

[Shri Datar]

All that I pointed out, with a view to shorten the discussion, was that we should not proceed on a misunderstanding and the discussion should not be premature and when any action has to be taken it should be on the basis of a full assessment of the situation. Now, at present it is not possible, when we are in the midst of that period, to understand to what extent it has been beneficial to them, or whether the time has come when the whole of India should be treated together as one for the purpose of equality of opportunities, to which, rightly, a reference has been made in article 16 of the Constitution.

I again say that there is no question of a closed mind at all. It is a question of studying the point, assessing the situation at the proper time and not prematurely. I would therefore request the hon. Member not to press it today. Government will certainly consider the whole question as sympathetically as possible.

Shri J. B. S. Bist: I only want to bring it to the notice of the hon. Minister that he might have figures as to the action taken in those areas—that is, the percentage recruited each year in the number of services and so on. Though it is a subordinate service, Tehsildars somewhere are gazetted and in some places they are not gazetted. If we had a list it would help Government and also give us information as to how things are proceeding.

I thank the hon. Minister for saying that Government will look into the matter, and I am sure that when the time comes the hon. Minister will find that the circumstances are such that this may have to be extended. I was in fact thinking of getting it extending by ten years more. But I have no desire to tie the hands of Government. Because of the statement that if needed, it would be extended, I beg leave of the House to withdraw my Bill.

The Bill was, by leave, withdrawn

16.35 hrs.

LEGISLATIVE COUNCILS (COMPOSITION) BILL

b Shri Shree Narayan Das

Shri Shree Narayan Das (Darbhanga): Sir, before I make my motion, I would like to have your permission to make a small change in the date that has been given in the motion. 30th September, I would like to make 31st December. More time should be given.

Mr. Deputy-Speaker: Yes.

Shri Shree Narayan Das: Sir, I move:

“That the Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith be circulated for the purpose of eliciting opinion thereon by the 31st December, 1962.”

As at present, there are some States where there is provision for Legislative Councils. A number of small States have not been provided with Legislative Councils so far. Most of the major States have a Legislative Council. Some of the States which have no Legislative Council at present, I am told, would like to have one. The object of my Bill is to give representation in the Legislative Councils of the States to more interests than have been provided in the Constitution. The Constitution-makers, while making provision for this in article 171-(2) said:

“Until Parliament by law otherwise provides, the composition of the Legislative Council of a State shall be as provided as in clause (3).”

This clearly indicates that the Constitution-makers had it in mind that

when the elected Parliament will come into being, they will have the power to make certain more provisions with regard to representation in the Legislative Councils.

I have gone through the discussions that were held in the Constituent Assembly while discussing this article. Dr. Ambedkar was piloting the Drafting Committee's Proposals. This article which is now 171 was in the Draft, No. 150. It was said :

"The total number of Members in the Legislative Council of a State having such a Council shall not exceed twenty-five of the total number of members in the Assembly of that State".

Clause 2 reads like that:

"The allocation of seats in the Legislative Council of a State, the manner of choosing persons to fill these States, the qualifications to be possessed for being so chosen and the qualifications entitling persons to vote in the choice of any such persons shall be such as Parliament may by law prescribe."

The Drafting Committee had in mind, that the whole thing should be left over to Parliament that would come into being.

16.39 hrs.

[SHRI MULCHAND DUBE in the Chair]

As I find on going through the proceedings, there were a large number of amendments with regard to this clause. A large number of Members wanted representation of the various interests. Therefore, there was no unanimity. The Drafting Committee, after considering all these amendments, came to the conclusion that the whole matter should be left over to the Parliament that would come into being. A large number of Members, while participa-

ting in the discussion in the Constituent Assembly, suggested that the Constituent Assembly should lay down the provisions in detail. A large number of Members were not for that. There were diverse opinion. There was one school of thought in favour of the whole thing being left over to Parliament; there were Members who suggested that the details should be laid down. Subsequently, that is, after some time, the provision that exists in the Constitution at present in the form of article 171 was passed by the Constitution Assembly. In this connection, I would like to refer to clause (3) of article 171 and just give a gist of what is contained therein. That clause reads thus :

"Of the total number of members of the Legislative Council of a State—

(a) as nearly as may be, one-third shall be elected by electorates consisting of members of municipalities, district boards and such other local authorities in the State as Parliament may by law specify;

(b) as nearly as may be, one-twelfth shall be elected by electorates consisting of persons residing in the State who have been for at least three years graduates of any university in the territory of India...".

Then, one twelfth representation has been given to teachers of secondary schools. I would like to emphasise here that the teachers of primary schools have not been given any representation. Then, about one-third of the members are to be elected by the members of the Legislative Assembly of the State.

From this, it is clear that at that time the members of the Constituent Assembly were able to make suggestions for representation with regard to only these three interests. The majority of the members, that is,

[Shri Shree Narayan Das]

about one-third are elected by the members of the Legislative Assembly of the State by the principle of proportional representation by the single transferable vote.

The object of my Bill is to provide for representation to a large number of institutions in the Legislative Council of the State. Since the Constitution was framed, in our country, there has been great development. A large number of new organisations have come into being. Under the process of democratic decentralisation, block samitis, panchayats etc. have come into being, and they are going to play a very important part in our social and political structure, as has been emphasised by the Planning Commission. Co-operative societies are also coming into existence in larger numbers. The whole country is now going to be covered by co-operative societies. Besides, there are the organisations of commerce, industry, business and trade. All these bodies play a very important role in the polity of our country.

Therefore, the time has now come when Parliament should consider the question of giving representation for such bodies as have some influence and as have got at present no representation in the Legislative Councils of the States.

From the provision in the Constitution, it is clear, that only graduates and teachers of secondary schools have been given representation, but the primary teachers have not been given any representation. I think that this is discrimination. The primary teachers are very large in number, no doubt, but when the secondary school teachers have been given representation, I do not see any reason why the primary school teachers should be denied representation.

Therefore, my Bill seeks to provide for representation to such organised interests as are functioning in the State, because, by such representation,

not only would the Councils become more representative, but the functioning of such organisations would also be encouraged and would get impetus, and their working will become beneficial to the community at large.

When the Constitution was framed, the Constitution-makers did have in mind the idea that a time will come when the Parliament would have to lay down more provisions for the representation of some more interests.

I would not take much time of the House, but I would only submit that this Bill is very important, because the other interests that have not so far been represented in the Council have been agitating for such representation, of course, not in the form of any great political agitation, but they think that their case had been neglected at the time when the Constitution was framed. So, it is now up to Parliament to consider those cases.

I have not given notice of a motion for consideration of this Bill but only for circulation of this Bill for eliciting public opinion thereon, because I feel that public opinion should be ascertained in this regard. The interests that have not been represented should make their representations and give their opinions, and those opinions when received can be considered by Parliament which is a much more representative body than the Constituent Assembly which framed the Constitution. For, the Constituent Assembly was not constituted on the basis of adult franchise. They were representatives of the various Assemblies in various States. I think this Parliament is the most representative body because it has been elected on adult franchise and really represents the people. Therefore, it is in the fitness of things that the provisions regarding composition of the Legislative Councils should be considered *de novo* and the principles on which representation was given to some interests should be considered and if

they apply to other interests also, they should come in.

