

[Shri T. R. Balu]

supplied to Tamil Nadu from the common pool is well below the standard, I mean that it is sub-standard, and it is not at all edible. I request the concerned authorities that proper quality rice is supplied from the common pool. Furthermore, the quantity of rice supplied to Tamil Nadu is not at all adequate to meet the needs of the people. This should be looked into and the quota increased. Thank you.

**SHRI SANTOSH BAGRODIA:** Mr. Vice-Chairman, Sir, when I raised this matter, it was not done with a view to seeing whether I belonged to the Congress party or Communist party or any other party. I am not politicalising the whole issue and this the people must understand. The people who are eating this rice, it is not a question whether they are Congress men or Communists, but they are the citizens of India. And therefore we must not politicalise the whole issue.

**SHRI V. GOPALSAMY** (Tamil Nadu): The Central Ministers and the Government should understand that.

**SHRIMATI BIJOYA CHAKRAVARTY** (Assam): Sir, the point that I want to raise is that the Government should know what kind of rice is being supplied in Delhi itself. I have seen the rice supplied in Super Bazar and the fair price shops. It is beyond human consumption. Government should take care of it in Delhi, not to speak of other States. Although I have my complaint about it for my own State but I do not say it.

# I. CONSTITUTION (SIXTY-FOURTH AMENDMENT) BILL, 1989.

## II. CONSTITUTIONS (SIXTY-FIFTH AMENDMENT) BILL, 1989—

*Contd.*

**THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY):** Now we take up The Constitution (Sixty-fourth

Amendment) Bill, 1989, and The Constitution (Sixty-fifth Amendment), Bill, 1989. Shri Upendra will continue.

**SHRI PARVATHANENI UPENDRA** (Andhra Pradesh): Mr. Vice-Chairman before I pick up the threads of my arguments of the day before yesterday, I would like to briefly recapitulate the few points which form the basis of my objections to these Bills.

While we welcome any attempts at decentralisation of powers and strengthening of the panchayat raj institutions, we oppose these Bills because we firmly believe that these are encroachments upon the powers of the States and these are politically motivated, the political motive being perpetuation of Rajiv-raj, and not strengthening of the panchayat raj institutions. I objected to the Bills both on ethical and on constitutional grounds. The ruling party is almost at the fag end of its mandate and its term and knowing fully well that these Bills can not be put into execution till 1990-91, they are rushing through these Bills with only a political motive, keeping the coming elections in view, and the whole exercise has been all through a political gimmickery which is guided by partisan considerations.

Among the constitutional grounds on which I object to the Bills are, apart from the encroachment upon the powers of the State, as I said, these Bills go against the spirit of the federalism itself and against the division of powers between the Centre and the States. The very introduction of two new schedules Schedule 11 and Schedule 12, virtually means introduction of a 3-tier administration. That means we are changing the basic structure of the Constitution itself. I quoted article 1 of the Constitution which says: "India, that is Bharat, is a Union of States". It does not say that it is a Union of federal government, the States and the local bodies. Nowhere it is said like that. Unless article 1 is amended, these

amendments will not be valid. I also said even within the existing constitutional provisions, powers can be delegated to panchayat raj institutions because the amplitude of Entry 5 of List II of the 7th Schedule is so wide that powers can be transferred to the panchayat raj institutions and have been transferred by several States so far, like Andhra Pradesh, Karnataka, West Bengal and other States. Therefore, this is a superfluous legislation. There is no need for this, if at all the genuine intention is to transfer certain powers to panchayat raj institutions. Then I said as to what is the effect of these Bills on the Centre-State relations. One basic fact which guides the Central Government in bringing such Bills is the mistrust of the State Governments. They do not trust the State Governments and they are trying to create some sub-units in the States so as to keep them under their thumb by direct funding so as to create a friction between the State Government and the sub-State units that they are trying to create.

While talking about devolution of powers the Centre is silent on devolution of powers from Centre to the States. If they are really interested in the devolution of powers, they should also have taken action for devolution of certain powers from the Central Government to States. It is just like suggesting the menu without giving the ingredients. It is an advice a casual advice; 'do this, do that' etc., without giving the wherewithal. I could have understood if the Centre had come forward with a proposal that 50 per cent of the aggregate revenue of the Centre would be transferred to the States and let the States transfer 50 per cent of their aggregate revenue to the panchayati raj institutions. If they had suggested some such thing, I could have understood their anxiety.

Also, they seek to bring some kind of a uniformity in the panchayati raj institutions in various States which have their own characteristics. This

is not a correct thing to do. After all, in India, we have got different types of administrations local administrations, in various States and it is not desirable to disturb the set-up. It appears, some bureaucrats, some over-enthusiastic bureaucrats, are trying to put their half-baked ideas into these Bills and trying to teach the State Governments as to what should be done in regard to the panchayati raj set-up in the States. They are also trying to say that everything has been left to the States, to the State Legislatures. It is not correct. The whole structure has been prescribed in the Bills and the States will have no option but to follow the structure which has been prescribed in the Bills. Over and above this, there is a threat by a Union Minister that if the States do not fall in line, article 356 would be invoked.

I also said that the Bills are politically motivated in the sense that apart from the diabolical move to usurp the States' powers and creation of sub-State units in the States, they are also trying to destroy the existing panchayati raj institutions in the States because they feel that through these institutions, the non-Congress (I) parties in the States are strengthening themselves. Therefore, whatever structure is there, whatever good features are there, in the panchayati raj set-up, they want it should be destroyed. This appears to be the only motive of the Government. As one Chief Minister rightly pointed out, they think that there are only the P.M. and D.M. and nobody in between; there is no C.M. This is the type of set-up which they seek to establish in this country.

As I said, it is purely an election stunt and nothing but an election stunt. It is not a genuine desire to usher in any new panchayati raj set-up in the country. Furthermore, for the failure of the Congress (I)-ruled States to hold elections, for the failure

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of the Congress (I)—ruled States to strengthen the panchayati raj institutions, they are trying to punish the non-Congress(I)-ruled States which have already implemented the panchayati raj set-up to the best of their ability. Therefore, I said on that day that these Bills are politically motivated.

