सत्तारूढ़ वर्ग के विभिन्न हिस्से हैं, तो क्या इसमें कोई तुलसीदास वाली बात आ सकती है ? मेरे खयाल में नहीं आ सकती है।

यह कहा जाएगा कि राजाओं ने बहुत बड़ा त्याग किया, अपनी सार्वभौमिकता का त्याग किया अपने राज्यों का त्याग किया और उसके बदले में या सब कुछ उनको दिया जाता है। मैं जानना चाहता हूँ कि आज जितने ये राजा हैं इन में से कौन ऐसा है जो कभी भी सार्वभौम रहा हो ? ये या तो मुगलों के अधीन थे या अंग्रेजों के अधीन थे। सब से बड़ा राजा निजाम की मैं याद दिलाना चाहता हूँ। एक दफा इन्होंने

ब्रिटिश सरकार को लिखा कि विदेशी मामलों को छोड़ कर हम सार्वभौम हैं, आपके और हमारे बीच में करार है इसलिए बराबरी के स्तर पर बात होनी चाहिए। तब रीडिंग साहब ने उनको एक पत्र लिखा था। उस में से एक वाक्य मैं पढ़ूंगा। बहुत बड़ी बड़ी कल्पनायें ये लोग मन में न रखे। मैं प्रेम से उनसे कहना चाहता हूँ कि रीडिंग साहब ने उनको यह बताया था :

"The sovereignty of the British Crown is supreme in India and, therefore, no ruler of an Indian State can justifiably claim to negotiate with the British Government on an equal footing. Its supremacy is not based only upon treaties and engagements."

उनका मतलब यह था कि हमने हथियारों के आधारे पर अपनी प्रभु-सत्ता को कायम किया है। मुगलों की प्रभु सत्ता भी इसी के ऊपर आधारित थी। आज आप पूछेंगे आज की प्रभु-सत्ता किस पर आधारित है। मैं हथियारों की चर्चा नहीं करूंगा मैं बल की चर्चा नहीं करूंगा, लेकिन पचास करोड़ लोगों की जो जन-शक्ति है, वही आज इस देश में सार्वभौम है और उसके सामने सभी लोगों को झुकना पड़ेगा।

अपने समय में सरदार पटेल ने जो काम किया उसके बारे में हमने उनके साथी बहुत अन्याय किया। आज इस संसद की पाठ से मैं यह कहना चाहता हूँ कि उन दिनों हम उनसे गुस्से होते थे जो कि स्वाभाविक था, क्योंकि हम जल्दी परिवर्तन चाहते और जल्दी समानता और लोकतन्त्र पर आधारित समाज बनाना चाहते थे। इस लिये हम लोगों को उस समय यह लगता था कि एकीकरण और लोकतंत्र लाने की प्रक्रिया जितनी तीव्र होनी चाहिए वह उतनी तीव्र नहीं है। लेकिन एक ऐतिहासिक दृष्टि रखते हुए आज मैं सरदार पटेल को धन्यवाद देना चाहता हूँ कि उन्होंने बहुत ही मूल्यही के गुण

[श्री मधु लिमये]

दिखा कर एक छोटे धरसे में इस काम को पूरा किया ।

लेकिन इसका मतलब यह नहीं है कि सरदार पटेल ने उस वक्त जो कुछ किया, बीस साल के बाद भी हम उसी को रटते रहें । जमाना बदलता है, जमाना आगे जाता है । जिन धर्रेजों के कानूनों पर हम निर्भर रहते हैं, उन म से एक साहब, श्री कूपलैंड, का करार आदि के बारे में यह कहना है, उस को मैं पढ़ता हूँ :

"No compact can endure when owing to the evolution of ideas it has ceased to square with general conceptions of right and wrong. And certainly things no longer stand in India as they stood when most of the treaties were made."

आज बीस साल के बाद जो नई स्थिति उत्पन्न हो गई है, उस पर वे शब्द लागू होते हैं । इस लिए मैं उन लोगों से प्रार्थना करूंगा कि हम करार, वचन, आशवासन और अभिवचन की चर्चा न करें, बल्कि जो उचित है, जायज है और देश की तरक्की के लिए आवश्यक है, उसकी रोजनी में हम ये सारी बातें करें ।

अन्त में मैं यह कहना चाहता हूँ कि सरकार निर्णय करे और राजा लोग खुशी से इन अधिकारों को छोड़ने के लिए तैयार हो जायें । सरकार हमेशा निजी कोष और खास अधिकारों की बात लेकर उनको प्रलोभन दिखाती है, उन को दबाने की कोशिश करती है । आज भी मुझे पता चला है कि कुछ लोग १० आई० सी० सी० के प्रस्ताव को इस्तेमाल कर रहे हैं राजाओं को झुकाने के लिए, अपने माब ले जाने के लिए । (व्यवधान) हो सकता है कि मेरी जानकारी सतत हो ।

श्री क० ना० तिवारी (बटिया) .  
यह बात गलत है ।

श्री मधु लिमये : मैं अपनी जानकारी के आधार पर यह बात कह रहा हूँ । गृह मंत्री इसका खुलासा कर सकते हैं । (व्यवधान) मैं साफ़ कह देना चाहता हूँ कि हल्ला करने से मैं दबने या डरने वाला नहीं हूँ ।

इस लिए उधर जितने राजा हैं, इस तरफ़ जितने राजा हैं या जो बाहर हैं, उन सब से मैं यह अपील करना चाहता हूँ कि सरकार के श्रेष्ठ में जो वे हमेशा रहते हैं और दबते हैं, उससे मुक्त होने के लिए, मुक्त मानव बनने के लिए, वे स्वयं इस बात को कबूल करें, अन्यथा हिन्दुस्तान की जो जन-सक्ति है, वह जो कुछ करना उचित समझेगी, वह तो करेगी ही । यह केवल प्रारम्भ है ।

जो दूसरे नये राजा-महाराजा हैं, उन को भी आज मैं बेतावनी देना चाहता हूँ ।

एक माननीय सदस्य : वे सामने बैठे हुए हैं ।

श्री मधु लिमये : यह सभी लोग जानते हैं । उनको निजी कोष के नाम पर तो नहीं मिलता होगा, लेकिन दूसरे ढंग से जो मिलता है और उनके जो विशेषाधिकार हैं, वे राजाओं से कुछ कम नहीं हैं । आज इस बहस के द्वारा इनको भी समाप्त करने की लड़ाई शुरू हो रही है । इस अवसर पर मैं इतना ही कहना चाहता हूँ ।

Shri D. C. Sharma (Gurdaspur): I entirely endorse the proposition which has been put forward by Mr. Madhu Limaye. It is because every human society has to be forward-looking; every human-being has to be future-minded and not past-minded. If we do not do so, I am sure, the human progress will come to a standstill and we will face stagnation at every level of human society.

When our Constitution was framed and when India became free, the time we wanted to integrate the princes with our Indian society. We also wanted to assimilate some other section of the society along with our Indian population. In order to do that, those assurances were given to these princes.

**An hon. Member:** But they were never met,

**Shri D. C. Sharma:** ... those assurances were given to these princes that they would enjoy these privileges, the privy purses and the other kinds of concessions for some time to come. Twenty years have passed since India became free. Do you mean to say that India should be today in 1967 at the same point where it was in 1947? If anybody says that, I should say that he is trying to take a retrogressive view of things and not a progressive view of things. Therefore, I believe that what was done in 1947 was good at that time; it was needed at that time; it was dictated by the exigencies of the occasion at that time; it was necessitated by the imperatives of the situation at that time. But what is happening now is quite different from what happened in 1947. Now they have these privileges. We want to abolish all kinds of privileges.

**Shri Karni Singh (Bikaner):** Reserved seats too?

**Shri D. C. Sharma:** We want to have reserved seats because we want to upgrade them. We do not want to give them reserved seats because we want to put them on a pedestal! We are trying to build up an egalitarian society in this country. Our Constitution demands that; our elections demand that; our adult franchise is in consonance with that; our other directive principles of the Constitution dictate that kind of thing.

I want to ask this House through you one thing. Is it necessary for us now to preserve those privileges

which smack of feudalism, which savour of imperialism, which are remnants of colonialism? We want to finish off all these things. We do not want to have anything which smacks of these. Do you want us to keep this princely order going? What has this princely order done for India? They have built some hotels...

**Shri S. K. Tapariah (Pali):** Foreign exchange comes from them.

**Shri D. C. Sharma:** They have built some hotels, they have built some big companies, they have built things of that kind. They are examples of wasteful expenditure in India, where people are suffering from poverty, where people are suffering from starvation...

**Shri J. B. Kripalani (Guzrat):** They have been made Ministers.

**Shri D. C. Sharma:** Unfortunately they have been made Ministers. I think, they are ready to give up the privy purse, they are ready to give up all those privileges.

I will submit very respectfully that in India we have set this socialistic pattern of society as our goal. This was set by a great leader that India produced. I think it would take many hundreds of years before a leader of that calibre is produced, namely Pandit Jawaharlal Nehru. He envisaged a socialist pattern of society for our country. A socialist pattern of society demands that all these privileges should be done away with. One of the privileges which these former rulers have is their separate nameplates on number-plates on their cars. They have various other kinds of privileges. I believe that if we want to have the socialist pattern of society, then we must abolish all these privileges. We should not give them any special privileges. They should become one of us.

Some time back, I had brought forward a Bill in this House, and the purport of that Bill was that these persons should give up their

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privileges before they fought the elections so that they could become one with the people. How can they become one with the people? This is the only way in which they can become one with the people, namely by giving up all their privileges and concessions.

Therefore, the AICC has passed a resolution that the privy purses should be abolished. I believe the AICC represents the conscience of the people, the conscience of the Indian masses, and the conscience of the general public of this country. In view of all this, I believe that these privy purses should be abolished, and that all these concessions should be abolished and that all these privileges must go, and they should become one with me and I should become one with them.

