

18.00 hrs

CONSTITUTION (SEVENTY-SECOND AMENDMENT) BILL

(Insertion of new Part IX) as reported by Joint Committee)

AND

CONSTITUTIONAL SEVENTY-THIRD AMENDMENT BILL

(Insertion of new Part IX A) (As reported by Joint Committee - *CONTD.*)

[Translation]

SHRI KASHIRAM RANA: Sir, I was talking about as to who should audit the accounts of the local bodies. Since such a provision is being made in the Amendment Bill, the hon. Minister should think as to how to remove the difficulties of local bodies. This is a serious matter, because without funds there will be no developmental work. I submit that efforts should be made to make provision for it. So far as the deliberations made in All India Mayors' Conference and Local Bodies Conference and appointment of a Financial Commissioner are concerned, suitable provisions should be made in this regard.

Mr. Deputy Speaker, Sir, the intentions of the 72nd and 73rd constitutional amendments Bills for devolving powers to Panchayats and Municipalities are good, but these are never implemented practically. Intention are good upto the time the Act is passed. In the same manner, arguments are made that the Bill has been introduced for the welfare of people, but in practice, this it does not happen so. I am afraid these two amendments should not meet the same fate affecting poor people. Some people live in slums. They need various facilities. Suppose there is a need to construct goods roads in a village or city, then power will have to be devolved to local bodies. This will make people feel that they have their self-Governments and it is their own rule.

Mahatma Gandhi also had that common people should have a share in democracy. If it is not so, it will be a matter joke among the commonman.

Mr. Deputy Speaker, Sir, finally, I would like to say that benefits of various provisions made in the amendment Bill will be received only after the requirements of funds is met. The State Governments should be asked not to interfere with local bodies, if any, run by Opposition Parties, so, that they may function according to law and then only this amendment will become meaningful.

With these words, I conclude.

[English]

MR. DEPUTY SPEAKER: There was some confusion in the beginning that the English version has come up in regard to the Constitution (Seventy-Second) Amendment Bill but the Hindi version has not come up. That was the objection raised by the hon. Members.

The office people have confirmed that on 14th of July both the versions have been circulated. To verify it, I have got both the books which indicate, it was circulated on 14th of July

[Translation]

SHRI MOHAN SINGH (Deoria): You might be having, but I do not have. The same thing is being repeated again and again.

[English]

MR. DEPUTY SPEAKER: If you see the bundle, you will find it there. To get it verified, I have brought both the versions here.

[Translation]

SHRI MOHAN SINGH: It should be accepted that mistakes are committed. We have made an appeal that it is of no use to repeat that mistake.

[English]

18.04 hrs

**SHRI PAWAN KUMAR BANSAL**  
(Chandigarh): Mr. Deputy Speaker, Sir, in the history of mankind, democracy as it is understood today, is of comparatively recent origin. But it does owe its evolution to the concept of Panchayat enunciated and practiced in our ancient Indian society. We have always regarded the decision of any five persons as the dictum of God and the words *Panch Parmeshwar* have been engrained in our ethos since time immemorial. Our ancient 'Village System' was, however, disturbed severely and democratic traditions eclipsed by a prolonged interregnum of aggression and foreign rule prompted by commercial interests. To restore it and infuse life therein, Mahatma Gandhi while leading the freedom struggle, advocated the inception of village republics in free India. The framers of Constitution included therein a Directive Principle of State Policy under Article 40 for organising village panchayats as units of self-government but so far, these have functioned only as a weak limb of our body political. These have never been taken seriously even by a petty official, thus negating the very spirit which moved the Father of the Nation.