The Prime Minister has been saying this. Yesterday also, he said this in his Red Fort speech. He said that the main purpose was to eliminate the power-brokers. Where are these power-brokers? They are in the Congress Party, they are in the ruling party. The Prime Minister himself admitted at the time of the Centenary of the Congress in Bombay, that the Congress is full of power-brokers. Now, you are seeking to eliminate the power-brokers! I do not know whom you are trying to eliminate. (Interruptions)

Mr. Vice-Chairman, day-before-yesterday, I referred to the state of the panchayati raj institutions in various Congress (I)-ruled States and how they are behind in holding elections for decades. As a contrast, what is the track record of the non-Congress (I) Governments? I will mention briefly what has been done by the non-Congress (I) Governments so that we can understand whether it is the non-Congress (I) Governments which have implemented the panchayati raj set-up or it is the Congress (I)-ruled States. In Andhra Pradesh...

**SHRI JASWANT SINGH** (Rajasthan): Would the hon. speaker yield for a minute? I would like to seek a clarification from the hon. speaker. It is my understanding that the hon. Prime Minister had, in one of his speeches in Kerala or, perhaps in Maharashtra commended the panchayati raj system as it was being practised in Karnataka and three other Opposition-ruled States. Would the hon. speaker clarify this aspect?

**SHRI PARVATHANENI UPENDRA** (Andhra Pradesh): I take the hint. (Interruptions) Sir, the Prime Minister is on record that the non-Congress (I) Governments of Andhra Pradesh, Karnataka, West Bengal and Tamil Nadu have taken a march in regard to the panchayati raj institutions. That itself shows that we have nothing to learn from the Doon school boys in regard to panchayati raj institutions. If the Congress-ruled States have not learnt anything, they should have given guidelines, they should have arranged some training classes...

4.00 P.M.

**SHRI DHARAM PAL** (Jammu and Kashmir): You were also simply a P.A. to Choudhry Brahm Parkash.

**SHRI PARVATHANENI UPENDRA**: My time cannot be wasted like this.

**THE VICE-CHAIRMAN** (SHRI V. NARAYANASAMY): It is not an interruption.

**SHRI PARVATHANENI UPENDRA**: How can I ignore it, when it is jarring my ears?

If they have lagged behind they could have held training classes for the Chief Ministers to follow suit instead of tinkering with the Constitution. In the Karnataka Bill vast powers are given to the zila parishads. This is an experiment which Karnataka has already implemented. In West Bengal also, it is worth nothing, they have started with the grassroot planning. Now you have tried to copy by providing for planning boards.

**SHRI MURASOLI MARAN** (Tamil Nadu): Here the Governor will appoint the Committee.

**SHRI PARVATHANENI UPENDRA**: In Andhra Pradesh, there is the mandal system which the Congress Party opposed at that time. It is an innovation in the panchayati raj set-up itself. It is a significant experi-

ment in the field of local self-government. In political, administrative, financial and sociological fronts this experiment has given tangible results. It has given shape to the ideals of Mahatma Gandhiji.

I can refer to certain features which are narrated in this booklet published by Government of India—Panchayati Raj at a Glance. While speaking of the panchayati raj institutions at upper level it says mode of election of the head of the institution, that is, at zila level: Andhra Pradesh direct in all other States indirect. Reservation for Scheduled castes and Scheduled Tribes for the post of zila parishad chairman: In none of the States except Andhra Pradesh the office of chairman zila parishad is reserved for Scheduled Castes (15 per cent), Scheduled Tribes (6 per cent), women (9 per cent) and backward classes (20 per cent). (*Interruptions*). This is the Government of India publication. In the panchayati raj institutions, at middle level, they say, mode of election of the head of the institution that is block or mandal level direct in Andhra Pradesh and Tamil Nadu; in all the States except the above two States, indirect. Reservation for SC/ST for the post of chairman: None of the States except Andhra Pradesh and Madhya Pradesh. In Andhra Pradesh the office of president, mandal praja parishad, is reserved for SC (15 per cent), ST (6 per cent), women (9 per cent) and backward classes (20 per cent). At the lower level, they say about the reservation of SC/ST for the post of chairman, that is the sarpanch, as they call it in no State except Andhra Pradesh the post of chairman is reserved for SC/ST. In Andhra Pradesh, the post of sarpanch is reserved for SC (15 per cent), ST (6 per cent) including cent per cent reservation for Scheduled Castes in scheduled areas. These are the progressive measures in Andhra Pradesh. I do not have the details of other States. What are you teaching to us? (*Interruptions*). I am not yielding. Let me complete. We have nothing

to learn from the Central Government in this respect. Besides the Andhra Pradesh Act also provides for anti-defection, that is, no defection can take place but there is no mention about this in this Bill at all. Vast financial powers have been given by the Andhra Pradesh Government, including giving village works to local bodies, execution of the drought relief works identifying IRDP beneficiaries etc. Electricity is supplied free of cost to all panchayats for street lighting. Maintenance of completed rural water supply schemes is entrusted to the panchayats and every district is given Rs. 1 crore for crucial balance investment to be spent by panchayats. Then Mandal Nyaya Parishads are being set up. The State transport undertakings have been asked to give bus routes to local bodies. A single window approach has been provided in regard to cooperative institutions also. These progressive legislations are already existing. I mentioned only about my own State. Other friend will know about their own States. So what are you trying to do? You are going to destroy all this set-up. If this Constitution Amendment Bill is passed, tomorrow you will force us to revert to this system and abolish all our existing institutions. That is what happens because you have no provision for backward classes? We have 20 per cent reservation for backward classes. Then we cannot have reservation for backward classes. We have direct elections for the President at all levels. Now you are providing for indirect election at the middle and district levels. What is this? Is it a progressive or retrograde measure? It is not a progressive measure at all. It is a retrograde measure which you are trying to thrust on the States, much against their wishes. I will confine myself only to these points so far as State Act are concerned.

Now coming to the Election Commission again there is mistrust of the States here. It is true that the Election Commission conducts elections

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for the State Assemblies and the Parliament. But are you sending people from Delhi? Who is conducting the elections locally? The Chief Electoral Officer is an officer of the State Government. The entire election machinery is that of the State Government. Then why do you say that the Election Commission will conduct the elections as if the States are not conducting the elections to these bodies? I could have understood State Election Authorities being appointed, as Andhra Pradesh is now proposing. We are proposing an independent State Election Authority which can take guidance from the which can take guidance from the Election Commission, whenever necessary. It is not practicable that the Election Commission, sitting in Delhi, will conduct elections for lakhs of village panchayats, thousands of blocks and hundreds of districts. It is possible? What is it that you are suggesting here? Is it humanly possible that every dispute of the village panchayat will come to the Election Commission in Delhi? Is it decentralisation or over-centralisation? You have to explain that.