एक ही सफ में खड़े हो गए सामूह और अनाज ।  
न कोई बन्दा रहा न कोई बन्दानाज ॥

**Shri C. C. Desai** (Sabarkantha): Judging the temper of the House, it is somewhat difficult for men like me to get up and defend the payment of privy purses and the grant of privileges, which have been enshrined in our Constitution and which are guaranteed to the princes. Shri Madhu Limaye has said that Sardar Patel had given it at that time and that was a different time altogether. So, what? It is a contract; I would say that it is an agreement and it is a definite agreement. Therefore, I say that it is somewhat difficult in these days of slogans to defend it. One hon. Member had said that this was an anachronism in the year of the Lord 1967. Somebody else had said that this was against the democratic set-up and incompatible with the socialist pattern of society. These are all slogans. . . (Interruptions). Sir, I shall not be deterred by these outbursts for I believe in the truth of the couplet:

'They are slaves who dare not be  
In the right with two or three'.

Shri Madhu Limaye had asked why the princes should not abdicate these things voluntarily. That is very good, I would ask the Government to approach the princes and if the princes themselves give up the privy purses and the privileges that would be a different matter, but it is not open to them today to denounce a contract unilaterally. If they do that, then what will happen? They are talking today of princes who are unpopular. But what about the minorities such as that which my hon. friend Shri Frank Anthony represents? What about the languages which my hon. friend from the DMK talks about? (Interruption).

**Mr. Speaker:** Order, order.

**Shri Ranga:** There must be some reciprocity. If my hon. friends opposite do not want to listen to the hon. Member who is speaking, then we would not listen to them either.

**Mr. Speaker:** Those who do not agree with him need not shout.

**Shri C. C. Desai:** Then, what about Sikkim? What about Bhutan? What about Nepal? If my hon. friends opposite treat this agreement, this contract and this treaty as a scrap of paper, who will believe them in this world today? Only yesterday morning, the Defence Minister was heard to say that Government were determined to go to the aid of Bhutan in order to defend it because we had a treaty obligation. Where is that treaty? Where is the sanctity of the treaty in this House, particularly with my hon. friends opposite who do not observe the sanctity of a treaty? So, it is not a question of Rs. 3 crores or Rs. 4 crores or Rs. 5 crores. That is immaterial. The question at issue today is the sanctity of the word of the Government of India, or let us say the credit-worthiness of the Indian Government and, therefore, of India as a whole. That is the point at issue. The amount involved is a much smaller issue.

If Government want that the privy purses should be abolished, let them get round the princes and ask them and get their consent for it, but they cannot do it unilaterally.

The other thing that was said was this, that you count the income-tax and then the figure reaches astronomical dimensions. My hon. friend quoted Sardar Patel. I would also quote Sardar Patel.

श्री दिनित मिश्र (मोतीहारी) : यह तो चाहते थे कि अंग्रेज जायें ही नहीं। 1947 के 12 बजे बाद तक सोचते थे कि अंग्रेज जायेंगे ही नहीं। यह आई० सी० एस० लोग नहीं चाहते थे कि अंग्रेज जायें।

**Mr. Speaker:** Every Member has his right to speak and has his right to be heard. Whether others agree with him or not, he has to be heard. It is not proper to interrupt him in this manner.

**Shri C. C. Desai:** These Members, ladies and gentlemen, who would rather soon forget the name of Sardar Patel—shame on them. If Sardar Patel were alive today, would any single person in that crowd have dared to talk about abolition of the privy purses? This is what the Sardar had said:

"Take, for instance, the case of the Rajpramukh of Madhya Bharat, the Maharaja of Gwalior. He alone has made over to the Union large sums of money yielding sufficient to cover a major portion of the total privy purses of the rulers who have joined the Union."

That was the situation in 1947. It is very well for you to say, now that they have surrendered their States and they are now under your clutches, that you can pull the string round their neck....

**Mr. Speaker:** If he addresses the Chair, controversy will be avoided.

1330 (A) LSD—12.

Please do not look at them. That is why controversy arises.

**Shri C. C. Desai:** There is one thing I must say about the Princes also. There are many of them on the Congress side.

**An hon. Member:** Not many.

**Shri C. C. Desai:** I say to them: that if they do not get up and leave the Congress... (Interruptions), they cannot expect others to come to their rescue. (Interruptions). There is a proverb. (Interruptions).

**Mr. Speaker:** He has a right to express his views. Let us hear him patiently.

**Shri C. C. Desai:** There is a proverb:

मुदई सुस्त गवाह चुस्त।

"If you take it lying down, you cannot expect others to take up cudgels on your behalf. You cannot expect others to pull your chestnuts out of the fire".

I therefore appeal to the Princes on that side of the House to see that what they got from their forefathers they are bound to pass on to their successors. What is held by them is held as a trust and they should not allow that to be tampered with by their colleagues on that side of the House.

There is one more point, that is, the application of the doctrine of lapse. I referred to it the other day when I spoke on the Home Ministry's Demands for Grants. If you cannot abolish the privy purses without a constitutional amendment—and that is accepted on all sides of the House—surely you cannot abolish the States from which the privy purses flow. The State is superior to the privy purse. But the Home Minister opposite and the Home Ministry have abolished at least two States, to my knowledge, and three or four other States. They have not sought any constitutional amendment; they have just abolished the States by executive action. If they cannot abolish the

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privy purses, how can they possibly abolish the States, because lapsing of a State is nothing but abolition of the State? Therefore, I would ask that these cases be reconsidered and the original position restored.

Sometimes they say that the President has a prerogative. He has no prerogative. There is no prerogative to recognise or de-recognise. The President has only to find out who the proper successor is. But the continuity of the State must be preserved.

I would ask my hon. friend, Shri Madhu Limaye, what would be the result of the abolition of the privy purses. There will be a saving of three or four crores, but the damage to the image of this country will be so great . . . (Interruptions).

Some hon. Members: No.

Shri C. C. Desai: Therefore, I ask my friends on this side to think of the image of India, to think of the word of Sardar Patel whom we are all bound to honour and pay homage to.

What Mr. Madhu Limaye said really amounted to the logic of Maoism, more like a political gherao, if I may use the expression. I ask this House not to be carried away by the slogans of democracy and anachronism and things of that kind, but to pay particular attention to the image of India, to the word of India, and to the effect which a repudiation of a treaty like this will have on our neighbours, on our own minorities and other people.

Shrimati Sushila Rohatgi (Bilhour): The consensus of the House, if not the unanimous opinion of the House, seems to be in favour of the abolition of the privy purses. 'The old order change the yielding place to the new' and as such the feudalistic order has to go and all the frills and paraphernalia attached to the feudalistic system also have to go.

There is no justification whatsoever, there is no reason why this economic disparity between the princes on one

side and the poor starving millions on the other should continue. There is no reason why India, in order to keep up its economic planning, planned economy, has to go with a beggar's bowl from one country to another; there is no reason why India should not develop its own resources, tax the people unearned increment, or take the money from those people who are in a position to give for the benefit of the common man.

But the Government should have taken the princes into confidence and asked them to co-operate and come to terms, where they could have voluntarily abdicated and co-operated with the Government.

The other day Mr. Dange said that these princes were enemies of the people, they were traitors. I categorically refute this. I should say that at the time of Indian independence the princes were patriotic, they acted as nationalists. I refuse to believe that they were traitors or enemies of the people.

श्री मधु लिमये: निजाम भी क्या देशभक्त था ?

श्रीमती सुशीला रोहतगी: जब श्री मधु लिमये बोल रहे थे तब मैं एक शब्द भी नहीं बोली और उनके भाषण को सुनती रही और चाहूंगी कि वह भी मुझे शांति से सुनें और इस तरह से बीच में न टोके।

श्री मधु लिमये: गुस्मा मत होवें मैंने तो महज एक मवाल पूछा था।

Shrimati Sushila Rohatgi: I would like to say that this is nothing new. The AICC has not taken any historic decision. The AICC and the Congress Party have continuously been working towards democratic socialism. This has been the goal of the AICC for years. About eight or nine years ago, Pandit Nehru himself had asked the

princes to voluntarily give up a part of their privy purses, and if they had not technically co-operated, at least they had given in the form of various national plan loans, trusts, and Prime Ministers' Relief Fund etc. I would therefore say that this is no new resolution.

At the same time, it is not by a stroke of the pen that any democratic and socialistic revolution is brought about. Why they surrendered their ruling power, when they dissolved their States, when they agreed by signing the instrument of accession to become part of independent India, they lost their political power, but it was a pledge, a covenant, and this covenant has to be respected, the pledge has to be honoured. This is not a private transaction between two persons, it is highlighted by the fact that it is a transaction between the Government and the princes. It cannot be unilaterally abrogated. Government should also take this into consideration. In view of what Mr. Madhu Limaye has said, I would say that because the Government happens to be a party to it, there is greater reason why the image of the Government, the credit of the Government, should not suffer. When the Government issues promissory notes, it is the credit behind those papers that the people believe and accept. Today Government cannot by a stroke of the pen abrogate it, the credit of the Government will suffer.

श्री शशि भूषण बाजपेयी : (खारगोन)

यह इनकी व्यक्तिगत राय है कांग्रेस पार्टी की राय नहीं है।

**Shrimati Sushila Rohatgi:** The Congress Party is a very wide organisation with wide ideologies, and can accommodate your views and mine also. I will just read a few lines from the speech which was delivered by the late Sardar Vallabhai Patel on the 24th October, 1949 in the Constituent Assembly:

"The privy purse settlements are 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 Maratha settlement alone. We are ourselves honouring the commitment of the British Government in respect of the pensions of those rulers who helped them in consolidating their Empire. Need we cavil then at the small price we have paid for the bloodless revolution that has affected the destinies of millions of our people?"

I would therefore end by saying that if the Government feels that the princes have utilised their privy purses in a political manner, Government could curb and clip that political power by bringing in an amendment to the People's representation Act and declare these as offices of profit.