Today some of the States claim to have devolved power to local bodies but we find that all such power is drawn back to the State Government through a Minister in charge of municipalities and panchayats and with his veto power, these institutions have always remained emaciated and the members thereof have been ignored and slighted with inversely proportionate powers vesting in the hands of unresponsive bureaucratic and arrogant politicians. To rectify the situation, to make democracy vibrant and meaningful to every citizen of the country and to accelerate the pace of development, the last Congress Government, headed by Shri Rajiv Gandhi made earnest endeavours in this regard and moved two Bills to amend the Constitution so that Constitutional sanctity could be guaranteed to the Panchayat Raj

institutions and the Nagar Palikas. (Interruptions) But the political compulsions of our friends on the other side led them to reject those Bills in Rajya Sabha. We then missed an opportunity to come up to the aspirations and hopes of the people. The people's expectations of a systemic change in the administration and the delivery system were shattered. An effort to involve people in their development suffered a set-back. But standing by the principle of Shri Rajiv Gandhi that it was only by giving power to the people, by making them participate in the democratic processes of the country, by making them arbiters of their own destiny, their own future, could India prosper. The present Government under Shri P.V. Narasimha Rao took upon itself as the first task to ranging undertake wide consultations so as to arrive at a consensus I am indeed very happy to say that when these two Bills were referred to two Select Committees of the two Houses of Parliament, the Members once again did cut across party lines and presented the Report to this House recommending the passing of these two Bills.

Public opinion has impelled us all to support these measures now.

Sir, I am happy to observe again that the paranoia which gripped some of our hon. friends sometime back does not do so now. It was indeed very heartening again to see that the two Select Committees went a step further than what was really before them. One very important provision of the earlier two Bills which was, missing from the present two Bills related to the District Planning, to setting up of the District Planning Committees and the Metropolitan Planning Committees and was included in our Report on the basis of the consensus arrived thereat. This, I feel, was, in fact, the spirit of the two earlier Bills. I am happy that hon. Members from the other side found merit in that. Maybe, some political compulsions at that time led them to reject the Bills. But they saw the writing on the wall. I would say that they appreciated the feelings of the people and decided to make those recommendations to the Parliament.

Sir, Entry 5 of the Schedule Seven of the Constitution confers exclusive jurisdiction on a State Legislature to enact law relating to local Government or village administration. In this case, this power is left completely untouched, as it was done then. The amending power of Parliament under Article 368 alone is invoked to introduce some minimum standard of uniformity in the system and to strengthen the institutions of local self-Government.

These two Bills seek primarily to elaborate upon Article 40, to give constitutional mandate to the Institution of Panchayati Raj rather than only paying lip service by treating it as a Directive Principle of the State Policy. They seek to ensure that elections to Panchayats and Municipalities are held regularly and to see that the whims of the local State bosses do not lead to the supersession of the Municipalities and Panchayats for more than six months, appropriate provisions have been made in these two Bills. They have rightly found favour with all sections of this House.

Another very important feature which we found in the earlier two Bills and has been reiterated in these two Bills is to provide adequate representation to women and Scheduled Castes and the Scheduled Tribes. The hon. Member from the BJP who initiated the debate rightly lamented the lack of resources that the Municipalities and the Panchayati Raj Institutions face. It is in these two Bills - I am sure he must have gone through these as it was in the earlier two bills, that provision is made for the setting up of the State Finance Commission which would review the financial position of the Panchayats and the Municipalities and make appropriate recommendations about the assignment, appropriation and distribution of resources through different means. It is here I would again like to place on record my appreciation for the keen interest which the Chairman of the two Select Committees took.

And since I had the opportunity to work in the Committee relating to the 73rd Amendment, I must appreciate the efforts

made by our Chairman Shri K.P. Singh Dec, to see that even Article 280 of the Constitution is amended. That was not strictly in the terms of reference. We have seen that henceforth, if you really want to ensure that the institutions of local self-government are veritable vibrant institutions of democracy are able to deliver the goods to the people their and come up to the expectations of the people, then financial powers have to be vested in them. And it was with that aim in mind that we recommended amendment of Article 280 of the Constitution and a new clause (3) has been added in this amendment Bill which says that a new sub-clause (c) would be added to the Article 280 (3) to say that one of the functions of the Central Finance Commission will be to recommend.

