

And whereas this House after considering the said draft notification and the views expressed in support thereof on behalf of the Central Government is of the opinion that the previous approval of this House to the declaration proposed in the draft notification should be accorded;

Now, therefore, in pursuance of section 17 of the Indian Coconut Committee Act, 1944 (10 of 1944), this House accords its approval to the draft notification containing the aforesaid declaration.

ANNEXURE

Draft Notification

In exercise of the powers conferred by section 17 of the Indian Coconut Committee Act, 1944 (10 of 1944), the Central Government, with the previous approval of the House of the People, hereby declares that with effect from 1st April, 1966 the Indian Coconut Committee constituted under that Act shall be dissolved."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

- (ii) "Whereas section 16 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), empowers the Central Government to declare, with the previous approval of the House of the People and by notification in the Official Gazette, that with effect from such date as may be specified in the notification, the Indian Central Oilseeds Committee constituted under that Act shall be dissolved,

And whereas the Central Government is of the opinion that a declaration to the above effect should be made as in the draft notification annexed hereto;

And whereas this House after considering the said draft notification and the views expressed in support thereof on behalf of the Central Government is of the opinion that the previous approval of this House to the declaration proposed in the draft notification should be accorded;

Now, therefore, in pursuance of section 16 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), this House accords its approval to the draft notification containing the aforesaid declaration.

ANNEXURE

Draft Notification

In exercise of the powers conferred by section 16 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), the Central Government, with the previous approval of the House of the People, hereby declares that with effect from 1st April, 1966, the Indian Central Oilseeds Committee constituted under that Act shall be dissolved."

The motion was adopted.

13.11 hrs.

DELHI ADMINISTRATION BILL

The Minister of Home Affairs (Shri Nanda): Mr. Deputy-Speaker, Sir, with your permission, I seek to substitute the motion which stands in my name by another motion, which has been circulated.

I beg to move:

"That the Bill to provide for the administration of the Union

{Shri Nanda}

Territory of Delhi and for matters connected therewith, be referred to a Joint Committee of the Houses consisting of 33 members, 22 from this House, namely:—

Shri S. V. Krishnamoorthy Rao; Shri Ramchandra Vithal Bade; Chodhury Brahm Prakash; Shrimati Renu Chakravartty; Shri Shivajirao S. Deshmukh; Shri Shiv Charan Gupta; Shrimati Subhadra Joshi; Shri Hari Vishnu Kamath; Sardar Kapur Singh; Shri Mehr Chand Khanna; Shri T. Manaen; Shri Dhuleshwar Meena; Shri Jashvant Mehta; Shri Bakar Ali Mirza; Sardar Gurmukh Singh Musafir; Shri Naval Prabhakar; Shri A. V. Raghavan; Shri R. V. Reddiar; Dr. Sarojini Mahishi; Shri Sham Nath; Shrimati Ramdulari Sinha; and Shri Gulzarilal Nanda

and 11 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee."

The Bill before the House deals with the future administrative set-up of Delhi. Its purpose is to create a new set-up. The provisions of this

Bill are designed to suit the exceptional circumstances in this area and to provide for the satisfaction of certain special needs. It is well-known what these exceptional circumstances are. The most obvious peculiarity of the case lies in the fact that Delhi has the privilege of being the capital of the Union of India and the seat of the Central Government. This also imposes certain obligations and calls for the acceptance of a measure of self-denial on the part of the people of the area.

Sir, may I trace briefly the developments concerning the administration of Delhi, which have an intimate bearing on the issues underlying the proposals put forward in this Bill? Before independence, Delhi, as the capital of India, was administered by the Central Government through a Chief Commissioner. It was a Chief Commissioner's Province. After the attainment of independence, Delhi became a 'C' Class State with a legislature and a council of ministers. This position lasted till 1956. Meanwhile in September 1955 the States Reorganisation Commission had submitted its report. The recommendations of this Commission led to a large-scale transformation of the structure of the States. One of the consequences of its recommendations was the abolition of the legislative assemblies and council of ministers in 'C' Class States. This was secured through repeal of the Government of Part C States Act, 1951 from the 1st November, 1956.

The Commission specially reviewed the arrangements in respect of Delhi and devoted a whole chapter to this problem. Taking into consideration the special situation of Delhi—i.e. it is the seat of the Indian Government and it is also basically a city unit comprising of an urban population of 82 per cent in view of all this, the Commission recommended that municipal autonomy in the form of a Corporation, which will provide greater local autonomy than is the

case in some of the important federal capitals, would be the right and in fact the only solution of the problem of Delhi. Thereafter, the Municipal Corporation was constituted in April 1958 under the Delhi Municipal Corporation Act, 1957 for the entire Union Territory of Delhi, i.e. the rural as well as the urban areas. A small area--New Delhi covering about 16 square miles--and the Delhi Cantonment were, however, kept outside the jurisdiction of the Corporation. Unlike the other municipal corporations, the Delhi Municipal Corporation was made responsible for even generation of electricity. This was a special feature, apart from the fact that the rural areas were brought also under the jurisdiction of the Corporation, which is not the case in other such bodies.

After the abolition of the legislature and council of ministers for Delhi, the administration of the territory is being carried on directly by the Central Government through the Chief Commissioner. This set-up, one can understand, did not satisfy the political aspirations of the people of the area and persistent demands have been made to provide for a larger association of the people not only in essentially city functions carried out by the Municipal Corporation, but also in other wider fields of administration. There were demands for the revival of a legislative assembly and council of ministers. It will be recalled that when the Constitution (Fourteenth Amendment) Bill, 1962 came up before Parliament, it was suggested on the floor of the House that Delhi should also be included in that Bill, so that it could have a legislative assembly and a council of ministers. It was, however, made clear at that time on behalf of the government that the question of effecting changes in the administrative set-up of Delhi would require special consideration in the light of the special requirements of the territory.

I might refer here to the observations made by the late Prime Minister, Shri Jawaharlal Nehru, on that occasion. He said Delhi could not be dealt with like other Union Territories and could not straightaway be included in the Bill. The Prime Minister—who was then Home Minister—Shri Lal Bahadur Shastri also said that the question as to what changes were needed in the working of the Corporation would be considered as soon as the Corporation's recommendations were received. That was being considered then. He also said that the question as to how the representatives of the people could be associated with the developmental activities would also be considered.

I would not like to take the time of the House in explaining the special position which Delhi occupies—~~it is~~ so obvious. In other federal capitals in the world also, a balance is kept between the requirements of democratic association of the people with the administration and the need for effective control of the national government over the government of the capital to avoid conflicts, which may detract from the efficient working of the Metropolis, also keeping in view the fact that a large number of foreign legations, embassies, etc. are housed here.

Having taken into account all these factors and after detailed discussion with the representatives of the political parties and others, a scheme for reorganising the administrative set-up of the territory and also of the Delhi Municipal Corporation was drawn up.

The broad outlines of this scheme was laid before the House on 18th August, 1965. The present Bill seeks to give effect to that portion of the scheme which provides for the setting up of a Metropolitan Council and an Executive Council to assist and advise the Administrator of the territory.

[Shri Nanda]

The main features of the Bill are that the Administrator of the territory will be a Lieutenant Governor who will have an Executive Council to assist and advise him except in regard to certain matters which will be reserved to the Administrator, and that a deliberative body called the Metropolitan Council consisting of 42 elected and 5 nominated members will be constituted which will be empowered to discuss and make recommendations in regard to matters relating to the administration and development of the territory except those reserved to the Administrator.