**Shri Lobo Prabhu:** Sir, on a point of order. We would like the Law Minister to enlighten us whether any proposal to abolish the princes' privy purses is consistent with the Constitution and Fundamental Rights. . . (Interruptions).

**Mr. Speaker:** That is only a point of order.

श्री बलराम मजोरे (दक्षिण दिल्ली) :

अध्यक्ष महोदय, राजाओं के प्रीवी पर्स को हटाने का जो यह सुझाव है यह कोई बड़ा बुनियादी सवाल नहीं है। यह कांग्रेस के पार्लियामेंट का बाहरी प्रतिबिम्ब है।

यह कहा जाता है कि राजाओं को डायनैस्टिक प्राधार पर यह चीजें दी जा रही हैं। वास्तव में उनकी राजाओं के साथ डायनैस्टिक प्राधिकारों की चिन्ता नहीं उनके ऊपर डायनैस्टिक प्राधार के ऊपर एक ऐसा प्रधान मंत्री घोष दिया गया है जिसकी वह निकालना चाहते हैं और जिसको निकालना

[श्री बलराज मधोक]

भी चाहिए क्योंकि उसका कोई अधिकार नहीं था सिवाय इसके कि उनके पिता प्रधान मंत्री थे . . . .

Mr. Speaker: How is it relevant to the point under discussion? If you go on discussing Congress politics, they will begin to discuss Jan Sangh politics. The point under discussion is privy purses. Unnecessarily, you bring in something else. . . (Interruptions).

श्री बलराज मधोक : अध्यक्ष महोदय, यह जो प्रश्न आया है इसे कोई बुनियादी प्रश्न बना कर पेश करना गलत होगा।

जहाँ तक प्रिवी पर्स का ताल्लुक है यह 5 करोड़ रुपये का सवाल है और जो कि हर साल के बाद ज्यों ज्यों प्रिस मरते जाते हैं यह खत्म होती चली जाती है। आज देश के सामने जो समस्याएँ हैं आन्तरिक और बाहरी उन समस्याओं के मुकाबले में यह कोई समस्या नहीं है। वास्तव में जनता का ध्यान जो देश की बुनियादी समस्याएँ हैं उनसे हटाने के लिये जो कुछ छुटभैय्ये हैं उन्होंने इस प्रकार का सवाल पैदा किया है बरना मैं उनसे पूछना चाहता हूँ कि अगर यह पांच करोड़ रुपया सब में बाँट भी दो तो कितने लोगों का जीवन स्तर आप ऊँचा करने वाले हो? इसलिये हमें इस प्रश्न का जो वास्तविक रूप है हम उस वास्तविक रूप को देखें। यह प्रिवी पर्स राजाओं को दी गई जिसमें उन्होंने अपना राजपाट दिया। एक विशेष परिस्थिति हुई और मेरे जैसे धादमी जो उस समय रियासतों में थे और उस समय जो संघर्ष कर रहे थे रियासतों को भारत के साथ मिलाने का वह जानते हैं कि उन समय क्या परिस्थिति थी? उस समय यदि देश के भन्दर स्वर्गीय सरदार पटेल न होते उनकी स्टेट्समैनशिप न होती उनकी कार्यकुशलता न होती, उन्होंने प्रिसेज के साथ जिस ढंग से काम किया वह न किया होता

तो आज भारत का रूप क्या होता यह कोई नहीं कह सकता है। वास्तविकता यह है कि सरदार पटेल ने जो भारत को एक किया आज जो लोग इस प्रकार की बातें कर रहे हैं वे लोग सरकार पटेल के काम को खत्म करना चाहते हैं और वह इस देश के टुकड़े करना चाहते हैं। मैं उनसे कहूँगा कि परमात्मा के वास्ते यह चीज जो है इसको वह रूप मत दीजिये। सवाल यह नहीं है कि ये राजा खराब हैं या आज के कांग्रेसी राजा अच्छे हैं। यह डेमोक्रेसी का भी सवाल नहीं है। जहाँ तक आम जनता का सवाल है कोई बड़े से बड़ा कांग्रेसी नेता किसी राजा के मुकाबले में खड़ा होकर जीत नहीं सकता। आज जनता कांग्रेसी राजाओं के मुकाबले में पुराने राजाओं को पसन्द करती है। आज हमारे सामने वह सवाल नहीं है। परन्तु सवाल यह है कि आज लोकतंत्र के युग में जिसमें हम सब को समान अधिकार हैं, सब के फ्रंटमेंटल राइट्स हैं, किसी को भी कोई विशेषाधिकार या प्रिविलेज मिलें, यह अच्छरता है। विशेषाधिकार चाहे राजा के पास हों, मंत्रियों के पास हों या किसी और धादमी के पास हों, वे अच्छरते हैं।

कामनमैन का प्रतिनिधि होने के नाते—मैं किसी अमीर धादमी का प्रतिनिधि नहीं हूँ, दूसरी पार्टियों में राजा होंगे, लेकिन मेरी पार्टी में राजा या अमीर धादमी नहीं है—मैं चाहूँगा कि कांग्रेस के नेताओं और कांग्रेस के अन्य लोगों के जो विशेषाधिकार हैं, जिन्होंने पिछले बाँस सालों में घन इकट्ठा किया है, जो आज मंत्री हैं, उनको भी समाप्त किया जाये। राजा लोग भी कभी डाके मारते होंगे, लेकिन कामन मैन आज यह चाहता है कि आज जो और लोग समाजवाद या पूँजीवाद के नाम पर डाके मार रहे हैं, उन के डाकों को बन्द किया जाये। वह चाहता है कि उसके अधिकारों पर जो डाका मारा जा रहा है, उसको खत्म

निया जाये। आज जरूरत इस बात की है कि हम इस देश के बुनियादी सज़ालों पर ध्यान दें।

जहां तक राजाओं की स्पेशल प्रिविलेजिज का सवाल है, मैं समझता हूँ कि आज के लोकतंत्रीय युग में उन का स्थान नहीं है, मगर उनको खत्म करने का रास्ता वह नहीं जो अपनाया जा रहा है। हमारे गृह मंत्री आज स्वर्गीय सरदार पटेल की गद्दी पर बैठे हुए हैं। मैं चाहूंगा कि वह उन्हीं का अनुसरण करें, उन्हीं का रास्ता अपनायें। वह प्रिंसिपल से बात करें, उनको पर्सवेड करें और इस सम्बन्ध में कोई ग्रेजुअल ढंग अपनायें, जिससे ये प्रिविलेजिज खत्म हो सकते हैं।

जहां तक प्रिवी पर्स का सम्बन्ध है, जब एक राजा मरता है, तो उसके उत्तराधिकारी को कम रुपया मिलता है। अभी निजाम मरा, जिसने देश के साथ द्रोह किया था। उसको पचास लाख रुपये का प्रिवी पर्स मिलता था, लेकिन उसके बेटे को बीस लाख दिया गया है। इसकी क्या जरूरत थी? उसको और कम कर देते। इस प्रकार कम करते करते दस, पंद्रह, बीस सालों में यह समस्या अपने आप हल हो सकती है। लेकिन इस प्रश्न को वह रूप न दिया जाये, जो कम्युनिस्ट देना चाहते हैं, जो इस देश में अफ़रा-तफ़री और अराजकता पैदा करना चाहते हैं। जनता के नाम पर, इस देश के नाम पर, हमारी आस्थाओं और देश की परम्पराओं के नाम पर मंत्री महोदय से मेरी प्रार्थना है कि वह कम्युनिस्टों के मार्ग को न अपनायें। विशेषाधिकारों को जाना है, लेकिन इसके लिये वह एक अच्छा ढंग ढूँढ़ें। उसमें उनको जनता का भी और हमारे दल का भी समर्थन मिलेगा।

1330 (Ai) LSD—13.

**Shri S. Kandappan (Mettur):** Mr. Speaker, Sir, let me at the outset make it clear that when we demand that these privileges and privy purses should be ended, we bear no ill-will or malice towards our friends, those princes and the descendants of those royal families who are here or elsewhere outside. Actually, I wish I could side with Mr. Desai, but then, I cannot on this particular issue; I think by bringing the DMK and the language issue he has rather weakened his own case. We do not recognise any privilege or any kind of partiality towards....

**An hon. Member:** Affection....

**Shri S. Kandappan:** Affection is different.

**An hon. Member:** Protection.

**Shri S. Kandappan:** Protection is also different. There are millions of people toiling in this country who are on the verge of poverty, uncared for and unprotected.

**Mr. Speaker:** Order, order.

**Shri S. Kandappan:** Sir, after all, the whole problem for the retention of these privileges and the privy purses centre round the so-called contract or agreement or promise that we have made....

**An hon. Member:** Constitutional.

**Shri S. Kandappan:** We want the Constitution to be changed on many accounts and on this issue also, along with language.

**Mr. Speaker:** Please be very brief.

**Shri S. Kandappan:** I would like to be very brief. About these privileges, it is just shocking even to go through the list of privileges that are being allowed for these princes and princesses. I would just mention the headlines: immunity from prosecution, exemption from income-tax, exemption from wealth-tax, estate duty—refund of excise duty—

**An hon. Member:** Wrong.

**Shri S. Kandappan:** I am relying on a note prepared by our Library. Exemption from estate duty, exemption from local taxation, exemption from requisitioning of property, postal and telegraphic privileges, public holidays on birthdays, free supply of water and electricity, recognition of titles, military honours, free driving licences, personal number-plates, fishing and shooting, Free Medical Attendance, Armed Guards and Escorts, Own Flags and possession of Arms. Sir this is so ridiculous and is totally repugnant to the spirit of democracy. I wonder how any democrat worth the name can reconcile to these privileges.

It has been said that it is a paltry sum and we can afford to ignore it. Till last year, it was more than Rs. 5 crores every year. Adding up the figures for all the 17 years, it comes to more than Rs. 90 crores, which is not a small sum. It may be a small sum for a few people, but for us, for the common man, it is a huge sum.