"The measures need to augment the Consolidated Fund of State to supplement the resources of the Municipalities in the States on the basis of the recommendations made by the Finance Commission of the State shall be one of the functions of the Central Finance Commission."

This is a very very important provision which I am confident would go a long in improving the working of the municipalities, as also the panchayats in our country. (Interruptions) Our hon. friends from the other side are very quick to rise on their feet whenever it comes to even the slightest imaginary notions of some or infringement of or making inroads into the powers of the States but they are always, I do not know for what reason, expecting the centre to, bring money from their air and disburse it to them so that they can indulge in all sorts of profligacies there.

The other very important aspect of these two Bills to which I made a reference just now when I was speaking about the working of the two Select Committees is that we have recommended the setting up of District Planning Committee, as also Metropolitan Planning Committee, to prepare a consolidated and integrated draft development plan for whole of the district in

[Sh. Pawan Kumar Bansal]

the case of District Planning Committee and even for two districts where the metropolitan area of about 20 lakh people spread over to more than one district. In that case an integrated plan for even more than one district will be prepared on the basis of the plans to be prepared by the municipalities and the panchayats by taking a reasonable number of members on these two Committees from both the panchayats and the municipalities falling within that area.

These are very important provisions because what we have seen from the past is that our planners today, despite their expertise and best intentions are to fully aware of the needs and are not really receptive to the peculiar local problems of our remote and inaccessible villages.

Sir, the Congress Government headed by Shri Narasimha Rao ji, like the earlier Congress Governments have an earnest desire to give power to the people, to involve the local bodies in the planning process and this desire finds manifestation in these two Constitutional Amendment Bills. This measure is revolutionary and symbolises the resurgent Indian democracy. I do not know why my friends were finding it difficult to agree with that.

Sir, with utter humility I would submit that these two Bills reflect eloquently the political will of the Congress, the commitment of the Congress to take the decision making power out of the hands of a few and to veritably decentralise the same and to make every citizen participate and enjoy the fruits of democracy through the swaraj of Mahatma Gandhi's vision. These Bills veritably reassert the relevance of Mahatma Gandhi today. Beyond providing these few important constitutional measures and safeguards to rejuvenate and to truly democratise the functioning of the Panchayats and Municipalities, these two Bills leave everything else to the State Legislatures and Governments to work upon. It is the State Legislatures which are charged with the responsibility and are assigned the right to

enact their respective laws on Panchayats and Municipalities in true spirit of the new provisions now sought to be enshrined in the Constitution.

I saw a note of dissent to the Reports. Perhaps it is the addition of these two Schedules, that is 11 and 12 Schedules, and misconstruction of the provisions there of which have given rise to some sort of unfounded fears of may be, losing power in those States where some of our friends happen to govern today. When they ask for more powers for the State, it is just enigmatic to see that or friends fear shedding some power to the local bodies in the form, of Municipalities and Panchayats. These two Schedules do not arrogate the power to the State. That is what I want to submit. These do not intend to take away any power of the States, but have only enumerated the matters about which the local bodies are more concerned and can be better equipped to take upon themselves the implementation of schemes for economic development and social justice.

There can be no denying the fact that we cannot alter the basic structure of the Constitution and here we have not at all ventured on that. These bills in fact seek to fortify the basic structure of the Constitution. The basic structure of the Constitution is reflected in our Preamble. The strong edifice of our society is built on the firm foundation of democracy, secularism and socialism. The decision of the Government, the anxiety of this Government to enact these two constitution amendments at the earliest is reflective of our desire to further strengthen these principles though these institutions of local self-government in the form of Municipalities and Panchayats.'

