

Shri K. K. Verma (Sultanpur): Yes. Sir, I beg to move:

Page 1, line 9, omit

"who is serving outside that State."

I want to say that the franchise that has been given to the armed police force should be given to every member of the force, whether he is serving within the State outside his constituency or without the State.

Shri Jaganatha Rao: I am not in favour of accepting this amendment, because it is against the very object of the Bill is to give this right to the personnel of the armed police forces who are serving outside the State. There are several Government servants serving in the State. To give the same right to members of the armed police forces who serve in the State and to deny it to the Government employees who serve in other departments and at the same time who live in the State, would be discriminatory, and will be hit by article 14 of the Constitution.

Mr. Deputy-Speaker: Does the hon. Member press his amendment?

Shri K. K. Verma: No, Sir.

The amendment was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Mr. Deputy-Speaker: The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Jaganatha Rao: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

14.27 hrs.

LEGAL TENDER (INSCRIBED NOTES) BILL

The Deputy Minister in the Ministry of Law (Shri Jaganatha Rao): Sir, on behalf of Shri T. T. Krishnamachari, I beg to move:

"That the Bill to restrict the negotiability of currency and other notes inscribed with messages of a political character, be taken into consideration."

The object of this measure is simple and non-controversial. The Legal Tender (Inscribed Notes) Ordinance, 1942 provides that the currency notes of the Government of India, the bank notes issued by the Reserve Bank of India and the Government of India one-rupee notes which bear inscribed on them any words, representations or messages of a political character, shall not be legal tender and that the Reserve Bank of India shall not be under any legal obligation to accept or exchange any such note. With a view to avoiding hardship to any innocent holders of any such notes, however, the Reserve Bank of India has been given the discretion to refund, as of grace, the whole part of the value of any such note.

The Ordinance, as it stands at present, applies only to those territories which, prior to the reorganisation of States, comprised Part A and Part C States. This was because the Ordinance, as promulgated in 1942, was applicable to the whole of what was then British India, and did not cover

those Indian States which later on merged with Independent India as Part B States. The justification for excluding the former Indian States from the jurisdiction of the Ordinance was probably that some of them had their own currency. Such justification does not exist any longer with the federal financial integration of all the former Indian States and their final integration with the Indian Union. Currency and bank notes are now issued in the whole of Indian Union by the Government of India under the authority of the Currency Ordinance, 1940, and by the Reserve Bank of India under the provisions of the Reserve Bank of India Act, 1934. It is, therefore, necessary to make the provisions of the Legal Tender (*Inscribed Notes*) Ordinance, 1942 uniformly applicable to all parts of the Indian Union including the former Part B States as well as the territories which have recently merged with the Indian Union.

Under the proviso to section 2 of the Ordinance, the Reserve Bank of India is empowered to refund the whole or part of the value of such notes tendered to them, as a matter of grace. The words "in its discretion" in that proviso, however, is likely to impart an idea of judicial exercise of this power by the bank, thereby detracting the effect of the words "as of grace" in the proviso. These offending words have accordingly been omitted in the corresponding proviso in the Bill.

The Legal Tender (*Inscribed Notes*) Ordinance, 1942 promulgated during the emergency caused by World War II, although at that time meant as a temporary measure, is still in force by virtue of section 1 (3) of the India and Burma (*Emergency Provisions*) Act, 1940. Although the practice of inscribing political slogans on currency notes is neither widespread nor frequent, it is likely that the practice might recur from time to time and it is necessary that the provisions of the Ordinance should be retained on a permanent basis on the statute-book of the country. It is, therefore, pro-

posed that they should be re-enacted in an Act of Parliament and the Ordinance repealed.

The provisions of the Bill are, as I said, non-controversial and I trust that the House will not have any difficulty in accepting this Bill.

Sir, I move.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to restrict the negotiability of currency and other notes inscribed with messages of a political character, be taken into consideration."

Shri P. K. Deo (Kalahandi): Mr. Deputy-Speaker, Sir, if you go through the Statement of Objects and Reasons of this Bill, you will find that an attempt has been made by this Bill to validate a very old Ordinance of 1942. Sir, 1942 reminds us of those hectic days when all the leaders of this country were behind the bars and when this country was engaged in the grim struggle of life and death. At that moment, the then Governor-General of the British regime usurped all the legislative powers and promulgated this Ordinance. The object of the Ordinance was that currency notes which will bear any party slogan....

An Hon. Member: National slogan.

Shri P. K. Deo:...or any slogan of that type will lose the character of legal tender. After 17 years our Government comes forward to validate that old Ordinance. I do not know what our friends were doing all these 17 years. Most probably it is after the DMK's activities in South India that our friends there have opened their eyes and they have come out with this legislation. As we understand from the various reports, it was always a practice in the Madras State that the party in power engaged people to destroy all the pamphlets and literature of the Opposition parties. So, the Opposition Party never had an opportunity to place their view-points before the electorate and, therefore, they thought

[Shri P. K. Deo]

that the only media of circulating their views would be these paper currency notes. After all, a currency note is not only a paper but it is worth Rs. 100, Rs. 10, Rs. 5 and even Re. 1. Therefore, they thought that all these currency notes should be stamped with the symbol of rising sun and the words "vote for DMK". That has unnerved our Congress administrators. They thought that these notes should be taken away from circulation and they should come forward with a legislation of this type by which notes which carry any political slogan or party viewpoint should lose the character of legal tender.