On this particular point, I would like to quote what our Chief Minister has written to the Prime Minister:

"The entrustment of the superintendence of panchayat elections to the Election Commission is both an insult to the dignity and credibility of the State Governments as well as an administratively ill-concieved measure. To imagine that in a country as large and diverse as India, the Election Commission sitting at Delhi can effectively supervise elections of lakhs of individual members in addition to its constitutional obligations in regard to Assembly and Lok Sabha elections is indeed naive. In Andhra Pradesh we have already provided legislation providing for an independent State level election authority. I

must, therefore, strongly oppose the proposed involvement of the Elections Commission in panchayat elections as both unwarranted and impractical".

This is in regard to the Election Commission. I have already mentioned about the provision for the Finance Commission. I do not want to revert to that.

Now coming to the details of the Bills, I do not want to go into details because it is all trash. There is nothing new in it. What is new in it that you have suggested? I do not find even a single new feature which we can copy. Moreover, if you take the Nagarpalika Bill, it is all funny. In every town, you want to provide a Ward Committee, a Zonal Committee, a Municipal Committee. What is all this? It is fantastic. Some bureaucrat sitting here, who does not know about the municipal administration drafts the bills aided by people like Smt. Jayanthi Natarajan. I do not know what is happening here. They have got a cell sitting in Kushak Road manufacturing all these Bills. For God's sake, don't thrust on this country these fantastic Bills.

I want to sum up. We may say and go on saying so many things. But my time is limited. We have a saying in Telugu, a newly married person does not know what a sunrise is because he is immersed in his own world. It is like that. These people do not know anything about panchayat raj and they have come to lecture us. And to the beating of drums by Mr. Rajiv Gandhi, these chaps go on doing Shiva Tandav chanting "Panchayat raj" "Panchayat Raj". For the four months we have been seeing this Shiva Tandav on panchayat raj. What is the new thing which they want us to follow? This is all bunkum. It is not really a revolution. They say, this is a revolution. They say, this is a revolutionary step, this is the brain wave of Mr. Rajiv Gandhi. What is revolutionary in that, what is the brain wave in that? Let them point out one single revolutionary

thing which is not there in the State Acts. What I want to say is, it is not new gimmicks which we need. What is needed, is the political will to implement it. In your own States, wherever they have defaulted, you force them to implement the panchayati raj system. Don't try to teach us on this point.

Lastly, I want to close by saying that yesterday I was very happy to hear the Prime Minister telling, "The Britishers have handed over the Raj to the Indians. I am very keen to hand over power to the people." I only wish he does it very soon so that this country can be saved from this misrule and corrupt administration.

**श्री सुरेन्द्रजीत सिंह अहलवालिया (बिहार) :** उपसभाध्यक्ष महोदय, मैं कांस्टीट्यूशन अमेन्डमेंट बिल नम्बर 64 और 65 का समर्थन करने के लिए खड़ा हुआ हूँ। मेरे पूर्व वक्ता और दोस्त उपेन्द्र जी कह रहे थे मैं उन्हें याद दिलाना चाहता हूँ उनके पुराने बास मधु दण्डवते जी की बात जिनके वहाँ वे प्राइवेट सैक्रेटरी की नौकरी किया करते थे जो उनके पोलिटिकल गुरु हैं जो राजनैतिक रास्ते पर उनको लाया है वह जयप्रकाश नारायण जी के साथ 6 मार्च 1975 को हिन्दुस्तान के राष्ट्रपति से मिले थे और मिल कर के जो उन्होंने प्रतिवेदन राष्ट्रपति को दिया था उसमें जो महत्वपूर्ण चीज लिखी गई थी वह यह थी—

"In the petition it has been stated that in view of the growing centralization of power and the destruction of democracy at the grass roots level by the Government, it is necessary to provide Constitutional guarantee for genuine self-government by the decentralization of powers and their effective distribution among gram panchayats, zila parishads, States and the Centre."

इसमें सिर्फ उनके वो पोलिटिकल गुरु, पुराने बास के दस्तखत ही नहीं थे उनके साथ-साथ मैं आपको यह भी याद दिलाना चाहता हूँ कि उसमें सिन्धेचर थे जयप्रकाश नारायण के, चौधरी चरण सिंह के, अशोक मेहता के,

त्रिदिब चौधरी के, ज्योतिर्मय बसु के, अटल बिहारी वाजपेयी के, एस. एन. मिश्रा के, विजया राजे सिंधिया के, राजनारायण के, समरगुहा के, रबी राय के, पीलू मोदी के, श्री. पी. त्यागी, एस. एम. जोशी, पी. के. देव, मधु लिमये, बोरेंद्र पाटिल, प्रकाश सिंह बादल मधु दण्डवते, रामनाथ गोयनका के हस्ताक्षर थे। मैं सिर्फ याद दिलाना चाहता हूँ। आज तो खड़े होकर यह बड़ी बातें कर रहे हैं और कह रहे हैं कि कांग्रेस सरकार ने यह बिल लाया है सिर्फ यह इलेक्शन आई-वाश है। परन्तु 1975 में किस को आई-वाश के लिए यह बिल लाने की बात हुई। कही थी। क्या यह बात कहना चाहते थे उस वक्त और आज क्या आपकी आइडियोलोजी में फर्क आ गया है। आज वह दर्द जो मुल्क की 70 प्रतिशत जनता के प्रति था 1975 में था आज वह दर्द खत्म हो गया है। अभी मेरे पूर्व वक्ता ने कहा कि यह पी. एम. डी. ए. एंड नो सी. एम.। अब उन्होंने सही मान लिया। अपने दिल से माना। दुख इस बात का नहीं है कि पंचायती राज क्यों हो रहा है पर दुख इस बात का है कि यह पैसा सीधे गांवों में क्यों जा रहा है। उसका भी कारण है। पहले सरकार सिर्फ 32 चैक भेजा करती थी 32 स्टेटों में 32 चैक जाया करते थे और हमारे प्रिय नेता राजीव गांधी ने जिस दिन से यह फैसला किया पंचायती राज के बारे में फैसला लेने के बाद उस दिन से यह हुआ और उस दिन से यह सकल्प हुआ कि यह 32 चैक नहीं जाएंगे यह 345 चैक जाया करेंगे। ये 32 चैक मिनिस्टर्स के पास जाते थे और उसके बाद वे फैसला किया करते थे कि यह कहां जायेगा। अफसोस इस बात का नहीं है कि यह सेक्रेटेरियेट से पैसा जो आता था वह सेक्रेटेरियट्स को क्यों जा रहा है, अफसोस इस बात का है कि जब सी. एण्ड ए. जी. आंध्र प्रदेश के बारे में लिखती है—

"Rs. 1.34 crore were spent on relief works in area not affected by drought."