Though the Bill relating to the Panchayats provides for a three tier system depending upon the needs of a particular State-in a State with a population of less than 20 lakhs there need not be an inter-mediate level Panchayat - yet it is heartening that this tier system has been introduced, as it was done in the earlier Bill relating to Nagarpalika, in the case of Municipalities also because a

provision has been made that in bigger cities there will be even ward committees. That is to ensure the participation of the people at the grassroot level. People belonging to a particular locality know what is their basic need and for that purpose they would get together to decide as to what has to be done for them on priority and what can wait for a subsequent date. This, I think, would ensure greater participation of the people and offer them opportunity to harness their potential for the public weal. Once these provisions are granted constitutional recognition, they would eliminate any chance of, what I said earlier, whimsical supersession of Municipalities and Panchayats. It will effectively provide an opportunity to the people of even Union Territories like Chandigarh to involve themselves in the constitution of a corporation to manage their affairs. It is heartening that the two joint committees have recommended to the Parliament that the provisions of these two Bills shall apply to the Union Territories; and if the President feels that certain provisions have to be applied with certain modifications, that alone could be done. So, no person sitting anywhere could take a decision to deprive the people of the Union Territories of these salutary provisions as has been done in the past.

Sir, I would like to take this opportunity of congratulating the two hon. Ministers for bringing forward these two Bills before us. I am confident that since these Bills have passed through various stages, various stages of interaction and consultations, they will find out right approval.

Before I conclude, I would only very briefly like to refer to the amendments, the official amendments, which have now been circulated. I find that as far as the provision relating to the setting up of a Finance Commission is concerned the Government may have rightly considered the desirability of providing that the Finance Commission set up under Article 243-I in case of the Panchayats could very well do the job in case of Municipalities also. Sir, it is not more with the substance, but with the form that I have

a little difficulty in understanding. Since we are framing the Constitution, we have to see to it. The amendment that I find to Article 243-I is:

" Clause 1. The Finance Commission referred to in Clause (2) shall review the financial position of the Municipalities and make recommendations to the Governor as to..."

Then Clause (2) is sought to be incorporated in the following form:

" The Finance Commission constituted under Article 243 shall be the Finance Commission for the purposes of clause 1".

Sir, I think these two could be merged and this could just read — I make that attempt.

" That Finance Commission constituted under Article 243(i) shall also review the financial position of the Municipalities and make recommendations to the Governor as to..."

The only other point is this. I would like to submit to the hon. Minister that it was after a lot of deliberation that we decided that the Finance Commission should also be charged with a responsibility of looking into the financial position of the Municipalities and suggest measures needed to improve the financial position of the Municipalities. Now, I find that the Government perhaps wants to remove this clause. I suggest that this Clause should remain. One could find some rationale in removing the Sub-Clause (c) of Clause (1) of Article 243 -I, as reported by the Joint Committee which could, in a given case, lead to some problem. I suggest that that could go, as the hon. Minister wanted that the amendment be brought about. But, I suppose Sub-Clause (b) should remain, with some consequential changes here and there, that may be required. I would urge the hon. Minister to withdraw those amendments so that one important point on which we had a very lengthy discussion remains and finds place in the Constitution.

[Sh. Pawan Kumar Bansal]

With these words, I feel genuine pleasure in commending these two Bills and in extending my whole-hearted support to these Bills.

[Translation]

SHRI MOHAN SINGH (Deoria): Mr Deputy Speaker, Sir, I would like to thank the Government for presenting 72nd and 73rd Constitution Amendment Bills before the House for its consideration.

The Autonomous Bodies and Local Bodies played an important role during the national movements and all the national leaders including Pt. Jawahar Lal Nehru started their political career from the elections to the municipal committees. Pt. Jawahar Lal Nehru started his political career by contesting election to the Allahabad municipality. From Deshbandu Chitranjan Das to Shri Vithal Bhai Patel and to Liyakat Ali all were associated with the politics of local bodies. I very well remember that chapter of the history when Allahabad municipal committee decided and Pt. Jawahar Lal Nehru declared that national flag would be hoisted on 26 January which was national day and the commissioner desisted him from doing so and he was arrested. A national movement was started from there and people used to learn the first lessons of politics through the elections to the Local bodies. In British rule elections to the local bodies were held for a fixed time and were held within that period only