It may be perfectly all right, but I for myself cannot reconcile with the attitude of the present Government because the objects and reasons of this legislation are quite inconsistent with the present move of the Government to mint one-rupee coins with the profile of Pandit Nehru. Sir, it has all along been the prerogative of the head of a State to have his effigy, his photo imprinted on coins. Pandit Nehru was a great man and we all respect him. At the same time, we cannot reconcile to the position that a party leader's head should be stamped on our coins.

Shri Muthyal Rao (Mahbubnagar): He was not a party leader, he was a national leader.

Shri P. K. Deo: We do not accept.

Shri Shinkre (Marmagao): He was the head of the Government.

Shri P. K. Deo: He was a party leader and he was the head of the Government. He was never the head of the State. I would request Shri Muthyal Rao to understand the difference between the head of a State and the head of a government.

Shri Sham Lal Saraf (Jammu and Kashmir): At the same time, he was a national leader.

Shri P. K. Deo: Even Mahatma Gandhi's profile, who was a greater national leader and father of the nation, was not imprinted on the Indian rupee. The only way to commemorate Pandit Nehru's name is to uphold the principles of democracy which were so dear to him.

The Minister of Planning (Shri B. R. Bhagat): This Bill concerns rupee notes and not coins.

Shri P. K. Deo: I want to show how there is inconsistency in thinking on the part of the Government. The intrinsic value of 17 paise is not increased by Pandit Nehru's effigy.

Shri B. R. Bhagat: May I say, Sir, all this is not relevant?

Shri P. K. Deo: It is completely relevant when it is a question of legal tender.

Shri B. R. Bhagat: The Bill deals with notes.

Shri P. K. Deo: Coins are also legal tender. I want a categorical answer from the Government whether the rupee coin is going to lose its character of legal tender because a party boss's profile would be inscribed on it.

Mr. Deputy-Speaker: We are concerned with notes here and not coins.

Shri P. K. Deo: I want to show how they are inconsistent in the thinking.

Mr. Deputy-Speaker: This Bill deals with notes bearing messages of a political character.

Shri P. K. Deo: I refer to Pandit Nehru as a political man. He was the head of a party.

Mr. Deputy-Speaker: We are not concerned with coins here.

Shri P. K. Deo: The principle is the same; I wonder how I have not been able to convince you.

Mr. Deputy-Speaker: What you say should be relevant to the Bill.

Shri P. K. Deo: It is relevant. You cannot gag the Opposition like this. All along a persistent attempt has been made to align governmental activities with party activities, and more so after the passing away of Pandit Nehru. He was a great man. He was able to convince the people. But our friends here want to utilise his name to further their own interests and the interests of the party. I will tell you how it is being done. First of all, an attempt was made, when stamps were issued with the profile of Pandit Gopabandhu Das, to synchronise it with the Bhubaneswar Session of the Congress. If they were anxious to commemorate the name of Pandit Gopabandhu Das, they should have come out with the stamp synchronising it with his birth or his Jayanti. But they chose the opportune moment of the Bhubaneswar Session.

Shri B. R. Bhagat: I am sorry, Sir, howsoever anxious the hon. Member may be to bring that subject here, he is talking of stamps, coins and all other things except notes with which this Bill is concerned.

Shri P. K. Deo: I want to show how the activities of the Government are aligned with the activities of the party.

Mr. Deputy-Speaker: We are not concerned with those activities, we are concerned with the Bill before us.

Shri P. K. Deo: The Bill says that if these notes carry any message of a political character..

Mr. Deputy-Speaker: You have said enough on that; please come to the Bill now.

Shri P. K. Deo: The Bill clearly says that if the notes convey any message of a political character, they will cease to be legal tender. I say, Pandit Nehru's photo on the coin will carry a message of a political character as did Pandit Gopabandhu Das's name on the stamp.

Mr. Deputy-Speaker: We are not concerned with that.

Shri P. K. Deo: It carried a message of a political character. If they are anxious that...

Shri Bade (Khargone): Sir, I want to raise a point of order. The hon. Minister said that the Bill deals only with notes and not with coins. If you see the wording of the Bill, here it says:

"...and the Reserve Bank of India shall not be under any legal obligation to receive any such note, or to issue rupee coin or other coin..."

They will not issue rupee coins in exchange of notes. Therefore, rupee coins also come in and we can speak on it.

Shri P. K. Deo: Are we going to perpetuate a dynastic rule in this country? Are we to be a party to it?

An Hon. Member: Where is the dynasty?