I would now like to draw the attention of hon. Members to clause 3 dealing with composition of Legislative Councils. In sub-clause (2), I have given representation to Zila Parishads, block samitis and other local bodies as they come in course of time. That may be laid down by Parliament. I have also provided for representation to panchayats. So also representation is sought to be given to co-operative societies. As regards graduates, the representation proposed is one-twelfth of the strength of a Legislative Council. In item (f), I have given representation for teachers of secondary schools. In (g), provision is made for representation of primary school teachers in Legislative Councils. Item (h), seeks to give representation to bodies representing interests like commerce, industry, trade and business.

I confess I have not been able to make provision for labour representation. I would like that labour organisations like trade unions and others should also find representation in some way in these Councils.

Item (i) makes provision for representation of agriculturists.

In this way, I have given representation to as many interests as are important in our social life. I think those bodies and interests like district boards, panchayats, co-operatives and graduates are going to play a very important part in the future development of our country, and it is only in the fitness of things that they should be given representation in the Councils.

I will not take more time of the House. The Bill is for circulation for eliciting public opinion. There will be sufficient time for us to discuss the matter when opinions are received, when a motion is moved for consideration of the Bill at a later date. Therefore, I would request hon. Members

and the Hon. Minister to support this motion and let the Bill be circulated for eliciting public opinion by 31st December 1962.

Mr. Chairman: Motion moved:

"That the Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith be circulated for the purpose of eliciting opinion thereon by the 31st December, 1962."

We might fix the time for this Bill. How much time is necessary?

Shri Raghunath Singh (Varanasi): At least two hours. This is a very important Bill.

Shri S. M. Banerjee (Kanpur): This is a very important Bill.

Mr. Chairman: I take it that is agreed. We will have two hours.

श्री रघुनाथ सिंह: सभापति महोदय हमारे मित्र श्री नारायण दास जी ने जो विधेयक उपस्थित किया है उसका हम स्वागत करते हैं। मुख्य कारण यह है कि जो काउंसिलों का चुनाव हुआ है उसको देखते हुए हमें अपने विधान में कुछ संशोधन करना है। यह आवश्यकता इसलिए है कि जिस अफसर क्लास को हमने लोकल बाडीज में स्थान दिया है ज्यादातर चुनाव उसके इनीशिएटिव पर होने लगा है। मैं आपको एक उदाहरण देता हूँ। अन्तरिम जिला परिषद् में कहीं कहीं १२० और १३० सदस्य हैं। उनमें एक्स आफिशियो मेम्बर की हैसियत से आफिशियल क्लास की तादाद ८० है कहीं ७० है। यह जो आफिशियल क्लास है इसकी हिम्मत कौन्सिल पार्टी के खिलाफ वोट देने की नहीं हो सकती।

केवल हिन्दुस्तान में ऐसा है कि हमने अधिकारियों को यह अधिकार दिये हैं कि वह राजनीतिक में भाग लें और राजनीति में हस्तक्षेप करें। एक तरफ यदि हम उनको वोट

[श्री रघुनाथ सिंह]

देने का अधिकार देते हैं तो लोकतंत्र का यह तकाजा है कि अधिकारियों को भी हम अधिकार दें कि वह काउंसिलों के लिए खड़े हो सकें और वोट मांग सकें। अभी उत्तर प्रदेश में एक चुनाव हुआ है काउंसिल का उस चुनाव में देखा गया है कि अधिकारी वर्ग ने, चूंकि उनको वोट का अधिकार दिया गया था, खुल कर किसी न किसी पार्टी का समर्थन किया। इस वास्ते सिद्धान्ततः मैं इस बिल का इसलिए स्वागत करता हूँ कि अधिकारियों को जो वोट देने का अधिकार दिया गया है यह लोकतंत्र की बुनियात पर एक कुठाराघात है और इसको अत्रिलम्ब हटाना चाहिए।

हमारे मित्र श्री नारायण दास जी ने जो विधेयक उपस्थित किया है उसको अगर देखा जाए तो हमारे कांस्टीट्यूशन की धारा १७१ के अनुसार पांच वर्गों को काउंसिल में मत देने का अधिकार दिया गया था। श्री नारायण दास जी के बिल का यह अर्थ लगता है कि असेम्बली से जो एक तिहाई सदस्य चुन कर काउंसिल में जाते थे उनको उन्हीं हटाया है और उसको हटा कर उन्होंने एक तिहाई सदस्यों का चार वर्गों के सदस्यों को प्रतिनिधत्व दिया है। उनमें एक है पंचायत, दूसरा है कोऑपरेटिव सोसाइटी, तीसरा है कमर्स और इंडस्ट्री और चौथा है टिलर आफ बी साइल। ये चार कैटेगरीज़ आपने रखी हैं। एक तिहाई मेम्बर लेजिस्लेटिव असेम्बली काउंसिल में चुन कर भेजती थी, उनको अधिकार न देकर इन चार कैटेगरीज़ के लोगों को वह अधिकार दिया है। लोकल बाडीज़ और सैकंडरी स्कूल्स को आपने दो हिस्सों में कर दिया है। बारहवां हिस्सा आपने उन स्कूलों के अध्यापकों को दिया है जो सैकंडरी स्कूलों से छोटे स्कूल हैं। इसमें ज्यादा फर्क नहीं है। इसी तरह से आपने लोकल बाडीज़ को दो हिस्सों में कर दिया है, एक म्युनिसिपैलिटी और दूसरा अन्तरिम जिला परिषद्। एक प्रकार से देखा जाए तो यह भी कुछ अंशों में अच्छा है। लेकिन इस बिल

में मैं एक एक संशोधन चाहता हूँ कि मैं ने कहा है जो अधिकारी वर्ग है जो कि किसी न किसी रूप में सरकार के नौकर हैं, उनको काउंसिल के चुनाव में भाग नहीं लेने देना चाहिए।

साथ ही साथ मैं इस बात का समर्थन करता हूँ कि चूंकि यह बहुत महत्वपूर्ण बिल है इसलिए इसको जनता की राय जानने के लिए भेजा जाए, और जितनी राज्य सरकारें हैं उनसे भी राय ले कर एक अच्छे रूप में यह विधेयक उपस्थित किया जाए तो अच्छा हो।

