

Clause 35 was added to the Bill.

Clauses 36 to 39 and the Schedule were added to the Bill.

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

14.00 hrs.

Shri Humayun Kabir: I beg to move:

"That the Bill be passed".

Mr. Chairman: The question is:

"That the Bill be passed".

The motion was adopted.

14.01 hrs.

MOTION RE: WORKING OF PANCHAYAT RAJ

Shri Tangamani (Madurai): I beg to move:

"That the situation arising out of the working of the Panchayat Raj be taken into consideration".

I would crave your indulgence for certain quotations and references from some of the literature supplied to us by the Ministry, and I do hope that the hon. Minister in the course of his reply, will be able to tell us whether assessment has been made generally or in reference to particular States.

I want to make it clear that I do not propose to deal with the history of the panchayats. That probably will be a very long story. Particularly, persons coming from the south pride themselves on having been the originators of the panchayats. Historians know that the panchayat system functioned at the time of the Chola Kingdom, and there are also several references to them in history.

My purpose here in moving this motion is to deal not with the panchayats as we knew then, but with the panchayat raj which has been

introduced as a result of the report of the Balwantrai Mehta Study Team, which made useful recommendations on this subject. As the House is aware, this is a three-tier system consisting of the panchayats at the base, the panchayat unions or the panchayat samitis in the middle, and the zilla parishads or district development councils at the top. This three-tier system has now been introduced in many States and periodically, we are told how this system has been functioning in the different States.

I must congratulate some of those States which took the initiative, and more particularly, the State of Rajasthan. After Rajasthan, it was left to Andhra Pradesh to take up this issue, and they have now completed two years of panchayat raj administration. The Madras State has been following a phased programme, and from 2nd October, 1961, almost all the villages are covered by panchayats, and all the blocks have been converted into panchayat unions. The Ministry have supplied to us very valuable and useful material on this point.

With your leave, I would like to mention that as a person who has taken interest.....

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): Very keen interest.

Shri Tangamani: ...in the working of both the community development blocks and also the panchayats, as a member of the consultative committee here and also the State Advisory Committee and also as a regular attendant at the meetings of the District Development Council, I would like to make certain observations which may be of a critical nature. That does not mean that I do not take into consideration the achievements of the whole concept itself; I am saying this at the outset, because otherwise it may go on record now, that I have not taken into account the achievements.

Although the whole concept has been mooted by the Balwantrao Mehta Study Team, the hon. Minister has always been anxious to see that this system comes into force. We were familiar only with community development as such, in a block consisting of a hundred villages with a population of sixty thousand, and dealing with many developmental activities. For the purpose of the functioning of these blocks, several advisory committees in different forms were constituted in the different States. Complaints had been received that these advisory committees had not been functioning properly. Now, these advisory committees will be permanently dispensed with, and they will be taken over by the elected councils known as the panchayat councils. Therefore, it is necessary to go into the whole question of the functioning of the panchayat raj itself. As I have already explained, panchayat raj consists of a three-tier system.

In this connection, warnings have been given by several newspapers. I would start by referring to items which have appeared in several newspapers. The latest that I could find is an article in *The Hindu* of Madras, certainly a very responsible daily newspaper, which always receives the best contribution from some of the experts on the subject. An article entitled 'Some thoughts on Panchayat Raj' by Shri N. Murugesu Mudaliar has appeared in *The Hindu* of the 22nd November, 1961. There, he deals with the difference between the panchayats of old and the panchayat raj of to-day. For want of time, I shall not be able to read out the entire thing.

Mr. Chairman: What are the points that he has made out?

Shri Tangamani: Several points have been made out.

The first point that he makes out is this. Let us forget the panchayats

of old when we are dealing with the panchayat raj of today. The second point which he makes out is this, and this is an important point which I would like to develop later on. He says:

"The organisational pattern devised is an admirable theoretical construction completed by the administrative brains at the best of a political ideology which was to some extent inspired by the Chinese agrarian reforms for the purpose of democratisation of the authority and for increasing production for a socialist pattern of society."

This is the thing that he gives as the basis for the panchayat raj. If this set-up is for the development of a socialist pattern of society then certain consequences will flow from it. Whether we like the Chinese pattern or not, the fact remains that an experiment has been started in China for the development of the rural economy. Just as we call it the panchayat raj, they call it the commune system. There, what I find is that two institutions are merged into one; the one is the economic unit, and the other is the administrative unit. I would like to know how far this fusion of the economic and the administrative units has taken place or has succeeded in the working of the panchayat raj. I do not propose to develop this point further, but I would content myself with merely saying that this is a very crucial point. In some places, we find that the administrative unit may be the panchayat, but the economic unit would be the co-operatives. I would like to know how far we have succeeded in bringing the panchayats and the co-operatives together.

A new question will arise in a country like India, as to how far we have succeeded in eliminating the rivalry between the developmental wing and the revenue wing. I say this because there is a perpetual

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quarrel going on in the State to which I belong, where the revenue wing is most powerful and very well attuned also, and even a small directive to a particular village is embodied in a government order, and the government order is sacrosanct. Now, the same pattern of having government orders for developmental work is also there. So the whole question about removing the rivalry between the revenue department and the developmental wing of the panchayati raj has to be considered and solved.

Then he says that the social life of the Indian village is still very backward, and training of the rural community to work in these representative institutions is most essential. Having said that it is most essential, he continues to say that it may not be possible for us to give them the maximum training within the limited period, which is the ambitious period of the Third Plan or Fourth Plan. He says the training is going to take a long time indeed.

Recently I had occasion to go and give a lecture at one of the institutes, in Bhavanisagar where they are training officials and non-officials—mostly officials. Before I went there, I met some of the panchayat leaders because this took place two or three weeks after the Panchayat Conference which was held in Madras. This conference was attended by the hon. Minister. It was inaugurated by the Prime Minister. I wanted to have some guidance from those panchayat leaders. This is what they said. In the various villages, the level of education of the panchayat leaders or the panchayat president is very low. In some places, panchayats and panchayat unions are under the leadership of people belonging to parties other than the ruling party. In either case, it was found that the extension officer in charge of the panchayats, instead of helping these people, was only trying to utilise either their ignorance or political

animosity. So the extension officer of the panchayat who was to have really helped in training these non-officials was only utilising their ignorance and also threatening them because they belonged to different political parties. These were the two points which they wanted me to raise.

In this article, there is a whole section on political rivalries. It may be easy to say that there should be no political rivalry in an institution like the panchayat or panchayat union or development council. But situated as we are, this political rivalry cannot be eliminated. In all humility, I would like to say this. A conference of nearly 1,500 panchayat leaders was convened in Madras and the Ministers of the central Government were present. The block development officers were asked to function as cadres for bringing all the panchayat leaders. The Prime Minister was there. He was introduced to these panchayat leaders.

What is the impression that is left in the minds of the ordinary people in the country? It is that this is really a political move by the ruling party. The ruling party may not have intended it. But it is done in a way to create that impression. Although the money that has been spent is public money, the whole conference was only geared up to show how powerful the ruling party is. That is the impression left. Here was a Government of so and so which took pains to take us all the way to Madras when so many people are waiting to have a *darshan* of the Prime Minister. The Prime Minister comes to us and talks to us.

This is the sort of impression created. It may be a very good thing. Let me not be understood as casting aspersions. But this thing happens. Such a thing is meant. Such political objectives and political manoeuvrability potentialities are great in

such a conference. This is the warning that the author gives. He concludes by saying:

"The panchayat union councils are also entrusted with the functions of developing agriculture and industries and the grant of permission for the installation of machinery, construction of factories etc. This is a new power which will give scope for patronage and corruption and might lead to inter-village discords and factions. Politics are almost certain to influence such decisions unless panchayat institutions are well informed and consist of independent individuals who could act in the best interests of the country without being swayed by external pressure, self interest...."

He may be emphasising one aspect. But here I believe the impression created and opinions given in the Press must also be taken into account.

Shri B. S. Murthy: Has he suggested any safeguards?

Mr. Chairman: Has the author suggested any solution?

Shri Tangamani: I would only request the hon. Minister to go through this article. He has balanced it. Generally articles in the *Hindu* are not like the articles in the *New Age*. He has tried to balance it. Here is a man who has studied the problem.

I can now mention also that in Madras the Act of 1923, which created panchayats and also district boards, is much more progressive than the District Development Council Act of 1958 and also the Panchayat Act 1958 which the Madras Assembly has passed.

Ch. Ranbir Singh (Rohtak): In what way?

Shri Tangamani: I will explain. The 1923 Act gave absolute powers to

the President of the District Board. There were many fields in which the District Collector was absolutely powerless. The President was the absolute monarch. Nobody could intervene. In the same way, the Municipal Chairman was a powerful figure. The post of Commissioner was created much later.

Now, our Ministry, rightly or wrongly, feel that we gave absolute powers to the people, the local authorities, and finding that these powers are being misused, we have curbed the powers of the District Board President. 50 per cent of the power is now shared by the District Collector. We have also curbed the powers of the Municipal Chairman and most of the powers, at least on the administrative side, are now being exercised by the Commissioner. This is what our Ministers tell us.

So in the new Act, the District Development Council Act, it is provided that there will be no non-official chairman. We have got only an official chairman, namely, the District Collector himself. The panchayat union is now subject to certain control by the State Government. I can quote from section 66 of the Panchayat Act of 1958 of Madras which says that the entire community development work will be entrusted to the panchayat union. But it is done in such a manner that the State Government keeps a portion of the residuary powers.

That is why I say that this critique has come from an individual who is not a communist, who has had knowledge of the panchayats' working, who feels that certain political patronage is possible in the very set-up itself. This is the first point I would like to mention, basing myself on the article of Shri Mudaliar.

The second point I would like to develop will be this. During the Second Plan period, we were told by

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the hon. Prime Minister that the three pillars of Indian democracy would be panchayats, co-operation and education. Now a fourth has been added in the Madras Conference of the 9th October—that is, electricity. After the Revolution in the Soviet Union, when the NEP—the National Economic Programme—was introduced, there was not much of socialism in it. So people were beginning to wonder whether after the Revolution they were going to have only the NEP which fell far short of socialism. It seems at that moment Lenin said: “If you work this programme and have the organisation based on the Leninist line and introduce electricity there will be Soviet democracy”. Anyway, electricity is also one of the items introduced in the panchayat conference. It is very good. That only adds to the point of Shri Mudaliar. More and more powers are going to be given to the panchayats, and unless these powers are properly utilised and used with greater check, political patronage will always be there.

Shri Harish Chandra Mathur (Pali): Checks by what authority do you want? That is the crucial point.

Shri Tangamani: There is a certain check in the Madras Act. It says that the District Development Council will have to receive reports from the panchayat unions on the work that has been done, and after receipt, they will study and review it. The entire matter can also be the subject matter of discussion in the Assembly, because every year the annual report will have to be submitted to the Assembly, and if there is an astute Member, he can always raise a discussion on that.

But in the day to day working, when we are making these panchayat unions more and more autonomous, local rivalries and local patronage will probably have a great sweep. That

is the fear expressed in the article, and that is my fear also after seeing some of these elections.

In the Seventh Evaluation Report they mention that in many cases elections to the panchayat unions were uncontested, but our experience in Madras is rather different. Personally I would like to have elections, and I was really alarmed when one of the Ministers of the State Government was reported to have stated, while addressing the members of the various panchayats, that if there was a panchayat or panchayat union which elected its president unanimously, more facilities would be given to it by the State Government. That, I think, is another threat, because in this set-up it would be interpreted that the panchayat union must elect such persons as would be liked by the ruling party.

Ch. Ranbir Singh: No.

Shri Tangamani: The ideal thing will be no elections, but there can be election without understanding. What Shri Mudaliar wants is that we will have to make these people understand. In the present set-up, because of the backwardness of the villagers or the panchayat members, unanimous election will more or less mean a certain kind of coercion. So, let there be elections. But even for the Assembly elections I do not think people have spent so much money as some of these panchayat union presidents have done in our State. Huge amounts are being spent, and the *modus operandi* is very bad. If I say something it may be misunderstood, . . .

Shri Harish Chandra Mathur: We have been together for five years.

Shri Tangamani: . . .but there appeared a letter in the *Indian Express* which says:

“Members who have to vote in the panchayat . . .are taken by force and kept in wrongful confinement until the hour of the election.”

This might happen. If I say this it may not be proper, but this is a letter which has appeared that on the eve of the elections, members are being kidnapped. They disappear on the day of the election.

Shri Raghbir Sahai (Budaun): We would very much like to hear your personal views. What is your experience about the functioning of this programme?

Shri Tangamani: I shall come to my experience. I am only pointing out certain dangers which are there.

Mr. Chairman: The motion refers to the situation arising out of the working of the panchayat raj, and that is why he is referring to the situation.

Shri Tangamani: Otherwise, I would have straightaway gone into the entire question. I have already made it clear that my approach will be critical. The Madras papers say that several members have been kidnapped. I am not saying it. This has appeared in the *Indian Express*.

Mr. Chairman: He has taken 25 minutes.

Shri Tangamani: I have at least five more points.

Mr. Chairman: He can have five minutes more.

Shri Tangamani: I was under the impression that there would not be many speakers because of our recent experience here, but I am very glad that many Members are taking interest. Even though I am not able to cover many points, I dare say others will do so and I will be satisfied, but I was anxious even during the last session that these points must be brought to the notice of the House so that hon. Members might express themselves on them.

My point is that there should be elections, and even if there is kidnapping, it does not matter. At least

later on, the elections will be such that only persons who can deliver the goods, who are real leaders, will be elected.

I would also like to refer to the study group on the panchayat raj administration which met between the 18th and 20th September. I understand it has finalised its reports, and we are also told that the report will be circulated to the State Governments. I will be very grateful if copies of the report can be made available to us before the session is over.

If the panchayat union presidents spend so much money and they do not get any remuneration, we can at least provide a nominal salary to them. I would suggest that they may be paid Rs. 100 per month. I think this is also one of the suggestions given in the press collected and circulated to us by the Ministry.

I would like to know whether all the State Governments have accepted the concept of the gram sabha. The panchayat is an executive committee of the people, and the panchayat union is also an executive of that broad section of the people, but we must have some forum which will be the general body, and that will be the gram sabha. I want to know how many States have accepted this concept.

I would then refer to the main recommendations of the Sixth meeting of the Central Council of Local-Self-Government, which was included as Item No. 10 in the agenda of the State Ministers' Conference of 1960. There are several recommendations, and they have been the subject matter of questions here. At least I have put half a dozen questions on this subject. I would like to know how far they have been accepted.

I will be grateful to the hon. Minister if he could tell us how many Scheduled Caste persons have been elected as presidents of the panchayat

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unions. I can give one example from Madras State. In Tanjore District, there is a bloc of 43 panchayats. In our State a panchayat union consists from 12 to 53 panchayats. This particular union, the Kottur panchayat Union, has 43 panchayats. The presidents of 29 of the panchayats are Communists. This was the only panchayat union where we could set up a candidate without fear of kidnapping etc., because 29 out of 43 were Communists, and I am proud to say that the candidate whom we set up, Murugesan, was a Harijan. I want to know how many have been elected to the panchayat Unions from other blocks, whether it is Madras or other States, who are Harijans. Why I am saying this is this. This is a matter of really giving status to the backward community, because in the very nature of things there has got to be reservation.

In the Madras Act there is a provision for three Scheduled Caste persons being included in the Panchayat Union, three women also to be included. Probably, that is the position in the other States also. If such facts could be culled out by the Ministry—the number of places where the Presidents of Panchayat Unions or Panchayat Samitis are Harijans or, as in the case of Rajasthan, where the Presidents of Zila Parishads are also Harijans—then, I would be very grateful.