जहां ड्राउट नहीं है, सूखा नहीं पड़ा, 1.34 करोड़, 134 लाख रुपया दूसरी जगह भेज दिया गया, कहा गया? वह तेलुगु

[श्री सुरेन्द्रजीत सिंह ग्रहलुवालिया]  
देशम के मंडल में गया, उसके कोष  
में गया... (व्यवधान)

डा० बापू कालदाते (महाराष्ट्र) :  
64 करोड़ रुपये का क्या हुआ... (व्यवधान)  
जब चाहिएगा तब सी. एण्ड ए. जी.  
का नाम लीजिएगा...

श्री सुरेन्द्रजीत सिंह ग्रहलुवालिया :  
आ रहा हूँ... (व्यवधान) उपसभाध्यक्ष  
महोदया, जरा ध्यान से सुनें। ये हमारे  
मित्र जरा सुनकर जानकारी हासिल करें  
कि इनके मित्र जो नेशनल फंड के चीफ हैं  
उन्होंने क्या क्या करामातों की हैं। अभी  
तो सिर्फ जनता दल के अध्यक्ष का तस्कर  
सम्पाद को लिखा हुआ प्रेम पत्र दिखलाया  
था, उसके बाद यह दिखा रहा हूँ—

“Rs. 8.65 crores were drawn in  
advance to show the amount has  
been spent before the cut-off dates.  
Rs. 2.44 crores were spent on items  
of work, not covered by guide-  
lines for employment-generation  
works.”

सुनिये। तेलुगु देशम के किस किस अकाउंट  
में पैसा गया, उसका हिसाब तो दें :  
(व्यवधान) यह मैं 250 संसद सदस्यों के  
बीच पृष्ठ रहा हूँ। यह 80 करोड़ जनता  
जब पृष्ठेगी तब क्या जवाब देंगे —

“There was a diversion of funds,  
Rs. 1.41 crores, from one sector to  
another.”

श्री आनन्द शर्मा (हिमाचल प्रदेश) :  
अभी आने जो बोलने वाले हैं उसको सुनें।

“Rs. 4.51 crores were spent on  
items not connected with drought  
relief.”

और तो और उपसभाध्यक्ष महोदय,  
आश्चर्यचकित होगी इस देश की जनता जिस  
वक्त उन्हें पता लगेगा कि उनको पैसा  
जब दिल्ली सरकार भेजा करता थी तो  
उसको उठाकर बैंक में जमा कर दिया जाता

था और जब एकाउंट जनरल पृष्ठता था  
कि पैसे का उपयोग कहाँ किया है तो कहते  
थे कि यह बैंक में पड़ा हुआ है, यह ले जाइये  
और जो उस बीच उस पर लाखों रुपया  
इंटरेस्ट कमाया जाता था वह किसकी जेब में  
जाता था —

“Rs. 5.38 crores were drawn from  
the treasury in advance of require-  
ment and deposited with banks for  
other executing agency although  
certificate of utilisation of funds for  
relief purposes was recorded.”

श्री बी. सत्यनारायण रेड्डी (आन्ध्र  
प्रदेश) : उपसभाध्यक्ष महोदय, ग्रहलुवालिया  
साहब कुछ आंकड़े पढ़कर सदन को यह  
बताना चाह रहे हैं कि आन्ध्र प्रदेश सरकार  
ने...

श्री विश्वजित पृथ्वीजित सिंह (महा-  
राष्ट्र) : सी. एण्ड ए. जी. रिपोर्ट से ले  
रहे हैं।

श्री बी. सत्यनारायण रेड्डी : उन्होंने  
यह बताने की कोशिश की कि सी. एण्ड  
ए. जी. रिपोर्ट में यह दर्ज किया गया है।  
मैं आपसे यह निवेदन करना चाहता हूँ कि  
आन्ध्र प्रदेश सरकार ने सब पैसा पब्लिक के  
हित में ही किया है, कहीं घपला नहीं  
किया है। जो इन्होंने बोफोर्स में 64 करोड़  
का घपला किया है... (व्यवधान) जो केन्द्र  
सरकार ने 64 करोड़ का बोफोर्स में घपला  
किया है... (व्यवधान)

THE VICE-CHAIRMAN (SHRI V.  
NARAYANASAMY): This is no point  
of order. You kindly sit down. (In-  
terruptions)

SHRI VISHVJIT P. SINGH: I sup-  
port the Telugu Desam Member.

He is very right. The money has  
been spent on the welfare of the peo-  
ple of the Telugu Desam. It has been  
spent on the Raj Kuteer of NTR.  
It has been spent on the dance; it  
has been spent on the films; it has  
been spent on all those Tamashas.  
Those Tamashas are for the benefit of

the people of Telugu Desam. That is why I support the Member. (Inter-ruption)

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Ahluwalia, you can continue.

SHRI VISHVJIT P. SINGH: Why did you sit down Meenakshi? Stand up. (Interruptions)

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Vishvjit, you will get your chance.

श्री सुरेन्द्रजीत सिंह अहलुवालिया :  
उपसभाध्यक्ष महोदय जितनी कहानियां सुनाई जाए उतनी कम हैं। ... (व्यवधान)

एक माननीय सदस्य : मीनाक्षी शेषाद्वि : ... (व्यवधान)

श्रीमती रेणुका चौधरी (आन्ध्र प्रदेश)  
यह तो पैसा फैंको, तमाशा देखो। बोलिए ... (व्यवधान)

श्री सुरेन्द्रजीत सिंह अहलुवालिया :  
नहीं, पैसा फैंको, तमाशा देखो। यह तो पैसा फैंको, तमाशा देखो। यह पैसा फैंक कर तमाशा देखा गया है। उपसभाध्यक्ष महोदय, यह इस मुल्क की गरीब जनता के लिए जो पैसा भेजा गया उनके इवेल्लपमेंट के लिए जो पैसा भेजा गया उनके ग्रोकडे हैं और यह भेरे बनाए हुए नहीं, यह किसी कांग्रेस की पत्रिका से मैं नहीं पढ़ रहा हूँ यह तो सी. ए. जी. की रिपोर्ट है। ... (व्यवधान) वह डिसकस क्यों नहीं करते, जो भाग जाते हैं छोड़कर। ... (व्यवधान)

उपसभाध्यक्ष महोदय,  
Rs. 1.30 crores were spent on relief in Mandals not notified as flood affected; improvement of several irrigation works not connected with flood damaged were taken up at a cost of Rs. 2.98 crores. सिर्फ इतना ही नहीं महोदय, यह जो जनता यह का पैसा है, जनता का पैसा और कहा जाता है? यह जो

असिस्टेंट जाती है यह क्लीयरली लिखा होता है।

SHRI PARVATHANENI UPENDRA: Diversion is not embezzlement. What is the crime he is pointing at? I don't understand.