I very well remember that the elections to the local bodies were contested between the leasers supporting Government and leasers of there National movement and those elections were generally like a political training and a political process. In 1937 the Uttar Pradesh Legislative Assembly made an Act in the form of Panchayat Raj Act. When for the first time the Congress Government was formed in Uttar Pradesh with Premier as head of the State. At that time also the election to the post of chairman of District Council was held through direct

election. When India got independence, ne constitution was framed and we left the local bodies on the mercy and grace of the State Governments. The main reasons is and with all the respect and due apology I will say that the Chairman of the Drafting Committee of the Constituent Assembly hon. Dr. Bhim Rao Ambedkar was not committed to strengthen the local bodies, therefore he had two apprehensions in his mind. The first was that he was not connected with the main stream of the National Movement and the second was that he was always afraid and doubtful about the role of the backwards in the local bodies. Had he been alive today he would himself have introduced this amendment in the Constitution and would have tried to create the strength and awareness in the backward castes and would see with his own eyes that how much these classes have strengthened through adult franchise and how their leadership potentiality has developed by giving them that right at local bodies level. He himself would have seen that the section 40 of directive principles in the Constitution of India which has been included as a compromise, probably would have been as an essential section of the constitution in the Constitution Dr. afting committee of the Constituent Assembly itself. It would not have been as a provision under the directive principles.

The Government has left the local bodies on the mercy of the State Governments. What is its outcome. The State Governments enacted laws, constituted Municipal Committees, enacted Panchayati Acts but even today the head of the Panchayat or Sarpanch is on the mercy of the Government. If any complaint is there against him, a Sub-divisional Magistrate dismisses and elected Pradhan of a Gram Panchayat. I don't understand what sort of democracy is this.

**Balwant Ray Mehta** Committee submitted its report in 1957. After that a campaign was launched when Janata Party Governments were formed in 1977. State Government should enact laws so that election to the local bodies be conducted after every five years and people's representatives elected directly on the basis

of adult franchise may come in the district boards, Block Development Committees and Gram Sabhas. For the first time the Government of Uttar Pradesh introduced this amendment in 1977 and at that time on the basis of recommendation of Balwant Ray Mehta Committee the Government of Uttar Pradesh had conferred right to vote to the youths of 18 years to elect representatives for local bodies. At that time I had been a member of Uttar Pradesh Legislative Assembly and that amendment was also given to the Select Committee. We had made a rule that the Chairman of the district board should also be elected directly on the basis of adult franchise on the basis of the right to vote at the age of 18 years. Shri N.D. Tiwari Government changed it and held the election of the Chairman of the district board indirectly. But even today the Gram Sabhapati is elected directly. I would like to congratulate this Government for giving constitutional status to the office bearers of the local bodies particularly to the Gram-Pradhan and members of municipalities. But it is true that local bodies cannot serve local people to the extent what it should have, due to lack of resources.

Sir, through this amendment a very reasonable suggestions has been given that the Governor will have the right to appoint a finance commission for the expansion of their financial rights and that will be reconsidered. It is also a welcome step, but I would like to tell my colleagues that it is not sufficient. Just now one of my friends said that through it the ideology of Gandhiji will flourish in the country. I am not ready to agree that India of Gandhiji's dream will become a reality merely by making the amendments. Gandhiji had said a clear thing about the villages in Hindu Swaraj. I would like to mention that. Gandhiji said

[English]

" My idea of village swarajya is that it is a complete republic independent of its neighbouring on its vital wants and yet interdependent for many others in which independence is a

necessity. Thus every village's first concern will be to grow its own crop and cotton for its clothes. It should have reserve for its cattle, recreation and playground for adults and children. If there is more land available, it will grow useful crops including ganja, tobacco, opium and lime. The village will maintain a village theatre, school and public hall. It will have its own waterways ensuring clean supply. This can be done through controlled wells and tanks. Education will be compulsory up to the final basic course. As far as possible, every activity will be conducted on cooperative basis. There will be no caste system as we have today with graded untouchability. Non-violence with its techniques of Satyagraha and non-cooperation will be sanction of the village community."