इन शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ।

Shri K. C. Sharma (Sardhana): Mr. Chairman, Sir, I may take the House back to the Objective Resolution of the Constituent Assembly. For the first time in this great land of ours, the right to choose their own Government was given to the people. Never before in this land of ours, throughout its history ranging from 4000 to 5000 years, was the common man, the man in the street, the man at the plough, ever given the right to have a say in the formation of government. In the Constitution Assembly, in the Objective Resolution, which the great Leader moved, it was settled emphatically that the sovereignty would be vested in the people. What does that mean? It means that every man in the street, who has attained the age of majority, would have the right. Therefore, there should be only one right and no other right. The giving of right to functional bodies was wrong in principle and it has not worked to the good of the people. Rather, it has adversely affected the progress of the people. Therefore, the establishment of councils was bad in principle: it has been bad in practice so far as the

result is concerned. Again, what does the Preamble to the Constitution say? Preamble drafted by the Leader of the people himself, the present Prime Minister says: We, the people of India having solemnly resolved to constitute India into a sovereign democratic republic.... There are two conceptions. We, the people of India means every man that has intelligence enough to make his voice heard. No man in the world gives lesser right to himself and greater right to his neighbour. Therefore, it is wrong in principle. Suppose a man is a lawyer; will he give lesser right to himself and greater right to his client, a member of the district board or a member of the corporation or a co-operative body. It is wrong in or a co-operative body. It is wrong in logic and it is wrong so far as the effectiveness and practice of the institution is concerned. Therefore, I submit that the formation of councils is wrong in principle and wrong in constitutional science and it has done no good to anybody. It is a useless institution; it has no significant functions to perform to the good of the people and has done also nothing good to the people themselves. Take the statistics; how many Bills have been changed? Negligible. Now, what have been the changes? Are they significant? The question of the formation of the Council of State is based on different principle because the people as such and the States as they are organised and established as a political entity have two different existences and functions to perform. A man pays income-tax in his individual capacity and is a different entity from the corporation which also pays the tax and of which he is a member. So, individual citizen has a different right from the right of the State. So, the establishment of the Council of State is justified in constitutional science. But the establishment of the councils is not justified because these local bodies have no right to create a separate existence of their own. So, the councils as they exist today have no basis in the constitutional law; they have proved use-

less. They need not be allowed any longer, any life whatsoever. I think they have negative functions and have no utility and therefore, no right to existence. With these words, I oppose the Bill.

17.00 hrs.

Shri S. M. Banerjee: Sir, I fully agree with my hon. Friend, Shri K. C. Sharma, when he said that these Councils have no utility. I hope it was the idea of the authorities to copy the British Parliament—the House of Commons and the House of Lords. I am of the opinion that these Councils or the Upper House, the Rajya Sabha, should be abolished in the larger interests of the country. These have little function. Can we possibly have such a costly democracy in our country?

The other day, I was reading a publication by the Lok Sabha concerning the amount spent on the functions of the Lok Sabha itself. I can understand the direct elections from among the people; it has a meaning. But on the question of having Councils in every State and the Rajya Sabha at the Centre, I do not know what the utility of these bodies is.

But there are two sides of the problem. Once we pass this, that is a different matter. Supposing we take it as an unavoidable nuisance, and the Rajya Sabha or the Councils in the States do exist, and if they are going to exist in the country, I would surely support the Bill of my hon. friend, Shri Shree Narayan Das.

In the Statement of Objects and Reasons, my hon. friend has stated as follows:

“It is not necessary that the members of Legislative Assemblies should have the right to elect one-

[Shri S. M. Banoerjee]

third of the total strength of the Councils."

The recent elections have shown that anybody who can possibly manage to get votes or can manipulate to get votes or manoeuvre to get votes through fair means or foul can become a member, either of the Councils or of the Rajya Sabha.

Without imputing any motive to anybody I should say that in the recent Rajya Sabha elections, all the big industrialists who could never have been elected had there been a direct election, have managed to come in. Now, after earning fabulous profits and after making so many crores, they want to change the policy of the Government; their only way is not to seek direct election but seek indirect election and come to the Councils or the Rajya Sabha and thus change the policy of the Government. That is the intention of those people who want to contest the elections like this.

I have said that I fully agree with Shri K. C. Sharma in his opinion that these Councils should be abolished. But taking it as it is, I surely feel that it is not necessary that the members of the Legislative Assemblies should have the right to elect one-third of the total strength of the Councils. Let there be elections, and I am hundred per cent in agreement with the hon. Mover of the Bill, Shri Shree Narayan Das, when he said that all shades of people, whether belonging to commerce or industry or trade or business or even the tillers of the soil should be represented. I am happy that he has realised that he has omitted one very strong and vocal section of the community—the labourers or the working people. The working class people should also be elected through their various organisations, may be the Indian National Trade Union Congress or the AITUC or any other trade union organisation. Then, really the Councils will be representing so many people, and they will have a good, representative character.

So, I think that this Bill, as it is, will be really something good. What is the present composition of the Councils? A few people are elected on the party basis. If the ruling party is in the majority, naturally the majority will be from the ruling party. If some other reactionary party had come into power, further reactionary elements can be shifted to the Upper House and to the Legislative Councils, had naturally all those people who truly represent the country may not find a place there. I do not say all members are like that, but a good number of those are trying to come in this indirect way, fighting in the indirect election, through the backdoor, and coming in like that. I think the House of Lords in Great Britain was meant for the descendants of so many Lords who were there. I do not think India should have such a House in this country. First of all, I totally oppose these Councils and I utilise this opportunity to say emphatically that in this country, where we are dependent much on the foreign resources, we are asking loan after loan from various countries, we want to augment our resources for our Five Year Plans by saving money and avoiding extravagance, I think the greatest extravagance is having the Rajya Sabha and so many Councils. First of all, I want that they should be abolished. But if they cannot be abolished, I accept the suggestion of my hon. friend, to have more real representatives of the people in the country.

I fully support this Bill. I hope that this Bill—at least the spirit of this Bill—will be accepted by the hon. Minister.

Shri C. K. Bhattacharyya (Raiganj)
Mr. Chairman, Sir, my ideas on this Bill are partly in consonance with the speaker who has just now preceded me and with some others who have spoken before him. I shall refer to an incident which will bring out what I feel about it. When the American Constitution was framed, after the attainment of independence, they

brought into existence two Houses—the Congress and the Senate. A friend of the first President, George Washington, came to see him and told him that he did not like the idea of having two Houses—the Upper House and the Lower House.—and the Upper House was not necessary at all. George Washington brought a very hot cup of tea and presented it to the friend. When the friend found the tea too hot to be taken immediately, he began to pour some of the tea from the cup to the saucer and began taking the tea from the saucer. While he was doing it, Washington said, “Now you understand the utility of two Houses. That is why I put in the Upper House.”

So, in a way the Upper House has a utility, but in the position where we are now, that utility, I believe, has disappeared, because now we are running a party Government. A party Government will be run on the basis that the same party will have majority in both the Houses and there can be no question of the Upper House and the Lower House coming into conflict with each other. Of course, some of my friends may remind me at once that we had a Joint Sitting of both the Houses, making a mountain of a mole hill, for passing the Dowry (Prohibition) Bill. That came about because of some bungling somewhere. Considering the position in which we are now, the same party having majority in both the Lower House and the Upper House, the utility of the Upper House that existed at the time when this system originated does not exist now. Taking that view, while this Bill is being put forward for eliciting public opinion, that broader question should also be allowed to be discussed, whether the Upper House has any utility in the present circumstances.