Shri P. K. Deo: Even Hitler, Sir, hesitated to put his name on the currency of Germany. When he was the Premier, the effigy of Von Hindenburg appeared on their currency notes. Even when Hitler did not dare to put his name on their currency, it is really a misfortune that our Government which swear by democracy and all its high principles, should resort to this kind of practice. So, I feel that while replying to this debate the Minister will come up with a categorical reply that there is no intention to mint coins with Pandit Nehru's profile on it. After all, he was a party-man.

Shri Warior (Trichur): Sir, the main objection to the Bill is this. If the intention of the Government is so genuine that the currency notes should not be mutilated, we can understand it. But when the political question is brought into it, the whole atmosphere changes.

Nobody can deny that Pandit Nehru was a national leader. But the present rulers should not take advantage of it. If it is a question of the head of the State, we can very well understand; suppose the Rashtrapati's photo is imprinted on the currency note or his profile is put on the rupee, we can understand, because he is the head of the State. But the head of the government must be distinguished from the head of the State. So the Government should not take undue advantage of the situation in this country by having profile of Pandit Nehru on the rupee.

That was the main contention. On the question of currency it is not only the notes but the rupee also comes within the ambit of the ordinance, which is being repealed by this enactment which has been brought forward. So I think that this should not be allowed to go like this. It is a very objectionable thing. If it is for protecting currency notes from mutilation or damage or the writing of something objectionable or obscene on them, we can understand it. But here the question is completely and finally political. It is because the ruling party thinks that they are going to be perpetually on the treasury benches. It may not be so. I am ashamed to think that an ordinance which the British Government had brought here to defeat the purpose of the national movement in 1942 and before that should be taken hold of, polished and put a new paint on, and brought forward now into the armoury of the Government to defeat the political parties which are opposed to them. It is a reprehensible and shameful thing and Government must not do it.

Shri Heda (Nizamabad): Mr. Deputy-Speaker, Sir, I must give credit to the opposition leaders who have innovated...

Shri P. K. Deo: No opposition leader.

Shri Heda: I am not referring to the hon. Maharaja.

Shri Kapur Singh (Ludhiana): Who else?

Shri Heda: Not necessarily in this House. Are the opposition leaders exhausted and there is none outside?

I must give credit to the leaders of the opposition who innovated a new idea and took hold of a very powerful medium of propaganda, as the hon. Maharaja just now referred to. It was the D.M.K. party who started this misuse, and they used it very powerfully for their purposes. Because, a note has to remain in circulation. Nobody can deny it. And as soon as you see a note and there is either a symbol or a political message on it, naturally, whatever you may be, there is a certain reaction when you see something. And to a certain extent the same thing was carried on by some other opposition parties in different parts of the country, and therefore it was but natural that the Government had to come with this Bill.

Unfortunately, the two opposition leaders who spoke before me raised a new point. Their point is, when Government says that there should not be any political message on a currency note, why is Government coming with the profile of Pandit Jawaharlal Nehru on a coin.

Well, apart from the fact that there is a difference between a note and a coin, on the one hand they join in paying tributes to Pandit Jawaharlal Nehru not as a leader of the Congress but as a national leader, as a leader of the entire nation. They are eager to join the Nehru Memorial

Samiti, they are very eager to pay him tributes and all that. And in a parliamentary democracy, as you know, we have got the Constitution and under the Constitution the head of the State is there and he is all powerful, he is a man respected by all. But many times you come across a leader of the party who has such a tremendous national character that he is respected, loved, and held in high esteem by everyone in the country.

Shri S. M. Banerjee (Kanpur): For that you can cite only one instance, Abraham Lincoln.

Shri Heda: Take the case of Churchill. Churchill was the leader of a party. But when the question of paying him a tribute came, everybody joined.

Shri Hari Vishnu Kamath (Hoshangabad): But no Churchill coins have been minted in England. (Interruption).

Shri Heda: Would the hon. Member allow me to proceed? The point was whether opposition members pay their tribute to a leader who in parliamentary democracy may be a leader of a party but who has got a national character, who is respected by every citizen. Even those lakhs and millions of people who did not vote the Congress were respecting Jawaharlal Nehru. That remains a fact, and I was giving an example. Take the case of Churchill. Churchill is accepted as a national leader of U.K. Therefore, when the question of paying him a tribute came, what was the scene in the House of Commons? The Leader of the Opposition and the Leader of the Government, that is the Conservative Party, were one, and together they paid the highest tribute that they could pay. If Churchill's profile cannot appear on the coin in England the reason is very simple. That honour was not given to anybody, because there they have a permanent head of the State, and only the profile of the head of

the State can appear on the coin or on the note. They have a different practice. What I was asserting was whether it is a fact that everybody in the opposition respects Jawaharlal Nehru or not. If they respect, then they should not come with any such objections.

Shri Hari Vishnu Kamath: It does not follow.

Shri Heda: They may oppose the Congress tooth and nail, they may oppose the present Prime Minister tooth and nail, they may oppose individually every one of us. But when they accept Jawaharlal Nehru who is not here now...

Shri Hari Vishnu Kamath: We opposed him also as Prime Minister.

Shri Heda: They should rather join and take out Jawaharlal Nehru's name from the Congress and allow the Government to put his name on the nation. What are we doing? All these years Jawaharlal Nehru was accepted as a Congress leader. By putting his profile on the coin we are making him a national leader.