[Translation]

Gandhiji's vision about villages was so complete that the villages would not have to depend on others. All the essential things of its needs will be available in the village itself. Education will be compulsory for all and there will be no untouchability. Gandhiji had expressed all these things in his concept of Gram Swaraj but if the Government want to fulfill this great objective by two constitutional amendment, I think it will not become a reality. Therefore to make the India of Gandhiji's dream, it will have to be expanded. I think that the Government has taken limited steps and it should be expanded and the Government can proceed forward in fulfilling the dreams of Gandhiji if more rights are given to the villages. When Constitution of India was being drafted in this inaugural speech the Chairman of the Constituent Assembly Dr. Rajendra Prasad assumed and he wanted that the structure of the Government of India should be adopted in a form of a pyramid.

The Centre should be at the top with limited powers. But the feeder units i.e. the States should be made more stable and

[Sh. Mohan Singh]

strong. At the time of dedicating the Constitution of India to the people, he had said with great anguish that the pyramid of the conception with which the foundation of the Constitution was laid, has since reversed. The Centre came to top and the villages went to the bottom. The Centre commands authority over the villages and all other institutions at the lower level have been destroyed. He had said this to the architects of our Constitution and to the people of our country at large while dedicating the Constitution.

Mr. Deputy Speaker, Sir, the hon. Minister belongs to Andhra Pradesh. The hon. Prime Minister also comes from Andhra Pradesh. The leader of Madras Presidency in the Constituent-Assembly had laid maximum stress on this provision. I remember Shri Anantha Sayanam Ayyanger, Shri N.G. Ranga who is still alive, Shri K. Santhanam and Shri T. Prakash on whose strong request, Shri Ambedkar had perforce to concede it and accept it as an amendment. It was K. Santhanam's amendment. As a result of the above comprise, it was incorporated in the Directive Principles of the Constitution. No other provision was incorporated. He had made a strong plea for this. I am glad that the hon. Prime Minister is following that tradition and paying true homage to his predecessors, but it should be made more broad based. With this expectation, I support both the Constitutional Amendments and expect that the Government would present a abroad model after adopting these amendments. All local bodies, the three tier system, right from the Gram Sabha, the Block Development Committees, Zila Parishads, and Metropolitan Councils should be included in the said model and it should be circulated by the Central Government to all State Governments.

I would like to make a suggestion in this regard. The Uttar Pradesh Government had prepared a model in 1977. That should also be gone through in detail. It provides that there would be direct election at the village

level, in the block development committee and also in the Zila Parishads. They would enjoy separate powers. But the State Governments could dissolve them any time since they did not enjoy statutory sanction. Some of our friends said that there should be indirect election for the post of Gram Pradhan. I would like to request those of my friends to give it a second thought. I would like to make it clear to the hon. Minister that if indirect election is started or encouraged at the lower level then the same thing will happen at the village level that we come across daily. In Uttar Pradesh direct election is held for the post of chairman of the municipalities having one lakh of population. But at the time of the election of the Mayor in big cities, each corporator's demand for landing support ranges from Rs. 50,000 to Rs. 2 lakh. Do you want the same thing to take place at the lower level in the election of the Gram Pradhan, so that the influential people could buy the panchs of the Gram Sabha by money and make themselves sit on the chair. If you want participatory democracy and true involvement of people, and want to stop payment of money at the lower level then it can happen only when election is held direct at the village level. In this way we will be able to fulfill the dreams of Mahatma Gandhi which the architects of our Constitution could not fulfill, by holding direct elections at the lower level. With this the backward classes and the poorest of the poor can establish their leadership in the village on the strength of their single vote. It is a big thing. Therefore, I fully support direct elections at the lower level. Sir, through you, I would like to remind the hon. Minister that the erstwhile socialists had boycotted the Constituent Assembly. Remembering the forefathers I admit that they had not done the right thing in this regard. Had all the members of Constituent Assembly been socialist leaders like, Acharya Narendra Dev, Jai Prakash ji Achut Patwardhaan and Dr. Ram Manohar Lohia, whose motto was decentralisation of power, the Constituent Assembly would have accepted the decentralisation theory. Jai Prakash ji had presented a draft Constitution on behalf of the socialists to the then chairman of the Constituent Assembly, Dr. Sachchidananda Sinha. He had clearly