The Bill is divided into four parts. Part (1) covers preliminary ground and contains a set of definitions. Part (2) deals with the Metropolitan Council, its constitution, functions and other procedural matters connected with its functions. I shall refer to a few clauses which are important. Clause (3) provides that there shall be a Metropolitan Council consisting of 42 members chosen by direct election from the territorial constituencies. Provision has been made for nominating not more than 5 persons to the Council. This follows similar provisions made in respect of legislatures constituted under the Government of Union Territories Act, 1963. There is also provision for reserving seats for Scheduled Castes on the basis of the ratio of the population of Scheduled Castes to the total population in Delhi.

We may then look to clause 4 which empowers the Election Commission to determine the various territorial constituencies. There are details given regarding that. I do not wish to take up the time of the House by going into the details of that clause.

Clauses 6 to 9 lay down the qualifications for membership to the Council, which are the same as those for membership of the legislatures of the Union Territories, and the procedure for preparing the electoral rolls, and

also makes provision for conducting the elections in accordance with the Representation of the People Act, 1951 and rules thereunder.

Clause 10 provides that the term of the Metropolitan Council shall be five years with the additional provisions for extending the term when a proclamation of emergency is in force. This provision as well as the provision in clause 11 relating to summoning and proroguing the Councils, they follow similar provisions in the Government of Union Territories Act.

Then we may take up clauses 12 and 13. They deal with the election of the Chairman of the Metropolitan Council and other matters incidental to that office. Clause 14 empowers the Administrator to attend and address the meeting of the Council.

Clauses 15 to 20 deal with matters on oath or affirmation by members voting in Metropolitan Council, vacation of seats, disqualification from membership, powers and privileges and salaries of members.

I now move on to clause 21. This is an important clause which specifies matters which the Metropolitan Council may discuss and in respect of which it may make recommendations. It includes matters in the State and Concurrent lists and also provides for legislation regarding those matters being considered in the Metropolitan Council. The budget of the territory will also be placed before the Metropolitan Council.

श्री हुकम चन्द कछवाय (देवास) :
उपाध्यक्ष महोदय, मेरा व्यवस्था सङ्गन्धी प्रश्न है। इतना महत्वपूर्ण सवाल मंत्री महोदय सदन में रख रहे हैं और सदन में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: Quorum has been challenged. The hon. Minister may resume his seat. The Bell is being rung.

There is quorum now. The hon. Minister may continue his speech.

Shri Nanda: Sir, I was in clause 21, on the question of the budget of the territory. It is clear from this provision that it will also be placed before the Metropolitan Council for consideration and making recommendation at the appropriate stage each year.

Clause 22 is another important clause which confers on the members the right of asking questions. Clause 23 gives the authority to the Metropolitan Council to regulate its procedure, conduct of business and rules. The Administrator is however empowered to make rules prohibiting discussions on matters for which he will be exclusively responsible and for regulating asking of questions regarding such matters.

I think I need not mention the other clauses in this Part. I now move on to Part III of the Bill. This part deals with the constitution of the Executive Council, its powers and functions and the manner in which the Lt. Governor will transact the business with the members of the Executive Council.

Clause 27 provides that in exercise of his functions the Administrator shall be assisted and advised by an Executive Council consisting of not more than four members. Only in regard to law and order, including the organisation and discipline of police force and on such other matters as the President may from time to time specify will he be required to act in his discretion, that is, without the assistance and advice of the Executive Councillors. In fact, such reservation has been made in the Governments of Part C States also, but its scope is considerably curtailed in the present Bill.

Clause 27 further makes a provision that in the event of a difference of opinion between the Administrator and the members of the Executive Council on any matter the Adminis-

trator shall refer the issue to the President for decision. Such a provision exists in the Government of Union Territories Act and it is mainly intended to clarify the constitutional position that the Central Government is ultimately answerable to Parliament for the administration of the territories. Although such a provision exists in the Government of Union Territories Act it has been there during the last two and a half years—there had been no occasion when this was invoked, when the President was required to settle the difference of opinion on such matters. It is hoped that Delhi will not be an exception to this kind of convention or practice.

Clause 27 further provides that the decisions of the Executive Council relating to New Delhi shall be subject to the concurrence of the Lt. Governor. This arises from the fact that New Delhi has a special position within the territory as already recognised by the fact that it has a separate municipality.

Clause 28 provides that the Executive Council shall be appointed by the President. It is intended that the Executive Councillors will be chosen from among the members of the Metropolitan Council and in the day to day discharge of their duties they will function like Ministers. This has been made possible by providing in clause 29 that rules shall be framed for allocating business among the members of the Executive Council for convenient transaction of business by the Executive Councillors.

I now come to Part IV which contains miscellaneous and transitional provisions. There are just one or two clauses which deserve mentioning. Clause 32 provides for an interim Metropolitan Council being constituted until the general elections to the Metropolitan Council are held. 42 members of the interim Metropolitan Council will be elected by the existing members of the Delhi electoral college by the system of proportional representation by means of a single trans-

[Shri Nanda]

ferable vote. Clause 33 provides for the setting up of an interim Executive Council until the directly elected Metropolitan Council comes into existence.

Clause 35 provides that the interim Metropolitan Council shall be the electoral college for Delhi. This is an important clause. And the last clause to which I would like to draw attention, is clause 36 which provides for increase in the parliamentary seats allotted to Delhi from 5 to 7. This increase has been suggested having regard to the increase in population of Delhi from 17.44 lakhs in 1951 to 26.59 lakhs in 1961. This is a brief presentation of the important points of the Bill.

I may make just a few more observations before I conclude. I would request hon. Members to consider these provisions in their proper perspective and in their totality. What is it that they want? It is quite obvious that the ultimate responsibility of Parliament for the administration of this territory remains intact in this Bill. The accountability of all those persons who are concerned with this administration to Parliament also remains. This was also the position visualized in the various stages of the discussion in this matter hitherto.

So far the position was different. Now a new situation has been created. So the set up of the administration will not be the same as it was before. As much as possible, to the extent it is possible to do so, peoples' aspiration for association as closely as possible with the administration, the participation of the representatives of the people with the administration has been secured here through the provisions of this Bill.

Shri Vasudevan Nair (Ambalapuzha): No, absolutely not.

Shri Nanda: That is a matter of opinion, though I do not think there

is any scope for difference of opinion on what I have said. There is that participation. Of course, it is true that the demand for a separate State, a Union Territory with a separate Assembly and Council of Ministers, has not been conceded.

Shri Vasudevan Nair: That is the crux of the matter.

Shri Nanda: May be. I understand that there is a viewpoint which has not been met by the provisions of this Bill. I do not say that viewpoint is inherently wrong. There is nothing inherently wrong about it. I understand that those aspirations have not received full satisfaction. There is nothing wrong with those aspirations. But the point to remember is that there are special conditions. We have first to recognise the fact of these special conditions and then see whether we are not going to the utmost length to meet those requirements consistent with the other obligations which have been set out before, which I have mentioned in the course of my earlier observations. Having regard to all that, I believe it is very clear that this Bill gives expression, it affords expression to the peoples' will to share in the largest measure practicable in the various fields of work in Delhi. It tries also to ensure an integrated and efficient machinery to give to the people a good administration which is responsive to their needs and attends to their problems with great sympathy, solicitude and despatch. This is another aspect which had come up many times at many stages during the consideration of the scheme to be brought forward and implemented with regard to this State. I think there was a legitimate complaint, a sense of grievance, about the fact that the administration, as envisaged, did not provide for full co-ordination; to put it in another way, there was no unified administration. To the extent that position remains it did create a certain disadvantage and handicap for the territory. There-

fore, the new scheme is going to obviate those defects and in essence it meets the need for participation of the people, their association in the administration. The formal provisions of the law are there; the accountability to Parliament is there, but the way in which all this has been framed, it paves the way for, in essence, a very full association of the people's representatives so far as the practical purposes of administration are concerned. This is assured.