Now I come to the provisions of the Bill—clause 2 (f) and (g). In the present Constitution of the Upper Houses, so far as the States are concerned, functional representation is provided only for school teachers and for none else. My friend, Shri Shree

Narayan Das, has provided functional representation for commerce and industry, trade, and business and he just now told us that he wanted to add labour to it. Of course, if functional representation is to be there, labour should be brought in. But the Councils, as constituted, do not allow functional representation to any but school teachers. Shri Shree Narayan Das has modified that part and has brought in, I believe, primary school teachers, by stating “institutions not higher in standards than that of middle schools”. He is trying to allow them to come in that way. For the secondary school teachers there is a provision in sub-clause (f). But the larger part, the part with which I am concerned, has been left out in the present composition as well as in the composition proposed by this Bill; that is to say, college teachers and university teachers have been very unceremoniously left out. Neither the present composition of the Council allows them to have a representation by themselves, nor Shri Shree Narayan Das has made any provision for the college and university teachers. If teachers, as teachers, are allowed to come in, why should they be left out? Let the primary teachers come, let the secondary school teachers come, let the college teachers come and let the university teachers also come.

Shri Raghunath Singh: What about the editors of newspapers? Will they also come in?

Shri C. K. Bhattacharyya: I am very glad that Shri Raghunath Singh has made that suggestion. Since the journalists have been chosen to be described as working journalists and are now under the kind patronage of the Labour Ministry. I believe they will come through labour, if they are brought in. It may be that Shri Shree Narayan Das, when he is replying to the Bill, may say that he has made provision for university and college teachers in sub-clause (e), where he has provided for graduates of three years' standing to be represented in

[Shri C. K. Bhattacharyya]

the Council. I make a reply in anticipation that if teachers of colleges and universities are asked to come in as graduates, let the other teachers too be chosen as graduates. Let the functional representation for teachers be abolished altogether and let all of them be put on the same basis so that they can come in only as representatives from the graduates' constituency. That may be one way of doing it, as that would be dealing with the claims of different groups of teachers evenly. Or, if the teachers are to be given representation in different categories, all these three categories of teachers should be allowed to come in.

Here comes in the question of teachers taking part in politics. Both our Education Minister and our Minister for Scientific Research and Cultural Affairs have stressed on many occasions in the university convocations that the students should not take part in politics. But if teachers, as teachers, could take part in elections, how could the students be kept out? So, if teachers are allowed to come in, the students will find their own way of taking part in politics, at least that part of them who have become major. So, that aspect should also be considered when we make this provision for election to the Council.

There is another point on which I would like to speak, and that is the proportions that have been worked out like one-twelfth, one-sixth and so on. These come upto eleven-twelfth of the total membership, being one twelfth for the Governor to nominate. So, it will fall to the lot of the Governor to decide while nominating as to what number will come to one-twelfth and in working out the actual figures the Governor may find himself in difficulties.

Shri Raghunath Singh: One-twelfth for the Governor.

Shri C. K. Bhattacharyya: Unless there is an even number that gives an easy working out of the one-twelfth proportion, he will find himself in difficulty.

Shri S. M. Banerjee: One-twelfth of the Governor.

Shri C. K. Bhattacharyya: In clause 4 regarding the categories of persons who could come under the Governor's nomination he has mentioned literature, science, art, co-operatives and social service. For co-operatives under sub-clause 2 (d), he has given representation 'by members of an electoral college chosen by members of co-operative societies'. So, co-operative societies have got representation both ways, by election as well as by Governor's nomination. I do not know whether Shri Shree Narayan Das is so very partial to the co-operatives as to give them nomination both ways.

Shri S. M. Banerjee: He feels a day will come soon when co-operative societies will flood the entire country. He has anticipated that.

Shri C. K. Bhattacharyya: It might be so, but the other groups might think that since the co-operative societies have got representation both ways why should they be denied similar representation both through election and through Governor's nomination. That question may arise and I suggest it to Shri Shree Narayan Das to think about it so that in his reply he may clear it and when this Bill goes for eliciting public opinion the whole thing may come to the public in a very clarified state.

Shri A. C. Guha (Barasat): Mr. Chairman, Sir, it may not be possible for me to support the Bill just in the

form in which it has been presented, but surely I would welcome the initiation of a Bill of this nature and I congratulate Shri Shree Narayan Das on his taking up this matter.

The composition of the present Council if not its very existence, is almost an anachronism. The necessity for having a second chamber in the States is not very clear. All the States do not have a second Chamber. Only a few States have got a second chamber. If the other States can do without a second chamber, I cannot understand why the remaining eight or nine States also can not manage their affairs without a second chamber. But then the present composition of the second chamber in the States is defective from the social point of view and, I think, will be defective if not at present at least in the very near future from organisational point of view also.

The representation of teachers has really done harm to the educational system and to the society. When all functional representations were abolished in the Council, it was an act of unwisdom on the part of the Constituent Assembly to give functional representation only to the teachers. I think that is the only functional element which should be kept out of any politics. The chambers of commerce, labour and even the lawyers may have politics; journalists also. They all in a way deal with politics, but teachers are expected to keep themselves completely aloof from politics and education should be kept above all party politics. But by the introduction of teachers' representation in the Council, the entire educational system has become polluted by the unhappy and, I should say, unhealthy influence of politics. In this respect Shri Shree Narayan Das's amending Bill is no improvement, rather it has made the position worse by introducing even the primary teachers. Of course, logically I can understand that if secondary teachers have got representation why primary teachers should not. Logically the position is quite sound, but socially, I think,

all these should be abolished. Even on the present basis if certain harm is done at the higher level it is not proper that that harm should be allowed to permeate even to the lower level. So, the primary teachers' representation in the Council as proposed by Shri Shree Narayan Das I cannot accept even on the present basis. But I would suggest that teachers' representation should be altogether abolished. Functional representation as such should not be in any of our legislative bodies.

Sir, article 171(a) of the Constitution says that "as nearly as may be, one-third shall be elected by electorates consisting of members of municipalities, district boards and such other local authorities in the State as Parliament may by law specify". I think under the democratic decentralisation scheme district boards are going to be abolished and in many places municipalities also will be a thing of the past. There is a Bill, or a proposal, already before the Bengal Government to abolish about one-third of the municipalities of Bengal near-about Calcutta. They are going to have one metropolitan body to manage the municipal affairs of the entire industrial and adjoining areas of Calcutta. That would cover about one-third of the municipalities now existing in West Bengal. That will make the composition of the legislative councils completely out of date.