These covenants were not entered into with any foreign country. But even in international law, we do review the agreements that we enter into. There have been many cases where such revision has been made. I do not have the time to go into all of them. In this case it is prompted by expediency rather than by reason that these privy purses were allowed to the princes. If we look at the whole conception of sovereignty and royalty, they were considered to be the incarnations of God. We know how royal wealth is being acquired. It is by appropriation from the masses and exploitation of the people that they acquire wealth. A big case is being made out by people like Mr. C. C. Desai that they have handed over such a huge amount to our Government and so we are duty-bound to give them the privy purses. It is a strange argument. Any student of history knows how royal families came into existence and how they got their wealth. It is a strange argument that because they have handed over

such a huge wealth to us as if out of pity or sympathy to us, therefore, we should continue the privy purses. Actully without rancour I may say that many kings and princes were saved from the warth of the people by Sardar Patel. If he had not brought the various States into the fold of the Indian Union, the public wrath in many States would have overthrown the kings. There were indications to that effect. So, let them not make out a very big case on these flimsy grounds.

As case was made that instead of going in for legislation without prior consultation with the princes, let Government consult the princes first and try to come to a settlement by persuasion. In fact, there were occasions when Government tried to persuade the princes to reduce their privy purses and even to that they were not agreeable. In 1953, the late lamented Prime Minister, Jawaharlal Nehru, himself personally wrote letters to a hundred princes asking them to reduce on their own will the amount they were drawing as privy purse. But nothing substantial was achieved. There was no reciprocal sympathy shown. So, there is no use in saying that we should try that method.

In conclusion, I would like to plead with the Congress members. I am really happy and I congratulate those Congress back-benchers who were able to pass this resolution in the AICC meeting. But before feeling very elated and jubilant, let them see that this is actually carried out.

**Mr. Speaker:** Shri Shashi Bhushan.

**Shri S. Kundu rose—**

**Mr. Speaker:** Your party comes after two more parties. One after the other, I am coming.

18 hrs.

**Shri S. Kundu:** (Balasore) My name is there among those who have sponsored this discussion.

**Mr. Speaker:** But how can I call you immediately? Other parties will take objection. I am proceeding in the order, calling one from this side one from the other side and so on. In fact, I have called two hon. Members from this side at the cost of the Congress side. Have some patience. You will also get your chance. Your name has been given by your party. You want preference over others. How can I do that? I cannot do it. I am going to give you a chance. Please wait for your chance

**श्री शशि भूषण बाजपेयी (खारगोन) :**  
अध्यक्ष महोदय, आज जिस प्रश्न पर चर्चा हो रही है वह एक ऐतिहासिक प्रश्न है। आज हमारे सिद्धांतों का प्रश्न है। जनतंत्र की सुरक्षा का प्रश्न है। मैं श्री मधु लिमये साहब को धन्यवाद देता हूँ कि इस चर्चा के लिए वह प्रस्ताव लाये। अध्यक्ष महोदय, मैं आपसे एक प्रार्थना करना चाहता हूँ कि मुझे थोड़ा सा वक्त दीजिए कि मैं राजाओं के पुरातन इतिहास की चर्चा कर सकूँ। सन् 42 के दौरान मैं अध्यक्ष महोदय, इन राजा महाराजाओं ने अपने राज्यों में आजादी के आन्दोलन के मिपाहियों को घोड़ों के पैरों तले कुचला है। आजादी के बाद बीस साल के इस इतिहास में हम इतना कर सके हैं कि इनके जुल्मों को भूल गए। वह जुल्म आज फिर से ताजा हो रहे हैं।

अध्यक्ष महोदय, इंग्लैंड की महारानी आज इलैक्शन नहीं लड़ सकती। उन के पति एलेक्शन नहीं लड़ सकते हालांकि उनको भी विशेषाधिकार हैं। जो लोग सीधे सीधे पैसा सरकार से लेते हैं उनको अधिकार नहीं होना चाहिए कि वह एलेक्शन में लड़ सकें, उस को आफिस आफ प्राफिट डिक्लेयर करना चाहिए। चाहे वह आई०

सी० एस० लोग हों जो पेंशन लेते हों, अगर वह राजनीति में हिस्सा लेना चाहते हैं तो अपनी पेंशन छोड़ें, प्रिवी पर्स छोड़ें, फिर उनको पूरा अधिकार है कि वह राजनीति में हिस्सा लें। लेकिन आज जो विशेषाधिकार उनको दिये गये हैं उनका दुरुपयोग वह प्रजातंत्र को खत्म करने में करते हैं। राजाओं को एक्साइज टैक्स की ड्यूटी फ्री की गई, उसको उन्होंने एलेक्शन में हिस्सेदार किया। अध्यक्ष महोदय, एक्साइज ड्यूटी फ्री पेट्रोल जो उनको मिलता है उसका उन्होंने इक्लेशन में हिस्सेदार किया महारानी ग्वालियर ने, यह सबके सामने चीज मौजूद है। महारानी झांसी के वारिध तो आज फटे हाल नंगे पैर घूम रहे हैं लेकिन जिन्होंने महारानी झांसी को अपने किले के सामने अंग्रेजों से जलवा दिया उनको लाखों रुपये की पेंशन दी जाती है। जो सब से बड़े गद्दार थे उनको सबसे बड़ी पेंशन दी जा रही है। इतिहास इनको कभी क्षमा नहीं कर सकता। आज वक्त आ गया है कि हम इस पर पुनर्विचार करें। ए० आई० सी० सी० ने जो प्रस्ताव पास किया है हम लोग तो उस का समर्थन करते ही हैं, जो उस तरफ भी समर्थन करने वाले हैं उन का भी मैं स्वागत करता हूँ।

अध्यक्ष महोदय, इस दौरान में इन राजे-रानियों की आज व्यक्तिगत बात नहीं रही। यह एक संस्था बन गए हैं। बड़े-बड़े हमारे सिद्धांतवादी, समाजवादी लोगों को उठा कर ले जाते हैं, यहां बैठे हैं, और कहा जाता है कि यह हमारे कंडीडेट है और उनको चुनाव में जिताया जाता है। कहीं दावतें दी जाती हैं। यह सब चीजें हो रही हैं। आज खुले आम समझौता करते हैं प्रतिगामी शक्तियों के साथ। आज श्री बलराज मधोक ने जो चर्चा की है, वह मैं जानता हूँ दिल से उनके समर्थक नहीं हूँ। लेकिन चुनाव में उनके साथ समझौता हुआ

[श्री शक्ति भूषण वाजपेयी]

हे उसकी और बात है ! इसना कहते हुए  
अध्यक्ष महोदय, मैं समाप्त करता हूँ।

**Shri H. N. Mukerjee** (Calcutta North East): Mr. Speaker, Sir, I offer on behalf of my party full support to my friend Shri Madhu Limaye's proposal regarding abolition of the privy purse and concomitant privileges. My friend has suggested what might appear to some of our friends here as rather a bitter pill to swallow, but if the pill is swallowed the body politic will improve, and that is why it is very important that this motion is supported by a majority in this House.

Since the AICC has recently passed a resolution on this subject, this House has a right to know whether Congress means business in regard to this matter or whether, as certain reports which circulate appear to indicate, some assurances have been given to the princes, on whose support certain Congress governments depend in several States, that this AICC resolution, like the earlier resolutions passed at Avadi, Bhubaneswar, Nagpur or Jaipur, on land reforms or ceiling urban property and the socialist order of society, like all those notorious resolutions, would be scuttled and reversed; this House has a right to know what Government intends in regard to this matter.

I think in regard to the merits of this proposition the position is quite plain. The privy purses and concomitant privileges are an anachronism which should have gone a long time ago, and they should now go, particularly when the AICC has passed this resolution. I heard my friend Shri Desai put a legalistic defence, but if the ponderous immobility of the law is the only argument which is going to be advanced in this forum of Parliament well, I can only think why Shakespeare wrote the 'law is an ass' why in a particular period of British history, when things had to change on a drastic basis, people said, according to Shakespeare's own words, "let us go and kill all the lawyers." If

law is static, I say that nothing is going to happen in this country.

And why talk only of the promises, the assurances, the guarantees which have been given to the princes in our Constitution? Why only say that the guarantee to the princes alone is perpetually binding? Is our Constitution such that we have guarantees only to the princes? Our Constitution, if we go into the essence of it, does not care for princes, prelates and periwigged charioteers; it cares for the people. In the preamble it says, for instance, there is to be equality of status and of opportunity. Does our conscience go to sleep and our sense of honouring the Constitution get atrophied, so far as such promises are concerned? There is a whole chapter on fundamental rights. The Directive Principles of State Policy talk about education for our people. Is not that a promise? When Jawaharlal Nehru spoke about "promises to keep", did he think of the promises to the princes or the promises to the people which have not been performed?

If the law has to be considered, what is the structure and the spirit of the Indian Constitution? Article 14 guarantees equality before the law and equal protection of the laws as justiciable rights, and the provision in regard to princes, who have discriminatory privileges and prerogatives, that surely goes against the spirit of the Constitution. And the commentators on the Constitution who know law, they say that the cumulative effect of articles 14, 15, 17, 18 and 19 they are very much more powerful than what Jefferson had said a long time ago about equality as "the denial of every pre-eminence, particularly the denial of pre-eminence by birth." According to the law, you cannot have pre-eminence only on account of birth.

Sir, it is not the princes' fault that they were born with a platinum spoon in their mouth; it is not the fault of the princes and, as far as I am concerned I shall not accuse them of being

unpatriotic. I do not wish to recall the ugly days of British rule, when princes generally were subservient, but even some of our great leaders, whose portraits adorn the Central Hall of Parliament would applaud the British Raj in those days in terms which today I cannot recall without shame.

Besides, I find, so many of the princes, present day princes, in this House and they are decent people, very well capable of earning their keep by decent, honest labour and there is no reason on earth why they should not try to do so now that the time is more than ripe.