ठाकुर जगतपाल सिंह : (मध्य प्रदेश):  
जो स्टेट गवर्नमेंट को पैसा भेजा जाता है उसका यह मिसयूज हुआ है। ... (व्यवधान)

श्रीमती रेणुका चौधरी : : यहाँ की इलैक्ट्रॉनिक वोटिंग तो चल नहीं सकती, यह बिजली चल नहीं सकती और आप आन्ध्र की बलयेगे। ... (व्यवधान)

श्री सुरेन्द्र सिंह अहलुवालिया :  
खुद स्वीकार करते हैं कि हमने पैसा में गड़बड़ी की है और उपसभाध्यक्ष महोदय, वहाँ लिखा है :

"Central assistance under irrigation was for work, like extension of irrigation system, construction of reservoirs, field channels, pathways and bridges over canals, but did not include repairs and restoration of buildings. Rs. 88.75 lakhs for repairs to buildings. Then Rs. 3.40 lakhs on guest house, beautification of landscape and garden."

श्री विश्वजीत पृथ्वीजीत सिंह वाह-वाह।  
मीनाक्षी, यह सब तुम्हारे लिए किया गया।  
मीनाक्षी, यह सब तुम्हारे लिए किया गया।

श्री सुरेन्द्र जीत सिंह अहलुवालिया :  
इतना ही नहीं, महोदय, वहाँ भी शर्म नहीं आती,

"Rs. 2.40 lakhs for purchase of airconditioners, sofa sets ..."

SHRI PARVATHANENI UPENDRA: Are Government Officers without airconditioners?

SHRI ANAND SHARMA: This is diversion from drought relief to air-conditioners. You should be ashamed of it.

श्री विश्वजित पृथ्वी जित सिंह : मीनाक्षी, यह सब तुम्हारे लिए किया गया... (व्यवधान)

SHRI PARVATHANENI UPENDRA: Are Government of India Officers without airconditioners?

श्रीमती रेणुका चौधरी : गवर्नमेंट आफ इंडिया आफिसर्स एयर-कंडीशनर्स चलाते हैं। ... (व्यवधान) आप इस गर्मी में बैठे हैं इस एयर-कंडीशन हाउस में और पुरे दिल्ली शहर में बिजली नहीं है। बावजूद यहां एयर-कंडीशन दे रहे हैं। ... (व्यवधान) झुग्गी में बिजली भी नहीं है।

श्री सुरेन्द्रजीत सिंह अहलुवालिया : मैडम, वहां गांव में बिजली लगाए तो अच्छा है, अपने बेड-रूम में एयर-कंडीशन क्यों लगाते हो? ... (व्यवधान) ... यह मूल कारण है जो 70 प्रतिशत जनता... (व्यवधान)

श्री आनन्द शर्मा : अभी उपेन्द्र जी बोलकर चुके हैं। यह कपीटीशन हो रहा है ... (व्यवधान) रामाराव शाम को देखेंगे कि कौन नम्बर कितना बोलता है। ... (व्यवधान)।

श्री सुरेन्द्रजीत सिंह अहलुवालिया : 70 परसेंट जनता अब सूखे से ग्रसित होती है या बाढ़ से ग्रसित होती है, यहां पर बड़े-बड़े मेमोरेण्डम भेजे जाते हैं, सेंट्रल टीम जाती है, विचार-विवेचना करके यहां से रूपा सेक्शन होकर जाता है तो उस रूपा का दुरुपयोग किस तरह होता है, यह मैंने आपको बताया।

सिर्फ इतना ही नहीं, महोदय तकलीफ इनको यह है कि ... (व्यवधान) ...

उपसभाध्यक्ष महोदय, अगर इसी तरह से परेशान करते रहेंगे तो ठीक है चलता रहेगा, मैं फिर बोलने नहीं दूंगा। ... (व्यवधान) ...

श्रीमती रेणुका चौधरी : आपने भी कई बार हमको ऐसा किया है। अब आपको कड़वी लग रही है न? आपने हमारे जीडर को भी ऐसे ही किया, अब सन्न करो।

श्री सुरेन्द्रजीत सिंह अहलुवालिया : मैं मीनाक्षी जी को बताना चाहता हूं कि जब कभी वह भाषण दें...

श्रीमती रेणुका चौधरी : अच्छा, यह इनकी बीबी का नाम है, बार-बार याद करते हैं। नहीं तो कल रक्षा-बंधन है, मैं तो इसकी वहन हू।

श्री सुरेन्द्रजीत सिंह अहलुवालिया : सौरी रेणुका जी। ... (व्यवधान) ... रेणुका जी जब भाषण देती हैं तो मैं इनको इण्टरप्ट नहीं करता, मुझे परेशान कर रही है।

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Without permission nothing should go on record.

कुमारी सईबा खातून (मध्य प्रदेश) : हमारे अहलुवालिया जी को भी डिस्टर्ब न किया जाये।

श्री सुरेन्द्रजीत सिंह अहलुवालिया : उपसभाध्यक्ष महोदय, 2 लाख 533 ग्राम पंचायतों को जो मदद की बातें की जा रही हैं, तकलीफ इस बात की है इनको कि उस गांव के बेचारे गरीब और अनाद जवान को या अनापढ़ आदमी को सेक्टरिएट का चक्कर नहीं मारना पड़ेगा बल्कि उसका फैंसला कलेक्टरेट एवं जिजा परिषद में करेंगे और उसको पता चलेगा कि उसके इलाके में डवलपमेंट के क्या-क्या प्रोग्राम बनाए गए हैं, क्या-क्या प्लानिंग बनी है। उसे यह सब मालूम हो जाएगा, तो यह जो राज्य-स्तर के मुख्यमंत्री हैं, राज्य-स्तर के जो मंत्री हैं, इन्हें तकलीफ हो रही है कि वह पैसा अपने हाथों से नहीं बांट सकेंगे उसमें कुछ खा नहीं सकेंगे, उसमें कुछ रख नहीं सकेंगे उसको डायवर्ट नहीं कर सकेंगे। तकलीफ इसी बात की है कि सिर्फ।