I have got other materials also about the various things that have been said about the working of the panchayats all over India by no less a person than Acharya Vinoba Bhave. The sum total of all that is that the three tier system can succeed only if the basic things are also taken up side by side and rapidly, the basic thing being the economic uplift of the village community. Otherwise, the developmental work would be merely ornamental. For economic uplift you must have real land reform legislation.

About land reform legislation, Vinobaji himself has said how in the case of the many ceiling Bills that have come about there is not enough land left for distribution. Recently, in the State of Madras, about 15,000 landless persons courted arrest in protest against the way in which this matter was being pursued. No less a person than our Minister himself said in Kurukshetra that there can be no radical reform unless the agricultural labourer is put in a condition where he is without want. All these developmental activities will mean nothing although we give him more powers through panchayati raj.

I am very anxious that the panchayati raj concept mooted by the Balwantray Mehta Committee and developed by our hon. Minister should be put into practice in all the various States. I would be happy if the experience of some of the leading States, particularly Rajasthan, Andhra Pradesh and Madras, is made available to us as also the correctives, if any, that have been applied by Government in this regard.

Mr. Chairman: Motion moved:

“That the situation arising out of the working of the Panchayat Raj be taken into consideration.”

Shri Raghubir Sahal: Mr. Chairman, Sir, I thought that Shri Tangamani, who is a keen student of the panchayat raj movement and who has been evincing a lot of interest in the working of this Ministry would throw some light on the extraordinary situation that has been created due to the working of the panchayat raj. But nothing of the kind was done in his speech. I was really disappointed that instead of giving his own personal impressions about the working of this scheme in his own State, with which he is closely associated, he took the valuable time of the House in quoting extracts from *The Hindu* and *Indian Express*. Not having gone through these extracts

in entirety, I am not in a position to say whether any particular importance should be attached to these or not. But, he has tried to paint a very disappointing picture of panchayat raj; and he has tried to generalise it for the whole country, although towards the end he said that he would very much like to know the experiences in Rajasthan, Andhra Pradesh and other States about the working of these institutions.

The Balwantray Committee report which he quoted is quite clear on the point that the three-tier system is being introduced to see that the development work throughout the country gets the full support of the people because, before that, the experience was that it was purely an official programme carried out through official machinery. To win the confidence and active support of the people this three-tier system was evolved. And, we know from the working of this programme in Rajasthan, in Andhra Pradesh and other States that people have taken up this programme in right earnest and very tangible results are being shown by these States.

A number of Study Teams have visited both Rajasthan and Andhra Pradesh and they have given their considered views on the working of this programme. Nothing could be more preposterous than to say that when a Minister asks people to strive to have unanimous elections it amounts to a threat. It is so in the estimation of Shri Tangamani. Everybody interested in the panchayat raj movement would like to have the elections at the village level unanimous. The ability, capacity and the readiness of the man who is returned to devote time, all these should be taken into consideration. But to involve these people in political tangles would really be cutting at the very root of things.

There may be two opinions whether unanimity can be achieved or not. And I am one with those who

think that sustained educative propaganda is necessary for this. That should be taken up right from the beginning. So, I cannot understand how when a Minister asks people to have unanimity in these elections it amounts to a threat.

Sir, it may be within your knowledge that both in Rajasthan as well as in Punjab unanimity in these elections was not achieved cent per cent. But in these States, 50 to 60 per cent of the people were returned unanimously. Both these States held out rewards. That was simply to encourage the practice of achieving unanimity in these elections. I could understand that in the working of this programme one would meet with certain difficulties and one ought to be prepared for this. It is after all a revolutionary experiment, a great experiment to be watched from day to day, month to month and year to year. New problems would arise and they have to be tackled in a statesmanlike manner and I am glad to find that all these problems that arise from day to day are being properly tackled. There are many problems which a student of the panchayat raj movement would have to confront with. For instance, in the course of the working of this programme, we find that the training programme of the officials and non-officials is not as it should be because even where this programme has been introduced, we found that both among the officials and the non-officials there was a lot of ignorance. To take, for instance, the State of U.P. till very recently the District Magistrate used to preside over the Antarim Zila Parishads; he has been replaced by an elected chairman; chairmen of the block committees have been elected. This was good so far as it goes but before introducing this change no sustained educative propaganda was made in those areas with the result that the chairman of the block samitis and the president of the zila parishads

[Shri Raghbir Sahai]

find themselves in great difficulty; they do not know what their functions are or what their rights are; These could have been avoided if between the pramukh and the B. D. O. on the one hand and Adhyaksh and his district level officers on the other. these could have been avoided if before the election of adhyaksh or pramukh some sustained educative propaganda had been made.

Shri B. S. Murthy: As soon as the members are elected, they are being given the necessary training. If the hon. Member contemplates giving training before they are elected, I must say it is incomprehensible to me.

Shri Raghbir Sahai: I am obliged for this information. The hon. Deputy Minister knows that in Rajasthan they did undertake an intensive educative propaganda among all classes of people so that they could be trained to accept that programme *in toto*. That kind of thing could have been undertaken in other States also. Similarly, I find this thing about the panchayat secretaries. My own experience is that these panchayat secretaries are a hoax; they know nothing about their job because they are not trained for the job. They are virtually like *lekhpals*, another tribe of persons hated by the villagers. A few days back I went round one of the shadow blocks in my constituency from one end to the other and I came in contact with panchayat secretaries and came to know how ignorant they were about their programmes and how they neglected their work. I learnt that they were not in the habit of visiting some of the villages unless and until a meeting was to be convened and that meeting was more or less a paper transaction. Where was the supervision over these panchayat secretaries? To my great amazement, even after the elections the pradhans, members of the gaon sabhas and panchayat secretaries and the pramukh of the

samiti of the areas that were included in the shadow block have not been given any training whatsoever. That shadow block is going to be converted into an active block a few months afterwards. These people should have utilised this time is acquiring some information and knowledge about the working of the programme. But as things stand they would remain where they are.

Due regard is not being paid in posting different officers in the development department in these blocks. There are certain blocks which came into existence in the year 1952. They have got their own problems, complicated problems and the difficulty is that the BDOs and the extension officers and the VIWs are not able to grasp those problems sometimes even when they are there for a year or more and when they go away they leave things as they are. Some foresight and consideration should be paid in making deputation of the staff to these blocks.

I feel that supervision is very lax. It is not possible for one district planning officer or ADM (Planning) to supervise the working of 18 to 20 blocks in a particular district. I have been pressing this from time to time before this House and the hon. Minister also in informal consultative committees. Some thought should be given to this matter also. In far off villages, removed from the headquarters, sometimes by 70—80 miles, it is not possible for the district planning officers to supervise the working of the block development officer or the extension officer or the VIWs. Some machinery should be evolved to supervise the functioning of those people.

There are differences on certain important points in the various legislations that have been enacted from State to State. I will not go into many instances but I will quote only

one or two. Take for instance the role of the district magistrate. In Rajasthan you will find that the district magistrate is a non-voting member of the zila parishad. It is in itself a supervisory and advisory body. In Andhra, that very District Magistrate is the chairman of all the committees constituted by the Zila Parishad, and we were told that all the real power was exercised by those committees. We felt, when we paid a visit to Andhra, that all the elected chairmen in Andhra looked upon this provision in the Bill with great suspicion. They do not want it. If we proceed a little further down, in the State of Shri Tangamani, that is, Madras and in Mysore, we find that the District Magistrate is the president of the Zila Parishad. He virtually wields the entire power. I cannot understand why there is this difference between one State and the other. The role of the District Magistrate should be clearly defined. I had an occasion to attend the last Hyderabad Conference of Ministers and Development Commissioners. This point was mooted there also. I am sorry to say that this question was shelved for the mere reason that enough experience has not been had yet and that the working of this programme with regard to the role of the District Magistrate in several States must be watched. I cannot appreciate this argument. It is a fundamental question on which a clear-cut solution should be found. I am glad to find that the Ministry is of the view that the District Magistrate should remain out of the picture. That view should be enforced.

Mr. Chairman: It was done in Orissa.

Shri Tangamani: In Rajasthan also.

Shri Raghbir Sahai: So, on this point, the existing discrepancies should be done away with.

There is another point and that is about the different nomenclature for

common expressions in different States. With your permission, I would just mention a few examples. For BDO, in Rajasthan, the term used is "Vikhas Adhikari." In Andhra, it is purely BDO. In Uttar Pradesh, he is known as "Akhand Vikas Adhikari". So far as the president of the Zila Parishad is concerned in Rajasthan, he is known as "Pramukh". In Uttar Pradesh, he is known as "Adhyaksha". In some other States, he is known as president. All this creates confusion. So, for these common expressions, there must be a common nomenclature. All these points are posed by the Panchayat Raj. We know that they are engaging the attention of the Ministry of Community Development. The progress that has been made within the last two or three years is something to be appreciated, for which the Ministry deserves congratulations.

Shri Bal Raj Madhok (New Delhi): Mr. Chairman, Sir, India has been known for the working of its panchayats. In fact, we had our local governments and such other bodies in the villages much before such a thing was known anywhere else. That is why the famous French historian, Will Durant, said that India is the mother of democracy through its village government. Our village government or panchayats worked very effectively and efficiently even when large parts of the country were overrun by foreign rulers. In the 9th century, in South India, under the Chola administration, our village panchayats worked very effectively. In spite of about a thousand years of Muslim rule, when every effort was made to make this country a Muslim country, the Muslim invaders were unable to reach the villages and destroy the Indian cultural life-pattern as existed in the vast number of villages in the country because of the efficient functioning of panchayats. In 1854, Mr. Metcalfe who was the Governor of the then North-Western Province of British India, described the panchayats in Uttar Pradesh as small republics. They were elected,

[Shri Bal Raj Madhok]

small republics. They had all the functions and powers of a small republic and the villagers did not feel that they were very much under the thumb of the Central Government.

14.54 hrs.

[SHRI MULCHAND DUBE IN THE CHAIR]

After the rebellion of 1957, the British thought of establishing a strong central government so that they might be able to rule the people directly through their agents. Therefore, all these local bodies were superseded and they tried to control the villages through chowkidars and police officials. Since then we find that the village panchayats which had worked so effectively and efficiently for thousands of years disappeared.

Soon after, some of the Indian States tried to revive them and credit for that goes to Mysore and Baroda which had very efficient panchayats. Later on, in British India also, some kind of panchayats or local governments began to be set up. But they were powerless and ineffective. That is why after freedom it was thought that the panchayat system should be given a new lease of life. A number of laws began to be passed to improve the panchayat system in different parts of the country. In fact, in the Constitution itself, the directive principles lay down that panchayats and local governments will be encouraged. During the last 14 years a number of laws have been passed in different States. But, in spite of the hullabaloo that we make about them, the actual position is that the Panchayat Raj today in most of the States is no better than it was 14 years back. There are a number of panchayats, and above them there are local boards and district boards. But we find that most of them are proving ineffective.

The Balwantraj Mehta Committee which went into these affairs about panchayats come to the conclusion

that panchayats have failed badly. There are a number of causes for the failure of the panchayats. One is that proper trust is not put in the Panches. We are a democracy, and we find that a man who is elected to the State Assembly or Parliament may be a literate or an illiterate; he may be rich or poor, he may be appointed a Minister. We have seen in many instances people being appointed as Ministers or Chief Ministers for no other qualification except that they belong to the party in power, and we give them all powers. We give them power in regard to the life and death of the entire people.

But when it is a question of village panchayats, people say that the Panches have no training. I ask do you give the people, whom you appoint as Ministers, any training? Do you give the people whom you elect as Members, any training? They get trained automatically. So, why should you first of all think of training these Panches? Actually, unless you put trust in the village panchayats, give them every scope to work in the villages, they cannot work effectively. As it is, they are given very few powers and those powers are really wielded by men who are generally babus from the towns, who know nothing about the villages but who go about the villages as if they are the men who know better about the village affairs than the villagers themselves. It is most important that unless you put trust in the Panches the panchayats will not work effectively.

The second reason why the panchayats are not very effective is this. They have no finances. The Balwantraj Mehta Committee report says that some of the village panchayats have an annual income of just Rs. 100, Rs. 500 or Rs. 1,000. No panchayat can do any worth-while work if it has such poor resources. If the panchayats are to be made really effective, adequate resources should be

guaranteed to them. They should have a fixed share in the land revenue from the villages. Other sources should also be provided for them so that they are able to use that money for the welfare of the villagers.

The third cause why the village panchayats are not working effectively is factionalism. Just now, Shri Tangamani said that there are lots of quarrels in panchayats. They are bound to be there if the panchayats are made as they are today. In the panchayats we are having elections on party and caste basis. Naturally, when the country is caste-ridden and community-ridden as it is today, when the elections are going to be fought on that basis, that will lead to trouble. Actually, there have been more murders in Uttar Pradesh on account of the panchayat elections than there were ever before. Therefore, if the panchayats are to be really useful to the villages, factionalism must go. And the only effective way of improving the Panchayat Raj is that the elections should be unanimous. Shri Tangamani was saying that if unanimous elections are held, it would mean that there would be greater influence of the party in power. But that is wrong. Actually, if the panchayats are to be effective, and if we want to see that the people who enjoy the confidence of the entire village are elected and they should do something worth-while for the village, we must see that there should be,—whatever form of election may be there,—a unanimous election. Only the unanimously elected panchayats of the villages can have that moral and social standing in the village, which are necessary for getting anything worth-while done through the panchayats.

An hon. Member: It cannot be done.

15 hrs.

Shri Bal Raj Madhok: A way can be found out. Let them appoint a

committee. They will give suggestions. There are so many ways. You can have a two-tier election and election through elimination. You can have a first ballot. If some people do not get 80 per cent or 70 per cent votes, they may be eliminated. So, by a process of elimination, we can have unanimous election of the Panches.

Shri Kalika Singh (Azamgarh): You want more elections!

Shri Bal Raj Madhok: If there is unanimous election, the elected Panch enjoys the support of all sections of the village. In some villages, Jats are in a majority; in some the Thakurs are in a majority and in some the Harijans are in a majority. But if the Panches enjoy the confidence of everybody, they will do justice to all of them. As it is today, if a man is elected with the support of the Harijans, he shows his powers against the Jats; or, if he is elected with a Jat-vote, he shows his power against the Harijans. That is why there is factionalism and murders are increasing.

Dr. M. S. Aney (Nagpur): Does the hon. Member want unanimous election of the head of the panchayat or the Panches themselves?

Shri Bal Raj Madhok: All the Panches should be elected unanimously if the panchayats are to work effectively. In ancient times, our panchayats worked so effectively because we had our Gramani and he was a man who enjoyed the confidence of all the people of the village. He had a status and respect and so he could do things. The present system of elections to the panchayats is not democratic. If you want to make the panchayats effective, the present kind of election system must change.

Another cause for the failure of Panchayat Raj is there is no uniformity. In different States, different kinds of panchayats are set up. We

[Shri Bal Raj Madhok]

have village panchayats, *gaonsabhas* and so on. Some kind of uniform policy for panchayats should be laid down for the whole country.

The most important cause for the failure of the panchayats is too much interference in the panchayat work by the officials and particularly the confusion created between the community development department, revenue department and the panchayat department. The B.D.Os. are supposed to do community development work, but really they are there mainly to carry on propaganda for a particular party. They are not there to serve the people. Most of the moneys given to the community development blocks are spent towards payment of salaries of staff and the welfare of the people does not come anywhere. So if there is too much interference in their working the panchayats cannot remain effective.