Then, taking all these provisions together, taking also into account the fact that there is going to be a re-organisation of the municipal set-up—there will be another measure before Parliament which will enable the administration of the municipality to be carried on in a much more efficient manner—in the light of whatever experience has been gained during these years—and that is because of the fact that Delhi has got its special requirements—we will be giving certain special features to the municipal set-up also and it will provide for a way of dealing with the problems of the Delhi municipal area which, I believe, is going to be conducive to a much more effective and efficient administration of the area.

Sir, I have explained the main features. The Metropolitan Council is designed to function like a legislature in so far as its procedure is concerned. It would consider the Bills relating to the territory in the State and concurrent fields and it will make recommendations which will come up before Government. Naturally, in view of the fact that elected representatives are associated though it is in an advisory capacity, and there are the executive councillors who will actually be transacting the business of the territory—of course, on the lines which have been laid down here, largely in their hands—considering all this, it can be said that the Executive Council will function more or less like a Council of Ministers.

Sir, I may conclude with the plea that this arrangement will be given a fair trial and will be worked in a spirit of give-and-take and with a sincere desire to keep it going. Worked with that understanding, the arrangement is sure to yield beneficial fruits and satisfy the demand for a good and unified administration to the representatives of the people closely associated with and actively participating in it. Sir, I have done.

Mr. Deputy-Speaker: Motion moved:

“That the Bill to provide for the administration of the Union territory of Delhi and for matters connected therewith, be referred to a Joint Committee of the Houses consisting of 33 members, 22 from this House, namely:

Shri S. V. Krishnamoorthy Rao,
Shri Ramchandra Vithu
Bade, Choudhury Brahm
Prakash, Shrimati Renu Chak-
ravarty, Shri Shivajirao S.
Deshmukh, Shri Shiv Charan
Gupta, Shrimati Subhadra
Joshi, Shri Hari Vishnu
Kamath, Sardar Kapur Singh,
Shri Mehr Chand Khanna,
Shri T. Manan, Shri Dhu-
leshwar Meena, Shri Jash-
vant Mehta, Shri Bakar Ali
Mirza, Sardar Gurmukh Singh
Musafir, Shri Naval Pra-
bhakar, Shri A. V. Raghavan,
Shri R. V. Reddiar, Dr. Saro-
jini Mahishi, Shri Sham Nath,
Shrimati Ramdulari Sinha,
and Shri Gulzarilal Nanda

and 11 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House re-

[Mr. Deputy-Speaker]

lating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 11 members to be appointed by Rajya Sabha to the Joint Committee."

There are two other motions for reference to Joint Committee.

Is Shri Brahm Prakash moving his motion?

Shri Brahm Prakash (Outer Delhi): I am not moving it now.

श्री नवल प्रभाकर (दिल्ली—करोल बाग): मूव तो नहीं करूंगा लेकिन बोलना जरूर चाहूंगा अगर आप समय देंगे। बोलने के लिए समय नहीं देंगे तो मूव करूंगा।

Mr. Deputy-Speaker: You are on the Joint Committee. Members of the Joint Committee will not be allowed because there are others who want to speak. If I allow one Member, others also will have to be allowed. So, you are not moving this motion.

Shri S. M. Banerjee (Kanpur): I want to move the motion for circulation.

Sir, I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 8th February, 1966."

Mr. Deputy-Speaker: The motion and the amendment of Shri S. M. Banerjee are before the House.

श्री नवल प्रभाकर: उपाध्यक्ष महोदय, मैं एक निवेदन करना चाहता हूँ। इसके पूर्व जो विधेयक आए थे वे भी प्रवर समिति को भेजे गए थे जैसे दिल्ली नगर निगम का विधेयक। उस समय भी जितने दिल्ली के सदस्य थे उन सबने अपने विचार व्यक्त किए थे और हम सब प्रवर समिति के भी सदस्य

थे। इसलिए मैं आप से निवेदन करूंगा कि दिल्ली में जो सदस्य हैं उन्हें बोलने का समय दिया जाए।

Mr. Deputy-Speaker: I am very sorry. If I allow one Member, I will have to allow other Members also. I cannot make a distinction.

Shri Brahm Prakash: At least one Member from Delhi should be allowed to speak.

Mr. Deputy-Speaker: If the House has no objection, I will allow one Member. Shri Vasudevan Nair.

श्री हुकम चन्द कछवाय: उपाध्यक्ष महोदय, इस बिल पर बहस शुरू होने के पहले हाउस में गणपूर्ति होनी चाहिए।

Mr. Deputy-Speaker: The bell is being rung... Now there is quorum. Shri Vasudevan Nair.

Shri Vasudevan Nair: Mr. Deputy-Speaker, Sir, I am really surprised why the hon. Minister and the Union Government have decided to bother this House with such a Bill.

श्री हुकम चन्द कछवाय: उपाध्यक्ष महोदय, कार्रम हुआ नहीं और आपने कार्रवाई चालू करवा दी।

Mr. Deputy-Speaker: Is there no quorum?

Shri Hukam Chand Kachhavalya: No quorum, Sir.

Mr. Deputy-Speaker: There is quorum.

Shri Vasudevan Nair: The Union Government is trying to impose and foist an administrator raj on Delhi...

Shri S. M. Banerjee: Exactly.

Shri Vasudevan Nair: ... and they want us to believe that this is a de-

mocratic set-up. I am constrained to state that the Home Minister will not succeed in this game. He cannot dupe anyone by his statements that this expresses the will of the people of Delhi, that this Bill will help the association of the people's representatives in the state affairs of Delhi. All this is tall talk; nothing but tall talk.

I feel that this Bill is a challenge to the people of the capital of India and if the Government succeeds in passing this Bill as it is, they will be cutting at the very roots of democracy and all our ideas of a democratic set-up in Delhi will be buried deep and it will be the final blow. With all the arguments put forward by the hon. Minister, he could not...

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, व्यवस्था का प्रश्न है। सदन में गणरूत नहीं है।

Mr. Deputy-Speaker: The bell is being rung...now there is quorum.

Shri Vasudevan Nair: The hon. Minister spoke so much about the exceptional situation and the special circumstances in the capital. But he could not elaborate very much on the special circumstances or the exceptional situation.

There was a trial of a legislature and a council of Ministers in Delhi not for a small period but for a prolonged period of four or five years. From 1952 to 1956, there was an elected Government in Delhi. The Minister was duty-bound to explain to this House what were the difficulties that the Central Government faced when a popular Government was ruling in Delhi and, drawing lessons from that experience, he ought to have come before this House and explained that for these reasons they find that they cannot afford to have a popularly elected Government in Delhi.

The Deputy Minister in the Ministry of Home Affairs (Shri L. N.

Mishra): The S.R.C. has explained it.

Shri Brahm Prakash: The S.R.C. was wrong in that.

Shri Vasudevan Nair: The hon. Minister did not do that. I understand that if there is a legislature and a council of Ministers, the heavens are not going to fall down. I agree there. If the Minister wanted to safeguard some of the privileges of the Central Government in Delhi, he could provide for that in a Bill. Nobody is against that. When Delhi is the seat of the Central Government, they can very well come before the Parliament and ask the Parliament, "Please give us such and such safeguards." But still with those safeguards, it was only proper and fair for the Union Government to offer an elected Government to 3 million people of Delhi. I do not know what is the great sin that the citizens of Delhi committed which was not committed by the people in other parts of India for their being deprived of a voice in the administration of the capital.