Shri Hari Vishnu Kamath: Have Mahatma Gandhi coins first, or Netaji Subhas Bose's.

Shri Heda: It would show Nehru as a national leader, as an upholder of democracy. And the opposition is a part of democracy. Therefore, I think they should not object to this.

Shri P. K. Deo: You are ridiculing the President, as you did this morning.

Shri Heda: With these words I support the Bill.

श्री बड़े : उपाध्यक्ष महोदय, इस छोटे से बिल पर एक रोचक चर्चा हो रही है। इसके सम्बन्ध में दो प्रकार के आर्गुमेंट्स और विचार प्रकट हो रहे हैं—एक यह कि सिक्के पर नेहरू जी का फोटो हो और दूसरा

[श्री बड़े]

यह कि नेहरू जी का सिक्के पर फोटो न हो। मैं श्री पी० के० देव के विचार का समर्थन करता हूँ और मैं भी ऐसा मानता हूँ कि नेहरू जी का सिक्के पर फोटो न होना चाहिए। इसलिए नहीं कि मैं नेहरू जी की फोटो सिक्के पर होने के सिद्धान्ततः खिलाफ हूँ बल्कि इसलिए कि नेहरू जी चूँकि एक राजनैतिक पार्टी विशेष के लीडर रहे हैं और साथ ही यह भी देखना होता है कि सिक्के पर नेहरू जी का फोटो छापने का कांग्रेस शासन का दायित्व मंजूर क्या है? हर एक कार्य को उद्देश्य से देखा जाता है। सिक्के पर नेहरू जी का फोटो छापने का सत्ताधारी पार्टी का उद्देश्य यही है कि उनका पार्टी का और प्रचार हो। जैसा कि यह लोग स्वयं कहते हैं कि नेहरू जी ने घड़ा भी खड़ा किया तो भी लोगों को उसे ही वोट देना चाहिए, इस तरह का जब प्रचार चलता है तब मन में एक शंका आती है कि इस व्यवस्था के पीछे याने नेहरू जी का सिक्के पर फोटो होने के पीछे कांग्रेस शासन का यही लक्ष्य है कि लोगों को नेहरू जी को कांग्रेस पार्टी को वोट देना चाहिए। इस बिल का उद्देश्य भी यही है।

इस बिल में आपने यह लिखा है :—

“Notes bearing messages of a political character not to be legal tender.”

यह ठीक भी है और नोट्स पर किसी प्रकार का भी कोई इस तरह का मैसेज नहीं होना चाहिए। अगर नोट्स पर इस तरह के पोलिटिकल कैरेक्टर के मैसेज लिखे जाने की प्रथा शुरू हो गई तो यह एक बड़ी अनुचित बात होगी क्योंकि आज कांग्रेस का शासन है लेकिन कल को अगर जनसंघ या अन्य पार्टी पावर में आ जायेंगे तो वह अपना मैसेज, नारे वगैरह नोट्स पर लिखेंगे और इस तरह यह गलत सिलसिला शुरू हो जायेगा। हमारे बेचारे कार्तकारों के

पास जब यह मैसेज लिखे हुए नोट्स जायेंगे और चूँकि उनको यह कानून मालूम नहीं है कि यह लीगल टेंडर नहीं है और जब वे उनका मार्केट में लेकर जायेंगे और उनसे कहा जायेगा कि यह लीगल टेंडर नहीं है तो उन्हें बड़ी परेशानी का सामना करना होगा। इस वास्ते शासन को इस पर गम्भीरतापूर्वक विचार करना चाहिए और यदि कांग्रेस शासन नहीं चाहता है और हमारी ट्रेजरी बैचेज यह चाहती है कि नोट्स पर किसी भी प्रकार का ऐसा स्लोगन अथवा पोलिटिकल मैसेज नहीं होना चाहिए तो उन्हें यह फोटो छापने का विचार भी त्याग देना चाहिए। यह स्लोगन में सदन को बतलाऊँ कपड़े आदि पर भी छपा जाता है और मैं आपको बतलाना चाहता हूँ कि कपड़े पर इस तरह के स्लोगंस छाप कर किस प्रकार से पार्टी का प्रचार किया जाता है। मैं आपको बताना चाहता हूँ कि मेरे पास यहां पर दो प्रकार के कपड़े हैं। यह एक कपड़ा ऐसा है, जिसको गरीब लोग पहनते हैं। इस पर कम्युनिस्ट लोगों का चिह्न हथोड़ा और दरांती बना हुआ है। हर एक आदमी इसको पहनता है। एक्साइज डिपार्टमेंट का सिक्का इस पर लगा हुआ है।

उपाध्यक्ष महोदय : यह बिल कपड़े के बारे में नहीं करेसी के बारे में है।

श्री हुकम खन् बछवाय (देवास) : माननीय सदस्य बता रहे हैं कि किस प्रकार सिक्के का दुरुपयोग किया जाता है।