महोदय, यह कोई नयी बात नहीं है कि जब भी कांग्रेस पार्टी ने कोई भी कांस्टीट्यूशन (अमेंडमेंट) बिल लाया हो तो विपक्ष ने उसका विरोध न किया हो। मैं अपने कम्प्युनिस्ट बंधुओं को बताना चाहता हूं कि सोवियत ने जो एक्सपीरिएंस किया कांस्टीट्यूशन में अमेंडमेंट ला-ला कर और उन्होंने कहा-

"The Soviet experience teaches us that Constitution must correspond to definite social relations and the stage of social development. If there are no substantial changes in society and Constitutional clauses remain virtually static and inviolable, there is no need for its renovation. If, however, society is surging forward and achieving the ideas outlined, the Constitution will lag behind and become outdated. So it must be replaced by a new one reflecting the changed conditions and needs."

आज जब भी हम कांस्टीट्यूशन में अमेंडमेंट लाने की बात करते हैं तो तकलीफ होती है इनको। जब हमने कांस्टीट्यूशन में बयालीसवां संशोधन किया था तो सबसे ज्यादा इन्हें तकलीफ हुई थी और इतना ही नहीं इन्होंने सन् 1977 में जो अपना जनता-पार्टी का मैनीफेस्टो रिलीज किया था, उसमें कहा था कि बयालीसवां संशोधन हम पावर में आने के बाद खारिज करेंगे। बयालीसवां संशोधन पूरा तो आप खारिज नहीं कर सके। मान्यवर, अभी पिछले दिनों हमारे जनता दल के नेता गुरुपादस्वामी जी किसी कोर्ट की जजमेंट पढ़ रहे थे। मैं उनको बताना चाहता हूँ कि बयालीसवां संशोधन के बाद उस जजमेंट के ऊपर एक और सुप्रीमकोर्ट की इटरपिटेशन है, उसको जरा ध्यान से पढ़ लें और वह इटरपिटेशन 1983 की है—डी. एस. नकारा वर्सेस यूनियन ऑफ इंडिया के जजमेंट में....

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश): सुप्रीम कोर्ट जज का है? ये जजमेंट सिंगल मेंबर जज का है या कुल जज बेच का है?

श्री सुरेन्द्रजीत सिंह अहलुवालिया : पहले सुन लीजिए, उसके बाद चैलेंज कीजिए।  
D. S. Nakara Vs. Union of India..

ठाकुर जगतपाल सिंह: यह ए. आय. आर. में प्रिटेड है। जजमेंट जज का है, नाम तो नहीं जानते।

श्री सुरेन्द्रजीत सिंह अहलुवालिया : प्रिएम्बल में जब शोशलिस्ट बड़े यूज किया गया तो:

The expression 'socialist' was intentionally introduced in the Preamble by the Constitution 42nd Amendment Act 1976. The principal aim of a socialist State is to eliminate inequality in income and status and standards of life. The basic framework of socialism is to provide a decent standard of life to the working people and specially provide security from cradle to grave. This amongst others on economic side envisages economic equality and equitable distribution of income. This is a blend of Marxism and Gandhism, leaning heavily towards Gandhian socialism. From a wholly feudal exploited society to a vibrant, throbbing socialist welfare society is a long march but during this journey to the fulfilment of the goal, every State action, whenever taken, must be directed and must be so interpreted as to take the society one step towards the goal.

उपसभाध्यक्ष, महोदय, मालवीय साहब इसको रोकने की बात कर रहे थे। अब इस इटरपिटेशन की खिलाफत करने की बात करें। इसके विरुद्ध बोलने के लिए मैं अब उन्हें कहता हूँ। अब कहिए। तो जब-जब हमने कांस्टीट्यूशन में संशोधन करने की बात कही है, तब-तब इस तरह के अडगे लगे हैं, चाहे वह प्रिवीप्रसेंस के एबोशिलन की बात कही गयी हो या .... (व्यवधान)....

श्री राम अवधेश सिंह (बिहार) : आप इसे अपने राजनीतिक लाभ के लिए करना चाहते हैं। तो उससे क्या फायदा?

श्री सुरेन्द्रजीत सिंह अहलुवालिया : आपका चांस आएगा तो बोल लीजिएगा सब कुछ।

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Mr. Ahluwalia, your time is only nine minutes more and before that you have to conclude.

SHRI S. S. AHLUWALIA: They have spoiled my entire time. What to do?

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): You have taken more than twenty minutes.

SHRI VISHVJIT P. SINGH: How much time I am allowed, Sir?

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): Thirty minutes.

श्री सुरेन्द्र जीत सिंह अहलुवालिया :

उपसभाध्यक्ष महोदय, यह ऐसा ही मौका नहीं है, अभी पिछले दिनों कलकत्ता हाई कोर्ट में श्री प्रथम सुन्दर गुप्ता जो फारवर्ड ब्लाक के फारमर मेयर रह चुके हैं, उन्होंने एक केस फाइल किया और कहा कि साहब 64वां एमेंडमेंट नहीं होना चाहिए। दुर्भाग्य इस बात का है कि जबकि बंगाल सरकार के एडवोकेट जनरल ने कचहरी में खड़े होकर कहा कि,

"Sir, it is a fit case for your ruling."

महोदय, दुर्भाग्य इस बात का है कि जब जनता का पैसा जनता के पास जा रहा है तो आप लोगों को तकलीफ होने लगी है।

श्री वसन्त सिंह (बिहार) : अभी तक कहाँ जा रहा था ?