Therefore, I would say that the princes can have no entitlement whatever in justice, in equity, in good conscience and in the name of humanity, for ever to earn unearned, unjust and utterly inequitable and injurious rights like privy purses and associated privileges and prerogatives.

I would refer only to the fact that article 291 which refers to privy purses also indicates certain things which are very suggestive. Some life-time arrangements were made as in the case of the Nizam, which were liable to change by Government action. That change has to a certain extent been made. This in itself is evidence that the rights in perpetuity could not possibly have been really intended.

Then, I cannot understand why the princes so far have never volunteered, as my friend there pointed out, even to give up the exemption from income-tax which they have enjoyed in regard to their privy purses.

I find also that in article 366 "Ruler" is defined—I am quoting article 366, clause (22)—

"Ruler" in relation to an Indian State means the prince, Chief or other person... who for the time being is recognised by the

President as the Ruler of the State, and includes any person who for the time being is recognised by the President as the successor of such Ruler;"

It is the President of India chosen by the democratic process who retains the powers of paramountcy; it is not the princes who have retained a shred, a minute particle, of the paramountcy which they were good enough to concede to the British Crown and they are not good enough to concede to the Indian State.

Therefore, all that you can say is that there is a promise, a legal assurance. But, of course, law is a dynamic proposition and not a static something which we swear by all the time. All that you can say is that in so far as the law has got always to be obeyed, there is a kind of a moral obligation but you cannot bring in what you call a moral obligation to operate as a perpetual blight on the country's advance and today there is no doubt about it that the country wants to go ahead. It is only part of the paraphernalia of the country's programme for advance that the attack on the privy purses is being made.

That is why certain other things have also to be done. They come in as cognate propositions. Article 314, embodying the rights and privileges of the Indian Civil Service, "neither Indian nor civil nor service," must go. ICS raj is by no means yet a dispossessed tribe of India.

**Shri C. C. Desai:** They are elected by the people of India as you are elected.

**Mr. Speaker:** He is not talking of the elected Members.

**Shri H. N. Mukerjee:** Sir, I see a difference between the princes, who have inherited dignity and grace for generations, between princes who are being attacked and do not turn a hair, and certain other people who, merely because a mention is made of something by my quoting something which

[Shri H. N. Mukerjee]

everybody in this country knows, get rattled. The princes do not mind because they have inherited—at least, God bless them for it—a certain kind of dignity and grace. That is not inherited by certain other people.

Therefore, I would say that this kind of a special privilege enshrined in the Constitution in article 314 should go. Why only the princes, the big monopoly houses, when the Monopoly Commission has mentioned.....

**Mr. Speaker:** We have to talk of the princes' privy purse and not of the ICS and monopolies.

**Shri H. N. Mukerjee:** It is a cognate matter. Here are 75 houses which makes me recall the 200 families of France which, before the Second World war, were responsible for the subservience of France, the land of liberty, equality and fraternity.

**Mr. Speaker:** Unfortunately, we do not have time.

**Shri H. N. Mukerjee:** I am finishing. You would let me round off.

I am merely saying that when we are talking of the people's desire and the absolute urgency in today's context of mounting attack on privilege as represented by the privy purses and other concomitant privileges, at the same time it is necessary and rightful for the country and Parliament to think of the desirability of the attack on privilege, monopoly and power in other sections of society which are extremely important and injurious to the health of our country and the reputation of our motherland.

**Shri K. Ramani (Coimbatore):** Mr. Speaker, Sir, this is the most important matter that has come before the House for consideration. This is a very good opportunity for the Government to come forward, without losing much time, with a change in article 201 of the Constitution and try to abolish privy purses and the special

privileges given to the princes. The entire Opposition, except a few, and the Congress friends together can amend the Constitution and abolish privy purses as well as the special privileges given to the princes.

Now, the opposition to the abolition of privy purses is also developing. The princes are moving in the matter and certain Chief Ministers also, of Rajasthan, Orissa, Madhya Pradesh and some other States are moving in the matter and they want to scuttle the resolution passed by the highest policy-making body of the ruling party of this country. In spite of a certain section in the leadership, the rank and file have forced them to pass such a resolution and also a number of Members from the Opposition have signed a memorandum pledging their support to our Prime Minister to have a change in the Constitution to abolish privy purses and the special privileges of the princes. Therefore, I appeal to all, the Congress Party and the Government not to lose time and not to allow the forces which are raising their heads, somehow arguing constitutionally about the sanctity of the Constitution and saying so many other things, and are trying to scuttle the resolution passed by the Congress Party to have their way. That should not be allowed to happen.

Then, about the patriotism of the princes that is being discussed here in so many ways—I do not want to refer to all those things—I want to refer to only one particular thing. In a speech on 16th March 1948, Shri V. P. Menon, Secretary of the States Ministry outlining the policy adopted to retain the princely order functioning as constitutional rulers declared:

“Though the overwhelming majority of the people desired the rulers to be eliminated, the States Ministry under Sardar Patel, guided by Gandhiji's views, had agreed to accord to the rulers this status.”

I want to say one thing to impress upon the friends who are arguing for the princes, for the privy purses, etc. that the entire Indian people had risen at that time against imperialism. The British imperialism thrown out; their paramountcy had been thrown out and the Indian people restored their Independence. The States' People's Conference had also risen in struggle and fought along with other brother people of India to abolish princedom. Now, at this time, some people talk of this kind of a right or an agreement and other things, the special privileges conferred upon the princes, and all that. It is not because of their patriotism not because they allowed to have a united India, not because article 291 could come into existence, but it is because if that was not done, they would have been overthrown by the people, fighting along with their brother people, in other parts of India. If we think in terms of patriotism, we will have to think of people who fought for two generations against British Imperialism and how they achieved Independence.

Today, we see clearly before us two sets of citizens in India, one set of princes and others who are enjoying special privileges guaranteed by the Constitution and another set of citizens, 99 per cent of Indian people, who are not getting free electricity, free water, free motor-car licence and so many other things. The princes are getting so many things free which other citizens are not getting. Is it necessary that we must maintain all this, even after twenty years of Independence hereafter in this country in the name of democracy, freedom and also this wonderful democratic socialism? Is it necessary that that should be there? In my opinion, that should not be there. So, all can join together, all the opposition members barring a few and all the Congress members can join together to change Article 291 of the Constitution and we can take away the special rights of these princes....

**Mr. Speaker:** He will conclude.

**Shri K. Ramani:** An opportunity has come now and we should take away the rights of these princes. There is a hesitation on the part of the Government because as we have referred to so many times....

**Mr. Speaker:** He will conclude. Mr. Dasaratha Rama Reddy.

**Shri K. Ramani:** . . . this Congress Government is a Government of monopolists as well as landlords . . .

**Mr. Speaker:** No, no. Mr. Dasaratha Rama Reddy.

**Shri K. Ramani:** They are in power in alliance with the princes. That is why they are hesitating. They must give up these, and abolish privy purses.

**Shri R. D. Reddy (Kavali):** This is a very important question and this has to be considered with reference to the back-ground and the circumstances in which these covenants have been entered into. It is clear from the discussion that has gone on that all these princely States became sovereign immediately after the paramountcy lapsed. That was the position and that was admitted by our national leaders. It was our national leader, Sardar Patel, who fought for the independence of this country and who got the integration and he is remembered for it even today. He negotiated these treaties with the Indian princes. The situation then was this. The country was partitioned and immediately after the partition, there were so many riots, Hindu-Muslim riots and things of that kind and at that stage, some of the princes who were not patriotic asserted their right of sovereignty and asserted that they would be independent and would try to co-operate with the Indian National Government in certain aspects like foreign affairs, etc. It was under those circumstances that Sardar Patel negotiated very carefully and prudently and brought them into the Indian Union without any hitch. It was

[Shri R. D. Reddy]

considered by him that they were very patriotic and the sum they asked and the Government agreed to give, was also a pittance compared to what was taken away from them by way of cash, by way of railways and other assets.

**Shri M. R. Krishna (Peddapalli):** They all belong to the State and not to them personally.

**Shri R. D. Reddy:** I am saying that you must take into consideration the background. What was the thing that was realised by either party? What was it that actually happened immediately after the paramountcy lapsed? What was our right to annex them to our territory? Were the leaders then not aware of the position? They were fully aware of it and, therefore, they thought that, in the interest of the integrity of the country, particularly when there was a partition of the country and Pakistan had taken away a large territory, it was desirable for us not to fight any longer with those people but to invoke their patriotism and take them into our holds. It was under those circumstances that these treaties were negotiated and settled. Then again, this was approved by Mahatma Gandhi. Mahatma Gandhi was a person who was working for the poorer classes, the Daridra Narayana. He said that this was fair and should be accepted.

One of our learned friends said that we must be future-minded and not past-minded. Certainly Sardar Patel was future-minded. He was sure that these covenants which were being contracted might not stand the time and, therefore, he said that there should be a Constitutional provision and he made provisions in Articles 291 and 362. He was fully aware that the future generations, even Congress-men, might take a different view. Therefore, he appealed to all those people and explained to the House and this was accepted. This has not been accepted by the Congress

Party alone. The Constituent Assembly which consisted of the representatives of the entire country considered this matter very dispassionately and then gave them this undertaking. We are now giving them these things. Whether we want it or not, that is different matter; Even now, we are saying that this is democratic socialism. We are not able to bridge the gap between the haves and the have-nots. When the whole thing is not only narrowed down but is also taken away, there will probably be a case for the abolition of these things without our interference and they may go away automatically. But, as far as the present situation is concerned, I am humbly of the opinion that what has been guaranteed by our national leaders, in the best interest of the country, should not be interfered with.