श्री बड़े : एक्साइज डिपार्टमेंट फ़िनांस मिनिस्ट्री के अन्तर्गत है। मैं कहना चाहता हूँ कि इस प्रकार कपड़े पर कम्युनिस्टों का चिह्न लगाने की इजाजत नहीं देना चाहिए।

दूसरे कपड़े पर कांग्रेस का चुनाव चिह्न, बैलों की जोड़ी, बनी हुई है और कांग्रेस को वोट देने के सम्बन्ध में स्लोगन लिखा हुआ है। मैं सरकार से कहना चाहता हूँ कि इस

प्रकार प्रयोग में आने वाली चीजों पर पोलिटिकल स्लोगन नहीं लिखे जाने चाहिए ।

जहां तक कायन्त्र का सम्बन्ध है, मैं कहना चाहता हूं कि पंडित जवाहरलाल नेहरू बड़े थे, लेकिन महात्मा गांधी उनसे भी बड़े थे । सरकार की ओर से कहा गया है कि कायन्त्र पर पंडित जी का चित्र अंकित किया जायेगा, जब कि अभी तक न तो महात्मा गांधी और न सरदार वल्लभ भाई पटेल तथा सुभाष चन्द्र बोस का कायन्त्र बनाया गया है ।

मैं इस बात से सहमत हूं कि कायन्त्र या नोट्स पर पोलिटिकल स्लोगन्स नहीं लिखे जाने चाहिए और ऐसा करने की इजाजत नहीं दी जानी चाहिए । लेकिन आज हम देखते हैं कि नेहरू पेट्रोल पम्प और नेहरू धर्मशाला बनाई जा रही है ।

श्री प्र० के० बेव : नेहरू बीड़ी ।

श्री बडे : नेहरू बीड़ी भी निकाली गई है ।

इसलिए मैं यह कहना चाहता हूं कि इन सब चीजों पर पोलिटिकल स्लोगन्स नहीं होने चाहिए । जिस चीज पर एक्साइज डिपार्टमेंट का सिक्का लगा हुआ है, उस पर कोई स्लोगन नहीं होना चाहिए ।

उपाध्यक्ष महोदय : उसके लिए माननीय सदस्य अलग बिल लाय ।

श्री बडे : मेरा कहना है कि सरकार पोलिटिकल स्लोगन्स को बन्द करना चाहती है, तो सब जगह उनको बन्द करना चाहिए । इस बिल में नोटों पर पोलिटिकल स्लोगन न लिखे जाने के बारे में जो व्यवस्था की गई है, मैं उसका समर्थन करता हूं ।

Shri V. B. Gandhi (Bombay Central South): Mr. Deputy-Speaker, Sir, it is seen that this Bill has been brought forward to replace an old Ordinance by an Act of Parliament.

We would have very much liked if the opportunity had been taken to extend the scope of this Bill. The present position is that the scope of this Bill is restricted only to those notes which are inscribed with messages of a political character. The scope should have been widened to include messages of other kinds also. We know that these notes are usually defaced with all kinds of messages. If we had done that, probably we could have met some of the arguments and also removed the suspicion that the action that we are now about to take is being taken only to meet the intended threat of action of DMK or other political parties.

श्री हुकम चन्द कछवाय : : उपाध्यक्ष महोदय, व्यवस्था का प्रश्न है । हाउस में क्वोरम नहीं है ।

Mr. Deputy-Speaker: He may resume his seat. The bell is being rung.... Now there is quorum.

Shri V. B. Gandhi: We would have been better advised if we had extended the scope of this Bill to cover not only political messages but also messages of other kinds.

We in this country have special reasons why we should be more careful about the condition of our notes. We have certain very peculiar practices and habits in this country. Very often we deface our notes with all kinds of scribbles. I know arithmetical sums are done on these notes as also all kinds of messages and memoranda.

Also, it is very necessary that we should see that our notes are not crumbled and folded and ill-treated. Further, a kind of convention should be there that the notes are kept under hygienic conditions. Very often the notes are kept in very unhygienic conditions. And I have known cases where tourists from abroad have shrunk from taking these notes from their taxicabmen.

[Shri V. B. Gandhi]

These notes are the symbol of a nation's pride and should be treated as such. I therefore, feel that some time, sooner or later, the Government should come forward with new legislation, widening the scope by taking away the legal tender status of the notes which are inscribed not only with political but any other kind of messages. In the mean time, we should take care to see that new notes are supplied, fresh notes are supplied, in abundance. At present, there is a scarcity of notes and notes are being circulated which are soiled and unhygienic, which is a disgrace. We should not mind the expense involved in keeping up a good supply of fresh notes. If necessary, we should buy more printing machines to enable Nasik to cope with the increased demand for fresh notes.

Finally, I was a little intrigued with the provision in the Bill that the Reserve Bank of India will not be under any obligation to change these notes or exchange these notes or refund the value of these notes but as a matter of grace it will have a kind of discretion to do so either fully or partly. I do not quite see how it is possible or how it has worked all these years in respect of this discretion of exchanging the value of these notes as a matter of grace by only depending on the discretion of the Reserve Bank.