श्री सुरेन्द्रजीत सिंह अहलुवालिया :

अभी तक तो शायद आपकी जेब में जा रहा था। मैंने जैसे प्रश्न किया कि क्या जयप्रकाश नारायण जो डेलीगेशन लेकर राष्ट्रपति को मिले थे और जो प्रतिवेदन दिया था, वह झूठा था, वह फहरेब था, वह गलत था ? ये क्यों नहीं कहते आप। आप कहते हैं कि यह बिल चूंकि राजीव गांधी लाए हैं, इसलिए आप इसका विरोध करेंगे। इसकी अच्छाइयों का विरोध आप नहीं कर रहे हैं, आप विरोध इसलिए कर रहे कि कांग्रेस पार्टी ला रही है। आप विरोध इसलिए कर रहे हैं कि यह पैसा सेक्रेटेरिएट को नहीं जा रहा है कलेक्टोरेट को जा रहा है। क्या आप यहां खड़े होकर कह सकते हैं। आपने कहा कि डिस्ट्रिक्ट मजिस्ट्रेट के पास प्राइम मिनिस्टर का पैसा पहुंच रहा है। प्राइम मिनिस्टर पैसा नहीं भेजता है। पैसा भारत सरकार भेजती

है। क्या डिस्ट्रिक्ट मजिस्ट्रेट स्टेट का अंग नहीं है ? क्या डिस्ट्रिक्ट मजिस्ट्रेट की पोस्टिंग दिल्ली से होती है ? आप कहे खड़े होकर कि डिस्ट्रिक्ट मजिस्ट्रेट रेवेन्यू कलेक्टर नहीं है। उसका डिप्टी कलेक्टर नहीं है।

SHRI P. K. KUNJACHEN (Kerala): The State Government is elected by the people.

SHRI S. S. AHLUWALIA: You do not know the administrative system of this country. You are only shouting. District Magistrates are part and parcel of your administrative system. और उपसभाध्यक्ष महोदय, मैं इसके ज्ञान के बिना यह भी बता देना चाहता हूं कि जिलाधिकारी के पास जो पैसा जाएगा, वह भी उसको अपने पास नहीं रख सकता क्योंकि इस पैसा का निर्णय जिला परिषद् करेगी और जिला परिषद् जब करेगी... (व्यवधान)।

श्री राम अवधेश सिंह : इसमें सत्ता का विकेन्द्रीकरण कैसा होगा, यह समझाइए मुझे ?

श्री विश्वजित पृथ्वीजित सिंह : उपसभाध्यक्ष महोदय, देखिए यह गति-अवरोधक खड़े हो गए हैं। इनका नाम तो गति-अवरोधक होना चाहिए।

श्री सुरेन्द्रजीत सिंह अहलुवालिया :

उपसभाध्यक्ष महोदय, जैसे कि एक सर्वे के माध्यम से यह पता लगा था कि जो एक रुपया दिल्ली से चलता है वह कम से कम 16 पैसे के रूप में गांव में पहुंचता है और ज्यादा से ज्यादा 50 पैसे के रूप में, क्योंकि उसके बीच में हंडलिंग लागू है, एडमिनिस्ट्रेटिव चार्जिज हैं और बहुत सारी मशीनरियां खा जाती हैं।

मैं अपने कम्युनिस्ट बन्धुओं को पश्चिमी बंगाल पर लिखी गयी सी.एड.ए. जी. की रिपोर्ट पढ़कर सुनाता हूं :—

लेप्रॉसी को रोकने के डाइव में जो पैसा गया  
 "The total expenditure incurred in the programme from 1980-81 to 1985-86 was Rs. 2315.52 lakhs in West Bengal against which Rs. 256.53 lakhs were received as Central assistance. The expenditure included a sum of Rs. 39.60 lakhs provided by the foreign agencies. About 79 per cent of the expenditure was on pay and allowances."

79 प्रतिशत पैसा सिर्फ पे और एलाउंस में चला गया। तो जिनको कोढ़ और लेप्रॉसी हुई थी उनकी दवा के लिए कितना पैसा पहुंचा ? ...  
 (व्यवधान)।

श्री राम अवधेश सिंह : इसके लिए जिम्मेदार कौन है ?

श्री सुरेन्द्रजीत सिंह अहलुवालिया : आप हैं। और इति बाद महोदय, टी०वी० को खतम करने के लिए जो जो पैसा गया पश्चिम बंगाल में "Against the total budget provision of Rs. 685.26 lakhs on the programme during 1980-81 to 1985-86, the expenditure was Rs. 571.41 lakhs of which the establishment costs alone amount to Rs. 454.17 lakhs. That is 79 per cent."

571 लाख में से 454 लाख एस्टैबलिशमेंट कास्ट और एडमिनिस्ट्रेटिव चार्ज में ही खतम हो गया। तो कितना पैसा आपने टी०वी० के पेशेंट्स के लिए खर्च किया ? दुर्भाग्य की बात तो यह है कि यह सारा पैसा जो आज तक इधर से उधर जा रहा था, वह जाना बंद हो जाएगा। तकलीफ इस बात की है। तकलीफ इस बात की नहीं है कि यह बिल क्यों आ रहा है, तकलीफ है कि इस बिल के बाद पैसा क्यों सीधा गांव में जाएगा, इसकी तकलीफ है और इन तकलीफों के माध्यम से अभी कह रहे थे... (समय की घंटी)  
 उपसभाध्यक्ष महोदय, अभी तक जनता पल ने और सी०पी०एम० ने और तेलंग देशम ने जो इस कांस्टिट्यूशन एमेंडमेंट

बिल पर स्टैंड लिया है, उस स्टैंड पर खड़े होकर कहें कि जो फेक्ट्स एण्ड फिगर्स मैंने सामने रखे हैं, डाइविनिफिकेशन आफ एण्ड को किया जा रहा है इनके राज्यों में, ये क्या इसको गलत साबित कर सकते हैं ? अगर नहीं कर सकते तो क्यों रोकते हैं इन पैसों को जाने से सीधा उन जिला परिषदों के पास या पंचायतों के पास जिसका कि उपयोग वह सीधा कर सकेंगे, उनको इन पर निर्भर नहीं होना पड़ेगा, इनके घर के चक्कर न लगाने पड़ेंगे, इनकी पार्टी आफिस के चक्कर न लगाने पड़ेंगे, क्योंकि दुर्भाग्य की बात है कि बंगाल और आंध्र में फैले जितने होते हैं, पार्टी आफिस में हुआ करते हैं। सैक्रेट्रिएट वहां निकम्मा है, गीरा फाला पार्टी आफिस में होता है और वहीं से निर्देश जारी होते हैं।

उपसभाध्यक्ष महोदय, मैं इतना ही कहना चाहता हूँ और आपको बताना चाहता हूँ कि मेरे पास एक खबर की खबर है। जिसमें खबरछपी है पांजापुर जिले की जो तमिलनाडु में है...

"Panchayat auctions" bootlegging"—  
 "The president of a panchayat union has had the courage to auction illicit distilling in a village for Rs. 50,000 a year." (Interruption) I am not yielding. It is your paper.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu): No, it is not incorrect. The police officer had arrested the culprit and action was taken against the culprit.