When we talk of Panchayat Raj, we must clearly understand what are the causes of its failure and why it is not effective. Simply making laws and enactments about Panchayat Raj or convening conferences are not going to make Panchayat Raj effective in the country. I have some practical suggestions. If our country is to be democratic, these panchayats must be absolutely independent of the control of the State Governments. Just as procedure for the elections to the Parliament and the State Assemblies and their resources are laid down in the Constitution, so also elections to the panchayats and their resources must be definitely laid down. Because of the constitutional provision elections to the State Assemblies and to the Parliament are held once in five years. Both there is no such thing in the case of municipal corporations or panchayats. They are just at the mercy of the State Governments. We find in some States elections have not been held to certain municipalities for 20 years. If a municipality or panchayat has a majority of people who do not belong to the ruling party, for some reason or other, that municipality is suspended. That way

we do not really allow the real democracy to take roots in the country. If democracy is to succeed, we should amend the Constitution and lay down definitely in the Constitution itself provisions about the tenure, elections and resources of the panchayats. Otherwise, they will remain at the mercy of the State Governments or B.D.O.s and will not function effectively.

After the functions and powers of the panchayats are laid down, no interference should be made into their working by the panchayat officer or any authority from above. It is possible that they may make mistakes. But those will not be very harmful, because at the most, the effect of the mistakes will be confined to the village only. When the Prime Minister makes a mistake, the whole country suffers. When a Chief Minister makes a mistake, the whole State suffers. We cannot do anything about it. But if the village panchayat makes a mistake, the effect of it will be only on the village. The village people will be able to know, "We elected him and he has made a blunder." So, when after 5 years the elections come, they will not elect him. It is much easier to locate the fault and pin it down in the case of a panchayat than in the case of the State Assembly or Parliament. Therefore, we should take that risk. They will learn by mistakes. But if we fear mistakes and say that they should be trained or that this man should be elected and that man should not be and so on, the panchayats cannot be effective.

In regard to resources, the common people in the countryside are already feeling very much over-taxed. Besides land revenue, they are paying property tax, profession tax, cattle tax, vehicle tax, etc. The burden of taxes is increasing every day on the villagers. They are groaning very much under it. If panchayats are to be effective, the Central and State Governments must lay down a fixed

share of the land revenue and other cesses they get for the panchayats and the panchayats should not be faced with the problem of collecting taxes. Actually that makes the panchayat unpopular. A share of the taxes must be given to the panchayats for carrying out particular functions assigned to them.

Thirdly, to make the panchayats work effectively, it is essential that a sense of community feeling should be created. Today it is not there. We talk of a casteless and classless society. But actually during the last 14 years, we have created more castes and classes. The people who talk most against castes and classes are themselves creating new classes. In Delhi, for instance, when they build new buildings for Government employees, they create this class feeling by saying Class IV quarters, Class III quarters and so on. They say, he is a Harijan and so on. That feeling comes everywhere. The result is, every day casteism is growing rather than becoming less.

15.08 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

How can it be removed? If anybody thinks that we can do away with castes and classes completely, he lives in a fool's paradise. There are bound to be classes. But in the past, in spite of the classes in this country, there was some kind of homogeneity, some kind of community feeling some kind of भावात्मक एकता or emotional unity among the people. But those common emotions which bound all the people in the village together are now at a discount. Instead of encouraging them, we are discouraging them. Fortunately or unfortunately, they happen to be influenced by the culture of this country, which is basically Hindu. That Hindu culture is at a discount. You do not want to encourage भावात्मक एकता. In the villages, there are occasions like

Holi, Diwali, Janmashtami, etc. when rich and poor can come together. When they come together, they have somekind of common emotions and brotherly feeling. So, until and unless we make use of this traditional community feeling in the villages, we cannot have any kind of real unity and casteism is going to increase.

Actually, 15 years back, before the talk of socialism came in this country, we had socialism in the villages. People in the villages used to help each other. If there was a marriage of a girl in the village all the villagers used to go to the help of the girl's parents. The village carpenter and Smith used to work for everybody for the whole year and get their share at the time of harvest. We had that kind of traditional socialism in this country, which in spite of castes and classes maintained the unity of the village and also the unity of the country. That is being destroyed now, and that requires a probe into the general policies, into the wider policies that the Government has been pursuing.

Sir, the present Government has been pursuing policies which are cutting at the very root of the unity and the emotional integration of this country. If those policies are not checked and if they are continued as they are being followed today, then I can tell you with a painful heart that, what to talk of factionalism in the panchayats, the whole country will be full of factions.

Therefore, when we talk of panchayat raj—it is a great institution and it is something for which India has been famous all through the ages—it is our duty to build it up on right lines, and for that purpose instead of looking as to how they are running their local bodies in England, France or China we must see how we used to run our local bodies in the past. We have detailed records as to how we used to run our local bodies in Tamilnad and in the north

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and other places very effectively and efficiently. If we draw upon that past experience and try to formulate our policies and also check our interference into the affairs of local bodies, only then we can make Panchayati Raj effective; otherwise it will become a cause for chaos rather than a case for order in the country.

श्री फ० गो० सेन (पूनिया) : उपाध्यक्ष महोदय, पंचायत राज्य के बारे में जो पूर्व वक्ताओं ने कहा वह ठीक ही कहा कि यह सही मायने में हमारी पुरानी चीज है। पंचायती राज की खामियों के बारे में जो कुछ भी कहा जाय यह बात मानी हुई है कि पंचायती राज को हमें चलाना है। सिवाय इसके कोई चारा हमारे सामने है ही नहीं।

आज के वर्तमान युग में हमने एलेक्शन का एक मापदंड बनाया है यह। सही है कि इसमें कुछ बुराइयां और खामियां भी हैं और मैं इस बात से इंकार नहीं करता। यह भी सही है कि एलेक्शन को वजह से गांव गांव में तफरका बढ़ता जाता है। जहां पर सर्वसम्मति से चुनाव सम्पन्न हो जाया करते हैं वहां तो ठीक रहता है लेकिन ऐसा न होने पर जो कठिनाइयां पेश आती हैं वह अधिकारियों के और इम मुल्क के सामने हैं। आज हमें अच्छे आदमियों की कमी महसूस हो रही है तो भी मैं यह कहे बगैर नहीं रह सकता कि जहां इन पंचायतों में अच्छे आदमी देखे जाते हैं वहां पर काम ठीक चलता है। जिस पंचायत का मुखिया अथवा सरपंच अच्छा आदमी होता है तो गांव वालों की श्रद्धा ऐसे लोगों पर होती है और ऐसे पंचायतों में अवश्य ही अच्छी तरह से काम होता है। मगर जहां पर मुखिया और सरपंच लोग पुलिस और दारोगा के पीछे दौड़ा करते हैं और उन से मिल कर गांव में यदि कहीं कोई फूट हो जाती है और उस

फूट को वह और बढ़ावा देते हैं तो वहां पर काम बहुत बिगड़ जाता है।

मेरे मित्र श्री तंगा मणि ने कहा कि जहां तक हरिजन और सर्वर्ण लोगों का सवाल है पंचायत राज्य के चुनावों में हरिजन लोग चुन कर कम आ पाते हैं। ऐसी बात तो नहीं मालूम पड़ती है। जहां तक मेरे जिले और प्रांत का सवाल है मैं कह सकता हूँ कि हमारे प्रांत में शङ्खुलड कास्ट्स और शङ्खुलड ट्राइब्स के लोग चुने जाकर सरपंच और मुखिया बने हैं। मुखिया और सरपंच के पद पर डोम, चमार, मुसहर और संघाल इत्यादि चुन कर आये हैं। यदि इस बारे में थोड़ी बहुत दिक्कत रही भी हो तो हम लोग उसे दूर करने में सफल हुये हैं। अब यूँ तो मैं समझता हूँ कि शिक्षा के प्रभाव से ही बहुत कुछ जाति पाति की बुराइयां हमारे अन्दर घुस गई हैं और मैं तो कहूँगा कि ज्यादा बुराइयां हमारी शिक्षा पद्धति में हैं। मैं यह भी मानता हूँ कि शिक्षा ने इसे प्रोत्साहन दिया और अपनी खुदगर्जी ने इसे पनपाया।

एक चीज मैं मानता हूँ और सदन के सामने रखना चाहता हूँ कि जहां तक ला एंड आर्डर का सवाल है जहां तहां यह भी देखने में आता है कि पंचायत में मुखिया के अंडर जो एक्जीक्यूटिव आफिसर होता है वह चोर अथवा डकैत को जब पकड़ कर थाने में ले जाता है तो वहां पर एक्ज्यूड मुखिया और एक्जीक्यूटिव आफिसर पर लांछन लगा देते हैं और थानेदार लोग चाहे सच्चाई से अथवा खराब नियत से उन लोगों को फंसाने की कोशिश करते हैं। ऐसे बहुत से मुखिया हैं जिनके कि ऊपर मुकदमें बाजी चल रही है हालांकि कुछ मुकदमें ऐसे भी हैं जो कि ट्रिब्युनल में लटके हुये हैं। यह भी देखा जाता है कि जहां चुनाव हो गया है और नया मुखिया चुन लिया गया है तो भी पंचायत की प्रोसीडिंग्स का बस्ता या स्टॉक

नये मुखिया तक पहुंचता नहीं है और वह कहीं रुका रहता है। अब वह बस्ता कहां गायब हो जाता है? अब होता यह है कि वह जो विलेज लेविल वर्कर होता है वह गांव के एक तरफ से मिला हुआ होता है जिससे कि यह गड़बड़ी होती है। मैं मानता हूँ कि पंचायत राज्य में यह तमाम खामियाँ हैं लेकिन इससे यह न समझ लिया जाये कि मैं यह चाहता हूँ कि पंचायत राज्य खराब है और यह नहीं होना चाहिये। आवश्यकता इस बात की है कि इन उन त्रुटियों को सुधारने का प्रयास करें।

एलेकशन के सिलसिले में जो जगह जगह पर मारपीट हो जाया करती है या चुनाव रोक दिये जाते हैं यह अनुचित है और ऐसा न होने देने के लिये आवश्यक व्यवस्था करनी चाहिये। जैसा कि मैं ने पहले भी कहा आज अच्छे और सच्चे लोगों की हमें काफी जरूरत है और जाहिर है कि अगर ठीक से काम किया जाय तो पंचायत राज्य से इस रेवेन्यू क्लैकशन के काम में काफी सुभीता ग्रामीणों को होता है। अब देखने में यह आता है कि हमारे गरीब भाई जमीन के मामले में ब्लाक में या सरकारी मुहकमे में एक जगह से दूसरी जगह दौड़ते फिरते हैं और उन का काम नहीं हो पाता है। कोई उन से कुछ करने को कहता है तो दूसरा उन्हें कुछ करने को कहता है। कोई उनसे कहता है कि वकील करो और इस मामले में इतना रुपया खर्च करो तब तुम्हारा काम बनेगा। मैं समझता हूँ कि इस रेवेन्यू क्लैकशन के मामले में जो उनको सरकारी अफसरों द्वारा परेशान किया जाता है पंचायत राज्य के होने से उन्हें काफी सहूलियत हो सकती है हालांकि हम देखते हैं कि हमारे ब्लाक आफिस लोग यह जो दाखिले खारिज हुआ करते थे उसमें हमारे मुखिया लोग नाम लिख कर भेजते थे वहां भी कचहरी का सा सिलसिला हो जाता है जोकि बड़ा दुखदायक है। हमारे ग्रामीण भाइयों को यह शिकायत है कि

वहां ब्लाक में भी कचहरी का सा वातावरण पैदा हो गया है और नतीजा यह होता है कि वह बंचारे इधर से उधर मारे मारे फिरते हैं। एक ब्लाक आफिसर के ऊपर रेवेन्यू क्लैकशन का भी काम डाला हुआ है और इनक्वायरी भी उनको करनी पड़ती है। मिनिस्टर जब आते हैं तो उनकी आवभगत भी करनी पड़ती है तो देखना पड़ता है कि उनकी मोटर कहां चली गई। नतीजा यह होता है कि हमारे ब्लाक आफिसर के पास तरह तरह के काम होने से वह अपना वादा पूरा नहीं कर पाते और इसका बड़ा बुरा प्रभाव ग्रामीणों पर पड़ रहा है। मैं मंत्री महोदय से यह कहूंगा कि उन्हें यह देखना चाहिये कि कम से कम वह जो ग्रामीणों को तारीख दें कि अगले दिन वह उनके वहां लैंड रेवेन्यू के सिलसिले में या और किसी सिलसिले में उनके दफ्तर में हाजिर हों तो वे उस दिन वहां पर मौजूद रहें। जो जबान दें उसकी रक्षा करें। इससे बहुत कुछ मसले हल हो सकते हैं। ऐसा नहीं होना चाहिये कि उन बंचारे गरीब ग्रामीणों को तारीख दी जाय और वह गैरहाजिर रहें और उन से कहा जाय कि अब आज नहीं कल आना या परसों आना। अगर कोई गरीब आदमी ब्लाक में जा कर कहता है कि जमींदारी एबालिशन के बाद मेरी जमीन में बिहार सरकार के नाम से सरवे में रिकार्ड कर लिया गया है, मैं बाप-दादा के समय से इस का उपभोग कर रहा हूँ और चूंकि मैं ने सरवे में रुपया नहीं दिया, इस लिये ऐसा किया गया है और वह कुछ कागज भी अपने पक्ष के समर्थन में दिखाता है, तो उस को कहा जाता है कि तुम टाइटल सूट फाइल करो। वह बंचारा टाइटल सूट कैसे फाइल कर सकता है? अगर वह ब्लाक आफिसर के पास जाता है, तो उस की सुनवाई होनी चाहिये और उसको सहायता दी जानी चाहिये।

यह भी देखा जाता है कि जब कोई व्यक्ति इस सम्बन्ध में कोई दरखास्त देता है और

[श्री फ० गो० सेन]

उस के साथ कोई जमींदार की रसीद या दूसरे कागजात ब्लाक में दाखिल करता है, तो अक्सर उस को दूसरे दिन आने के लिये कहा जाता है, तारीख पर तारीख दी जाती है, लेकिन उस को उन कागजात की कोई रसीद नहीं दी जाती है। इस बीच में अगर उस से नाजायज फायदा उठाने के लिये या किसी अन्य कारण से वे कागजात गुम हो गये, तो उस गरीब आदमी के कागजात भी गये और टाइटल भी गया। ऐसे कई इन्स्टेंसिज हमारे सामने हैं। यह आवश्यक है कि लोगों को इस बात की रसीद दी जानी चाहिये कि उन से फलां फलां कागजात लिये गये हैं।

मैं एक व्यक्ति के केस को जानता हूँ जिस के बगल में हमारी जमीन है, जो कि बाप-दादा के वक्त से जलकर का मछलियां आदि पकड़ने के अधिकार, का उपभोग कर रहा है। वह बिहार सरकार के नाम सरवे में आ गया है। शायद कर्मचारी लोग नाजायज फायदा उठाने के लिये उस पर रोक डालते हैं और हटाना चाहते हैं। मैं ने उस के लिये कितनी ही चिट्ठियां लिखी हैं और सभी को कहा है। मैं किसी का नाम नहीं लेना चाहता हूँ, लेकिन पता नहीं क्यों उस बेचारे के कागजात ए० डी० एम० के यहां नहीं पहुंचते हैं। चलते वक्त भी मैं एक चिट्ठी लिख कर आया हूँ। मैं नहीं जानता कि अभी तक कोई कार्यवाही की गई है या नहीं।