Sir, as far as our Party is concerned, we are very firmly committed to the idea of a legislature and a council of Ministers in the Union Territory of Delhi. I want to make it very clear. The hon. Minister stated that he had prolonged consultations with the various political parties on this particular question. A year before, I understand, our Party was consulted along with many other Parties. I would like to know from him which Party supported him in this particular measure. Did a single political Party in the capital support the Union Government with a measure like this? I should like to get a plain answer from the Minister, if it is possible. Did he get any support from his own Party? This Government comes before this House with this Bill without the support of any political Party and without the support of the people in the capital and they call it a democratic measure.

[Shri Vasudevan Nair]

I have another charge to make to this Government. We hear in the newspapers that the ruling Party was specially taken into confidence by the Union Home Ministry as far as this legislation for Delhi is concerned. Is it a fact that even the amendments were discussed by the representatives of the D.P.C.C. and the Home Ministry behind the curtain before it came to this House and, if so, is it a healthy tradition that is being set up as far as democratic processes in this country are concerned? I am raising this because it appeared in the newspapers. If they did not want to do something like that, can't they do it in a much more hidden manner? Perhaps, they think that they can get anything done in this country. Some of them confabulate, discuss among themselves, prepare amendments and come before the House and because they have a brute majority, they think that they can get it passed and get away with it. I think this kind of practice and precedent established by the Home Ministry which is supposed to be the custodian of democratic traditions is a very dangerous sign. We protest against this kind of practice.

Having stated our position on the necessity of an elected legislature and a council of Ministers in Delhi, let us look at this Bill. It does not give me any pleasure to look at it with any kind of enthusiasm. This Metropolitan Council will be nothing more than a debating society. I ask this Minister and this Government? Why should you waste public money on this? (Interruption) Perhaps, some people can be accommodated. That is a different matter. There are such problems for the ruling Party. But if you go through the provisions of this Bill, this Metropolitan Council is just an ornament, just a debating society, and nothing more than that.

As far as Delhi is concerned, the Minister himself stated that one of the important administrative problems in Delhi was the multiplicity of au-

thority. Now, in Delhi, the situation at present is like this. There is the Delhi Municipal Corporation looking after the civic affairs and there is the all-powerful Delhi Administration and this poor Corporation has no powers and no voice as far as the Delhi Administration is concerned. Then, there is the Delhi Development Authority which looks after certain problems on its own. There is the New Delhi Municipal Committee, entirely nominated, with an I.A.S. officer or somebody as the President of that Committee. And yet there is another authority, the Delhi Cantonment Administration. Today, because of this multiplicity of authority, the citizens of Delhi in various parts are put to difficulties. For example, they have to pay water charges—there are different charges in different places. Then, they have to pay electricity charges—different charges in different places. As far as the water supply is concerned, it is a chronic problem in Delhi. One of the reasons for lack of solution for this chronic problem is that there is no centralised authority to look after it. The Delhi Corporation is in-charge of filtration and the laying out of mains and the distribution is under the charge of the Corporation in the Delhi Corporation area and the New Delhi Municipal Committee in the New Delhi area and the New Delhi Municipal Committee, after getting the bulk supplies of water from the Corporation at a lower rate, charges such a high rate that the consumers in New Delhi area have to pay more than what the consumers pay in the old Delhi area. Actually, they are trading on this; they are trading on an item like water and on an item like electricity. It is very difficult to find a similar agency trying to make profits on these items.

14 hrs.

I forgot to mention one other agency, and that is Mehr Chand Khanna Saheb's department; he has also somewhat a little empire of his own in Delhi. I think the CPWD is in charge of unfiltered water supply..

Shri U. M. Trivedi (Mandsaur): That is the Health Ministry.

Shri Vasudevan Nair: Yes, the Health Ministry is another agency. I am thankful to the hon. Member. I forgot to mention the Health Ministry. That is another agency still dabbling in the Delhi affairs in certain sectors.

I understand that last year it was found that filtered water was used for gardening. In Delhi where we have such short supply of water, filtered water was used for gardening.

Shri S. M. Banerjee: For the Ministers' gardens it was used.

Shri Vasudevan Nair: It may have been used for the Ministers' gardens. When it was brought to the notice of the corporation authorities it was found that the pumps of the CPWD which is, I think, in charge of the supply of water for gardening, had gone out of order, and so because of that the people were using filtered water for gardening. So, you have Khanna Saheb in one place, Dr. Sushila Nayar in another place, and Nandaji in a third place and finally the corporation looking after some things. This is the kind of treatment that is given to the people of this capital. At least Government could be congratulated if they had brought forward a piece of legislation for a centralised administration and authority for all the Delhi areas. That also has not been accomplished by this piece of legislation because now they are thinking of some other agencies also over and above the metropolitan council.

Coming to some of the concrete provisions of the Bill we find that as usual there is a provision for nomination of five members to a metropolitan council of 42. We have always opposed this kind of provision. Even at the time of the Bill relating to the Union Territories, we had said that this was a very unhealthy practice to pursue. We have concrete instances

during the last fifteen years when the elected strength in the legislature could be toppled this way or that way by the induction of nominated members. It is a horrible thought, therefore, that in a council of 42 members, Nandaji will have five people. That is to say, five people will be nominated by the Central Government, and Central Government means the Home Minister. After the elections, when they nominate five people to a council of 42, naturally they will look to the permutations and combinations. This Congress Government cannot claim that kind of sense of justice or impartiality.....

Shri D. C. Sharma (Gurdaspur): As my hon. friend claims.

Shri Vasudevan Nair:... as far as the question of nomination is concerned. Shri D. C. Sharma knows perhaps more than I know, although he may not agree with me in this House..

Shri D. C. Sharma: I have never been nominated to any body by this Government. So, let not my hon. friend bother about it.

Shri Vasudevan Nair: I hope that he will always stick to this principle and never get nominated and I hope he will never get nominated anywhere.

Shri D. C. Sharma: Because I do not stand in a queue anywhere. That is the difficulty.

Shri U. M. Trivedi: My hon. friend is a tired man. So, how can he stand?

Shri Kashi Ram Gupta (Alwar): Because of his size.

Shri Vasudevan Nair: Under clause 2 of this Bill, Delhi is going to have an administrator's raj, a Moghul emperor will be ruling here in the shape of an administrator; he will be all-powerful and he will be a kind of a semi-god in Delhi according to this Bill. Even when the hon. Minister brings forward a Bill for a metro-

[Shri Vasudevan Nair]

politan council, he could have been a little more graceful. I do not know why he is insulting this would-be metropolitan council in this manner. The metropolitan council will be a nobody before this administrator. The administrator is given such powers that he will be an all-powerful emperor in the capital of Delhi. He can prorogue the metropolitan council; he can dissolve the metropolitan council which is an elected one. Of course, the hon. Minister may just butt in and say that that can be done only with the consent of the President. But an administrator, a government official a bureaucrat, has been given the powers to sit over an elected metropolitan council and he can dissolve it, even though it be, of course, with the concurrence of the President; and we know when a report goes to the President and there is a recommendation from the administrator through Shri Nanda, what the fate of it will be. So, let us leave it there. This provision is a very obnoxious provision and it should be taken away from this Bill when the Select Committee considers it.

Then, take the question of the rules of procedure of the metropolitan council. Some of the rules will be prepared by the administrator and some by the metropolitan council. It is said in this Bill that if there is a contradiction between the two sets of rules, the rules framed by the administrator will prevail. This is a democratic government, and they call themselves democratic and what not but they will not even allow the metropolitan council to frame its own rules and give it powers to see that those rules prevail.