pleaded in favour of local bodies and the theory of decentralisation. All the democratic, Gandhian, Sarvodayee, Socialist forces in the country have pleaded for decentralisation of power. The present effort of the Government is a limited effort in that direction. Therefore, please provide strength to this limited effort and give assurance to expanded it. We will extend our full support to it.

With this promise and belief I support both these bills and express my thanks to you for your limited efforts to find out a suitable solution to it.

[English]

SHRI ANIL BASU (Arambagh): This Bill was introduced on the 16th September, 1991. Then it was referred to the Joint Select Committee, the Bill is before us for amending the Constitution.

I think this is a historic day of our parliament, a red letter day of our Indian Parliament, when we took up consideration of this Bill. The de-centralisation of the power and the devolution of the power at the grass-root level though it was a cherished desire since our independence - that had not been given proper attention and had not been implemented properly in our country because there was no such political will at the national level as well as to the State level to implement the long-cherished desire of our people.

After 45 years of independence, now through this proposed constitution amendment, we are going to give life to the panchayattiraj institutions of our country. The main theme of these institutions is the participation of the people in the development and administrative process of our country. During the last 45 years, these two things were neglected and the people of our country specially millions and millions of people in the rural areas of our country were denied proper participation in the development and administrative process of our country.

We have completed our Seventh Five Year Plan and are entering into the Eighth Five Year Plan. The people of our country

in various regions, in various areas of our country have a feeling that the people all over the country are not considered as a vital part of our development. The human resources of our country, the millions and millions of people of our country are not given proper role to play both in the development of our economy as well as process of our country. That is why, we see that there is a feeling of alienation among different sections of our population. Communal forces, casteist forces and divisive forces are raising their heads in various parts of our country. This is happened because the Panchayat institutions could not grow in spite of the cherished desire of the national leaders and the desire of our people.

The main reason for this is that the people who are opposed to the idea of decentralisation, the people who are opposed to the idea of devolution of the power, whether they are in bureaucracy or in political power, are the main obstacles for these things. It is for that reason that the Panchayat at the grass root level could not grow since our independence.

What we see from our experience in West Bengal, that after coming to power in West Bengal in 1977, the Left Front Government of the West Bengal immediately announced that the power would go to the people in the rural areas. They will decide their fare and will take part in the developmental and administrative process through the Panchayat Raj Institution. Similarly in the city areas, in the town areas, in the metropolitan areas, etc. the municipalities were given the necessary power and finances so that the people can participate in the developmental process of the respective areas.

Since coming to the office form 1977 onwards, three Panchayat and municipal elections were held in West Bengal and regularly it is being held there. It is for the fourth time that the West Bengal is going to hold Panchayat elections. Now in our State, we have seen that when proper power and finances are given to the Panchayat institutions and the municipalities, people start participating in the developmental

[Sh. Anil Basu]

process. What was the lacuna during the British period? During pre-independence poor after the independence of our country the lacuna was that people could not think that is country belongs to them and they have a part to play in the developmental process of this country. Through Panchayat Raj Institutions and Municipalities in West Bengal, we are able to motivate our people to participate in the process. Now the Panchayat bodies and the municipal bodies in West Bengal are not only a local self-Government on paper but a local self-Government truly in spirit. People can participate in the election process, in the developmental works, in the management of the Panchayat and municipals also.