जब तक इन दिक्कतों को हम हल नहीं करते हैं, तब तक पंचायत राज देश में सफल नहीं हो सकता है और साथ ही हम लोगों पर भी बड़ा भारी लांछन आयेगा।

पावर्ज का मिसयूज भी होता है। किसी को तंग किया जाता है किसी से नाजायज फायदा उठाने की कोशिश की जाती है। किसी को हथकड़ी लगवा दी जाती है, अगर किसी दरखास्त की बाकायदा नकल देना

चाहिये, तो उसमें तीन दिन लगा दिये जाते हैं। अगर कोई समय पर न आया, तो किसी तरह से वारंट जारी करवा कर शनिवार की शाम को उसको जेल भिजवा दिया जाता है और दूसरे दिन इतवार होने की वजह से सोमवार को ही बेल पर छूटता है।

लेकिन इस के साथ ही साथ यह भी ठीक है कि पंचायतों में कुछ अच्छे काम भी किये जाते हैं। पंचायतों ने ऐसे डिसिजन भी लिये हैं, जिन को हाई कोर्टस ने अपहोल्ड किया है और पंचायतों की सरहाना की गई है।

श्री रघुवीर सहाय ने ट्रेनिंग प्रोग्राम के बारे में कहा है। इस सम्बन्ध में मैं यह कहना चाहता हूँ कि सरकार की ओर से कोई भी योजना चलाई जाये, लेकिन लोगों का पहला काम पेट पालना है और उन को समय बहुत कम मिलता है। हमारी स्थिति भी वही है। अगर पंचायत में कोई दरखास्त दी जाती है, तो तारीख पर तारीख दी जाती है, कोई वेस्टिड इन्ट्रस्ट्स काम करते हैं, लोगों को दौड़ाया जाता है। अगर कोई तीन, चार या सात रोज का ट्रेनिंग कैम्प खोला गया, तो उस में लोग कुछ लाभ उठा सकेंगे, इस में मुझ शक है, क्योंकि उन को फुरसत नहीं है। मुखिया अपना काम करे या ट्रेनिंग कैम्प में जा कर ट्रेनिंग ले? अगर ट्रेनिंग कैम्प की योजना सफल होजाये, तो अच्छा है, लेकिन लोगों के पास समय न होने के कारण मुझे उस की सफलता में शक है।

अन्त में मैं यह कहना चाहता हूँ कि आज-कल स्थिति यह है कि ब्लाक एक रेजो-ल्यूशन पास कर देता है कि फलां स्थान पर एक हेल्थ सेंटर बनना चाहिये और उस जगह के कनवीनर को एडवांस भी दे दिया जाता है। अगर वहां पर काम शुरू न हो सका, विलम्ब देखकर ब्लाक में दूसरे स्थान पर हेल्थ

सैंटर बनाने के लिये रेजोल्यूशन फिर पास क दिया जाता है। वहां पर भी एडवांस दे दिया जाता है। जब पहले स्थान वालों को पता लगता है कि हेल्थ सैंटर दूसरी जगह जा रहा है, तो वह भी काम शुरू कर देते हैं। इस तरह दोनों जगह मकान बनने शुरू हो जाते हैं और दोनों जगह मकान खड़े हैं, हमारे यहां एक ऐसा इन्सटैंस है। अब ब्लाक वालों के सामने यह सवाल फिर आता है कि वह सैंटर कहां पर हो।

उपाध्यक्ष महोदय : उस सैंटर को दोनों जगहों के दरमियान कर दिया जाये।

श्री फ० गो० सेन : वहां पर तीसरे मकान की जरूरत हो जायगी।

इस के बाद ब्लाक में रेजोल्यूशन पास हुआ कि चूंकि दोनों जगह मकान तैयार हैं, तो डाक्टर छः महीने एक जगह रहे और छः महीने दूसरी जगह और वहां पर मोबाइल डिस्पेंसरी की तरह काम हो। फिर कहा गया कि यह ठीक नहीं है, क्योंकि गवर्नमेंट सर्कुलर के आधार पर पुनः पहली जगह ही करार दिया गया। अब सवाल यह है कि एक एक हजार रुपया दोनों जगह एडवांस किया हुआ है। उस का क्या होगा ?

मैं चाहता हूं कि इस प्रकार की सब समस्याओं पर विचार किया जाये और ऐसी व्यवस्था की जाये कि पंचायत राज की योजना सफल हो और ग्राम लोगों को उस से लाभ पहुंचे।

Mr. Deputy-Speaker: I have got with me at least 12 names.

Shri Raghunath Singh: I also want to speak.

Mr. Deputy-Speaker: Then it becomes thirteen.

Some Hon. Members rose—

Mr. Deputy-Speaker: In that case, the number will be more than fifteen. As there is only one hour left, I want guidance from the House.

Shri Tangamani: I require five nued for some more time.

Mr. Deputy-Speaker: It will not be possible. After all, the maximum time that can be given to it is two and a half hours. As I will extend the discussion up to 5 O'Clock, we are taking over three hours. Out of the one and a half hours left, half an hour will be taken by the Minister. That gives us a balance of one hour. Therefore, it is not possible to call all the other names. Even if I call a few hon. Members, it will not be possible for me to give them full time.

Shri Kalika Singh: We can extend the time by half an hour.

Shri Tangamani: I require five minutes for reply.

Mr. Deputy-Speaker: In that case, he can advise members of his party to take less time. I request that, likewise, other hon. Members should also restrict their remarks. How much time shall I give each hon. Member? Seven minutes?

Shri Kalika Singh: The time may be extended.

Shri Harish Chandra Mathur: We can have it day after tomorrow also.

Mr. Deputy-Speaker: I do not know whether it is possible unless I know the business of the House for day after tomorrow.

Shri Braj Raj Singh (Firozabad): They have no business.

Mr. Deputy-Speaker: Therefore, is it the suggestion of the hon. Member that this might be taken up after the 8th?

Shri Braj Raj Singh: We can take it up the next day.

Mr. Deputy-Speaker: We understand from the Minister of Parliamentary Affairs that Government have business up to 8th. I, therefore, thought that the suggestion of the hon. Member was that this might be taken up on the 9th.

Shri Tangamani: It was announced that what is left over today will be taken up on Monday.

Mr. Deputy-Speaker: The maximum time for such discussions is 2½ hours.

Shri Braj Raj Singh: By the leave of the House it can always be extended.

Mr. Deputy-Speaker: The House has all the powers. I do not deny that.

Shri Harish Chandra Mathur: Sir, let us know what is the position, whether we are short of time or we have got no business and we want to wind up on the 8th December.

We are being told that there is no business for the House and therefore instead of adjourning on the 15th, though there are questions and everything, we have got to wind it up earlier. Instead of adjourning on the 8th why can we not have this discussion and go on up to the 10th? It is a very important discussion.

Mr. Deputy-Speaker: This anomaly can exist, namely, that on the one hand we may be short of time and, on the other, we may have enough spare time and no speakers to speak. If a half-an-hour discussion is before us, it will be only for 30 minutes though there might be enough time left during the day. If the Rules provide that the maximum time that can be given for this discussion is 2½ hours, it would be only for that duration and not much longer. If the Government agrees to extend, I have no objection. But I was only referring to the Rules. Under the Rules we have 2½ hours for each such discussion. We have already spent 1½ hours over it and I am extending the time by another half an hour so that we will finish it by 5 O'Clock. But when

there is such a demand I should know the Government's reaction also. Then I would make my decision. The hon. Minister of Parliamentary Affairs might be consulted.

Shri Harish Chandra Mathur: Before anything is said on behalf of the Government, my respectful submission is that you are perfectly right. We understand that the scheduled time is 2½ hours and that under our Rules for such motions we have 2½ hours. But it is also equally correct that this House has discussed such motions and resolutions for 6 to 7 hours. I had moved one motion which we discussed for five hours. The motion regarding the Sanskrit Commission was discussed for three consecutive days. I think this motion is no less important than the motion regarding the Sanskrit Commission. Therefore let us get over that difficulty first.

Mr. Deputy-Speaker: Hon. Members will appreciate that the hon. Speaker can make and unmake rules. He can suspend the rules, but I have to follow them.

Shri Rane (Buldana): I submit that the discussion should be over today whether we sit longer or not.

Shri Braj Raj Singh: Why?

Shri Rane: It is said that we have no business or that we are short of business and therefore the discussion should be continued on Monday.

Mr. Deputy-Speaker: It stands to reason that when Government is running about to find business here is business in which hon. Members are interested.

Shri Rane: The hon. Member, Shri Mathur, has said that last time over one discussion we took about 5 to 6 hours. Again this precedent will be cited another day.

Shri Harish Chandra Mathur: There is no question of citing it. It is an

illustration. It is the right of the House to extend the time seeing the importance of the business. We will be doing injustice in asking any hon. Member to finish his remarks in 5 to 7 minutes. Then it is better not to speak at all.

Mr. Deputy-Speaker: I shall ask Shri Rane to consult the hon. Minister of Parliamentary Affairs. It is the desire expressed by so many hon. Members that if we could have more time, it might be seen if it is possible to extend it. He might have consultations and then inform me as to what the reaction of the Government is.

Shrimati Parvathi Krishnan.

Shrimati Parvathi Krishnan (Coimbatore): Mr. Deputy-Speaker, Sir, I am very grateful to my hon. friend, Shri K. T. K. Tangamani, for raising this discussion and for giving us an opportunity to discuss this very important aspect of our administration in the country. I would like to take this opportunity to bring to the notice of the Government certain discrepancies that are today existent in the working of the panchayat unions as also to the hang-over that may be there from the earlier development and NES schemes. This Panchayati Raj is really created on a basis that already existed and what were development blocks and schemes now come under the panchayats. Therefore it is necessary that we go into those defects and help the panchayats in overcoming these defects so as to see that smooth working takes place.

When one used to go to the rural areas, say, towards the end of the financial year, one used to see an absolute hum of activity. The jeep belonging to the block would be going around absolutely purposelessly down one road, up another road visiting various villages. When one used to enquire as to who was in the jeep and what it had come there for, there used to be cynical replies from the villagers

saying that that was the end of the financial year, a certain amount of money was there which had to be used up, so the jeep moved around and the petrol expenses would be shown to show that the target had been fulfilled. This may seem rather flippant. It may seem as though it is a very small point, but that is the reaction of the villagers and one should take this into consideration. What it really means is that the work that was being carried out by those development blocks was not of such an extent as to create in the people of that area the confidence that something effective was being done. It is for this reason that I bring it before the hon. Minister.

Only recently when certain panchayat unions were being inaugurated one of the union presidents from a neighbouring union in his speech of congratulation on this occasion—that was on Gandhi Jayanti Day—wanted to give some advice to the new panchayat union President who was there. In giving that advice one of the things he said was that they must find out ways and means of having effective co-operation between the Commissioner and the panchayat union. In his experience of the last three or four months he had found that sometimes trivial matters were leading to very serious differences. One of the trivial matters exactly was the use of the jeep. There was a jeep in that union. Very often the Union President and the Commissioner were falling out on as to who had priority in the use of the jeep, whether it was for official business or not, whether attending to or inviting a VIP or the family of a VIP was a necessary thing or not, whether that was a social obligation to be carried out etc. This is what he said. It is not just I saying that such things exist. But I do not want the hon. Minister to get away with the reply saying that this is a sort of thing which we often hear from the Opposition and so on and so forth. If he likes, I can get a copy of the transcript of the speech and give it to him. Then he could obviously pull up either the Panchayat Union President for talking

[Shrimati Parvathi Krishnan]

like that or the Commissioner for creating trouble over the jeep.

Then there is another example of how unplanned expenditure is there. In my district certain taluks, like, Darapuram and Palladam etc. are considered to be and are known as drought areas for a very long time. Famine conditions had existed there from time to time. Although in the publications that we get from this Ministry we are told that money is being spent in order to find out the possibilities of providing irrigation facilities where there are not sufficient number of wells and where there are drought conditions, today after years of being in a black, in Palladam and Darapuram taluks again these drought conditions have come up and famine conditions are there. The people of the area, the panchayat unions of the area and the Panchayat Union President have led deputations to the Chief Minister of our State and to other Ministers asking for special allocations and help immediately in order to have bored wells sunk and so on. Why this delay? When the considered aim has been put before us that the various blocks and the various schemes are only for providing those facilities that are so necessary for the development in rural areas, why is it that after so many years, in an area that was under the block development scheme, we find this condition continuing? This is a matter that has to be looked into.

Recently, when I was discussing with one of the Panchayat Union Presidents this question, he pointed out to me that there is a tendency as far as the Government is concerned to have blue-prints and allocate certain sums of money for specific purposes and that money has to be utilised for that purpose and that only, irrespective of whether in all the areas these requirements are exactly alike. Therefore, in one area where there is already a school building or hospital facilities and so on, they are again giving money for those facilities and they are not giving money for something else that may be more immediately necessary

such as irrigation facilities. We may point out, for instance, that in spite of the fact that Panchayat boards were existing there and Panchayat unions had been formed, when the Third Five Year Plan was being finalised, the views of the Panchayat unions were not taken as to what would be the correct assessment of the educational requirements and an assessment as regards the money necessary for the school buildings that would have to be constructed in the coming period and so on. In this manner, I think, we find that there is a lot of overlapping, there is a lot of red-tape and the actual democratic functioning of Panchayat unions is something that is still very hazy, which will have to be achieved if Panchayat Raj is to be effective.

Just one word regarding training camps which were referred to by one of the hon. Members. I had the privilege of attending one of the training camps or rather the inaugural meeting of the training camps. I was amazed that on those occasions, far from the inaugural meeting being one to set the tone of training camps and to give the Panchayat leaders who were there an idea of what Panchayat Raj means, what are the various provisions of the Panchayat Act—there were various M.L.A.s and others and I was in a minority—they gave to the Panchayat leaders a lecture on how the Congress party had brought this great change and transformation in the countryside and so on. In other words, that became a propaganda platform rather than set the tone for the different Panchayat leaders and discuss the merits of the Panchayat Act and what has to be done. With the result that, later, I heard that there were some heated arguments between the different people who had come to that camp and it developed into a political argument instead of their being able to exchange views in regard to the working of the Panchayat Act and the defects that had to be overcome. Therefore, I would request the Minister that he should look into this matter and see that these matters are taken into consideration

when the working of the Panchayat Act was reviewed, in order to guarantee that the Panchayat Raj really becomes successful.

Shri B. S. Murthy: May I request the hon. Member to supply us details of what she has alleged?

श्री मू० चं० जैन (कैयत) : उपाध्यक्ष महोदय, मैं श्री तंगामणि और श्री शर्मा को बघाई देना चाहता हूँ कि उन्होंने ऐसा अहम मोशन हाउस के सामने ला कर हाउस की और सारे देश की तबज्जह अपनी सरकार के इस हथम कदम की तरफ दिलाई है, और मुझे उम्मीद है कि इस मोशन पर बहस करते हुए, मेम्बरान की तरफ से जो नई तजवीजें आयेंगी आनरेबल मिनिस्टर साहब उन पर बहुत ध्यान से गौर करेंगे।

मुझे अफसोस है कि मेरे लायक दोस्त श्री मधोक यहाँ से चले गये, मैं उन की तकरीर को बहुत गौर से सुन रहा था। उन की तकरीर को सुनने के बाद मैं तो इसी नतीजे पर पहुँचा कि वे एक तरह से बिल्कुल इर्रैलेवेंट बोल रहे थे।

उपाध्यक्ष महोदय : इस बात से तो चेन्नर पर भी रिफ्लेक्शन पड़ता है।

श्री मू० चं० जैन : जो कुछ उन्होंने कहा वास्तव में वह इर्रैलेवेंट था एक तरीके से।

उपाध्यक्ष महोदय : यह सब होता रहा और उस तरीके को चेन्नर समझ नहीं सकी।

श्री मू० चं० जैन : मेरा कहने का मंशा यह नहीं था। जो मोशन था वह दरअसल यह था :

“Situation arising out of the working of the Panchayat Raj be taken into consideration.”