Then, I come to the question of financial powers. If an administration should have any authority, then the most important thing is that that administration should have financial powers. Of course, the metropolitan council can advise the administration, can assist the administration, can associate with the adminis-

trator, and they can dance before the administrator and they can recommend so many things. But I think that much paper only will be wasted by such recommendations because the council does not have financial powers. Why should Government not give them financial powers? Under the sub-clauses of clause 21 dealing the financial powers, I submit that the metropolitan council can be given the right of decision and implementation.

Then, there is a provision for an executive council. Of course, the administrator again will be advised and assisted by four gentlemen who will be called executive councillors. And how do they come into existence? They will be nominated or appointed by the President. Heavens will not fall down if the four councillors are elected by the metropolitan council. These four councillors should be responsible to the metropolitan council which in turn should be responsible to the people of Delhi as it is supposed to be under this Bill.

Then, there is a provision that if there is a difference of opinion between the administrator and the executive council, the administrator would refer the matter to the President, but pending a decision from the President, the administrator can go ahead with his own ideas and with his own decisions. Again, the executive council will not be anything more than an ornament.

Further, the executive councillors who are appointed by the President will naturally remain in office only during the pleasure of the President. So, we have a metropolitan council to advise, then we have an executive council to advise, and then we have an administrator with the blessings of the Home Minister and the President through the Home Minister, who will be all-powerful as far as the capital of Delhi is concerned. Even the rules of procedure of the metropolitan council will be subject to the sweet will and pleasure of the administrator.

This is a sorrowful day for this country and especially for this capital. Even the Congress Members could not do much in spite of their confabulations, discussions and meeting the Prime Minister and so on. We read so many things like that in the newspapers. We learn that some of the Congress Members have said that this is a police Bill. I am sure the Congress Members have their own limitations, and I am very sympathetic to them, and I have all sympathies for many of them, and they have to put up with this kind of thing.

So, I appeal to the hon. Minister to withdraw this useless Bill. Let him take some more time, really consult all the parties and then come forward with a piece of legislation for setting up a legislative assembly and a council of Ministers which alone will be an expression of the will of the people of the capital of India.

Shri U. M. Trivedi: Mr. Deputy-Speaker, after a long lapse of time, this Delhi Administration Bill has been brought before the House. But it is an example of muddle-headedness. No one seems to have applied his mind to what it has in view.

What is this Bill? If we read the clauses which the hon. Home Minister took pains to explain, and if I immediately refer to cl. 21, we find that it is a huge joke. I say that it is making fun of the intelligence of the people sitting in this House.

श्री हुकम चन्द कडवाय : मैं प्राप की व्यवस्था चाहता हूँ । सदन में गणपूर्ति नहीं है ।

Mr. Deputy-Speaker: The bell is being rung—Now there is quorum. Yes, Shri Trivedi.

Shri U. M. Trivedi: As I am pointing out, cl. 21 provides only for the 'following matters in so far as they relate to Delhi'. The Metropolitan Council will only discuss these matters and make recommendations. Are

there deliberative bodies which just discuss matters and make recommendations? What is the function of a deliberative body? In that case, it would have been better for Government to have appointed its own advisory council of certain advisers who will discuss among themselves, be a little more learned people and then make recommendations to Government.

I was just trying to find out if I could get some light from the administration of the metropolis that is London. A vast amount of powers is vested in the London County Council. But there also we have to take note of this picture that for years together, for centuries together, a certain growth has taken and on account of that growth there is a big conglomeration of Acts with which it smoothly tries to run the administration of London. But here we had a certain picture. We had a Legislative Assembly in Delhi. For reasons best known to Government, that Legislative Assembly was done away with. As my friend, Shri Vasudevan Najr, was pointing out, there are so many administrations here.

Shri Kapur Singh (Ludhiana): Since when has he become your friend?

Shri U. M. Trivedi: If you are my friend, he is also my friend.

There are certain administrative units here which exercise certain powers which were mentioned, to which I will add certain municipalities also which are running their own administration within the Union territory of Delhi. But if the whole of the Union Territory of Delhi is to be administered—and that must be the object in view—if local self-government is to be given, if a government is to be provided for autonomous administration of the Union Territory, it is essential that the council, whatever name be given to it, must have greater powers than those of merely deliberating and making recommendations. The power to spend is an essential power for the purpose of every administration. But here their power of spending is taken

[Shri U. M. Trivedi]

away. Here what will they do? They will discuss proposals for undertaking legislation with respect to any of the matters enumerated in the State List or the Concurrent List, the estimated receipts and expenditure pertaining to Delhi which are to be credited to, or is to be met from, the Consolidated Fund of India, then matters of administration involving general policy and schemes of development in so far as they relate to matters enumerated in the State List or the Concurrent List, and so on.

What are these powers? Absolutely no powers have been given for spending a single farthing. If that is the position, why have this body of persons? To be satisfied by merely calling them Rai Sahebs or Khan Sahebs, according to the faith to which they belong, which we have been following so far? If that is the object in view, I should say it could well have been served by merely nominating these persons, Rai Sahebs and Khan Sahebs to run the administration. But if they are to be elected, these Rai Sahebs and Khan Sahebs, I should say that cannot be served this way.

श्री सिद्धेश्वर प्रसाद (नालंदा) :
घब के कहाँ हैं ?

श्री उ० सु० त्रिवेदी : वही तो मैं कह रहा हूँ कि उनको नहीं रखना है। आप कहते हो कि उनको रखो और कानून से रखो।

The question that comes again for consideration is this: Will any administration be worth its salt under these provisions? If out of the two units of law and order, order is not kept in the hands of the Metropolitan Council, will it be worth its salt? Who appoint the police force? Who will recruit the police? Who will administer the police? Who will pay the police? Whose orders will the police copy? All these will be under the charge of another unit. What will be that unit? The Home Ministry. Who will provide the water? The Public Health Department, that

is, the Health Ministry of the Government of India. Who will provide sewage removal facilities? The Corporation. Who will provide for the development of the town? The DDA. Who will provide the finances? The Government of India. How is this hotch-potch of administration going to run?

This Bill has given no satisfaction whatsoever to any party. It has been admitted on all hands that everyone has cried down this Bill as a useless piece of legislation which is not meant for improvement of the Delhi administration in the least.

If there is honesty of purpose behind it, I would say that since Government has ultimately agreed to refer this to a Joint Committee, it is essential that wide powers must be given to the Joint Committee to amend this Bill in such a manner as to give better powers to the Council that is to be formed.

The Metropolitan Council is going to be provided with an executive council. What is the difference between an executive council and a Council of Ministers except that here the nomination is in the hands of the administrator? Whom will he nominate? Will it be left to his choice? Will he create difficulties for the people who are there? Will he be guided by the ordinary democratic principles or will he just do as in Kerala, having Communists one day, PSP the second day, Congress the third day, Socialists the fourth day and so on? Is that going to happen so that the administration cannot run?

It is quite true that Government might have its difficulties. I can visualise that in the metropolis of this country we do require an administration which will be somewhat homogeneous with authority which will vest in the Centre, but if that fear exists in the mind of the Government, it must find some other methods and some other ways of

meeting it, but this is not the way of solving it, namely having a piece of legislation which is not liked by anybody, which is not supported by anybody.

The London County Council, as I was saying, exercises important functions with regard to education, public health, medical and hospital services, public assistance, lunacy, mental deficiency, housing and town planning, embankments, marshy and open spaces, fire protection, licensing of theatres and other places of amusement, protection of food etc. In this case, all these powers are not given to the Metropolitan Council that is being created by virtue of this law. Not one school will be run by the Metropolitan Council, the schools will not be managed by it, the colleges will not be managed by it, the medical colleges will not be managed by it. We have different institutions and different laws already administering the medical colleges. Public health will not be managed by it, it will be interfered with by the Health Ministry of the Government of India. The police force will be administered by the Home Ministry of the Government of India.