**Shri S. Kundu (Balasore):** It is necessary sometimes in a country like ours that a firm resolve has to be taken in regard to certain things. I feel that this is the time when we must decide on this question. I do not want that such a burning and important issue as this should be left to the guesses and speculations of the politicians. I stubbornly feel that what has not been the will of the people should not be the privilege of the few. The will of the people has never been that the kings and monarchs should get more privileges than the common man of this country. It militates against the spirit of the Constitution. This amounts to granting two types of citizenship which the Constitution has never thought of.

Since the last twenty years, the Congress Party has been vacillating on this issue. This shows that they try to maintain the socialist image as it is blurred often by plying these stunts in the press and in the public. If democracy is to be saved then the time has come to abolish these privileges. They must read the writings on the wall and in such things as this there should be no vacillation;

they must come forward with a legislation in this House, and all progressive elements in the country will support it.

Since 1948, my party has said that these provisions should be scrapped. We are actuated by two considerations. The first is that these kings and monarchs did not have any such rights intrinsically. Since the death of Tippu Sultan, that last fighting and valiant king, all the other Indian rulers fell to the clique of the British imperialists who used them against the freedom movement of the country. I do not blame anybody for what has been done by his forefathers. But the Rulers must know the real position and they must swim with the current of the time, and they must come forward and say that they also do not want these privileges, which were given to them because they supported the bad deeds of the British imperialists.

After the 1857 Sepoy Mutiny, Queen Victoria declared in the British Parliament in 1858 that these kings and monarchs at that time had supported the British Government in suppressing the Sepoy Mutiny, and, therefore, these privileges were granted to them in the form of *sanads*. These same British imperialists, times without number have taken away all those privileges under the theory or the doctrine of lapse or substitutionary alliances from the Rulers. With all the rights taken away, no paramountcy and no sovereignty remained, with the rulers. It was the British who wanted to rule over us, and usurped the entire paramountcy to them.

When paramountcy lapsed, with the people of India adopting a republic and declaring its sovereign the entire paramountcy shifted back to the people of India, and all those deeds, enactments, agreements and covenants which were anti-people are supposed to have been scrapped forthwith.

I feel that the constitutional provision does not obstruct the passing of

such a popular legislation. The relevant articles in the constitution is just a guide-line. I have studied this constitutional provision very carefully; it just says that we should be good and courteous to these people. But it cannot come in the way of article 14 which provides for equality before law and which cannot permit us to have two types of citizenship in this country.

If Government feel that the constitutional provisions come in their way, then I would submit that they should accept a Bill seeking to do away with those provisions. I have tabled a Bill seeking to scrap articles 261, 361 and 362 of the Constitution. When that Bill comes up here, I would challenge my hon. friends in the Congress Party to support it; I hope that the members of the different progressive parties would also support that Bill.

But I feel that there is no will in the Congress Party to scrap off privileges but sometimes they are pushed to swim with the current of the eagerness expressed by the people. They are playing this kind of stunt all the time. I think the time has come when we must resolve and take a solemn pledge that we are going to remove these kinds of privileges and stand by the spirit of the Constitution.

Shri Frank Anthony (Nominated—Anglo-Indians): I shall be very brief and try to place this matter in perspective. I do not wish to impute motives, but however much those who are canvassing the abolition of these privileges may seek to rationalise the position, I could not resist the feeling that there was an odour of political vendetta about it. I also felt that this question has surfaced after 20 years. You may clothe it emotionally, as my hon. friend, Shri H. N. Mukerjee, did, with all the principles—alleged principles—of socialism and egalitarianism. It has surfaced because these people proved at the hustings that they were better democrats than anybody else.

[Shri Frank Anthony]

Nobody dared stand against them; those who did suffered complete discomfiture.

I want to deal with the legal position very briefly. I know something about it. I also know what happened in the Constituent Assembly and before that. My hon. friend, Shri N. C. Chatterjee, may say that these privileges can be done away with even without amending the Constitution. In my respectful opinion, no. I do not agree with that. But assuming that enough support can be mustered in order to make the necessary constitutional amendment—they are not built-in, entrenched clauses; you can get them through with your ordinary majority clauses—assuming that you delete the provision in the Constitution, I still say that it would not take it out of the justiciability of the municipal courts. When I deal with art. 363, I will deal with this point. But assuming for a moment that these covenants are non-justiciable, that they are between sovereign parties, the Supreme Court has held in a catena of cases that once the existing authority has affirmed certain rights, then they are certainly justiciable within the municipal courts. So even if you amend the Constitution, justiciability would still be there.

I look at art. 363. It is not as simple as it looks. *Prima facie*, art. 363 would suggest that the covenants, the agreements, all these are not justiciable. That is correct. But what are the constitutional affirmations implicit in art. 363? In my respectful view, they are two. First, it is a well-recognised principle that municipal courts have no jurisdiction in respect of acts of sovereign States. 363 clearly, almost explicitly, affirms recognition of the fact that these covenants were between sovereign parties, sovereign on each side. There is a further affirmation in 363. Deliberately, they were lifted outside the purview of the municipal courts. Deliberately. You

might indulge in a lot of demagoguery and political gimmickry. But deliberately, the framers of the Constitution took these out of the purview of the courts, meaning that you would not by one iota whittle them down.

I go further. Deliberately in art. 143 the Constitution-makers have made a further affirmation. Somebody said they were contracts. They were much more than contracts... (*Interruptions*). I was one of the framers of the Constitution; I was one of the people there—Deliberately they were placed much above ordinary contracts. Under Art. 143, despite the proviso in art. 131, the President may refer a dispute with regard to these covenants for the opinion of the Supreme Court. Why? If these people had no sovereign rights, if these covenants, instruments of accession, were not deliberately treated as between sovereign and sovereign, why did they have this extraordinary provision? (*Interruptions*).

श्री मधु लिमये : कभी सावरैन नहीं रहे । . . . (व्यवधान) क्या यूनाइटेड नेशंस में जायेंगे ?

Shri Frank Anthony: My hon. friend said that there is no question of sovereignty. I do not want to go into it.

Somebody said that Sardar Patel acted under some kind of political expediency. I knew Sardar Patel better than most people did. Sardar Patel would act under a sense of expediency or under some alleged compulsion? No. Deliberately, advisedly, they asserted, they recognised the sovereignty, rightly or wrongly. Here is the normal form of the instrument of accession where you put down, you recognise, you assert the sovereignty of the princely State that is acceding:

"In the exercise of my sovereignty in and over my State, I do hereby execute this instrument...."

You have avowedly, deliberately accepted that you were entering into a treaty with a sovereign on the other side.

**Some hon. Members:** No, no.

**Shri Frank Anthony:** What were the covenants of merger? The covenants of merger superseded these instruments of accession. In article 11, for instance, with regard to the United States of Rajasthan, you recognised their sovereignty; as part of that merger deal you gave them that privy purse. I pose this and I pose this advisedly. With regard to Junagadh and Hyderabad....

**Shrimati Tarkeshwari Sinha (Barh):** You still recognise it?

**Shri Frank Anthony:** You have to. The Constitution did it. My hon. lady friend is asking me. It is not a question of my recognising. The Constitution has enshrined this.

May I say this that these contracts, these covenants, these mergers were pre-constitutional. All that we did in the Constitution was further to sanctify them. They were already covenants between sovereign contracting parties.

What would be the position? Look at the international repercussions. (*Interruptions*). I will tell you what the international repercussions will be.

**Mr. Speaker:** Let him have his say.

**Shri Frank Anthony:** Today it may be thought that the princes are helpless. Yes, they are helpless. But there are certain territories in *pari materia* with the princes Bhutan and Sikkim. They had positions inferior to Bikaner. They merely acceded.... (*Interruptions*).

श्री मधु लिमये : यह भूटान और सिक्किम को उकसा रहे हैं।

**Shri Frank Anthony:** I am not trying to excite, I am trying to bring some sanity in place of this cheap demagoguery.

What will happen? Let me finish in two minutes. What is the position so far as Bhutan and Sikkim are concerned? Their position was identical with these States that executed the instrument of accession. They acceded only with regard to three subjects.

**The Minister of State in the Ministry of Education (Shri Bhagwat Jha Azad):** Din't talk of international obligations. (*Interruptions*).

**Shri Frank Anthony:** I want you to face it.

**Mr. Speaker:** This shouting does no help.

**Shri Frank Anthony:** This kind of cheap demagoguery is not going to help this kind of bellowing. (*Interruptions*).

What happens with regard to Kashmir? We have posited our case on Kashmir categorically in terms of the instrument of accession. If unilaterally now these treaties, instruments of accession, these covenants between sovereign parties, can be broken unilaterally....

**Mr. Speaker:** Please finish now. I am calling the next speaker. Shri Nahata.

**Shri Frank Anthony:** This is very unfair. Let me finish in one minute.

**Mr. Speaker:** One minute. He will finish now.

**Shri Frank Anthony:** If we do this unilaterally, we will get embroiled in these other matters. There is no doubt about it. Let us approach it in a mood of sanity. This is not a matter for demagoguery. Let me say that this is a self-eliminating process. I am entering a plea, a plea for sanity. I was at the Congress Party meeting as a special invitee, as a member of the steering committee of the Constituent Assembly. I remember what happened. There was some kind of demagoguery. Then Sardar Patel came in. (*Interruptions*). There was all this kind of egalitarianism and so on. I happened to be in that meeting. He

[Shri Frank Anthony]

got up and he said: I have given my word to these people; what we are getting is incalculable in terms of territory, in terms of assets. Advisedly, deliberately Sardar Patel said.... (Interruptions.) They do not even want to hear me. It is a self-eliminating provision; it is wasting itself out in twenty years, as I said before.

**Mr. Speaker:** The hon. Member should conclude. What about the other speakers who are waiting to speak?

**Shri Frank Anthony:** This has all the sanctity of a treaty between sovereigns; this has the sanctity of the Constitution and the plighted word.

**Mr. Speaker:** Shri Nahata. Two more speakers are there. May I request him to be brief. The Minister, I am sure, will reply on behalf of all of you.