15.00 hrs.

Dr. M. S. Aney (Nagpur): I really want to support the Bill, as it is, so far as the Bill is concerned, on principle there is no objection to it in my opinion. It does not matter whether it originated in the old days with a sinister motive, since its application has only served a useful purpose and there is no reason for us to reject it on that ground.

In the course of the discussion that took place, unfortunately, the question of the coin with the photograph

of the late Pandit Jawaharlal Nehru has come up. I believe, had it been possible for Pandit Jawaharlal Nehru to speak today in some form, he would have been the first man to condemn it. A man who cherished the idea of democracy in its most ultimate form would not have allowed a thing of the kind which has been associated, at least, in India with aristocratic and monarchical form of government. In India those who were the kings alone had the right to mint and have their photographs. There was no coin of India which did not bear the photograph of that particular king. We have destroyed all that old aristocratic order and what we denied to the aristocratic order we want to create a similar status for our public men who will be the ideal men in the country with their photographs on coins. We are departing from the democratic way altogether, in my opinion. It is for that reason that I want the House and the Government to bear in mind what they are doing. Pandit Jawaharlal Nehru does not require his recognition as a world leader by giving our consent to a thing of this kind. Just as Churchill was honoured by all parties, Pandit Nehru is honoured in this country on every birthday of his by the entire country. About that I have no doubt in my mind. But you are introducing some new tradition or new convention which is likely to develop as derogatory to the most important and elementary conception of democracy in India. The coin has been associated with the king's head for years and generations together and we want to kill that altogether. Therefore I oppose if such a thing is done by you and this should not be repeated here and hereafter.

Shri S. M. Banerjee: Mr. Deputy-Speaker, Sir, my hon. friends, Shri P. K. Deo and Shri Warior brought up certain good points in the Bill. I welcome that no political slogans should be inscribed on the notes. If

that particular note is not accepted as legal tender, I do not mind because we do not want circulation of slogans along with notes. What happened in 1942 is being repeated today and it is a welcoming thing.

But, this news that this country is going to have coins of 50 Paise and Re. 1 with the effigy or profile of the late lamented Nehruji has disturbed us. It is not that because we are in the Opposition we have no respect for him. He was one of the most respected and beloved persons that the country has produced. But I want to know whether in any of the countries, except those where there is monarchy, or in one case—I have seen an American coin with Abraham Lincoln's

Shri Shinkre: Jefferson.

An Hon. Member: Washington.

Shri S. M. Banerjee: It was because he was the founder of democracy. We have seen the statute of liberty on those coins and we wanted to see the statute of democracy on our coins. The Ashoka Chakra is there. Pandit Nehru might be the greatest man of the age; he might be the greatest man of the country.

Shri Sheo Narain (Bansi): He was.

Shri S. M. Banerjee: But definitely he was not greater than the country. The country is greater and will always be greater than a personality. We should not believe in the cult of personality.

Again, our tradition is there; otherwise, why should we not have coins with Buddha, Ashoka, Shankaracharya, Chaitanya Mahaprabhu, Ramakrishna and so many others? Why did we not have the same thing about Gandhiji? There was a nice joke by some renowned Bengali paper. It wrote that once Gandhiji wanted to attend Lok Sabha session and the Government was in a soup as to what to do. He was not a distinguished guest; so, he could not be

given the Distinguished Visitors' Gallery pass. If he was given the Public Gallery pass, people would naturally say that they had treated Gandhiji shabbily. He could not be brought here nor in the Speaker's Gallery. Ultimately, the press people came to his rescue and said, "You are an old journalist; so better sit in the Press Gallery". That is how they treated Gandhiji. It was just a story, but really they have forgotten Gandhiji's mission and ideology; otherwise, they would have never thought of bringing coins with Nehruji's profile on them. The entire prestige, personality and calibre of . . .

Shri B. R. Bhagat: Does the hon. Member say that there was a Lok Sabha in 1948?

Shri S. M. Banerjee: It was a joke published in a Bengali newspaper.

Shri Heda: The hon. Minister has asked whether when Gandhiji was alive there was the Lok Sabha.

Shri S. M. Banerjee: I did not say that. I said that there was a joke that he wanted to attend the Lok Sabha.

Shri Hari Vishnu Kamath: The spirit of Gandhiji came to see how you were faring on the Treasury Benches.

Shri S. M. Banerjee: The prestige of Pandit Nehru, his great personality, his calibre and his status are being reduced to 50 Paise or 100 Paise by this Government. We oppose it. I oppose it tooth and nail. After all, we are not a fascist State.

Shri Daji (Indore): Nehru would have opposed it.

Shri S. M. Banerjee: Nehru would have opposed it; I am sure about it. That is one reason why we did not have coins with Gandhiji's profile or with Netaji Subash Chandra's profile. I oppose this. This will be a bad practice.

Shri B. R. Bhagat: You support this Bill?

Shri S. M. Banerjee: I oppose the other things. But I support this that political slogans should not be there on the notes.

Mr. Deputy-Speaker: That is all that we are concerned with now.