In the circumstances, I submit that it is high time that the Government of India took note of the criticism that is being offered today in the House. After all, it is a wise step that the Government has agreed to refer this Bill to the Joint Committee, but in referring it to the Joint Committee, there must be an open mind. There must not be a whip to say that only these provisions shall be acceptable, and not others. The provision that may emanate after discussion in the Joint Committee must be such as may meet the wishes of all the people whom we are going to govern by this. Therefore, the Joint Committee may advertise and publicise it as fully as possible and invite the opinions of those people who are affected by this to give evidence before the Committee, so that proper evidence may be taken

and the Committee might appraise the feelings of the people at large in moulding this law which is for the benefit of the people at large.

It is not sufficient to say that there will be seven Members of Parliament from the Union Territory of Delhi in the House of the People because in the House of the People when matters come up for consideration which are of local importance we say that such subjects which are covered only by the State List or by the Concurrent List are not governed by it.

Peculiar laws are still in existence in Delhi and the laws have not been brought into conformity with the laws which are obtaining in bigger cities of India like Bombay, Calcutta and Madras. It looks as if we are still living very far away from the advanced laws of the bigger cities where enlightened people of India do live. I should say that the people of Delhi cannot be looked upon as very ignorant or backward. The time is now ripe and the present is the time to decide that the people of Delhi are also on a par with the people of the other cities of India. I therefore support this motion for reference to the Joint Committee and hope that proper directions will be given to the Committee for the purpose of coming to the right decision about this Bill.

Shri D. C. Sharma: Here is a Bill called Delhi Administration Bill, 1965. When I read about this Bill, I was reminded of a proverb which I think is known to many hon. Members of this House: beware when all people speak well of you. I think that is true, but its counterpart is also true: beware when all people speak ill of you.

When I look at this Bill, I ask myself: who are its supporters, who are the people that are going to hold this baby, . . .

Shri K. N. Tiwary (Bagaha): Yourself.

Shri D. C. Sharma:... this orphan baby, who are the persons that are going to run this Metropolitan Council? From the accounts that I have been reading in the papers—I think the accounts may be exaggerated, but they are not false—I find that responsible spokesmen of public opinion in Delhi have condemned this Bill. Some of the Members of the municipal corporation have not welcomed it. Every political party has gone the whole hog in order to condemn it. Therefore I say: what is the good of bringing forward a Bill which is not being blessed by anybody? It is like bringing forward a baby whom nobody owns. It may be owned by some cell in the Home Ministry, what that cell is I do not know, but I do not understand why this Bill is being brought forward.

This Bill is being referred to a Joint Committee. The Joint Committee can only give it a kind of face-lift. It can modify a thing here or a thing there, it can change a thing here or a thing there, it can make a few alterations, but it cannot change this Bill out of recognition as I want it to do. I ask the hon. Home Minister one question. If you are going to . . .

बी हुकम चन्व कडुवाय : उपाध्यक्ष
महोदय, मैं आपकी व्यवस्था चाहता हूँ,
सदन में गणपूर्ति नहीं है।

Mr. Deputy-Speaker: The quorum bell is being rung—Now there is quorum. Shri Sharma may continue.

Shri D. C. Sharma: Sir, I was submitting very respectfully that if this Metropolitan Council is so good for Delhi City, why should it not be equally good for other metropolitan cities. It should be equally good for Bombay, it should be equally useful for Madras, it should be equally helpful for Calcutta.

May I ask the Home Minister one question? Why is he treating this Delhi City which has grown out of

all proportion to the expectations of the Government of India, why is he giving this Delhi City such a negative treatment? I think that Delhi on account of its population, on account of its political importance, on account of its being the centre of so many embassies, on account of its growing importance in the world of business and commerce, on account of its increasing importance in the world of education and other things, on account of the wonderful part it is playing in the field of fine arts and other things—I think if there is one city in India which deserves to have a legislative assembly it is this city.

Government may have had some bad experience about the Legislative Assembly that it had constituted some time ago, and it might have developed some allergy to that Legislative Assembly that it had constituted some experience everywhere; we are having this perpetually in Kerala, why didn't we develop some kind of antipathy towards such legislative associations there? No, we have not. Only Delhi has been singled out for this signal honour, and I think it is not in the fitness of things that Delhi should have been singled out for this kind of thing.

My second point is this, that we want in every State as much of uniformity of administration as possible. Too many cooks spoil the broth, and too many functionaries, too many administrative bodies, also spoil the administrative map of a country or State. And here Delhi is going to have a Metropolitan Council. It will have a Municipal Corporation. New Delhi will have a nominated Municipal Committee. It will have an undertaking to run its water supply; it will have some corporation to run its bus services; it will have some kind of undertaking to run its electricity; it will have some kind of an authority to draw up the master plan; it will have some authority to pass the blue-prints of those buildings and all that kind of thing.

May I ask if it would be conducive to the good governance of this city

which is the window piece of India for the whole world? Any body who comes to India first of all visits Delhi, and if he were to know about the administrative set-up of Delhi, I think he will go back very unhappy. I was in Washington for some time. They did not have an elected municipal committee; but now they have done that, and they are going in that direction fast. Why can't we profit by their experience? In London which is the capital of the United Kingdom and which was the capital of a big empire, they have a County Council which has more powers than these metropolitan councils. We want to have a Metropolitan Council which will not have anything to do with these things.

Therefore I say that in the interests of efficiency of administration, in the interests of good government, the Government should try to centralise the authority as much as possible in a legislature, as it has done in the other States of India. There are some States in this world whose population is only three or four lakhs, and they have a representation in the United Nations. And here is a State beneath our very nose which has a population of more than 30 lakhs and we are not giving it that kind of recognition, that kind of legislative recognition, which it deserves.

Shri L. N. Mishra: You want to make Delhi independent?

Shri D. C. Sharma: My third point is this, that it has been given all the paraphernalia of a State legislative assembly—of course, different names have been given. The members of the Metropolitan Council will draw salaries and allowances as the members of State legislative assemblies do; there will be demarcation of constituencies: the members will take an oath; they can put questions; they will have an administrator; they will have a chairman. All the apparatus, democratic apparatus that we give to any State Assembly has been provided here. But somehow the Home Ministry has specialised in calling fight

things by wrong names and wrong things by right names. And what is happening is this, that instead of calling it the Legislative Assembly they are calling it the Metropolitan Council. Where do we find this kind of thing that the members of a metropolitan council could draw salaries and allowances, that their constituencies should be delimited by the Delimitation Commission? All these kinds of things are there. If you are going to make use of all that apparatus which you make use of for State assemblies and other things, why don't you call it a State Legislative Assembly straightway and do something about it, so that the people get not only a kind of shadow government but a kind of firm and real government!

I do agree with my friend Shri Vasudevan Nair that the element of nomination should not have been there. But unfortunately we have nomination in our Lok Sabha also, but that nomination is meant only for a particular minority. Therefore I think that the principle of nomination has been extended to this Metropolitan Council. They will have only five persons who will be nominated. But I do not know what kind of persons are going to be nominated. Scheduled castes . . .

Shri Ansar Harvani (Bisauli): Professors.

Shri D. C. Sharma: Professors will have no chance and professors will not be nominated. But I assure you, the Scheduled Castes will be given due representation, the backward classes will also have due representation. I do not know who these five great men will be who will be nominated. I know they will be the favourites of somebody, some organisation or something, and I am sure they will be those persons who will not be fully democratic in their sentiments, fully democratic in their sympathies and fully conversant with the application of democratic principles. I therefore strongly object to this nomination.