Further, Sir, panchayats are being introduced. Under the Directive Principles (articles 40) we have to base our village administration on the basis of panchayats. The articles says:

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

Sir, there is an organisation which has published a booklet giving the proceedings of the Constituent Assembly

[Shri A. C. Guha.]

about the enactment of this particular Article No. 340. I think it would be interesting for Members of the House to go through that booklet. It has been circulated by a voluntary organisation called Association of Voluntary Organisation for Rural Development, with which Shri Jaya Prakash Narayan is connected. During the course of the discussion in the Constituent Assembly, Dr. B. R. Ambedkar vehemently opposed the introduction of panchayat system, but inspite of his opposition the Constituent Assembly carried through the article. The object of that Article of Constitution is that we should base our administration on our village panchayats. So village panchayats should be the real basis on which, elections to the Upper House should be made.

In regard to cooperative organisations, I do not think it can claim a similar right as the village panchayat organisations. There will be three or four categories of panchayat organisations, three or four tiers. If there has to be an Upper House in the States, it should be based on the representation of the panchayats and no other body. Municipalities and district boards will be eliminated, on the full implementation of the decentralisation scheme. I think this Bill will give occasion to Government to consider the whole question from a radical point of view. They should see that if the Second Chamber is at all to be retained it should be composed on proper representation of the people and if any functional representation is to be given that should be given to all the functional sections of the country, like Chambers of Commerce, lawyers, journalists and many others. I think the functional representation should all be abolished—not only of the primary and university teachers, but also of secondary teachers. I hope Mr. Das will not press for the acceptance of this Bill. He has only asked for its circulation and Government should circulate it and this may provide an occasion for the country and for Government to

examine the utility, the proper functioning and composition of the Second Chamber not only in the States but also here.

Shri Bhattachara has mentioned that the same party will be in a majority in both the Houses. That may not always be the position. We should also consider the situation that may arise when one of the two Houses may not have majority of the same party as it frequently happens in the United States.

So, the whole question should be considered *de novo* I think Shri Shree Narayan Das deserved our congratulation and thanks for giving us and Government this opportunity of examining this question of having Second Chambers at all and, if we should have a Second Chamber, what should be its proper function and composition. From that point of view I hope Government will accept this motion of my hon. friend that this Bill be circulated for eliciting public opinion.

Shri P. R. Chakravarti (Dhanabad): The Bill, as has been moved before the House, raises two questions. The first is whether the very concept of the retention of Upper Houses in the States as well as at the Centre has to be accepted in its present form or in any amended form. The very concept itself is based on a legacy of the past. One friend from the other side was mentioning the British system. The British also had it from some other system, and that came from the Roman system thousands of years ago. It was the concept of having an Upper House where the elder statesmen should be there so as to temper the mood exhibited by enthusiastic forces of the country and give it a final shape. That was the idea, namely, that the elderly statesmen should re-model everything with deliberate judgment and cool calculation, and thereby give it a sober character. But as, we find in U.K., it gave some importance on the hereditary basis to the feudal

rights. That is an anachronism. Nobody will follow it today.

Let us take the case of United States of America. They have so many States there, with differing interests. They wanted to have the interests of those regional areas represented, so that whether there was very heavy population or not in a State each of them would have same elected members in the Senate. There, the Upper House has only two members from each State who are elected directly by the people, and so they have the sanction of the will of the people.

But, if we have an other system, where the Upper House is brought into operation through some indirect method of election and give it a weightage, which only tries to safeguard the vested interests we must condemn it as such. And today the Upper Houses, both at the Centre and also in the States, have no useful purpose whatsoever. If they claim to represent the people, they claim it by an indirect form. And thereby all forms of pressures come into the force, so that some of them may utilise this election in favour of certain vested interests. As my friend Shri S. M. Banerjee was saying, some very important industrialists would try their mettle in the election to the Lower House, get themselves defeated, push themselves forward and then find a place in the Upper House. This is what is happening in the States also.

The present system of Upper House which are called Legislative Councils and which are functioning in the States, owes its origin to the Constituent Assembly where the members discussed everything and came to a conclusion that some States might have some additional representation because of certain factors which obtain there. But some States did not have Upper House. Madhya Pradesh, which is not a small State but a big State in India, has been denied the privilege of having an Upper House. So, also are

others, who are now intent on introducing the system on the analogy of the Upper Houses that exist in the different States. They think, why should they not also go with the others and be placed on the same level.

If the principle as such has to be discussed, it has to be discussed very thoroughly. If the circulation of this Bill brings that issue as well, I would endorse circulation because it gives us an opportunity to say that the Upper House, as it is today, even without the amendment or with the amendment, is an anachronism. The people have their rights of direct representation already in the Lower House. How does Upper House help? It is neither a revising authority, nor a body of elderly statesmen; nor is superior importance attached to it as it is done in the U.S.A. In the U.S.A. each State sends only two members to the Upper House. There, they have no Ministers responsible to Parliament. The Senators are very powerful people, more important than any Minister in any country in the world. That analogy does not come in here. I endorse fully the suggestions made by some Members, including one prominent journalist also, that we have to consider whether the Upper House as it is functioning in the different States should exist at all. If the issue is raised in the House, on that occasion, we shall have to express our mind. I am very definite in this matter that there must be no departure, no special privilege or no special consideration for the Upper House in the Centre or for the matter of that in West Bengal or in any other State. The very concept of retaining the Upper House has to be discussed in its entirety. I reserve my comments for suitable occasion.

So far as the Bill, as it is presented before us for circulation is concerned, it has mooted certain points of importance. It has brought into the picture democratic decentralisation, the new agency which is growing up in the country in form of

[Shri P. R. Chakraverti]

Panchayati Raj. So many tiers—already three tiers are working in the form or Village panchayats, Panchayat Samitis and Zilla Paishads. In Mysore, it is called Taluk Board. These agencies are now coming into operation in the different States in different forms. But, the vital factor is that this new form of representative institutions which is now coming to function has a definite responsibility in building up a new society, in all its effulgence and grandeur. That particular institution,—you may call it by any name: Panchayati Raj, democratic decentralisation or Panchayat samitis or other—must have a say in the election of a second body or as you call it, the Legislative Council. Some direct representation through an electoral college formed by them will be a very important factor.

Shri A. C. Guha said that District Boards are going out. District Boards have to go out because Zilla Parishads are coming. Naturally, it is the concept of Panchayati Raj that will obliterate all the remnants of the past institutions, which have been functioning there—irresponsible and arbitrary. Today, Panchayati Raj is coming to the fore. To give it prominence, we must have some provision so that the persons connected with it may find their representation in any council if it at all exist, as, today, they are there. The attempt of Shri Shree Narayan Das to draw the attention of the country by circulation of this Bill is clearly a happy attempt and I, therefore, stand here to endorse it. But, the provisions of the Bill have to be examined in their entirety. After we receive the opinions of the different areas of the country and the different organisations also, we shall have to discuss again.

Only one point I shall have to mention because, connected as I have been with educational institutions, I am interested in the provision relating to representation of teachers. Our Shri C. K. Bhattacharya, who

happens to be connected also with Colleges, Syndicates and Senates raised the point, how is it that, with functional representation of the teaching class, the highest section in the class of that has been left out. Belonging to that particular section as I do, I would say, yes, if you bring in the concept of functional representation, the University teachers, College teachers and other teachers should also come into the picture. But the other question which has been raised by some hon. friends here is whether at all the teaching community or the teaching profession should have anything to do with politics is a very big question. But that question cannot be discussed as such here because we have already made provision for their representation in the Legislature Councils, which function today in the States. So, that question cannot come up here.