बजाय इस के कि इस पर कोई बात चीत की जाय, वह दरअसल सन् १९३९ में जो पंचायतें थीं या १९४० में जो पंचायतें थीं, जो विलेज पंचायतें थीं, उन पर ही बोलते रहे। जहाँ तक मैं समझा हूँ हाउस के सामने सवाल यह है कि पिछले तीन या चार वर्षों से मुस्तलिफ सुबों में जो पंचायतें समितियाँ बनीं, जो जिला परिषदों कायम की जा रही हैं, उन के बनाने का क्या असर हुआ, क्या काम उनके जरिये हुआ और क्या इम्प्रूवमेंट और होनी चाहिये, इस पर गौर किया जाय। आप मुझे से शायद इत्तफाक करेंगे कि जहाँ तक इन पंचायत समितियों के कायम होने का सवाल है और जिला परिषदों के बनने का सवाल है, हमारे फाजिल मेम्बर साहब ने एक शब्द भी नहीं कहा। बहरहाल मैं ने सोचा कि उन्होंने कुछ कहा हो या नहीं, मैं उन पर अपने इधालात जाहिर करूँगा कि जो कुछ किया जा रहा है उस का मंशा क्या है। मेम्बर साहब ने अपनी स्पीच में इस के लिये कुछ नहीं कहा।

श्री बजर्राज सिंह : अब आप ही कुछ कह दीजिये।

श्री मू० चं० जैन : आप जरा सब्र कीजिये। मैं सब कुछ कहूँगा।

वह एक तरफ तो पंचायत राज की दुहाई देते रहे कि क्यों वह कायम नहीं हो रहा है और दूसरी तरफ अपने बड़े माकूल सजेसन देने की कोशिश की कि इन पंचायतों को बड़े कम अस्त्यार दिये जा रहे हैं, और यह पंचायतें इस तरह से होनी चाहियें जैसे कि सूबों की सरकारें होती हैं। आप इस बात से तो इत्तफाक करेंगे कि उन की सारी तबज्जह जो थी वह गांव की पंचायतों की तरफ थी। ब्लाकों में जो पंचायत समितियाँ बनाई जा रही हैं या जिला परिषदें बनाई जा रही हैं उन पर उनकी कोई दलील लागू ही नहीं होती। यह भी नहीं कहते कि उन पंचायतों को क्या क्या अस्त्यार दिये जायें या कि उनको बिल्कुल

[श्री म० च० जैन]

इंडिपेन्डेंट बना दिया जाय, जैसे कि सूबों की सरकारें हैं। वही पुरानी दलील उनकी थी टैक्सेशन के बारे में कि पंचायतों को बर्डन नहीं किया जाना चाहिये। एक तरफ उनको वह खुदमुस्तार बनाना चाहते हैं और दूसरी तरफ कहते हैं कि उनको टैक्सेशन की पावर नहीं होना चाहिये। वह इसके लिये बर्डन का लफ्ज इस्तेमाल कर के कहते हैं कि वह उन पर नहीं डाला जाना चाहिये। यह तो अगर मैं एक तरह से कहूँ तो उसी तरह से है जिसे कि कहा जाता है कि बिल्ली थैले से बाहर आ गई। वह इन पंचायतों को किसी तरह से फंक्शन नहीं करने देना चाहती। मैं पूछना चाहता हूँ कि कौन सी ऐसी जमात हो सकती है जो कि नई बनाई जाय और टैक्सेशन की पावर न होते हुए भी वह अच्छी तरह से फंक्शन कर सके ?

एक बात और है। यहां पर वह एक ऐसी पार्टी के नुमाइन्दे हैं जिसका जम्हूरियत पर कोई यकीन नहीं है। राष्ट्रीय स्वयं सेवक संघ, जिसका बच्चा यह जनसंघ है, कब से जम्हूरियत पर यकीन करने लगा, यह मैं नहीं जानता।

Mr. Deputy-Speaker: Order, order; there is some discussion there, at the end also. The hon. Minister is also there.

An Hon. Member: What is the use of convincing now?

श्री म० च० जैन : बहरहाल मेरे लायक दोस्त यहां पर नहीं हैं। उनकी गैर-हाजिरी में मुझे कहना पड़ता है कि हमारी हुकूमतों ने और लीडरान ने पंचायत समितियां और जिला परिषदें बनाने की जो स्कीम हिन्दुस्तान के सामने रखी है उसे कामयाब करने के लिये हमारे कम्प्यूनिटी डेवलपमेंट मिनिस्टर साहब ने सारी स्टेट्स को परसुएड करके एक इन्कलाबी कदम उठा कर दिखा दिया। मैं पूछना चाहता हूँ कि क्या कभी जनसंघ ने कोई एक प्रस्ताव पास किया सारे

देश में जिसके जरिये से कि जो ब्लाक डेवलपमेंट आफिसर्स हमारे ब्लाक्स में काम करते हैं वहुठीक तरह से काम कर सकें, ताकि वह उस तरह की स्टैचुटरी बाडीज बन जायें, जैसी कि अब बनाई जा रही है ? उन्होंने एक भी प्रस्ताव पास नहीं किया, कभी भी कोई मांग नहीं की कि इस तरह से पंचायत समितियां बनाई जायें। आज जब कि हम पंचायत समितियां बना चुके हैं बहुत सी स्टेट्स में, जिला परिषदें बन रही हैं, तब वे जस चीज को इस तरह से क्रिटिसाइज करें, तो मैं कहे बगैर नहीं रह सकता कि यह उनकी प्रोपेगेंडा स्पीच थी।

उन्होंने एक और बड़ा भारी इल्जाम गवर्नमेंट पर लगाया। मुझे उनकी बात को सुन कर अफसोस हुआ, उन्होंने कहा कि हमारे देश में पार्टीबन्दी है और सरकार इसे बढ़ा रही है लेकिन उन्होंने हमारे पुराने देहाती रस्मो रिवाज का हवाला देते हुए फरमाया कि देहाती जिन्दगी में बड़ी एकता थी, एक कम्प्यूनिटी लाइफ थी उसमें, भावात्मक एकता थी देश में, और उस भावात्मक एकता को हमारी सरकार की पालिमीज खराब कर रही है। मैं इस प्वाइंट पर जाती तौर पर बहुत टची हूँ। मैं एक गांव का रहने वाला हूँ और एक गांव वाले को हैसियत से मैं अपने लायक दोस्त श्री मधोक साहब से—मुझे नहीं मालूम कि उनका गांवों से कितना ताल्लुक है—और उनके जैसे खयाल के आदमियों से कहना चाहता हूँ कि अगर आज कोई आदमी यह कहे कि जैसी देहातों की जिन्दगी २० साल पहले थी वैसी आज हो जाये तो कहना होगा कि न जाने वह कौन सी दुनिया में रह रहा है। पुराने जमाने में देहात की जिन्दगी क्या थी ? उस वक्त देहात की ५० प्रतिशत आबादी ने अपना एक लो स्टेटस कबूल कर लिया था, पुराने रिवाजों के हिसाब से उनकी बराबर की

हैसियत नहीं थी। जिनको हम अतटचेवित्स कहते थे, या जिनको लो कास्ट कहते थे या जिनको शिड्यूल्ड कास्ट या बैकवर्ड क्लासेज कहते हैं, उनका और सोकाल्ड हायर क्लासेज का कोई बराबर का स्टेटस नहीं था और मैं इसको बदकिस्मती कहता हूँ—वह शायद इसको खुशकिस्मती कहूँ—कि पुराने रिवाज के हिसाब से उस ४० फी सदी आबादी ने अपना लो स्टेटस कबूल कर लिया था। उन लोगों ने यह मान लिया था कि उनको परमात्मा ने लो स्टेटस दिया है और उसको उन्होंने कबूल कर लिया। मुझे खुशी है कि आज आजादी मिलने के बाद उन्होंने उस स्टेटस को कबूल करने से इन्कार कर दिया है और वह आगे आकर कहते हैं कि हमारा भी बराबर का दर्जा है और अब ये लोग इस तरह सामने आए तो इनके और सोकाल्ड हायर कास्ट वालों के बीच, जो कि इस ४० फी सदी आबादी को नीचा समझते थे, अमन कैसे कायम रह सकता है और मुझे खुशी है कि पंचायत राज्य का सिस्टम कायम होने पर

उपाध्यक्ष महोदय : माननीय सदस्य को दो मिनट में समाप्त करना चाहिए।

श्री मू० ब० जैन : अब तो सरकार की तरफ से वक्त की कोई पाबन्दी नहीं है।

उपाध्यक्ष महोदय : आपके कहने पर ही मैंने यह बात मिनट की पाबन्दी लगायी थी।

श्री मू० ब० जैन : उसके बाद तो गवर्नमेंट की तरफ से कहा गया है कि टाइम एक्सटेंड कर दिया जाए।

उपाध्यक्ष महोदय : इसके बावजूद जो नाम मेरे सामने हैं उनको देखते हुए मैं एक एक माननीय सदस्य को सात मिनट से ज्यादा वक्त नहीं दे सकता, और आपने तो अभी अपनी बात भी शुरू नहीं की है।

श्री मू० ब० जैन : मेरी इस मसले में गहरी दिलचस्पी है और मैं अहम प्वाइंट्स को ही टच कर रहा था।

उपाध्यक्ष महोदय : मैं इससे इन्कार नहीं करता लेकिन मेरी निगाह तो घड़ी पर लगी है और वह बराबर चलती जा रही है।

श्री मू० ब० जैन : मैं बहुत जल्दी अपनी बात समाप्त करता हूँ।

यह जो समाज का बीकर सेक्शन है इसको नए हालात में देहात की जिन्दगी में एडजस्ट करना होगा और मुझे खुशी है कि एजस्टमेंट के काम में यह पंचायत राज, पंचायत समितियाँ और जिला परिषदें बड़ी मुअस्न साबित हो रही हैं।

इस बीकर सेक्शन की हालत सारे देश में एक सी ही है। मगर इस पंचायत राज के बावजूद इन को पुरारिप्रजेंटेशन पंचायतों और पंचायत समितियों या जिला परिषदों में नहीं मिल रहा है। उसकी वजह यह है कि पंजाब को छोड़ कर और राज्यों में चुनाव का सिस्टम कुछ ऐसा है कि उसकी वजह से इन लोगों का सही रिप्रजेंटेशन इन संस्थाओं में रिफ्लेक्ट नहीं हो पाता। और जब तक प्रोपोरशनल रिप्रजेंटेशन का सिस्टम जो कि पंजाब में लागू है और राज्यों की पंचायत संस्थाओं के चुनाव में लागू नहीं किया जायेगा इस बीकर सेक्शन को सही रिप्रजेंटेशन नहीं मिल सकेगा। मैंने इसके बारे में डिटेल् में गवर्नमेंट को लिख कर भेजा है। मुझे खुशी होगी अगर अपने जवाब में मिनिस्टर साहब इस पर रौशनी डालें।

मैं इस बात को खास तौर से इस वजह से भी कह रहा हूँ क्योंकि मुझको बतौरस्टडी टोम के एक मेम्बर के इस चीज को राजस्थान और आन्ध्र प्रदेश में देखने का मौका मिला था। मैंने वहाँ का सिस्टम देखा तो मुझ

[श्री म० च० जैन]

अफसस हुआ कि उस सिस्टम में समाज का जो कमजोर सेक्शन है उसको अपनी आबादी के हिसाब से इन पंचायत राज्य की संस्थाओं में सही रिप्रेजेंटेशन नहीं मिलता और इसका नतीजा यह है कि उनको इन पर पूरा एतवार नहीं है। इसकी मैं एक मिसाल आपके सामने रखना चाहता हूँ। हैदराबाद के तमाम बैंकवर्ड क्लासेज और हरिजन एम० पीज और एम० एल० एज ने मिल कर एक प्रस्ताव पास किया जिसमें कहा गया कि उनका सोशल वेलफेयर फंड है और जिसको अभी कलक्टर आपरेट करता है उसको जिला परिषदों को ट्रांसफर न किया जाए जैसा कि हानि जा रहा है। इसकी क्या वजह है। इसकी वजह यही है कि इन लोगों को जिला परिषद और पंचायत समितियों और पंचायतों में पूरा एतवार नहीं है, और उसकी वजह यही है कि इनमें उनको पूरा रिप्रेजेंटेशन नहीं मिलता है। इसलिये जरूरी है कि जो सिस्टम पंजाब में लागू है वही दूसरे राज्यों में भी राज्य किया जाए। कम्प्यूनिटी डेवलपमेंट डिपार्टमेंट ने इस मसले को स्टडी किया है। मैं नहीं जानता कि वह किस नतीजे पर पहुंचे हैं। लेकिन मेरा सुझाव है कि पंजाब के सिस्टम को सारी स्टेट्स में राज्य किया जाना चाहिए तभी हम बीकर सेक्शनस को उनका पूरा रिप्रेजेंटेशन इन संस्थाओं में मिल सकेगा।

एक बात और कह कर मैं खतम करता हूँ। मेरे लायक दोस्त ने कहा कि इन पंचायतों के काम में किसी को इंटरफियर नहीं करना चाहिए। किसी सियासी इंटरफरेंस के तो मैं भी खिलाफ हूँ। लेकिन अगर कोई सरपंच गबन कर ले और उसकी देख भाल न हो, अगर यह मेरे लायक दोस्त का मतलब है, तब तो मैं कहूंगा कि वह दरअसल नहीं चाहते कि पंचायत राज फंक्शन करे। मैं तो चाहता हूँ कि हर राज्य में पंचायतों पर फाइनल मामलों में कड़ा सुपरविजन

होना चाहिए और अगर इस बारे में कोई शिकायत हो तो उसकी जांच करके एक महीने के अन्दर गांव वालों का शक दूर कर दिया जाना चाहिए ताकि लोगों को इन पर एतवार पैदा हो।

आखिर में मैं डे साहब को और उनके मुहकमे को धन्यवाद देना चाहता हूँ कि उन्होंने इतनी लगन के साथ इस काम को आगे बढ़ाया। अगर वह इतनी लगन से काम न करते तो इस काम को करने में बहुत समय लगता।

श्री पहाड़िया (सवाई माधोपुर—रक्षित—अनुसूचित जातियाँ) : उपाध्यक्ष महोदय, पंचायत राज्य की स्थापना का समारम्भ राजस्थान से हुआ। राजस्थान एक ऐसा प्रान्त है कि जहाँ पर पुरानी रियासतें थी। लेकिन आप लोगों को यह जान कर ताज्जुब होगा कि रियासती जमाने में भी वहाँ अपने डंग को पंचायतें थी। वह भी ग्राम पंचायतें कहलाती थीं। उनका चुनाव नहीं होता था। सरकार का कोई अफसर उनको नामिनेट करता था। अब उसको बदल कर नया पंचायत राज्य कायम किया गया है और उसके कार्य का तीन चार साल का तजरबा अपना अपना अलग अलग हो सकता है मैंने उसको अपने नुक्ते नजर से देखा है और मेरा अपना एक तजरबा है। मेरे दूसरे साथियों का दूसरा तजरबा हो सकता है। मैं इस सिलसिले में अपने तजरबे की बात आपके सामने रखना चाहता हूँ।