**श्री अमृत नाहटा (बाडमेर) :** अध्यक्ष महोदय, आश्चर्य तब होता है कि जो लोग आज से कुछ वर्ष पहले सरदार पटेल के सब से बड़े आलोचक थे, जो सरदार टेल की नीतियों के सबसे बड़े विरोधी थे, आज वे ही लोग सरदार पटेल की दुहाई देते हैं—तो हमें उन की ईमानदारी पर सन्देह होना स्वाभाविक है ।

अध्यक्ष महोदय, मुझे अच्छी तरह से याद है, मैं कांग्रेस का एक स्वयं सेवक था, सरदार पटेल जोधपुर आये थे और उन्होंने अपने भाषण में कहा था—उन के शब्द मुझे अक्षरशः याद हैं—कि राजा लोग कहते हैं कि हम सोवरन हैं, भ्ररे कल तक अंग्रेजों के तलवे चाटते —, उन के आगे नाक रगड़ते थे; तब तुम्हारी सोवरेनटी कहाँ थी? हम ने कभी भी उन की सावरेनटी को नहीं माना, हम ने कभी उन को सार्वभौम नहीं माना । परिस्थितियों के अनुकूल परवश हो कर, बजबूरी से हम ने उन के साथ जो एग्रीमेंट किया था, वह भी हमारा संविधान पास हो जाने के बाद जिस समय भारतवर्ष

को सोवरेन-रिपब्लिक घोषित कर दिया गया, उस के बाद इस देश में वे सोवरन नहीं रह जाते, सिवाय हिन्दुस्तान की जनता के ।

अध्यक्ष महोदय, मैं यह भी बता देना चाहता हूँ कि समय-समय पर उन समझौतों की कई बातों को हम ने खत्म भी किया है, राज-प्रमुख हम ने खत्म किये, उपराज्य प्रमुख खत्म किये, महाराज प्रमुख खत्म किये, उस के बाद कोवनेंट में हम ने कहा था कि तुम्हारी इन्कम पर टैक्स नहीं लगायेंगे, लेकिन संविधान में हम ने कहा कि केवल इन्कमटैक्स नहीं लगायेंगे । इस का मतलब यह है कि यह कोई पवित्र डाक्यूमेंट नहीं है, जो बदला न जाय । जमाना बदल रहा है, यह सामाजिक क्रान्ति का युग है, इस के अन्दर अब ये पुरानी दकयानूसी बातें नहीं चलेंगी ।

यहां पर नैतिकता की बड़ी बात की जाती है, वचनबद्धता की बात की जाती है । मैं, अध्यक्ष महोदय, जानना चाहूंगा कि आज देश में जब करोड़ों लोग भूख मर रहे हैं, उस वक्त यह भोग विलास और वभव, लक्जरी का जीवन जो राजा महाराजा व्यतीत करते हैं, क्या यह नैतिकता है ? यह सब से बड़ा पाप है, सामाजिक अपराध है, इस को हम समाप्त करना होगा । वचन की बात की जाती है, हम ने अगर इन से कोई वचन किया भी है तो हम ने साथ-साथ देश की जनता से भी वचन किया है कि उन को खाना देंगे, कपड़ा देंगे, शिक्षा देंगे, इलाज देंगे—वह वचन—सर्वोपरि वचन है और उस वचन का पालन करने के लिये आवश्यक है कि इस वचन को तीड़ा जाय, क्योंकि जनता में अगर क्रान्तिकारी भावना पैदा करनी है, अगर उत्साह पैदा करना है, अगर जनता को विश्वास दिलावा है कि देश में समानता है, बुनिया में अगर हिन्दुस्तान का इमिज क्रियेट करना है कि यह एक आधुनिक राज्य है, यह समानता है

विश्वास करने वाला राज्य है, तो इस काल-  
दोषी काबनेट को प्रीवी पर्सों को खत्म करना  
होना और जनता में एक नई सामाजिक  
चेतना लानी होगी ।

**Shri N. C. Chatterjee** (Burdwan):  
Sir, I will be brief. I want to point  
out with great respect to my learned  
friend, Mr. Frank Anthony, that he is  
completely wrong in his interpretation  
of articles 362 and 363. Sir, I want  
to point out how the Supreme Court  
has construed this. My hon. friend  
has missed the recent judgment of the  
Supreme Court. The Supreme Court  
has clearly enunciated that article 362  
does not give any justiciable right to  
the princes. It is very important to  
remember. (*Interruption*).

**Shri Frank Anthony**: I never said  
it.

**Shri N. C. Chatterjee**: The founda-  
tion of the law, you know, Sir, is that  
if there is no remedy, there is no  
right, and if there is no right there is  
no remedy. The hon. Member said  
that article 363 is construed in a parti-  
cular manner. May I point out to the  
House that the Supreme Court, in a  
unanimous judgment has laid down as  
follows: I will just read only one  
paragraph to clear the matter com-  
pletely. I am quoting from page 196,  
paragraph 8, from the judgment of  
the Supreme Court AIR 1961, S.C.  
196. Both articles 362 and 363 were  
discussed at length at the instance of  
the rulers of the State of Orissa.

Article 362 recommends to the Par-  
liament and the State legislatures that  
in making laws after the Constitution,  
due regard should be paid to the  
guarantee or assurance given under  
any covenant or agreement. Even  
though article 362 is not restricted in  
its recommendation to agreements relat-  
ing to the privy purse, yet, it does  
not import any legal obligation en-  
forceable at the instance of the erst-  
while ruler of a former Indian State.  
If, despite the recommendations that

due regard shall be had to the guar-  
antee or assurance given under the  
covenant or agreement, the Parlia-  
ment makes laws inconsistent with the  
personal rights, privileges and digni-  
ties of the ruler of an Indian State,  
the exercise of the legislative autho-  
rity cannot, rely upon the agree-  
ment or covenant, be questioned in any  
court, and that is so expressly provid-  
ed by article 363 of the Constitution.

Therefore I am submitting that what  
the Indian National Congress has  
done, although a belated act, is a step  
in the right direction, and although I  
belong to the Opposition, we must  
congratulate the All-India Congress  
Committee for this act, and we hope  
it would be carried into effect. The  
Constitution-makers themselves con-  
templated and enacted article 363. And  
article 362 was also enacted. You and  
I, and all Members of Parliament, are  
pledged to support the Constitution,  
and I am convinced that it is not an  
unconstitutional act. It is in complete  
conformity with the letter and spirit  
of the Constitution, because they  
realised that Parliament may do away  
with this privy purse after a little  
while, after a certain time, having  
regard to the transformation of the  
social and economic contours of  
society and having regard to the pro-  
gress towards democratic socialism,  
and that they may find that it will be  
necessary to do away with this pri-  
vilege. Therefore, they said, "You  
can do that and it cannot be ques-  
tioned."

This is what Justice Shah of the  
Supreme Court said, and it was a  
unanimous judgment of the Supreme  
Court. If the Parliament of India or  
the legislature of any State makes any  
laws inconsistent with the personal  
rights, privileges and dignities of the  
ruler of an Indian State, the exercise  
of the legislative authority cannot,  
rely upon an agreement or coven-  
ant, be at all questioned in any court  
of law. That is clearly provided and  
enacted.

[Shri N. C. Chatterjee]

Therefore, I submit that our founding fathers contemplated this kind of step to be taken and therefore they thought that it should not be made justiciable, and Parliament's legislation in this field should not be questioned in any court of law and should not be at the mercy of lawyers or judges.

**Shri S. K. Tapuria:** He has repudiated the very thing that he has tried to defend in the Kutch Tribunal.

श्री प्रकाशबोर शास्त्री (हापुड़) : अध्यक्ष जी, भारतवर्ष के आजाद होने के समय तीन अभिशाप अंग्रेज प्रदत्त थे—उनमें पहला था पाकिस्तान, दूसरा था, देशी रियासतों का का स्वतन्त्र विधान और तीसरा था, अंग्रेजी भाषा। इन अभिशापों से भारतवर्ष को किस तरह से मुक्ति लेनी है—यह उस समय के शासकों को निर्णय लेने का काम सौंपा गया। ब्रिटिश पार्लियामेंट के एक्ट के हिसाब से देशी रियासतों को जो स्वतन्त्रता दी गई थी कि वे चाहे तो भारतवर्ष या पाकिस्तान में रह सकते हैं, चाहे तो अपना एक स्वतन्त्र अस्तित्व बना कर रह सकते हैं। सरदार पटेल को इस बात के लिये साधुवाद देना पड़ेगा कि उन्होंने अपनी बुद्धिमत्ता और कुशलता से 550 देशी रियासतों के राजाओं के मुक्त उतरवा कर बिना खून खराबे के भारत माता के चरणों पर रखवा दिये। सरदार पटेल की उसी बुद्धिमत्ता का और सरदार पटेल की उस राजनीतिक कुशलता का ही यह परिणाम था जो सरदार पटेल ने यह सोचा कि यह 550 देशी रियासतें भारतवर्ष में दूसरे लोगों के साथ मिल कर चलें यह किस प्रकार से आपस में समन्वय होना चाहिए? सिद्धान्ततः सरदार पटेल स्वयं इस बात के पक्षपाती थे कि प्रिवी पर्स की इस परम्परा को लम्बा जारी न रक्खा जाये। लेकिन सरदार पटेल के सामने प्रश्न यह था कि प्रिवी पर्स आज समाप्त

किये जायें या धीरे धीरे यह प्रिवी पर्स समाप्त किये जायें। यह प्रश्न था जिसका बड़ी बुद्धिमत्ता के साथ सरदार पटेल ने हल निकाला। अगली पीढ़ी में इतना कम हो जायगा और तीसरी पीढ़ी में इतना कम हो जायगा। एक दिन वह समय आयेगा जब भारत पर राजाओं के जेबबखर्च का कोई भी बोझ न पड़ेगा। इस प्रकार का समाधान उस समय सरदार पटेल ने निकाला।