The other point which has been brought into prominence in the Bill is about the representation of commerce, industry and other organisations, and last but not the least which was cursorily mentioned by the Mover of the Bill the representation of labour. Labour is a very prominent factor in our Community life and everybody takes pride in calling himself a labourer, whether a skilled labourer or an unskilled labourer. Under that nomenclature, Shri C. K. Bhattacharyya also comes, he being the 'head of the working journalists' organisation; yes, indeed, he is. So, labour must have it and representation and provision must be made for that purpose in this Bill. It may be that even in spite of his best intentions, it has been left out by the hon. Mover. So, when working out the provisions of this Bill, we must include labour along with the various classes that have been mentioned here, because if there is any particular class which has a claim for such representation by right of service then it is labour. Labour is very organised. They have their own organised unions all over

the country, and, they are also very vigilant and conscious of their rights, and they know how to exercise the same.

Naturally, we shall have to take all this up when public opinion is gathered from all over the country.

So, I endorse the idea of circulating the Bill, which will undoubtedly bring to the fore several aspects of social growth in the country.

Shri Warior (Trichur): I am very sorry that I find it very difficult to agree with the aims and objects of this Bill which has been brought forward by one of our senior legislators, namely Shri Sree Narayan Das. The reason for my opposing this Bill, even as a matter of academic interest, is that according to the Constitution itself, all the States have not got the Upper Houses. Some States only have got them. I do not know exactly what was the idea working in the minds of the Constitution-makers when they thought of this institution of an Upper House in India.

If it be that this idea has been copied from British history, then I may just refer to it and point out that the Upper House in England was not meant as a brake on the proceedings of the House of Commons; that was not the reason for its coming into existence. The reason was not that the people of England thought that the House of Commons was studded with all sorts of upstarts, and, therefore, it was thought necessary that wise men, old men, almost reaching the border of senility, must be there to act as wind-brakes. But the reason is something else. Actually, the power was with the plutocracy, and in the quarrel between plutocracy and the commoners, there was a long series of revolutions in Britain to wrest the power out of the hands of the plutocrats and place it into the hands of the commoners. And if I have understood correctly, after the Industrial Revolution, the commerce of British

extended to all the four corners of the earth, and when the commoners were able to wrest power from those unwilling hands, actually the process was just the reverse of what we normally understand it to be.

Actually, in our country, what has happened is this. The power is with the people. But there was certain interests in the country which did not like that all the power should be wielded by the common people and they thought that some brake should be applied. For that purpose, they found that they could utilise this outmoded British institution which even in Britain is a weight upon them, and which even Britain wanted to do away with as soon as possible. But there are very many difficulties, most of them historical, traditional and royal, this, that and the other. Also the colonial empire was still lingering, with the result that they did not escape from their own vicious circle. Otherwise, they would have done away with the House of Lords long ago. That is, as far as I understand, the present state of affairs even in Britain.

We have not put this as a plank in elections, namely, to do away with these Upper Houses which are unnecessary. The second thing is that this should not be done in the name decentralisation, because decetralisation is something else. Decentralsation is the objective before us in a planned economy and planned society; it pre-supposes a more easy and more facile way of administering things in closer proximity to the people.

For instance, in panchayati raj, if we adopt decentralisation, ultimately the central secretariat of the State becomes only a small place with a few people, experts, whose responsibility will be, in the final analysis to prepare the State budget. The implementation part will come down from the district level to the panchayat level. The three tiers will be implementing the schemes and spend-

[Shri Warior]

ing the money allotted, the only exception being certain central subjects which cover areas beyond the boundaries of the districts. For instance, if there is a State transport system, it may not be controlled or directed or administered by a particular district. It may be done by a particular department in the central secretariat.

Now what has happened is that there is the utmost centralisation in the State secretariats without any responsibility on their part. They in the district implement all the schemes, but the smallest clerk sitting in the secretariat can throttle all the schemes. That is what is happening at present. Suppose I ask the District Collector why such and such scheme adopted at the Development Council meeting is not implemented. He will say that the secretariat at Trivandrum or Madras or whatever it is, has not sanctioned that. Who is there to sanction? Does the Secretary of the particular department actually examine the paper? No. An ordinary clerk writes a marginal note saying 'No, not yet' or 'Let us wait'. Then all the counter-signatures appear below *ipso facto*, without anybody looking into the file.

We call the secretariat in our place as 'Shri Kovil', which means the *sanctum sanctorum* of the deity. Even a peon who gets into the secretariat is most unwilling to get out. An engineer who is qualified in foreign countries may be there. But even he will not be able to do anything unless he satisfies a small fry in the secretariat. That is the anomalous position. We want to dethrone these small fries. We want that this centralisation must be done away with. The central secretariat must not function in that manner. They have got the authority, but not the responsibility which is with the district authorities. The district officer is taken to task at the Development Council meeting. He says: 'What can I do?' Here is a typical instance. A

district officer of the agriculture department was coming from Trivandrum; the jeep got punctured very near Alleppey on the road. Now he is empowered to spend only Rs. 25 (Maximum. So, he has to purchase a tyre for Rs. 75. He has to get the sanction of the Central Secretariat for that. All the time the jeep must be kept there on the main trunk road. He thought that instead of leaving the jeep there on the road, open for pilferage, he might purchase the tyre, a matter of Rs. 75. Down came the order, the *hukam* from above. 'Who asked you to spend this amount?'. A Rs. 16,000 worth of jeep can be allowed to lie on the trunk road day and night all through the weather, but the District Officer is not able to spend a mere sum of Rs. 75 to have a new tyre. This is the system which is working at present. This applies to all places more or less. This system was introduced by the British. It must be broken. People's participation must be there. This is, in essence, what is called decentralisation. For this the Council is unnecessary. It will not only be unnecessary, but it will be an impediment. It will be an irremovable brake, a stumbling block in the march of democracy.

Even academically thinking, I cannot agree with this idea of having these Councils remodelled. I am not attributing any motive to Shri Shree Narayan Das or any other member. What strikes me is this. Everybody is dissatisfied with the Council. There are only two ways; either to end or to mend it. Shri Shree Narayan Das in his goodness of heart, wants to see some of these old men still rejuvenated by some *soma kalpa* or *kaya kalpa*.

Shri Shree Narayan Das: Provisions are there.

Shri Warior: He does not want to say that all these people who have almost become senile, in democracy

or imbecile in health should be sent away all of a sudden from the political and administrative field. Let them be there. They are venerable old men. There must be some place found. Which is the place? The place is the impotent Council. You must have, at the same time, some potency. So, take labour leaders and representatives of Chambers of Commerce and like that. Inject life into them. But this subterfuge may not work in our country when it is planned economy. When it is anarchic economy, there is every chance for it. But, anarchic economy in the wider context of the world has little chance to survive.