पंचायत राज और पंचायती राज की बड़ी बातें की जाती हैं। लेकिन ये दो अलग अलग चीजें हैं। और जो यह पंचायत राज चल रहा है उसकी बकिंग की ध्योरी को मैं आपके सामने रखना चाहता हूँ। मैं निवेदन करना चाहता हूँ कि यह बात तो सही है कि

पंचायती राज और पंचायत राज में भिन्नता है। उनके अलग अलग तरीके हैं। मिसाल के तौर पर मैं यह भिन्नता देखता हूँ कि जहाँ पंचायत राज कानून से बना है वहाँ पंचायती राज लोगों की अपनी इच्छा से था। दूसरी भिन्नता यह है कि इसमें चुनाव होता है और पंचायती राज में अपने आप चुनिन्दा लोग आ जाते थे। तीसरी भिन्नता यह है कि पंचायती राज सरकार द्वारा चलाया जाता है और पंचायती राज को लोग अपने आप चलाते थे।

यह बात सही है कि जैसे जैसे समय बदलता रहता है पुरानी संस्थाएँ खत्म होती जाती हैं जैसे गंगा का बहता हुआ पानी अपने साथ पत्थर और लकड़ सब को बहा ले जाता है। उस बहाव में जो मजबूत होते हैं वही ठिक रहते हैं। तो समय के साथ अनेक पुरानी चीजें बदलती हैं और अगर हमारा पंचायती राज भी बदला है तो इसमें किसी को ऐतराज नहीं होना चाहिए। आज जो पंचायत राज चल रहा है उसमें कुछ खामियाँ हो सकती हैं क्योंकि हमारे गांवों में पुराने किस्म के लोग बसते हैं, वहाँ अभी पूरी तरह शिक्षा का प्रचार नहीं हो पाया है। इसीलिए जितनी जल्दी हम चाहते हैं उतनी जल्दी पंचायत राज का विकास नहीं हो रहा है। लेकिन अगर कोई हमारे इरादों और विचारों पर शक करता है तो मैं समझता हूँ कि वह अपने आप पर शक करता है। और जो ऐसे लोग हैं उन्होंने मेरे खाल से सारी स्क्रीम को समझा नहीं है।

16 hrs.

यह सही है कि जो गांवों में इन संस्थाओं के लिए चुनाव होते हैं उनमें ग्रूपबन्दी होती है और उससे जाति बिरादरी की भावना को भी बढ़ावा मिलता है। लेकिन साथ ही साथ मुझे यह भी मालूम है कि इन चुनावों में जाति पात की भावना को खत्म करने में भी बड़ा भाग लिया है। अगर इन चुनावों से

कुछ जगह जाति बिरादरी की भावना बढ़ी है तो अनेक जगह इस चुनाव के झंझावात ने जाति बिरादरी की शोपड़ी को उखाड़ कर फेंक दिया है। और मेरी भगवान से प्रार्थना है कि अगर इस प्रकार जाति बिरादरी खत्म हो जाए तो यह हमारे देश का बड़ा सौभाग्य होगा।

कुछ रुपए के खर्च की गड़बड़ियों का भी यहाँ जिक्र किया गया। मैं मानता हूँ कि जरूर इस प्रकार की गड़बड़ियाँ होती हैं। इसका कारण यह है कि जो लोग गांव में रहते हैं वे आम तौर से अच्छा हिसाब किताब नहीं जानते। इस काम के लिए या तो सरकार की तरफ से कर्मचारी नियुक्त कर दिए जाते हैं या पंचायत अपनी तरफ से ही कुछ कर्मचारी रख लेनी है। लेकिन ये कर्मचारी भी गांवों के रहने वाले होते हैं और आंकड़ों के काम को पूरी तरह नहीं जानते। हमें ऐसे आदमी भी मिल सकते हैं जोकि हिसाब किताब और आंकड़ों को जानते हों लेकिन उनको हमें अधिक तनखाह देनी पड़ेगी और तब सवाल यह आता है कि उनको कहा से इतनी तनखाह दे और कैसे उनके रहन सहन का इंतजाम किया जाय। इसलिए मैं समझता हूँ कि जो हमारा यह "स्लो एंड स्टैडी विस दो रेस" वाला तरीका चल रहा है वह ठीक है और उम को कबूल करना चा ह्ये। जो गलतियाँ हम ने की हैं उन गलतियों को हम मुधारना चाहते हैं और उन भूलों से हम बचना चाहते हैं। जो तलख तजुब हमें हुए हैं उनको हम दुबारा दुहराना नहीं चाहते लेकिन यह बात भी सही है और मैं मानता हूँ कि अगर कानून के जरिए से कोई बात बदल गई होती तो मेरा खयाल है कि हिन्दुस्तान का समाज एक समाज न रह कर गवर्नमेंट बन गया होता। जाहिर है कि यह सब बातें कानून के जरिए हल नहीं की जा सकती। कानून

[श्री पहाडिया]

एक तरीका और एक माध्यम है जोकि हमें रास्ता बतला रहा है। कुल मिला कर हमें ही बदलना होगा और कानून की मंशा को हमें ही पूरा करना होगा। कानून की किताब उस मंशा को पूरा नहीं करेगी। हमारे देशवासियों को खास तौर से जो इस बात को समझने वाले हैं उनकी जिम्मेदारी है कि उस मंशा को समझे और उसको पूरा करने का प्रयत्न करें। अब उस मंशा को समझने और उसे पूरा करने के लिए अगर पार्टी के तौर पर काम किया गया और मुल्क को दूर रख दिया गया और कायदे कानून के शंशट में पंचायतों को फंसा दिया गया तो जैसा कि हमारे पूर्व वक्ताओं ने कहा है यह पंचायतें पंचायतें न रह कर अदालतें बन जाएंगी। उस हालत में यह जो मुकद्दमेबाजी पर होने वाले खर्च को बंद करने और वही गांव में में बैठ कर आपस में बातचीत करके मामला तय करने की बात हम सोच रहे हैं वह मंशा हमारी पूरी नहीं होने वाली है। इसलिए मैं अपने सभी लायक दोस्तों और देशवासियों से निवेदन करना चाहता हूँ कि इस पंचायती राज्य को पार्टी लाइन पर न समझें। यह कोई कांग्रेस या किस अन्य पार्टी का प्रोग्राम नहीं है बल्कि यह मुल्क का प्रोग्राम है। अब हमारे डे साहब इस चीज को सामने लाये उसके लिए हम उनको मुबारकबाद देते हैं लेकिन इसके यह मायने नहीं हैं कि यह तमाम जिम्मेदारी डे साहब की है। उसके लिए हम सब लोगों की जिम्मेदारी है कि उसको कुशलता से चलाया जाय। हम सब लोगों को देखना चाहिए कि कैसे इस पंचायत राज्य के काम को आगे बढ़ाना है। अब उसमें गलतियां होती हैं तो हों। लेकिन जैसा कि मेरे एक पूर्व वक्ता ने कहा था कि अगर एक बड़ा आदमी कोई गलती करता है तो उसका नुकसान बहुत लोगों को होता है अगर इस मुल्क के प्रधान मंत्री जी या राष्ट्रपति जी कोई गलती करें तो उससे सारे

देश को नुकसान पहुंचेगा लेकिन उसके विपरीत अगर एक पंच अथवा पंचायत कोई गलती करती है तो उसका नुकसान एक सीमित दायरे तक ही रहेगा और उसको हम फौरन पकड़ भी लेते हैं और उससे हमें कोई ज्यादा नुकसान नहीं होता है।

मैं इस बात से इंकार नहीं करता कि पंचायत राज्य में कोई खामियां नहीं हैं और जो खामियां हैं उनको मैं छिपाना नहीं चाहता। मैं इस पर ज्यादा विस्तार से तो नहीं कह सकता क्योंकि मेरा समय पूरा होने वाला ही है लेकिन मैं अपने प्रांत राजस्थान की बाबत अवश्य कहना चाहता हूँ कि वहां पर जो पंचायतें बनी हैं वह बहुत छोटी बनी हैं और छोटी होने के कारण खर्चा वहन नहीं कर पाती हैं। इस कारण उनमें बहुत गड़बड़ भी हो जाया करती है। मैं चाहूंगा कि इस ओर ध्यान दिया जाय कि उसका कैसा रूप रहे। उसकी जांच पड़ताल होनी चाहिए। मेरी राय में तो आज पंचायतें बहुत छोटी हो गई हैं। यह जरूर है कि पहले पंचायतें बहुत बड़ी थीं लेकिन अब जो पंचायतें बनी हैं वह बहुत छोटी हैं। इसलिए अगर सम्भव हो सके तो इस के बारे में जांच की जाय और पंचायतों को आबादी या ऐरिया जिस हिसाब से भी आप मुनासिब समझें, बनाया जाना चाहिए। ऐसा होने से मैं समझता हूँ कि यह जो खर्च की समस्या बारबार आती है, रिसोर्सिज की समस्या बार बार आती है वह नहीं आयेगी।

एक निवेदन मैं यह करना चाहता हूँ कि पंचायत, पंचायत समिति और जिला परिषद् के चुनावों के सम्बन्ध में जैन साहब ने जो सलाह दी उससे मैं पूरी तरह सहमत नहीं हूँ हालांकि मैं उनकी इस बात को सही मानता हूँ कि रिप्रेजेंटेशन अगर प्रप्रोरशनल होता तो वीकर सैकशन आफ दी सोसाइटी को ज्यादा मौका मिलेगा। आज जो जातिवाद, लोकलिज्म और ग्रुपिज्म बढ़ी है उन्ना एक

कारण यह भी है कि कुछ सलेक्टेट व्यक्तिओं के हाथ में सत्ता आ गई है, मत देने की ताकत आ गई है और इसलिए मैं निवेदन करना चाहता हूँ कि अगर सम्भव हो सके तो मुल्क के हर एक प्रांत में पंचायत समिति का प्रधान सरपंचों के द्वारा नहीं चुना जाना चाहिए बल्कि पंचायतों के मेम्बरों द्वारा चुना जाना चाहिए। सरपंच अगर चुनते हैं तो वह तो थोड़े से व्यक्ति होते हैं और उनके लिए कहा जा सकता है कि खरीद लिया है अथवा डरा दिया है लेकिन अगर उनका चुनाव पंचायत के मेम्बर करते हैं तो उनकी संख्या ज्यादा होगी और उनके बारे में इस तरह के आरोप नहीं लगायें जा सकेंगे और इसको लेकर यह जो इतना बड़ा हंगामा मचा हुआ है वह न हो सकेगा।

इसी तरह से जिला परिषद् का जो प्रमुख होता है उसका चुनाव भी पंचायत समिति का प्रधान करता है। अब एक जिला परिषद् में ज्यादा से ज्यादा ८, १० या १२ आदमी होंगे। मेरी समझ में १५ तो कहीं पर न होंगे। वह जो प्रधान होते हैं वह जिला परिषद् के प्रमुख को चुनते हैं। चूंकि वह भी संख्या बहुत थोड़ी होती है इसलिए प्रधानों के बजाय वहां पर सरपंच अगर जिला परिषदों के प्रमुख का चुनाव करें तो ज्यादा वाजिब बात हो सकती है।

हम सब चाहते हैं कि पंचायत राज्य का विकास हो लेकिन पंचायत राज्य का विकास अभी नहीं हो रहा है हालांकि मुझे इस बारे में कोई संदेह नहीं है कि उनका विकास होगा। अब इसके रास्ते में सब से बड़ी रुकावट रेडटेपिज्म की है जो कि बराबर चलती रहती है और यह ऊपर से चलती है। अब यह लालफीतेशाही नीचे भी घुस गई है जिसके कि कारण हमारा गांव का आदमी बहुत परेशान हो गया है। आज ही यह रहा है कि गांव वाला पहले तहसील में दौड़ता है फिर निजामत में

और उसको वही मुंशी और क्लर्क के यहां भाग भाग कर जाना पड़ता है। पंचायत समिति का एक बड़ा मुहकमा खुल गया है। वहां पर ४०-५० आदमियों का स्टाफ लगा होता है। किसान अगर कर्जा लेने अथवा तकावी के लिए दरखास्त देता है तो उसे उसके मिलने में बड़े परेशानी पेश आती है। मैं चाहता हूँ कि अगर सम्भव हो सके तो आज वहां पर जो लाल फीतेशाही का दौरा-दौरा है उसे खत्म कर दिया जाय ताकि हमारे किसान भाई उस परेशानी से बच जायें।

आखिर में मैं यही निवेदन करना चाहूंगा कि सरकार को इसके लिए साफ तौर से अपने अधिकारियों की निर्देश देना होगा, निर्देश तो दिया हुआ है लेकिन उनको पर्सनली यह समझाना होगा कि उन का यह कर्तव्य है कि वीकर सक्शन आफ दी सोसाइटी की मदद करे और उनको ऊपर उठाने का प्रयास करें। उनका कर्तव्य देश और समाज की सेवा करना है और इसके लिए जरूरी हो जाता है कि हमारे अधिकारीगण निष्पक्ष रूप से काम करें। वे लोग निष्पक्ष रूप से सभी काम कर सकेंगे जब उन के ऊपर जो यह भूत हर समय लगा रहता है कि उनके विरुद्ध अविश्वास का प्रस्ताव पास कर दिया जायेगा और उनका प्रमोशन रोक दिया जायेगा अथवा उनका तबादला कर दिया जायेगा, यह भूत उनके सिर पर न रहे। इसलिए कोई ऐसी उचित व्यवस्था की जाये ताकि उन अफसरों के दिमाग पर जो यह भूत सवार है वह उतर जाये और ऐसा होने पर ठीक से काम चलेगा।

श्री बजर्राज सिंह : उपाध्यक्ष महोदय, भारतीय शासन के विकेन्द्रीकरण के सिद्धान्त का कोई भी व्यक्ति जो जनतंत्र में विश्वास रखता है विरोध नहीं करेगा और वह उसका स्वागत ही करेगा। ऐसी अवस्था में इस सरकार द्वारा और इसके कहने पर और इस की सलाह पर प्रादेशिक सरकारों द्वारा जो शासन के विकेन्द्रीकरण करने की योजनाएं

[श्री बजर्राज सिंह]

बनाई गई हैं सिद्धान्त रूप में मैं उनका स्वागत करता हूँ। अब प्रश्न यह है कि शासन का विकेन्द्रीकरण जिस शकल में किया जाना चाहिए क्या उस शकल में जिला परिषद्, पंचायत समितियाँ या पंचायतें पहुँच रही हैं? जब हम इस बात को देखते हैं तभी यह लगता है कि भले ही यहां दिल्ली में बैठकर मंत्री लोग और दूसरे अधिकारी लोग यह सोचते हों कि शासन विकेन्द्रीकरण कर रहा है लेकिन हकीकत यह है कि वह उस शकल में नहीं हो रहा है जिस शकल में कि उसे होना चाहिए हम सब की यह इच्छा होनी चाहिए, सद्भावना होनी चाहिए कि शासन का सही मायने में विकेन्द्रीकरण हो। जिला परिषदें, पंचायत समितियाँ और ग्राम पंचायतें शक्तिशाली बनें क्योंकि हमारा यह विश्वास है कि हिन्दुस्तान जैसे मुल्क कभी भी दिल्ली, लखनऊ अथवा जयपुर में बैठ कर राज्य नहीं चलाया जा सकता है। अगर देश की जनता के हित में राज्य चलाना है तो वह तो जिला परिषदों, पंचायत समितियों और ग्राम सभाओं द्वारा ही चलाया जा सकता है। उसी से जनता का सीधा सम्बन्ध हो सकता है। इसलिए यह उचित ही है कि हिन्दुस्तान की सरकार इस पर बहुत ही महत्व के साथ सोचे और शासन के विकेन्द्रीकरण को पूरा करने के लिए उचित कदम उठाये।