..**Shri Bade (Kharagone):** Congress people will be nominated.

Shri D. C. Sharma: I do not care who is nominated. I know, Jan Sangh people will be nominated. But I know what kind of persons they are and I therefore take objection to this principle of nomination all along the line. We have the rules of procedure. What would you think of the Lok Sabha if the rules of procedure were to be determined by two authorities, one the Speaker and the other the President or somebody else. Here we are going to play with these rules of procedure by saying that some will be approved by the Metropolitan Council and others will come within the purview of the administrator. We tried dyarchy in this country in 1920 and we miserably failed and I think the experiment of 1920 is going to be repeated in Delhi in the year 1965, 45 years after that. That has taught us nothing; we have learnt nothing and we have forgotten all we learnt. This kind of dyarchy must go.

Two minutes more and I will sit down, Sir.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri D. C. Sharma: You have rung the bell and I am an obedient servant of yours. I do not think the governor of any State enjoys so many powers as this administrator. What is this administrator? I think our President does not enjoy so many powers and rights as this administrator. From where are we going to get this administrator? Is he going to sit like the albatross in the Ancient Mariner by Coleridge? Here albatross is the administrator and the Ancient Mariner is the Metropolitan Council. Why are you giving so much authority to the administrator? You are giving this administrator a combination of administrative functions of the President and the Governor and every body else when the President's

rule comes into being. You should not do that. The administrator should not have the veto power over everything.

Mr. Deputy-Speaker: The hon. Member should conclude.

Shri D. C. Sharma: One sentence and I will sit down. I thank the hon. Home Minister for this great mercy. What is this mercy? The number of seats for Parliament had been increased from five to seven. I thank God for it; I thank him for it. But do you mean to say that the increase of two members so far as Parliament is concerned will write off all the disadvantages that will accrue to the city of Delhi on account of the Metropolitan Council Bill. I do not think so. Can these seven Members write off all the sins of omission and commission of this Bill? Why do you make the permanent citizens of Delhi and also we who are temporary citizens of Delhi a laughing-stock of the world? You are giving Delhi neither a good government nor good legislative powers nor good democracy nor any other kind of thing.

One sentence more.

Mr. Deputy-Speaker: You have already said three sentences.

Shri D. C. Sharma: I do not know why we are going to waste so much of money on this municipal toy, on this municipal gadget which is going to do no good to the citizens of Delhi or anybody else and is going to be a model of democratic failure in this country in this metropolitan city of Delhi. This Bill is not what it should have been and I feel very unhappy about it because I have to spend 8 months in a year in Delhi.

श्री जयू लिववे (मूंगेर) : उपाध्यक्ष महोदय, प्रसन्न में इस विधेयक का ढांचा इतना खराब है कि इस विधेयक को रद्दी के टोकरे में फेंक देना चा हिए। इसमें केवल संशोधन और तरमीम करके इस ढांचे को नहीं सुधारा जा

सकता है। प्रभवल तो मेरी मांग यह है कि नन्दा साहब इस विधेयक को वापस लें। केवल संयुक्त समिति के पास, या हमारी प्रवर समिति (सिलेक्ट कमेटी) के पास भेज कर इस विधेयक को खामियां दूर नहीं हो सकती हैं।

सबसे पहले मैं यह प्रश्न करना चाहता हूँ कि केन्द्र-शासित इलाकों और बाकी राज्यों में फ़र्क किया जा रहा है और केन्द्र-शासित इलाकों के साथ बिषम व्यवहार किया जा रहा है। जहाँ तक जनतन्त्र का सवाल है, मेरी यह मांग है कि जैसे राज्यों में सम्पूर्ण जनतन्त्र की प्रस्थापना की गई है, उसी तरह केन्द्र-शासित इलाकों में भी पूरी जम्हूरियत की व्यवस्था कायम करनी चाहिए।

जहाँ तक मणिपुर और हिमाचल प्रदेश आदि इलाकों का सवाल है, वहाँ विधान सभा आदि का कुछ ढांचा बनाया गया है, लेकिन उस में भी जो राज्यपाल हैं, या केन्द्र के प्रतिनिधि हैं, उनके हाथ में बहुत ज्यादा ताकत है और वहाँ की प्रतिनिधि संस्थाओं, विधान सभाओं, के हाथ में बहुत कम ताकत है।

दिल्ली के लिए जिस राजधानी परिषद् का गठन किया जा रहा है, मेरी राय में उस को बम्बई की महानगर पालिका से बहुत कम अधिकार दिये गए हैं—किसी भी नगरपालिका से कम अधिकार दिये गए हैं। प्रसल में हर विधान सभा के सामने तीन बड़े मसले रहते हैं, उनको तीन बड़े अधिकार होते हैं : एक, कानून बनाने या कानून लागू करने का; दूसरा आमदनी और खर्च के बारे में क़िसला करने का और तीसरा, विकास योजनाओं बतौर के बारे में निणय लेने का। इस विधेयक की धारा 21 में कहा गया है कि केवल सिफ़ारिश करने का अधिकार राजधानी परिषद् को दिया जायेगा, यानी उसके बारे में पहल करने या क़िसला करने का अधिकार शासक के हाथ में रहेगा और शासक का मतलब साफ़ है...

और हुकम चम्ब कछवाय : उपध्याय महोदय, मेरा व्यस्यः का सवाल है। सदन में गणपूर्ति नहीं है।

उपाध्यक्ष महोदय : बंटी बजाई जा रही है—अब कोरम है। माननीय सदस्य अपना भाषण जारी रखें।

और मधु लिवये : मेरी यह मांग है कि दिल्ली में विधान सभा का निर्माण किया जाए, उसको पूरे अधिकार दिये जाँ, और इसके लिए आवश्यक हो तो संविधान में भी तबदीली की जाए।

इस विधेयक का जो हमारे सामने मस्विदा है उसकी तीसरी धारा की धोर में प्रापका ध्यान दिलाना चाहता हूँ। तीसरी धारा की तीसरी उपधारा में कहा गया है कि केन्द्रीय सरकार को पांच व्यक्तियों को नामजद करने का अधिकार है। यह नामजदगी का सिद्धान्त मेरी समझ में नहीं आता है। नामजदगी का मतलब यह है कि इन लोगों को यन्त्री मन्त्रियों को अष्टाचार फैलाने का अधिकार प्राप देते हैं। इसलिए नामजदगी के सिद्धान्त को बिल्कुल खत्म कर दिया जाना चाहिये। हर जगह के लिए चुनाव होना चाहिये। इसके मैं बहुत खिलाफ हूँ और केन्द्रीय सरकार को किसी भी सदस्य को नामजद करने का अधिकार नहीं दिया जाना चाहिये जो चुने जायं वही सदस्य बनें।

अनुसूचित जातियों के लिए आरक्षण का जो इन्तजाम किया गया है उसका मैं स्वागत करता हूँ। लेकिन उसके साथ साथ मैं यह चाहता हूँ कि दूसरे जो पिछड़े वर्ग के लोग हैं और धीरते हैं जिनको जानबूझ कर समाज द्वारा पिछड़ा रखा गया है, उन सब लोगों को अनुसूचित जातियों समेत विधान सभा के पचास सदस्यों में से कम से कम तीस की संख्या में स्थान मिलना चाहिये। पिछड़ी, अनुसूचित जातियों धीरते आदि को मिला कर कम से कम तीस सदस्य इनमें से होने चाहियें। यह मेरी

[श्री मधु तिमये]

मांग है और मैं चाहता हूँ कि इस मांग के अनुसार इस विधेयक में संशोधन किया जाए।

इसके लिए जो कार्यकारिणी बनेगी, उस कार्यकारिणी के लिए मैं यह इन्तजाम चाहता हूँ कि उसका जो प्रमुख होगा, उसका चयन या उसकी नियुक्ति जो वहाँ के शासक हैं वह करें और उनकी राय के अनुसार बाकी सदस्यों का चुनाव किया जाए। साथ साथ यह जो कार्यकारिणी बनेगी वह पूरी तरह जिम्मेदार होनी चाहिये और जब तक उसको विश्वास हासिल है राजधानी परिवर्तन का, तब तक इस कार्यकारिणी को सत्ता में रखना चाहिये, उसी तरह से जैसे राज्य के स्तर पर या केन्द्र के स्तर पर है।

श्री बजराम सिंह (बरेली) : शासक क्या होता है ?