In a planned economy you must have a plan flowing from the nursery school upward which will be attuned to that planned economy. Social side, thought and everything, and Parliament also should be so. Then only there is a chance of survival. Otherwise, there is no chance. I think these Councils, even if you inject new elements and new blood and new vitality into them, cannot survive because it is an outmoded system copied and imitated from a place where now they themselves find it a stumbling block in their onward march. They are doing away with it bit by bit, not of course, in a revolutionary way.

When I mention that, to my mind comes the most recent controversy in Britain about the institution of Royalty. There is a huge controversy going on even now; Members of Parliament are taking part in it; and they say that this outmoded system of Royalty must be ended. It is in that world context that we here, think of having these Councils rejuvenated like this. I do not think it is necessary for decentralisation for representation of these functional organisations.

Here, in our country, that sort of functional life has not come as in

ordered, regimented socialist society. I can understand that. But, it is not like that. Here there is the Chamber of Commerce; there are 101 institutions and 301 associations. For instance, even at present, one Chamber of Commerce is not taking part in the international organisation. Therefore, the F.I.C.C. has been kept away. How can we get representation? In the working class organisations, there are four Central organisations and there are so many dissident groups. Society organised on functional life has not attained functional representation: it is all eye-wash. You may have a semblance of that in the upper house. With all that knowledge only I am speaking that it is all an eye-wash and a facade for certain other things. Let us not play with democracy like that. Each and every nerve must be tuned to the success of our Plan and national reconstruction. I hope ultimately Shri Shree Narayan Das realises that it is ineffective and imbecile. Of course one has to applaud his motive because he wants to rehabilitate these people somehow. So, I cannot support this Bill.

श्री लहरी सिंह (रोहतक) : सभापति महोदय, ग्राम आदमियों का ख्याल है और तमाम जनता का ख्याल यह है कि अपर हाउस जो भी रूलिंग पार्टी होती है उसका तोहफा होता है और जो भी पार्टी एनेक्शन में मदद करती है उसको रूलिंग पार्टी कहती है कि तुम्हें एम० एल० सी० बनवा देंगे। तुम्हें राज्य सभा में भिजवा देंगे और तुम्हें यह कर दिया जायगा और वह कर दिया जायगा। दरअसल यह अपर हाउस रूलिंग पार्टी ने अपनेउन मेम्बरों को खुश करने के लिए रक्खा है जिनको कि वह डाइरेक्टली नहीं ला सकी है। उनको जैसे अंग्रेजों के वक्त में कह दिया जाता था कि जाओ तुम्हें मुरब्बे मिल जायेंगे, तुम्हें यह तोहफा मिल जायगा, उसी तरह

[श्री लहरी सिंह]

से जो कोई भी रूलिंग पार्टी होता है वह अपने आदमियों को जहाँ कहीं भी यह अपर हाउस है वहाँ पर इनको एकोमोडेट कर लेती है। दरअसल यह अपर हाउस रूलिंग पार्टी ने अपने आदमियों को एकोमोडेट करने के लिए ही बनाये हुए हैं। लेकिन आम जनता की आवाज का जहाँ तक तात्लुक है जितनी भी असेम्बलीज है उसने हर एक मेम्बरीकी स्पीच आप उठा कर देख लें। हर एक सेशन में हर एक की यही डिमांड रहती है कि खुदा के वास्ते इस पर अपर हाउस को तोड़ दो। हमारे काफी डेवलपमेंट प्रोग्राम्स हैं और थर्ड फाइव उयर प्लान में कार्फः रुपया लगने वाला है और जिस पर कहते हैं कि सफेद हाथी बांध लो। अब इसका नतीजा क्या होता है? काफी खर्चा उस पर होता है। पबलिक रोती है। उस पर आये दिन टैक्स लगते हैं। अभी पंजाब में लगे हैं और अन्य जगहों में लगे। सब कहते हैं कि खुदा के वास्ते इस सफेद हाथी को हटा लिया जाय। अपर हाउस को एबोलिश करने की सब को मांग है और अगर इसको एबोलिश कर दिया जाता तो मैं तो इसे वैलकम करता ही पबलिक भी वैलकम करती और दूसरे लोग भी गैलकम वैलकम करते।

मैं श्री श्रीनारायण दास को इसके लिए मुबारकबाद देता हूँ कि वह यह प्रस्ताव हाउस के सामने लाये। रूलिंग पार्टी के होते हुए भी एम० एल० एज० को कौंसिल के बारे में जो राइट नहीं दिया है और उनसे उसको छीनना चाहा है उससे मैं बड़ा खुश हूँ और यह वाकई उन्होंने एक बड़ा कदम यह मुझाव देकर उठाया है। लेकिन मुझे अदेशा है कि कहीं आखिरी वक्त में यह अपने इस प्रस्ताव को वापिस न ले लें क्योंकि फंसला उन्हीं की पार्टी को करना है, फायदा उन्हीं को होना है, किसी अपोजीशन के आदमी का फायदा नहीं होने वाला है। यह जो उन्होंने कदम उठाया है कि इन के एम० ए० एज० जो कि हर एक सूबे में अक्सरियत में वह कौंसिल में एरेक्ट करके किसी को न भेज

सकें, यह वाकई बड़ा भारी कदम है और मैं इसके लिए उनको मुबारकबाद देता हूँ। मैं चाहूँगा कि वह अपने कदम को पीछे न हटायें लेकिन मुझे अदेशा है कि आखिरी वक्त में जब लीडर आफ दी हाउस उनको समझायेंगे तो मेरा खयाल यह है कि वह इसको वापिस ले लेंगे और अपना कदम पीछे हटा लेंगे।

तीसरी बात मैं यह अर्ज करना चाहता हूँ कि कि जहाँ देखो बस एलेक्शन ही एलेक्शन है। देहातों और शहरों में सब जगह एलेक्शन की ही घूम मची हुई है। किसान खेती न करें, दुकानदार दुकानदारी न करे बस एलेक्शन के चक्कर में पड़े रहें। पहले तो पंचायतों के एलेक्शंस होंगे, और उसके बाद में कुछ दिनों में ब्लाक समितियों के एलेक्शंस होंगे। सारा देश चक्कर में हो जायगा। फिर ब्लाक समिति के बाद में जिला परिषद का चुनाव होगा, जिला परिषद के बाद विधान सभा का चुनाव होगा और उसके बाद में यह अपर हाउस का होगा। लोग कहते हैं कि भाई हर रोज एलेक्शन ही एलेक्शन है आखिर यह क्या गवर्नमेंट है।