Shri S. M. Banerjee: We are also concerned with that. We should uphold democracy.

Mr. Deputy-Speaker: Unnecessarily you bring in things with which we are not concerned.

Shri Daji: His portrait is being reduced to a political slogan. That is the argument.

Shri S. M. Banerjee: Then, you should have Nehru's photograph as your election symbol.

श्री श० ना० जतुबंदी (फिरोजाबाद) : उपाध्यक्ष महोदय, पोलिटिकल कारैक्टर का कोई भी रिप्रिजेंटेशन या राइटिंग अगर नोट पर लिखा हो तो वह लीगर टेंडर नहीं रहेगा, ऐसी व्यवस्था इस विधेयक में की जा रही है। मेरी समझ में एक बात नहीं आई है कि इसको पोलिटिकल कारैक्टर तक ही सीमित क्यों रखा गया है। देश की सुरक्षा, देश की एकता आदि चीजें भी ऐसी हैं जिन के विरुद्ध कुछ उनके ऊपर लिखा जा सकता है या कोई तस्वीर बनाई जा सकती है। जहां यह किया जा सकता है कि नोट पर कोई सिम्बल छाप दें और यह कह दें कि फलां पार्टी को वोट दो, वहां यह भी हो सकता है कि एक कम्यूनिटी का आदमी दूसरी कम्यूनिटी की छाती पर चढ़ा हुआ है दिखा कर साम्प्रदायिक भावना भी फैलाई जा सकती है या देश के विभाजन का चित्र दिखलाया जा सकता है, जैसा कि प्रोपेगैंडा आज देश के कुछ भागों में हो भी रहा है। इन चीजों के ऊपर गवर्नमेंट का क्यों ध्यान नहीं गया जो वार्ते न केवल देश की सुरक्षा बल्कि इसके

भी ज्यादा उसकी एकता के लिए घातक हो सकती हैं जैसी कि कोई पोलिटिकल कारैक्टर की चीज। इस तरह की लिखावट या चित्रों को इस बिल में क्यों नहीं शामिल किया गया, यह मेरी समझ में नहीं आया, और इसके लिये मैंने अपना ग्रमेंडमेंट भी दिया है।

इस सन्दर्भ में जो सिक्के की बात इस बहस में उठायी गयी है उस के बारे में मैं केवल दो शब्द कहना चाहता हूं। मेरी समझ में नहीं आया कि इस में डिमाक्रेसी पर कौन सा बड़ा भारी आघात हुआ अगर पंडित नेहरू की तस्वीर सिक्कों पर छाप दी जाय। वे एक राष्ट्रीय नेता थे, और हमारे अपोजीशन वाले भी कहते हैं कि वह राष्ट्रीय नेता थे, वे केवल एक पोलिटिकल लीडर ही नहीं थे। जब आदमी इस संसार से चला जाता है और उसके बारे में कंट्रोवर्सीज भी समाप्त हो जाती हैं। आज पंडित नेहरू को लोग सिर्फ पोलिटिकल लीडर की तरह ट्रीट करते हैं यह बड़े दुःख की बात है। जिस तरह आज हम बड़े बड़े आदमियों के स्टाम्पस निकाल रहे हैं उसी तरह से अगर हम आज सिक्के बना दें और उन पर अपने नेताओं के चित्र निकाल दें तो क्या बुरी बात है? हमने पी० सी० राय और रवीन्द्रनाथ टैगोर के स्टैम्पस निकाले हैं और अगर उसी तरह से हम रुपये और नोट निकाल दें जिन पर नेताओं की तस्वीरें हों तो कौन सा बड़ा हर्ज इससे हो जाता है?

आज नेहरू जी नहीं हैं, अगर वह होते तो ऐसा न होने देते। नेहरू जी यदि यहां पर होते तो ऐसा करना सरासर गलत बात होती, अगर उनके जीवन काल में यह बात होती तो जितना क्रिटिसिज्म यहां इसका हुआ वह सही होता। लेकिन जब वह नहीं रहे और देश उनकी इज्जत करना चाहता है इस तरह से तब जो आलोचना की गई वह किसी प्रकार ठीक नहीं लगती। हम को साबचना चाहिए कि आखिर किसी वक्त