श्री मधु तिमये : एडमिनिस्ट्रेटर जो शासन करने वाला है वह शासक। मेरी तो हिन्दी ऐसी ही है। बाजारू हिन्दी है मेरी।

इसलिए जिम्मेदाराना हकूमत का जो उमूल है उसको दिल्ली के क्षेत्र में भी लागू किया जाना चाहिये।

सात लोक-सभा सदस्य चुनने का अधिकार दिल्ली को दिया गया है। एक बहुत घातक प्रवृत्ति देश में फल रही है। जो छोटे छोटे इलाके होते हैं उनके प्रतिनिधियों की संख्या बढ़ाई जाती है, लोक संख्या के या आबादी के अनुपात में नहीं। उसका कारण मुझे यह लगता है कि कांग्रेस पार्टी सोचती है कि ऐसे जो केन्द्र शासित इलाके हैं, वहाँ सरकार को ज्यादा अधिकार हैं, वहाँ जनतन्त्र पन नहीं पाता है, इसलिए ऐसे इलाकों को अगर ज्यादा प्रतिनिधित्व दिया जाता है तो उनका यह ब्याल है, उनकी यह उम्मीद है कि कांग्रेसी लोग ज्यादा जीतेंगे। इसलिए उनको ज्यादा प्रतिनिधित्व देने की कोशिश की जाती है। इसकी आवश्यकता नहीं है। इसके लिए मैं

इलाज बता रहा हूँ। इसके लिए इलाज यह है कि वहाँ पर पूरी तरह जनतन्त्र की प्रस्थापना हो, वहाँ की विधान सभा को पूरे अधिकार दिये जायें, जैसे राज्यों की विधान सभाओं को हैं। उसका इनाज यह नहीं है कि लोक सभा में उनके लिए ज्यादा प्रतिनिधित्व आप दें। इसका कारण यह है कि लोक सभा में जब आप ज्यादा प्रतिनिधित्व उनको देते हैं तो उसका साफ मतलब लेना है कि कांग्रेस पार्टी जो आज यहां दो तिहाई के बहुमत में है, वह अपने उस बहुमत को और बढ़ाना चाहती है और उसको बढ़ा कर वह अपने हाथ में इतनी ताकत रखना चाहती है कि हमेशा के लिए अपने बल पर वह घाईन में भी परिवर्तन करवा ले। मुझे उम्मीद है कि अगले चुनाव में विरोधी दल ऐसे इन्तजाम करेंगे जिससे केन्द्र में अगर कांग्रेस का बहुमत हम खत्म नहीं कर पाते हैं तो कम से कम कांग्रेस का आज जो बहुमत सत्तर फीसदी है है उसको घटा कर 50 या 51 तक ले आयें। मेरा निवेदन है कि दिल्ली के लिए इस तरह प्रतिनिधि बढ़ाना जनतन्त्र को फैलाने का मार्ग नहीं है। यदि आप उसको फैलाना चाहते हैं तो उसके लिए आपको चाहिये कि वहाँ पर आप विधान सभा की प्रस्थापना करें और जो नामजदगी का सिद्धान्त है, उसको खत्म करें और उस विधान सभा को पूरे अधिकार दें। यह मैं समझता हूँ अच्छा इन्तजाम होगा। ।

ये मोटी बातें हैं जो मैं इस वक्त कहना चाहता था। असल में मेरी राय में इस विधेयक को वापिस लिया जाना चाहिये। लेकिन अगर वह नहीं होता है तो इसको जो संयुक्त समिति के सामने रखने की बात है, उसकी मैं तार्ई करता हूँ। उसको भी अगर नहीं किया जाता है तो इसमें परिवर्तन कराने की हम शूर कोशिश करेंगे। अगर पूरे विधेयक का विरोध करना ऐसी हालत में मैं अपना कर्तव्य समझता हूँ।

Shri Balakrishnan (Koilpatti): Mr. Deputy-Speaker, Sir, I would like to bring to the notice of the Home Minister certain points which are related to the representation of Scheduled Castes. Clauses 32 and 33 of this Bill provide that pending the constitution of the Metropolitan Council and the Executive Council, an interim Metropolitan Council and an interim Executive Council shall be formed. The interim Executive Council and the Interim Metropolitan Council are going to be elected through the electoral college. While election is being made through and from the electoral college, there is no provision made for the representation of Scheduled Castes. There is no such provision in clauses 32 and 33. The electoral college may or may not like to elect Scheduled Caste people to the interim Metropolitan Council. So, it is very necessary that this omission is corrected even at the stage of the Joint Committee.

The people belonging to the Scheduled Castes suffer very much for want of even elementary amenities. Unless there is proper representation in the Executive Council, there is no help to the Scheduled Castes. So, I request that representation be given to the members of the Scheduled Castes. Just as they are giving representation to the Scheduled Castes in the Metropolitan Council, they should give representation to the Scheduled Castes in the Executive Council also.

Mr. Deputy-Speaker: He can continue on the next day.

14.58 hrs.

MOTION RE. FIRST ANNUAL REPORT OF CENTRAL VIGILANCE COMMISSION

Dr. L. M. Singhvi (Jodhpur): Sir, before my hon. friend Shri Yashpal Singh moves his motion, I would like to request you to put it to the House

whether it might not be appropriate to extend the time allowed for this discussion. It is such an important discussion and the allotment of a mere two hours may at best fulfil the formality but it will not really enable us to perform the function. I have written to the hon. Speaker and he has also agreed that this would be taken up at the proper time.

श्री बुजराज सिंह (बरेली): सिपबी साहब के प्रस्ताव का मैं भी समर्थन करता हूँ। मेरी इच्छा यह है कि हाउस से पूछ लिया जाये, हाउस की राय ले ली जाये और इसके लिए समय जरूर बढ़ाया जाये।

श्री मधु लिमये (मुंगेर): घोर दो घंटे का समय बढ़ा दिया जाये।

श्री हुकम चन्द कछवाय: चार घंटे बढ़ाया जाये।

Mr. Deputy-Speaker: How much time would you require?

श्री मधु लिमये: दो घंटे घोर बढ़ा दिये जायें।

Shri Vidya Charan Shukla (Mahasamund): After you see the trend of the debate, you may decide it later on. If it becomes necessary, we might consider the extension of time then.

श्री मधु लिमये: नहीं, इसको बढ़ाया जाये।

श्री यशपाल सिंह (कौरान): मेरे सामने जो प्रस्ताव है, वह संघर्षी में है और उसको मैं घ्राप की घ्राजा से पढ़ देता हूँ।

"That this House takes note of the First Annual Report of the Central Vigilance Commission laid on the Table of the House on the 30th August, 1965."

इतनी उम्मीदों के साथ हम ने इस कमीशन को देखा था, लेकिन वह पूरी नहीं हुई है।