जहाँ इतने इलेक्शंस रक्खे हैं तो जो सम्बन्धित क्लोजेज हैं उनको गौर से पढ़ा जाय। बी०सी० और डी० क्लोज इस बारे में हैं। बी० और सी० क्लोजेज तकरीबन एक हैं क्योंकि आजकल डिस्ट्रिक्ट बोर्डस तो रहे नहीं। जिला परिषद भी हैं और ब्लाक समिति भी हैं। लेकिन एक बात मैं अर्ज करूँ, अब मालूम नहीं कि हाउस के मेम्बर्स छिपा रहे हैं या इनके नोटिस में नहीं आया कि इस इनडायरैक्ट एलेक्शंस से कितनी रिश्वत बढ़ी है। इस इनडायरैक्ट एलेक्शंस से एम० एल०एज० का कितना एखलाक गिरा है। कम से कम मैं अपने सूबे के बारे में कह सकता हूँ कि हमारे चीफ़ मिनिस्टर ने खुद कहा है कि मुझे बड़ा अफसोस है कि हमारे यहाँ जो चायतें बनीं ब्लाक समिति में जो आदमी बने वहाँ खुल्लमखुल्ला १०० रुपये की रिश्वत

देकर उनमें चले गये। उनसे कहा गया कि अगर ब्लाक समिति में आना चाहते हो तो १०० रुपये दो और रुपया मिलने पर राय दे दी। एक बड़ा भारी सेठ था। वहां से दिल्ली ले आया। होटल में ठहराया और अपनी राय दे गया। अब आम जनता का यह ख्याल है कि रिश्वत ले ले कर इनडाइरैक्ट एलेक्शन से ब्लाक समिति बनी है।

एक बड़ी दिलचस्प मिसाल मैं आपके सामने रखना चाहता हूँ। एक आदमी ने कोशिश की खड़ा हुआ तो उसकी एक राय भी न हुई। लोगों ने पूछा कि तेरी राय अपनी तो थी तो वह कहने लगा कि लोगों ने मेरी तो हां भर रखी थी कि दोगे दोगे। मुझे ५०० रुपया मिल गया। कहता था कि ३०० रुपया मिल गया। मैं ने सोचा ३०० रुपया ले लो, राय तो मेरी हो जानी ही है तो उन्होंने दी नहीं और उसने भी अपनी खूद नहीं दी। यह फीचर इनडाइरैक्ट इलेक्शन का आ रहा है। इससे इस तरह करप्शन बढ़ रहा है। जिस बौड़ी को हम इतनी इज्जत देना चाहते हैं जिसको हम यह डिसेंट्रलाइजेशन करके इतनी पावर देना चाहते हैं उसमें रिश्वत चले, वह रिश्वत मांगे और रिश्वत दिया करें। तो यह कितने अफसोस की बात है। जिला परिषदों में भी रुपये दिये गये। ब्लाक समितियों के इलेक्शन के लिए और एम० एल० सीज० के एलेक्शन के लिए खुले आम पंजाब में और दूसरे सूबों में रिश्वत चली। अब क्या यह हमारे लिए शर्म की बात नहीं है? दरअसल वाक्या यह है कि जहां भी इनडाइरैक्ट इलेक्शन हैं वहां करप्शन का बाजार गर्म है और यह इनडाइरैक्ट इलेक्शन करप्शन को लीड करता है। वहां फेवरटिज्म इस तौर पर बर्ती जा रही है कि न पार्टी का खयाल है और न आदमी का खयाल है वहां तो बस मेम्बरों के लिए कैश पेमेंट होता है और उसी के आधार पर यह इलेक्शन हो रहे हैं। अब लोग इसको देख कर हंस रहे हैं कि यह भी एक अजीब मजाक हो रहा है। इसलिए मैं तो अर्ज करना चाहता हूँ कि अपर

हाउस बिलकुल रहना ही नहीं चाहिए और अगर रखना भी है तो इसका इलेक्शन सिर्फ पंचायतों तक ही मद्द्द रखिये लेकिन यह जो ट्रेड्स, कामर्स, इंडस्ट्रीज और साहूकारों को आप वहां ला रहे हैं तो यह तो बाबा रात रात में लोगों को खरीद लेंगे। इनकी ताकत तो इतनी है कि ज्यादा तादाद में न होते हुए भी यह एम० पीज० को विन ओवर कर लेते हैं, उनको रुपया दे देते हैं कि हमारा केस प्लीड करना। इसलिए आपको इन साहूकारों को इसमें नहीं लाना है। अगर कहीं आपने बिड़ला या टाटा को यहां पर बिठा दिया तो यह पैसे के बल पर और रोज दावतें खिला कर कभी मैडेंस होटल में तो कहीं किसी होटल में दावत खिला कर लोगों को खरीद लेंगे। इसलिए इसमें कामर्स, इंडस्ट्री और ट्रेड को बिल्कुल न आने दो। अब चैम्बर्स चैम्बर आफ कामर्स आदि में बड़े बड़े साहूकार हैं और यह बड़े बड़े कामों में अपना असर डालते हैं और इनका असर इतना है कि थर्ड फाइव इयर प्लान में इन की बहुत सी बातें मानी जाती हैं। इसलिए मेरा कहना यह है कि कामर्स, इंडस्ट्री और ट्रेड को इसके पास बिलकुल न फटकने देना चाहिए अन्यथा इसमें बड़ा भारी नुकसान होगा और मुल्क को बड़ा भारी धक्का पहुंचेगा। रिश्वत अगर पंचायत को दोगे तो पंचायतों के मेम्बर्स इतनी लम्बी तादाद में हैं कि वहां यह रिश्वत नहीं चल सकती। ब्लाक समिति में रिश्वत चलती है। रिश्वत जिला परिषदों में चल जायगी। जहां तादाद थोड़ी होगी वहां कम्पीटीशन होगा। इनडाइरैक्ट एलेक्शन से रिश्वततानी बढ़ेगी और आपका मुल्क बदनाम होगा। आपकी पब्लिक डिमारेलाइज होगी। आज लोगों में इसको लेकर बड़ी भारी नुकताचीनी है। अब हमारे लीडर्स कहते हैं कि रिश्वत नीचे की तरफ है लेकिन मैं उनको बतलाना चाहता हूँ कि आप और चीजों को छोड़ दीजिये जो आपके पंचायत के मेम्बर्स हैं जो आपकी ब्लाक समिति के मेम्बर्स हैं वह रिश्वत में त्रिकोने हैं और जहां ऐसी हालत हो तो उस मुल्क का क्या हाल

[श्री लहरी सिंह]

होगा । इसलिए यह रिजर्वतसतानी और करप्शन की सारी लानत को जो कि इनडाइरेक्ट एलेक्संस की वजह से चल रही है उसको खत्म करने के लिए अजर हाउसेज को तोड़ दिया जाय । लेकिन अगर यह न टूटे तो कम से कम इतना तो कर ही दें कि सिवाय इन दो जमातों के यानी पंचायतों के और टीचर्स जो

कि पांचवीं जमात को पढ़ाते हैं, प्राइमरी को पढ़ाता हो या कालिज में पढ़ाता हो इन दो जमातों को हो यह इन्केशन करने का हक देना चाहिए और बाका लोगों को नहीं देना चाहिए ।

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, May, 26, 1962/Jyaistha 5, 1884 (Saka).