What we see is that the conscienceness of the people has grown at the grass root level and they are able to realise as to what should be their part in the progress of their country. In West Bengal, we have gone further. We have also given the mandatory instructions to the Panchayats. West Bengal Act has been suitably amended so that the funds which are available with the Panchayats have to make the expenditure account public of their respective panchayats. It has to be done in a public meeting specially convened for that purpose. In each financial year they have to convene a public meeting they have to place to audited accounts before the people of that respective areas so that there is an awareness among the people that not only they are part of the developmental process but also that they have a right to know how expenditure is incurred on various developmental activities and whether that is correct or not.

So, the Panchayats are publishing the annual expenditure reports, though - I think — not regularly but I can say that most of them are convening meetings of the people of the respective area and they are placing the expenditure details. So, there is scrutiny form both the sides. The people are participating in the election process, they are participating in the administration of

Panchayats. They are participating in the developmental process, as well as their awareness is increasing. They are thinking that they are a part and parcel of the whole developmental process and they are the men of this country, though living in remote areas. That is why the Panchayat system in West Bengal has grown from strength to strength.

Now the Panchayat elections are going to be held for the fourth time in West Bengal. The Panchayat Act has been amended there and it is going to be amended further now. A Select Committee has been appointed by the West Bengal Assembly and that Select Committee has also scrutinised every aspect of the proposed Bill. They have also made some recommendations and they are under consideration of the State Legislative Assemble. Some of the provisions there have also been incorporated here, I find.

So, from the experience of West Bengal I can tell this august house that the Panchayat Raj Institutions and the municipalities which were neglected since independence are the proper forum or the proper local self-Government which can give an assurance to our people that they are a part and parcel of to Government, of the developmental process that they have a role to play in the development of the country. (Interruptions)

From our Bengal experience we see that my friends on the Treasury Benches may not mind if I use some harsh words. We find that in the Congress ruled States these Panchayat Raj institutions have not come up, they could not be activated and they could not be brought up at the desired level because the Congress people — the people who ruled the country for 42 years — have no desired to do that.

SHRI MANI SHANKAR AIYAR: One question. For most of these 42 years the States of Maharashtra and Gujarat have been ruled by Congress Governments and the system of Panchayat Raj that we have had in these two States is comparable too West Bengal. So, as I am second to none in

admiring the remarkable work done by the Communists in West Bengal, I request you to be second to none in admiring the remarkable work done by the Congress in Maharashtra and Gujarat.

SHRI ANIL BASU: I am grateful to Shri Mani Shankar Aiyar for reminding me about the performance of the Maharashtra Government. We too do not deny it. But the main thing is, who are the contributors or major members in this House? The States of Uttar Pradesh, Madhya Pradesh and Bihar. So, I think while Shri Mani Shankar Aiyar is praising his own people, he should also think of this. What are the difficulties, what are the weaknesses which are inherited in the Congress Party? You see what is going on there. They do not have elected bodies in the different States in the party hierarchy. Whenever you have to select a Chief Minister, when there is a dissent in the Legislative Assembly, or when the Members are agitating against the Chief Minister the Legislative Assembly Members have no power to select the Chief Minister. Instruction is going from Delhi. That sorry state of affairs is still prevailing in the Congress Party. You are talking of democracy and you are accusing the communist and saying that Communist do not have democracy. In our party, we have regular Conferences and conventions to elect

leaders. But in your party we see that even your Legislative Assembly Members who are voted by the people of your State do not elect leaders..

MR. DEPUTY SPEAKER: You can continue tomorrow.

SHRI ANIL BASU: I will continue tomorrow. (*Interruptions*)

SHRI PAWAN KUMAR BANSAL: Let him complete his speech.

MR. DEPUTY SPEAKER: Mr. Basu, do you want to complete?

SHRI ANIL BASU: Sir, I am only at the introductory stage. I have not yet touched the Bill. I will continue tomorrow.

MR. DEPUTY SPEAKER: Okay, you can continue tomorrow. Now the House stands adjourned to meet again tomorrow at 11. A.M.

19.00 hrs

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, December 2, 1992/Agrahayana 11, 1914 (Saka)*