मुझे खुशी है कि भले ही कुछ खामियाँ रही हों लेकिन सरकार की तरफ से कुछ ऐसे कदम उठाये गये हैं जिन से हम लोग शासन के विकेन्द्रीकरण की ओर जाते हैं। विशेषकर कुछ राज्यों में विकेन्द्रीकरण जिस शकल में हुआ है उससे नौकरशाही की सत्ता को कुछ घक्का लगा है। आज जनतंत्र को सफल बनाने के लिए यह बहुत ही आवश्यक है कि हमारे देश में ब्रिटिश परम्परा के अनुसार जो नौकरशाही बहुत मजबूत हो गई है उसको कमजोर किया जाये। अगर उस नौकरशाही को हमें सही मायनों में जनसेवक बनाना है

तो यह निहायत ही आवश्यक है कि उसे हमें कमजोर करना पड़ेगा। जब तक उसकी शक्ति को हम काटेंगे नहीं तब तक जनतंत्र सफल नहीं होगा और न ही शासन का विकेन्द्रीकरण हो सकता है।

मैं जानता हूँ कि विकेन्द्रीकरण आज की अवस्था में कम से कम बहुत मुश्किल काम है क्योंकि हमारे देश की जनता शिक्षित और जितनी जागरूक उसे होना चाहिए वह नहीं है और इस कारण नौकरशाही इस तरह का कदम उठा सकती है जिससे जो कानून बनाने का अधिकार उसे मिला है उसको खत्म कर सकती है और आजकल यही हो रहा है। मंत्रियों का ध्यान और सरकार का ध्यान इधर जाना चाहिए। जो भी कानून बनता है उसमें कहीं न कहीं इस तरह की खामी रखी जाती है या निराजने की कोशिश की जाती है कि जो चुने हुए प्रतिनिधि होते हैं उन प्रतिनिधियों की ताकत कम हो जाये और जो सरकारी लोग उसमें मंत्रियों की हैसियत से सेक्रेटरी की हैसियत से और सलाहकार की हैसियत से होते हैं उनकी ताकत बढ़ जाये। अगर अपनी ताकत बढ़ाने का उन का मन्शा पूरा हो जाता है, तो फिर विकेन्द्रीकरण की सारी योजना असफल हो जाती है। पंचायत समितियाँ बनाई गई हैं, लेकिन क्या उन को वे अधिकार मिले हैं, या उन को वे अधिकार देने की कोशिश अधिकारियों की तरफ से की जा रही है, जिन्हें देना हम सिद्धान्ततः स्वीकार कर चुके हैं? ऐसा नहीं किया गया है। अगर इन संस्थाओं के अध्यक्ष—जिला परिषद्, पंचायत समिति या ग्राम सभा के प्रमुख—का चुनाव कभी भी अप्रत्यक्ष रूप से होगा, तो वह व्यक्ति जनता का सही मायने में प्रतिनिधि नहीं हो सकता है और न ही वह जनता के लिए काम कर सकता है। उत्तर प्रदेश में जिला परिषद् के अध्यक्ष का चुनाव अप्रत्यक्ष रूप से किया गया है। वह अध्यक्ष कभी भी जिले का सच्चा प्रतिनिधि नहीं हो सकता है और न जनता की सही मायने में सेवा कर सकता है।

इसलिए सरकार का ध्यान इस ओर आकृष्ट होना चाहिए कि सारे हिन्दुस्तान में एक तरह का कानून बने और इन संस्थाओं के सदस्य और अध्यक्ष निश्चित रूप से प्रत्यक्ष रूप से चुने जायें और उन्हें अपने क्षेत्रों में वही अधिकार प्राप्त हों, जो कि लोक-सभा और विधान सभाओं को अपने अपने क्षेत्र में प्राप्त हैं। आज दुर्भाग्य की बात यह है कि पंचायत-राज्य की योजना पर अमल होने के बाद हम यह देखते हैं कि लोक-सभा का सदस्य यह समझता है कि असेम्बली के सदस्य से उस की हैसियत बड़ी है, और असेम्बली और लोक-सभा के सदस्य यह समझते हैं कि जिला परिषद् के सदस्य से उन की हैसियत बड़ी है और लोक-सभा, असेम्बली और जिला परिषद् के सदस्य तीनों यह समझते हैं कि उन की हैसियत ग्राम पंचायत या पंचायत समिति के अध्यक्ष और सदस्य से बड़ी है।

श्री पहाड़िया : राजस्थान में हम यह नहीं समझते।

श्री बजराम सिंह : इस तरह की भावना को निकालना पड़ेगा। मैं निवेदन करना चाहता हूँ कि विकेन्द्रीकरण में विभिन्न संस्थाओं के अधिकार-क्षेत्र अलग हो सकते हैं, लेकिन उन सब के अधिकार एक से रहेंगे। देश के शासन में लोक-सभा, विधान सभा, जिला परिषद्, पंचायत समिति और ग्राम सभा को अलग अलग-विषय दिये जा सकते हैं, लेकिन अपने में वे पूर्णतया स्वतंत्र और प्रभुसत्ता-सम्पन्न रहें और दूसरे को उन के मामलों में दखल देने का अधिकार न हो।

जहां तक दखल देने का प्रश्न है, उस का यह अर्थ नहीं है कि कोई भ्रष्टाचार या शबन का मामला हो, तो भी उस के निराकरण के लिए कोई पग न उठाया जाय। शबन तो यहां केन्द्रीय सरकार में भी होता है और उस की देख-भाल करने के लिए लोग मीजूद हैं। हमारे कानून में उसके लिए सजा निश्चित है। इन सब संस्थाओं में,

चाहे वह लोक-सभा हों, चाहे पंचायत समिति इस सम्बन्ध में नियम लागू होने चाहिए, उस में दो राय नहीं हो सकती है। दखल न देने के सिद्धान्त का अर्थ यह है कि केन्द्र या सूबे के किसी मंत्री का यह अधिकार नहीं होना चाहिए कि वह किसी जिला परिषद् के अध्यक्ष को निकाल सकता है, या यदि वह उनकी राय के खिलाफ चलेगा, तो पूरी की पूरी परिषद् को खत्म किया जा सकता है। जब तक इस प्रकार दखल देने की प्रवृत्ति को समाप्त नहीं किया जायेगा, तब तक इस देश में पंचायत राज्य की योजना सफल नहीं हो सकती है।

इस सम्बन्ध में एक आवश्यक विषय है कर का, पैसे का। अगर हमने अपने देश में विकेन्द्रीकरण को सफल बनाना है, तो हम अपने देश के कर के ढांचे को बदलना होगा और यह तय करना होगा कि कर की वसूली तो एक जगह हो, लेकिन उसको एक चौथाई के हिसाब से सब स्तरों पर बांट देना चाहिए। आज स्थिति यह है कि केन्द्र, राज्य, जिला परिषद्, पंचायत समिति सब कर लगा रहे हैं, जिस का नतीजा यह है कि केन्द्र को अधिक कर मिल जाता है और सीमित क्षेत्र को संस्था अर्थात् ग्राम सभा और ग्राम पंचायत आदि को कम कर मिलता है। सरकार को इस सुझाव पर विचार करना चाहिए कि यदि जिला परिषद्, पंचायत समिति और ग्राम सभा आदि संस्थाओं को सफल बनाना है, तो ऐसी व्यवस्था करनी पड़ेगी कि वे अलग से कर न लगायें, कर लगाने का उन का खुद का कोई क्षेत्र न रहे और सारे देश में कर की व्यवस्था एक स्तर पर और एक क्षेत्र में हो और उसको इस आधार पर सब में बांट दिया जाय कि केन्द्र को इतने प्रतिशत, सूबे को इतने प्रतिशत और जिला परिषद् और ग्राम सभा आदि को इतने प्रतिशत दिया जायगा। इस व्यवस्था से किसी को शिकायत नहीं रहेगी और सब को विकास का मौका मिल जायेगा। अगर वर्तमान व्यवस्था को

[श्री बजरंग सिंह]

जारी रखा जाता है कि केन्द्रीय सरकार या सूबे की सरकार जिस को जितना चाहें, दे, तो पक्षपात पैदा होगा। आज भी हम देखते हैं कि सूबों की सरकारें प्लानिंग कमिशन के दरवाजे पर चक्कर काटती हैं और छोटी संस्थायें अर्थात् जिला परिषदें और पंचायत समितियां केन्द्र के सम्बद्ध मंत्रालय और सूबों के विभागों के दरवाजे खटखटाती हैं कि उनको ज्यादा से ज्यादा मिलना चाहिए। इस प्रवृत्ति को समाप्त करने के लिए यह आवश्यक है कि उसूली तौर पर यह निश्चित कर दिया जाय कि सब को प्रतिशत के हिसाब से रूपया दिया जायगा।

अन्त में मैं यह कहना चाहता हूँ कि मेरी शुभ-कामना पंचायत राज की स्कीम के साथ है और मैं चाहता हूँ कि शासन का विकेन्द्रीकरण हमारे मुल्क में सफल हो। जितना सहयोग हम से हो सकता है, वह हम देंगे। लेकिन यह योजना तभी सफल हो सकती है, जब केन्द्र और राज्यों में इस बारे एक सेन्स आफ मिशन हो। सरकारी अधिकारियों के द्वारा मिशन की वह भावना नहीं पैदा हो सकती। उस के लिए यह आवश्यक है कि मंत्रियों का ध्यान उस ओर जावे।

Shri Kalika Singh: Panchayats have been established in almost all the States of India in accordance with the directive principles laid down in the Constitution. Article 40 states:

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

So, before entering into a discussion of panchayats and their powers, we have to understand this article which lays down the policy that the Government should follow in the establishment of panchayat raj. An

important expression there is "as units of self-government".

Self-government has got different meanings in different countries. The British Government often describes its colonies as self-governing colonies. Sometimes we describe self-government as independence itself. So, before laying down that policy, we have to see what self-government really means. If we go to a period prior to the Constitution, we find that India demanded self-government from the United Kingdom, by which it means home rule and complete rule. Although it may not be independence as such, it meant self-rule, and the meaning that phrase carries has to be given to panchayat raj. Therefore, we have to be very clear about this that the panchayats are not an extension of the departments of the Government, either of the Centre or of the State, but that they are units of self-government, and have to be looked upon as such.

In the October issue of *Kuru-kshetra* I came across an article by one Shri K. S. V. Raman. I do not know whether he is an official or a public man.

He says:

"A much more disconcerting feature is the attempt to vest the non-official President with considerable power and bureaucratic halo. The Panchayat Samiti President is being built up as a more important man than the B.D.O. and the President of the District Council as more important than the District Officer. Nothing can be more stupid."

I think the officer who wrote this article should have used some other expression because persons who have a contrary view could just express their feelings. The Prime Minister himself is of the opinion that these panchayats have to be just seen really as units of self-government

and they should be endowed with such power and authority that they would not be seen as working and functioning under some authority. So, if the writer of that articles means that the panchayats have to function under the District Magistrate at the district level and under the B.D.O. at the block level, then, that is not the meaning and scope of self-government as used in the Constitution.

Therefore, I am of the view that if the Presidents have been elected, they should have power. In my own State of U.P. the Bill was first introduced keeping the District Magistrate as the President of the District Council. Later on, that Bill was withdrawn. After much controversy it was decided by the Assembly that the President should be a non-official. And, non-official Presidents have been elected throughout the whole of U.P. except in one or two. But, in all the districts the elected non-official Presidents are functioning. To say that it is something wrong would be stupid. The sentence in that article is—

“The Panchayat Samiti President is being built up as a more important man than the B.D.O.”

I think the article is a criticism of the policy of Government which is being carried on at present. I am very sorry that such a thing was written by an officer connected with the Panchayat Raj organisation.

We really look upon the Presidents of District Councils as persons who are at the head of self-government, in the district. The Presidents elected by Block Samitis are important persons and they must carry weight and they must have full powers and functions that are allotted to them under the Panchayat Raj Acts of the various States and there should be no interference by the authorities, whoever they may be, whether at the Block level or at the District level.

Mr. Deputy-Speaker: The hon. Member may conclude now.

Some hon. Members rose—

Mr. Deputy-Speaker: I will just say one thing. The discussion will be continued next day and I shall try to exhaust all the names I have got. Therefore, hon. Members need not be impatient.

Shri Raghunath Singh (Varanasi): Thank you, Sir.

Shri Kalika Singh: Some of my friends expressed their opinions about the unanimity in elections. They said that as far as possible we should have unanimity in elections. I am not of that view. The District Magistrates have advertised this fact that in their districts more than 60 to 70 per cent of the panches or pradhans were elected unanimously. That is not quite proper because when some authority just visits the village and gives the impression that the policy of Government is to have unanimous elections, it is always the good person who retires and it is always the obstinate person who just wins in the unanimous election. He comes unopposed because all the good persons retire. Therefore, Government should not make it a matter of policy to ask the District Magistrates to see that the elections in the districts are held in such a way that unanimity is achieved. I do not agree with my hon. friend Shri Madhok when he says that there should be unanimous elections because in unanimous elections the good persons never come up. (*Interruptions*).

Mr. Deputy-Speaker: Shri Kalika Singh thinks that obstinacy and goodness are against each other.

Shri Kalika Singh: One point more and I will conclude. We have based all our programmes for rural reconstruction and agricultural production on Community Development Blocks. When these institutions come into being we have just to see that

[Shri Kalika Singh]

these community development programmes are all carried out not through the officers but through the panchayat organisation. For that the panchayat organisation should be given full powers so that we may really have the panchayat raj which was contemplated by Mahatma.

Dr. K. B. Menon (Badagara): Mr. Deputy-Speaker, Sir, at the very outset I would like to say that whatever I say is not based on my personal experience in my State for we have not as yet introduced this. But whatever I say is based on the study of the information about the working of the Acts in the two States of Rajasthan and Andhra Pradesh.

I would like to refer first to the seeming confusion that prevails that the panchayats proposed in the Panchayat Raj Acts is the same as the panchayat raj we had in our India of the past. The village panchayats of those days were self-sufficient and autonomous. The leaders who were elected as panchayatdars were men of status who commanded the respect and regard of the people and to whom the people went for consultation on their personal affairs even just as the parishoners go to parish priests to make confessions. The panchayatdars acted on their own. They were not directed by any authority from outside; and whatever decisions they took or whatever advice they gave was based upon the customs, traditions and the way of life of the village.

Now, the Panchayat as is conceived by the Act in the villages is no more self-sufficient; it is not autonomous; it is an appendage to a larger State. The panchayatdars who are elected are very often representatives of political parties that have definite and clear-cut ideologies with the result that they look more to party interests and party programmes rather than to the interests of the village from a larger sense. The panchayatdars have to act under directions they receive from the higher authorities

and have very little of independence. I am not suggesting that it is possible or desirable to rehabilitate the old panchayat and to bring back the old panchayat into vogue. The passage of time and changes in the conditions of life have brought about the change in the institution. But it may be possible to salvage the past and to effect a compromise between the old and the new particularly in respect of retaining the initiative, independence and responsibility in the villages.