आज एक बात को देख कर बड़ा आश्चर्य होता है कि यही हमारे कांग्रेसी मित्र जो जो इन राजा, महाराजाओं को कांग्रेस का टिकट भी देते हैं उन राजा, महाराजाओं को मिनिस्टर बना कर अपनी बगल में भी बिठाते हैं, इन राजा महाराजाओं को गवर्नर भी बनाते हैं, इन राजा, महाराजाओं को रावदूत भी बनाते हैं, वह राजा महाराजाओं को सेना में बड़े बड़े उच्च पदों पर भी रखते हैं, आज यकायक इन के अन्दर यह तिलमिलाहट क्यों पैदा हो गई? पिछले 20 साल में यह तिलमिलाहट क्यों पैदा नहीं हुई? 20 साल तक यह चुपचाप क्यों बैठे रहे? क्या कांग्रेसी मित्रों ने अपना मुंह शीशा लेकर कभी देखने की कोशिश की है कि यही राजे, महाराजे जो कभी इतने बदनाम थे कि यह खून चूसते हैं प्रजा का, प्रजा के साथ बड़ा अन्याय करते हैं, आज क्या बात हो गई कि जो जनता के सेवक कहलाते थे, देशभक्त कहलाते थे आज वह खद्दरधारी जब चुनाव क्षेत्रों में खड़े होते हैं और उन के मुकाबले यह खून चूसने वाले खड़े होते हैं तो वह खद्दरधारी देशभक्त कहलाने वाले उन के मुकाबले में वहां से हार जाते हैं। जो स्थिति आकर पैदा हुई उन के सामने सब से बड़ी। वह यह कि 20 वर्ष में कांग्रेस अपनी लोकप्रियता इतनी समाप्त कर चुकी है कि जो राजा, महाराजा बदनाम थे आज वह राजा महाराजा इन की अपेक्षा लोकप्रिय माने जाने लगे और कांग्रेस उन

क्षेत्रों में बदनाम हो गई। यह है वह वास्तविकता जिसके कि आघार पर यह तिलमिलाहट शुरू हुई है।

मुझे कुछ आदर्श राजा, महाराजाओं के परिवार का भी पता है। वैसे मेरा किसी राजा, महाराजा के परिवार या किसी देशी रियासत के साथ सीधा सम्बन्ध नहीं है। लेकिन मैं जानता हूँ इस बात को जिस समय राजस्थान के रजवाड़ों को मिला कर महाराजस्थान बनाया गया और सब से पहले राजस्थान के महाराज प्रमुख कोटा महाराज श्री भीम सिंह बने, उन के पास सरदार पटेल से यह संदेश आया कि आपको इतना पैसा जेबखर्च का दिया जाता है। इस पर महाराज भीम सिंह ने सरदार पटेल को सन्देश भेजा कि जेबखर्च की हमें आवश्यकता नहीं है। हमारे राज्य की अपनी यह परम्परा है कि हमारे राज्य में लड़कियों को एम० ए० तक शिक्षा बिना पैसे के दी जाती है। आप यह अपना पैसा वापिस ले लें लेकिन जब तक मैं जीवित हूँ कोटा राज्य में लड़कियों पर किसी प्रकार का शिक्षा सम्बन्धी शुल्क नहीं लगाना चाहिये। इसी प्रकार के कार्य मध्य भारत के क्षेत्र जाकर देखें जहाँ जिय राव जी विश्वविद्यालय, विक्रम विश्वविद्यालय, विदिशा का इंजीनियरिंग कालेज, लक्ष्मीबाई कालिज; और इसी प्रकार की जितनी भी संस्थाएँ वहाँ बनी हैं, उन सब को देखने के बाद आप इन सारे राजे, महाराजाओं को महज इसी आघार पर कंडेम नहीं कर सकते। मैं कुछ दूसरे प्रकार के उन राजा, महाराजाओं को भी जानता हूँ। मैंने निजाम के सम्बन्ध में अभी गृह मंत्रालय के अनुदानों पर इस बात की चर्चा की थी कि वर्तमान निजाम जो निजाम का उत्तराधिकारी बन कर बैठा है उसकी गृह मंत्रालय इस प्रकार की जानकारी ले कि क्या कहीं गुप्त रास्तों से पुराने निजाम के धरबों रुपये के हीरे, जवाहरात तर्कों को तो पास नहीं हो रहे हैं? और वह पैसा टर्कों के माध्यम से हमारे देश के विरुद्ध

पाकिस्तान द्वारा तो खर्च नहीं हो रहा है? (व्यवधान) मुझे कुछ इस प्रकार की जानकारी मिली है कि कुछ समय पहले भूपाल के सम्बन्ध में भी इसी प्रकार की घटना समाचारपत्रों में प्रकाशित हुई थी कि भूपाल के परिवार का कुछ किसी प्रकार का हीरे, जवाहरात का धन कलकत्ता के बंदरगाह में पाकिस्तान को जाते हुए पकड़ा गया। इसलिए जो ऐसी भ्रष्टाचार गतिविधियों में भाग लेते हुए पकड़े जायं मुझे उस में कोई आपत्ति नहीं होगी कि उन की प्रिवी पर्स बंद की जाय बल्कि उन्हें जो सख्त से सख्त सजा हो सकती है वह भी दी जानी चाहिए जोकि ऐसे भ्रष्टाचार कार्य करने वाले व्यक्तियों को दी जाती है। लेकिन इतना बड़ा आश्वासन जो इस भारत सरकार ने दिया था और जिसके कि आघार पर 550 देशी रियासतों के राजाओं ने अपने मुकट भारतमाता के चरणों में रख दिये थे, एक साथ इस प्रकार प्रतिबन्ध न लगाया जाय बल्कि यह उन की अपनी इच्छा पर छोड़ जाय कि वह इस सम्बन्ध में क्या निर्णय करना चाहते हैं।

**The Minister of Home Affairs (Shri Y. B. Chavan):** Mr. Speaker, Sir, only last week while discussing the Demands for Grants of the Ministry of Home Affairs this question came to be discussed and I had occasion to explain Government's position in this matter. I do not think I have anything more to add to what I said then.

But this debate this evening was certainly a more welcome debate because it gave this Parliament again an opportunity to consider this whole question in its proper perspective. I am sure this debate is going to be very useful to the Government while Government examines this aspect and takes a decision.

Certainly, Sir, Government has to consider all the political aspects and constitutional aspects and come to a decision. Many hon. Members made a reference to the AICC resolution in

[Shri Y. B. Chavan]

this matter. I do believe that that resolution is a historic decision. It gives a lead to the country to go in a direction in which it should go.

It is not a question of any subjective judgment of the princes in whom most of us have good faith. It is not a question of proving them unpatriotic. I can give my own experience. As freedom fighters, in 1942 while we were just running around for protection some of the princes gave us protection. It is not a question of our trying to prove them un-patriotic. Many of them were patriotic people, good people, sensible people and nationalist people. It is not a question of any vendetta as the hon. Member, Shri Frank Anthony said or the usually eloquent speaker Shri Prakash Vir Shastri said. There is nothing like that. It is not a question of making any subjective judgment of a particular class of people.

The real test, and I entirely agree with Shri Madhu Limaye, is the question of political values. It is a question of principles involved. It is a question as to in which direction we want this democracy to go. It is on these criteria that this question will have to be discussed. There is no doubt that these privileges and purses are certainly an anachronism in the present context. How we do it in which way we decide this matter, is certainly a question that has to be decided.

For the first time I am entirely in agreement with Shri N. C. Chatterjee on this question of sovereignty, apart from constitutional interpretation which certainly will have to be examined in due course by Government. Let us make this point very clear. What is ultimately the basis of this democratic republic. The question of sovereignty is not an abstract legal concept to be argued and banded about in a court of law. It is a very dynamic concept. It is a political reality based on the will of 50 crores of people of this country. Let us be

clear about fundamentals. Unless we are clear about the fundamentals, we cannot proceed. What we want to do in this particular matter, in which direction we have to go, how we are to decide the details etc., are certainly matters for discussion. I am not going into them. About fundamentals let us not be in doubt.

I was rather very much surprised today to see one thing. It is very strange how a political situation sometimes clarifies an inherent situation very clearly. Today I found that the classic allies of this political anachronism were an ex-ICS Shri C. C. Desai and my hon. friend, Shri Frank Anthony.

An Hon. Member: Nominated.

Shri Y. B. Chavan: And also by hon. friend from Jan Sangh.

Shri Bal Raj Madhok: You did not follow what I said. Had you followed me, what I have advised you is in your best interest and in the interest of the country as well.

Shri Y. B. Chavan: They are classic allies. So, Sir, the point is not whether one likes a certain situation or one does not like it. It is not a question of liking or disliking. It is not a question of any vendetta. It is a question of certain political values. I know what Sardar Patel did. We are proud of it. He certainly did the greatest service to the country. But do we want the country to sit with immobility in the position of 1947 or 1950? We want it to go ahead. We certainly want the country to march ahead. History has to move forward. These are considerations and this is the context and background on which we will have to examine this question and take a proper decision. To me this discussion is going to be very useful on this background.

19 hrs.

But I must say one thing before I conclude. It was a very unfair point.

that my hon. friend, the Jan Sangh leader made. He made a reference to the Prime Minister. I can tell him that her position in the Congress Party does not depend on any covenant, does not depend on any agreement; she is here because of the will of the people.

श्री मधु सिन्हा: वह करार की नहीं,  
इयनेस्टिक प्रिंसिपल की बात कर रहे थे।

Shri Bal Raj Madhok: I never referred to any dynasty.

Shri Y. B. Chavan: I would like to inform him that she is accepted as the leader of the party which has the right to govern and, therefore, she is the leader of the country in her own

right, and she is also the leader of this House. So, let us try to understand what we say about it in a particular way.

I think this debate is going to help the government very much in clarifying the issues that Government will have to examine and decide.

Mr. Speaker: The House now stands adjourned.

19.01 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Friday, July 14, 1967/Asadha 23, 1889 (Saka).*