पर तो पोलिटिकल कंट्रोवर्सी खत्म होनी चाहिए यह तो एक छोटेपन की बात है और हम यह कहें कि पंडित नेहरू किसी पोलिटिकल पार्टी से एसोसियेटेड रहे इसलिए वह देश के नहीं एक पार्टी के नेता रहेंगे। मैं समझता हूँ कि इन बड़े बड़े आदमियों की जगह पार्टियों से ऊपर है। अगर हम इन नेताओं का नाम पार्टियों से सम्बन्धित रखना चाहें तो यह देश के लिये दुर्भाग्य की बात है। इसलिये मुझे बड़ा दुःख हुआ जब यह बात इस डिस्कशन में लाई गई हालांकि यहां उसकी कोई रिलेवेंस नहीं थी और जिसके कारण डिमांड्स पर कोई आघात नहीं मालूम होता है। जिस तरह से हम अपने बड़े बड़े आदमियों की प्रतिष्ठा करते हैं, उनके स्टैम्प निकालते हैं, उसी तरह से यह है और इससे किसी को राजनीतिक फायदा मिलने वाला नहीं है। रुपये का चलन चलता रहेगा चाहे उस पर गांधी जी की फोटोग्राफ हो चाहे सुभाष बाबू की फोटोग्राफ हो या सरदार पटेल की फोटोग्राफ हो या किसी और की हो। इससे कोई कांग्रेस पार्टी का लाभ होगा या किसी दूसरे का हित होगा, ऐसी बात नहीं है। और भी जो देश के लीडर हो गये हैं, अगर हम उनकी तस्वीर के साथ भी कोई सिक्के निकालें तो मैं समझता हूँ कि यहां पर किसी को कोई आपत्ति नहीं होगी क्योंकि जो हमारे देश के बड़े बड़े आदमी हैं उनका आदर करने में मैं कोई हिचकिचाहट नहीं होनी चाहिए। मैं समझता हूँ कि यह हमारी बड़ी भारी कमजोरी है कि जहां हम अपनी राजनैतिक आलोचना और प्रत्यालोचना में अपनी विसरात का सम्मान करना भी भूल जाते हैं।

Shri B. R. Bhagat: Mr. Deputy-Speaker, Sir, it is heartening that the entire House has supported this Bill. The only point that has been raised is that why only inscription of political character is sought to be excluded and not other characters which may be more sinister like serious threat to

security or communal discord, etc. My answer is that the Parliament has effective laws in this country to deal with any threat to security or to put down any communal discord. For that we need not resort to an indirect method of this kind. Therefore, that thing is not necessary. Apart from that, this is not a new measure. It is only the extension of an accepted measure which was in operation in old Part 'A' and Part 'B' States to erstwhile Part 'C' States. Therefore, I do not consider that any new objection should be brought in this.

As far as the other matter is concerned, I think, to me and to most of us here that is a question of sentiment and even if some of the hon. Members may not agree about the manner of honouring a memory, the House will agree that we should not raise a controversy over it. Particularly, that matter is not relevant here and I would not like to go into this.

With these words, I move.

Mr. Deputy-Speaker: The question is:

"That the Bill, to restrict the negotiability of currency and other notes inscribed with messages of a political character, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We shall now take up clause-by-clause consideration of the Bill. There are no amendments.

Shri S. N. Chaturvedi: There is an amendment of mine to clause 2.

Mr. Deputy-Speaker: There is no amendment.

Shri B. R. Bhagat: It has not been circulated.

Shri S. N. Chaturvedi: I have got a printed copy of it.

Mr. Deputy-Speaker: When did you give notice of that?

Shri S. N. Chaturvedi: Here is a printed copy that has sent to me. Was the Bill re-introduced?

Mr. Deputy-Speaker: You tabled it during the last session. So, it has lapsed. You should have tabled it again in this session. There is no amendment.

The question is:

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Mr. Deputy-Speaker: The question is:

"That Clause 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clause 1, the Enacting Formula and the Long Title were added to the Bill.

Shri B. R. Bhagat: I move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

15.19 hrs.

RESOLUTION RE PROCLAMATION UNDER ARTICLE 356 OF THE CONSTITUTION IN RELATION TO THE STATE OF KERALA

The Minister of State in the Ministry of Home Affairs (Shri Hathi): Mr. Deputy-Speaker, Sir, I beg to move:

"That this House approves the Proclamation issued by the President on the 10th September, 1964, under article 356 of the Constitution in relation to the State of Kerala."

Sir, I would not go into the earlier history of the State of Kerala earlier but would very briefly mention the facts and circumstances which necessitated the issue of the Proclamation which is already before the House. On 2nd September, 1964, two members of the Congress Legislature Party, Shri K. M. George and Shri R. Balkrishna Pillai, wrote to the Governor and presented a memorandum signed by 50 members of the Congress Legislature Party stating that they have lost confidence in the leadership of Shri Shankar, the Chief Minister and that they have withdrawn the support to the Ministry and that they wanted to function thereafter in a separate block in the Legislature. They had also informed the Speaker of the Legislative Assembly of Kerala for allotment of separate seats. On 3rd September, when the Legislative Assembly met, Shri P. K. Kunju, the leader of the Samyukta Socialist Party moved a motion of no-confidence against the Ministry. The strength of the Assembly was as follows. The strength of the Congress Party in the Assembly originally was 65 members, out of whom 15, as I mentioned earlier, wanted to withdraw their support and wanted to have a separate block in the Assembly. The Communist (Right Wing) Party had 19, the Communist (Left Wing) Party had 9, the Samyukta Socialist Party 15, the Muslim League 11, Independents 5, and RSP 1; and one seat was vacant; this comes to a total of 126, and including the Speaker, the total is 127.

When the motion of no-confidence was moved on the 3rd September, against the Ministry there, the 15 dissident Congressmen also supported it. The motion was taken up for discussion on September 7th and 8th.