Let me probe into the reports that I have about the working of the Act in the States, particularly in Rajasthan. It may reveal some of the merits in the Act and also some of the defects and deficiencies of the working of the Act. It certainly seems to have evoked considerable interest and enthusiasm as is exhibited from the elections to those panchayats. There has been an increase in the last one year in Rajasthan, I understand, from 3,000 sarpanches to 7,000 and the number panches has risen to 80,000 to 90,000. This is certainly a very big number and they seem to be taking interest in the constructive work of the village and have a close watch on the projects in the village. They seem to move faster also and to reduce the expenses. The interest and enthusiasm is very valuable but how long can they last? That will depend upon careful guidance and the maintenance of purity in public life in the villages. If public life in the village is allowed to drift naturally the best elements in the village will recede and politics in the village will be in the hands of undesirables, something about which we should be warned and we should be very careful. I also understand that as a result of the interest taken by the panchayatdars there is lowering of corruption at the lower strata. That also is a valuable gain.

Now, looking to the debit side, there is also much to say. Co-operation between the official and the non-official has been a problem in the block. This Act was partly devised,

I believe, in order to get over that difficulty that is in the block. The block is a very useful institution in so far as it is flexible and there is freedom. The main difficulty is the number of officials and also the unproductive expenses. The new Act has tried to mend some of these defects and tried to bring in a greater co-operation between the official and the non-official. From the operation of the Act in Rajasthan, that does not seem to have been achieved so far because the pramukh and the pradhan do not seem to get along together very well. What exactly is to be done in order to bring about that, I do not know but much of the work will probably depend upon training and the careful guidance that is given in the working of the Act. From that point of view, I should think that the Act is a failure.

Another objective of the Act is to lay the foundations of decentralised democracy. From that point of view also, I am afraid that the Act is a partial failure because of the fact that there is no genuine transfer of responsibility or power to the people. The villagers are not given the responsibility nor are they given the resources or even power to tax the people. Always giving gifts or grants from the Government is not a very satisfactory method of approach. I shall come to this a little later.

Another fact that is to be observed in the working of the Act is the level of discussion at the meetings of the panchayat and also at the meeting of the panchayat samitis. It appears that much of the time is taken up in the discussion of the appointments and transfers. By careful guidance at these meetings, it may be possible to overcome them. The panchayats seem to work with standing committees and their decisions do not seem to be very fair and I know that the Governor had to pass an Ordinance somewhere in November 1960 giving the Governor the power to review and revise the decision of the standing committee. All these show that there is no

proper guidance of the panchayats, that there is no proper training of these panchayatdars. That is something which has to be attended to.

When we talk of training, I do not mean holding classes or holding camps. I mean that the real training to the panchayatdars is given by the transfer of real power into the hands of the people which the Act has not done. I have three suggestions to make in this connection in order to improve the calibre of the Members and the calibre of the whole administration. Villagers must be provided with greater amenities, so that there may be less of exodus of the intelligent and well-trained people from the village to the cities. My second suggestion is that intensive training should be given to the panchayatdars in a decentralised democracy. The third suggestion that I would like to make is that as far as possible every effort should be made in this direction to bring into panchayats the senior politicians with a reputation for integrity and with a sense of dedication. It is very easily said than done. How that can be achieved, I do not know but I would like Government to give its attention to these suggestions.

Shri Harish Chandra Mathur:
Mr. Deputy-Speaker some of the hon. Members who participated in this debate referred to our old traditions and the glorious past and in that context referred to the panchayats as the present panchayat-raj is just an extension of it. I think the first thing is to disabuse our minds about this affair. The panchayats of the old were entirely in a different background with entirely different purpose and entirely different structure and there can be absolutely no comparison. We will be only confused if we just project our ideas from the panchayats of the old age. In the first instance, apart from the purpose and the traditions of the past in which they were rooted, one important factor which we must have to take note of is that those panchayats in those villages were

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absolutely isolated sovereign republics, while now, the Panchayat Raj of our conception has a link from the village to the block or the panchayat samiti and then to the Zila Parishad and to the legislature and higher up right to Parliament. We have now got almost a five-tier system. Let us understand very clearly that the panchayats which are now under formation—some of them have been formed—are just the other three links which were missing so far, and we now take them from the root to the peak.

When I mention this, it must be clearly realised that those panchayat institutions cannot be kept out of politics. It is all a make-believe, a self-deception, to say that the panchayat institutions will have to be kept out of politics. It is just deceiving one's own self. It is absolutely impossible to keep them out of politics.

We had a meeting at the Institute of Public Administration where 20 or 25 select members who had given a certain thought to this matter, including Shri Jai Prakash Narayan, were present to discuss this matter. With the solitary exception of Shri Jai Prakash Narayan, everyone had to confess and admit—not only that, but to say—that there was absolutely nothing wrong about politics getting into the panchayats; it is no use talking about it. My hon. friend, the Minister of Community Development, has himself been hearing these views for a long time, and I have been telling him that at least on this point there is no agreement between us. I will just ask him a question: whether it is not a fact—it was in the newspapers—that immediately when he had said that he was contesting the parliamentary election from a particular constituency, eight panchayat samiti chairmen or Pradhans wrote to him a letter. How were they interested in politics? One of them was a man who had nothing to do with politics and that place, a friend who was much above everything, a friend who has

been talking that politics should be kept out of this. Is it not a fact that all of them wrote about it?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): Not as chairman of the panchayat body, but in his individual capacity.

Shri Harish Chandra Mathur: I am mentioning only those eight persons. The content of that letter also, as it appeared in the papers, indicated their interest in politics. Let us, who are in politics, be absolutely honest. We have to think of all those matters. It is absolutely impossible to think of these panchayats and the panchayat samitis and the Zila Parishad if we say that we have to keep them out of politics. How can we? These are the people who have their roots there, who will influence politics, who will influence the elections to the legislatures and to Parliament. So, let us be honest.

I will put another question, and that is, how many of the Pradhans are contesting the elections for the Assemblies and the Parliament. How many of them were running about when the Congress tickets were being distributed even though they were not interested, taking this side or that side? So, let us disabuse our minds of certain things and face realities. I think there is absolutely nothing wrong. We have to think how we have to develop these traditions and what we have to do in this matter.

The first thing that we should do is to disabuse our minds about certain things, and then let us know what is the Panchayat Raj of our conception. I think there is a lot of confusion even at the Governmental level. It is my feeling so far that even the hon. Minister thinks one way and the Planning Commission thinks the other way. I have got here the Five Year Plan. It has discussed the community development and the Panchayat Raj. Their conception of the Panchayat Raj is that it is not the administrative unit.

at different levels. Let us, first of all, be clear whether these Panchayat Raj institutions, or the panchayats at the village level, and the samiti at the block level and the Zila Parishad at the district level are administrations or governments with their limited powers at these particular levels or not. Let us be clear in our minds, so that we can proceed to devise ways and procedures for it. If my hon. friend, the Minister, feels that these are governments at these particular levels, then the whole conception will change; and we should know whether the Planning Commission or the National Development Council accepts it. We have to think as to whether what we are doing is correct or not. At present there is a complete hotchpotch.

We have got at present the most comprehensive and enlightening report from one of the States, namely, Maharashtra, where three Ministers and two seniormost officers of that Government sat together and discussed the whole matter threadbare. They have produced a report and it is on the anvil, and the Legislative Assembly will possibly take it up this session or later. We have first to clear our minds as to what is the conception of the Panchayat Raj; I feel that the system of Panchayat Raj should represent certain Governmental units at particular levels.

I am now talking of the general questions of importance. The next important point is that we must find a place for this in the statute and in our Constitution, as we have a place for the Central Government and for Parliament, as we have a place for the State Governments and the legislatures. So, certain broad facts and principles as to how the administration of this country is to be carried on, how the development of this country is to be proceeded with and what are going to be the new institutions and agencies, have to be considered. This House must discuss it for two or three days, namely, what is going to be the structure, what is going to be the

organisation, what is going to be the set-up, and then, and then alone, we will come to certain conclusions. Whatever decisions we come to must find a place in the Constitution. That is the first important point which I wish to make.

This motion, as it stands, talks about the ways in which the Panchayat Raj has functioned. It has functioned in different manners at different places in different States. It is absolutely impossible to take a complete picture of the Panchayat Raj because it has not even been formed in most of the States. It has been formed in a very diluted manner in certain States. It is only in two or three States that it has been formed and there too the whole constitution and the structure is entirely different from each other. But certain problems have been thrown up all the same, of which the House should take a full note, so that it may be of the some use and guide to us.

I have not the least hesitation in saying that all sections of opinion, whether in this House or outside this House, right from Shri Jai Prakash Narayan on the one hand and Vinobhaji on the other,—all Members of all parties in this House—have welcomed this democratic decentralisation or Panchayat Raj. I do not know of anybody who has not welcomed this idea. But what shape is to be given to this idea is yet in the formation. I do not mind it; such important matters have got to come through a process of thinking and some procedure evolved. A lot of thinking has been given to this matter, and we have before us, the hon. Minister who will tell us what the different States are thinking and how and what legislation they are bringing about,—whether there should be the three-tier system, whether the Zila Parishad has to be invested with certain powers, etc.

I wish to warn the hon. Minister of one thing. We have of course done quite a considerable lot through this democratic decentralisation, but we

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have also created a considerable amount of difficulties. Some of the worst types of diarchy are developing at the different stages and levels. We have a certain experience of diarchy functioning here. There is a very sinister type of diarchy which is at the present moment working in various States. We must break this. Instead of promoting our developmental activities, this will be a very big clog in the machinery.

We start from the Panches. At the panchayat level, these people feel completely blocked. They have got very little power and very little resources and we have thrown on them all the responsibility. How can you enthuse those people? As a matter of fact, this Panchayat Raj has been born out of the inevitability of circumstances. I do not give that credit to Shri Dey. Shri Dey was wanting to do certain things, certain multipurpose developmental things. He faced from one failure to another and this Panchayat Raj was born out of those experiments and those utter necessities to make a massive effort at socio-economic regeneration of this country.

We gave thought to this socio-economic regeneration of the country and this Panchayat Raj was thought to be the best instrument through which it could be done and through which we thought we will be able to enthuse the masses, to give responsibility to them, and to give initiative and imagination to them to do all the various sorts of things. Until and unless the masses of the country are energised and made to feel interested, nothing will happen. It is obvious that not an army of officers can do it.

My friend, who initiated the discussion made a comparison about the Panchayat Raj here and the communes in China. There is a world of difference between them; there is difference between democracy and dictatorship, but they also felt that if a vast country like China where 60 crores of people

are to be looked after, if something has to be done to meet the situation and tackle the food problem, there was no other alternative but to bring in the masses in the field and to make them work, whether under a military discipline or any other discipline. We also feel that the same thing must be done in this country and the masses must be energised and made to work. Our method is entirely different. It is the democratic method. We want to go through elections and voluntariness. We want to make the people feel it and do it themselves. That is the main purpose.

We want to bring about socio-economic development. It is in that sense that the Prime Minister, whenever he refers to decentralisation and Panchayat Raj, says it is a great revolution that is being brought about. I entirely agree with him. But if you fetter this revolution by so many checks, this revolution will take a very different shape. It will have to smash the barriers we are putting. Right from the panchayat level to the panchayat samiti and to the zila parishad, there are a hundred barriers. These have got to be broken through.

A reference was made to the unanimous election. I am absolutely opposed to this phobia of unanimous elections. It is all wishful thinking. We all wish that there should be unanimity. But if democracy is to function, if you accept the premise with which I started, then there will have to be elections in all the villages. There is the least doubt about it. I am very clear in my mind about it, because what happened in Rajasthan was, only in those places where the areas were most backward, there have been unanimous elections. Where there was an over-riding person who had certain powers of coercion or who could not be defied, this unanimous election took place. I would very much want unanimous elections if they are enlightened. Enlightened unanimous elections are most welcome. But unanimous elections born out of ignorance or coercion can never be

welcome. In the present context, I do not visualise anything else. Therefore, let us be very clear in our mind. I do not wish that the Minister takes certain steps and gives encouragement in the wrong direction.

I also wish to inform the Minister that even with the present limited powers which he is giving, the panchayat samitis and zila parishads are drowned in paper work. I do not know how many circulars and letters come from the Central Government or the State Government and from a hundred and one officers. There is nobody to attend to them. They think they have done this or that, they have celebrated this week or that week. Nobody finds the time to read and understand it. Therefore, we have got to take a complete note of it as to how these have got to be reorganised.

There are various points which I wanted to refer. I wish to make it known on the floor of the House that I entirely agree with what Shri Tangamani said, that elections for panchayat samitis have been under coercion, that certain sarpanches have been huddled into a certain place and released only on the day of the election. I know something much worse has happened. Some of them have been taken away. I know any number of instances where this has happened. What is the root cause of this? The reason is, the electoral college is very limited. The panchayat samiti pradhan is elected only by sarpanches. My friend suggested that it would be much better if he was elected by all the panches put together. I am afraid I cannot subscribe to that view.

My feeling is the election of pradhan should take place simultaneously with the election of sarpanches. The entire electorate should go to the polls and the pradhan should be elected on that basis. Just as we are holding the elections to the Parliament and the Assemblies together, these people may elect the sarpanches and at the same time cast a vote for the pradhan. This will achieve a great purpose. Then the

elections would be on a much broader line. There will be no coercion and no trouble which we have experienced. It has also permitted reactionary elements to come up, because in a limited place, they have their stronghold and they do it.

There are very many important points which must be taken note of, because Panchayat Raj is having its impact at all the various levels on the vast masses of the people. It would be much better if sometime is allotted to take full note of it. My friend referred to a very important point about the relationship between panchayats and cooperatives, what is the role to be given to the panchayats and to the cooperatives. My friend appointed a working group of which I happened to be a member. We have gone into the whole question and made certain recommendations. It would be much better if we discuss all these various points, because they are of such great importance to the masses in general.

Mr. Deputy-Speaker: Ch. Ranbir Singh.

Shri Braj Raj Singh: Has the time been extended for this?

Mr. Deputy-Speaker: Yes. All those who expressed their desire to speak will be accommodated. I have got these names: Shri Shree Narayan Das, Shri Guha, Shri Panigrahi, Shri Narasimhan, Shri H. C. Sharma, Shri Padam Dev and Shri Raghunath Singh. We will adjourn at 5 o'clock and the discussion will be continued on Monday.

17 hrs.

श्री० रणवीर सिंह : उपरोक्त महोदय, यहा पर कई दोस्तों ने इस बारे में अपने विचार प्रकट किये कि पंचायतों को ग्रौर पंचायती राज को किस ढंग से चालू किया जाय। कइयों को, खासतौर पर श्री तंगमणि को, यह गिला है कि हिन्दुस्तान के प्रधान मंत्री को पंचायतदारों से क्यों इन्द्रोड्यूस कराया गया। वं समझते हैं कि हिन्दुस्तान के प्रधान मंत्री

[श्री० रणवीर सिंह]

कोई भूत हैं। मैं समझता हूँ कि अगले चुनाव का डर उनको उस तरफ़ ले जा रहा है। हमारे प्रधानमंत्री हिन्दुस्तान के ही नहीं, दुनिया के सब से बड़े इन्सान हैं। अगर उनको लोगों से इन्ट्रोड्यूस कराया जाय, तो हर एक आदमी उसका स्वागत करेगा और उनको भी करना चाहिए।

उपाध्यक्ष महोदय : माननीय सदस्य अपना भाषण अगले दिन जारी रखें।

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, November 27, 1961/Agrahayana 6, 1883 (Saka).