THE VICE-CHAIRMAN (SHRI V. NARAYANASAMY): He is not yielding. Please sit down. Now, Mr. Ahluwalia, you have only two minutes to conclude.

श्री सुरेन्द्रजीत सिंह अहलुवालिया : उपसभाध्यक्ष महोदय, यही कारण है कि जिनकी वजह से यह पंचायती राज बिल लाना पड़ा, यही कारण हैं जिन कारणों से आज हम यहां बैठकर इस पर चर्चा कर रहे हैं कृ। इनकी तकलीफ सिर्फ इस बात की है, कि यह बिल राजीव

## [श्री सुरेन्द्रजीत सिंह ग्रहलुवालिया]

गांधी जी के हाथों से लाया जा रहा है, यह काम उनके हाथों से हो रहा है और हिन्दुस्तान की डेमोक्रेटिक हिस्ट्री में यह स्वर्णक्षरों में लिखा जाएगा। इन इतिहास को कलुषित करने की कोशिश जो कम्युनिस्ट कांस्टिट्यूट और कम्यूनल फोर्स कर रही हैं वह दुर्भाग्य की बात है। इन्हें तब पता लगेगा जब ये जनता के पास वोट मांगने जाएंगे और वह कहेंगे कि हमारा पैसा रोकदार क्यों आए हो? तब इनको पता चलेगा। महोदय इतना ही नहीं, पिछले सोमवार को जब उपेन्द्र जी कह रहे थे कि फर्स्ट शैड्यूल में आंध्र प्रदेश लिखा गया है, पहला नाम आंध्र प्रदेश था आता है लेकिन बड़े दुर्भाग्य की बात है कि लोगों को पीत वस्त्र पहना दिए गए, पीताम्बर बना दिया गया और पीत वस्त्र वालों का ही यह काम है कि आज वहां कोई जयभारत या हिन्दुस्तान की जय की बात नहीं करता है, जय तेलुगु देशम की बात होती है, यह सरासर देश के साथ गद्दारी है। दुख इस बात का है कि जब यह बिल लोक सभा में आने वाला था तो इसके पहले इन्होंने साजिश करके एम०पी० का इस्तीफा दिलवाया और लाखों करोड़ों रुपए की खर्चा उनके पास पहुंचाई और एन०टी०आर० लाखों करोड़ों रुपए लाए और देवीलाल ऐतान करता है कि सारे आम लोगों को रुपए दिलाए जाएंगे। इनको शर्म आनी चाहिए कि देश में जगतंत्र को किस तरह से बेकार किया जा रहा है।...

(व्यवधान)।

SHRI PARVATHANENI UPENDRA: It is all false. It is all a figment of his imagination.

कुमारी सईदा खातुन : यह भी शर्म की बात है कि देश को 15 अगस्त को आजादी मिली, लेकिन वहां अपोजिशन नहीं था... (व्यवधान)।

श्री सुरेन्द्रजीत सिंह ग्रहलुवालिया : महोदय, मैं इस संशोधन का समर्थन करते हुए इस मुद्दे की 2 लाख 533 पंचायतों को धन्यवाद देता हूं और इस

देश की 80 करोड़ जनता का धन्यवाद ज्ञापन करता हूं और आशा करता हूं कि जो उन के नुमाइंदे हैं उनके तलाश में यह बात आए और यह बिल पास हो और देश की 80 करोड़ जनता को उसका फल मिल सके।

धन्यवाद।

SHRI LAL K. ADVANI (Madhya Pradesh): Mr. Vice-Chairman, Sir, those who have spoken before me either the day before yesterday or today, whether they have supported the Bill or whether they have opposed the Bill, have spoken with passion and vehemence. Those who have supported the Bill or rather the Bills regard them as historic measures. I heard the Prime Minister say yesterday that Swaraj for the first time would be coming to the people after 40 years... (Interruptions)... in the real sense of the word. I do not know whether he realised that that particular remark of his not only smacked of arrogance but it was a denunciation of all his predecessors in office. (Interruptions)

On the other hand, my colleagues this side have attacked the Bills in very strong terms. They have described it—some of them at least—as a diabolical device to destroy the Constitution, to usurp the powers of States. Frankly, Sir, I am unable to share the passion and exuberance of either side. But I do feel deeply distressed, deeply disappointed, that an issue like panchayati raj on which the whole House should have been unanimous, has been so mishandled and messed up, so bungled up and botched up, by the ruling party as to evoke such acrimony and to create such a sharp divide between the two sides. It is something about which you should ponder you should think, why this has happened. While my colleagues say that these Bills are taking away the rights of the States, I would ask who will be there to take advantage? Upendraji himself feels that these Bills cannot be implemented before 1990 or 1991. This Government is not going to be there.

(Interruptions) And, therefore, I have been pleading even with colleagues on this side that we need not think that the whole Constitution is going to be destroyed now and the basic structure of the constitution is being subverted. I am sure that it can be rectified, whatever little damage will be done. There is damage done. I will come to that later. However I do not regard it as subversion of the basic structure of the Constitution. But I do think that damage is being done, to which I will revert later. But this certainly distresses me.

My friend, Mr. Ahluwalia, who spoke before me, was very right when he said that a Memorandum on Panchayati Raj was submitted to the President in 1975. He said that Jayaprakashji was a part of that, that all senior members on this side were part of that, including—I was surprised to find—Mr. Jyotirmoy Basu also who had signed that Memorandum—in which it was suggested that there should be a constitutional amendment to ensure that there is democracy at the grass roots, that panchayati raj institutions are given constitutional sanction. This side should know that that has been one principal demand from my party, not today but since 1952. And, therefore, I found it very difficult, when this Bill came up and some of my colleagues immediately reacted to it, attacking the Bill and saying 'we will not support the Bill, we will oppose the Bill' etc. etc.—I found it very difficult to agree with that. Therefore, I am taking a different stand—slightly different from them. But it is slightly different, mind you; don't be under any wrong impression. (Interruptions) I will explain. I will explain thoroughly my stand.

I said that I am not able to share either the euphoria of that side or the extreme indignation of this side. I am not able to share that, though I would certainly like to point out to the treasury benches that the indignation of this side is not aroused simply by these two Bills. It was a

history. You know that I differ from many of these parties. My Marxist friends and we carry on a kind of running debate outside the House. At the same time, I have been strongly of the view that once the people of West Bengal and the people of Kerala have elected a Government, then this Government at the Centre has no right whatsoever to undermine the authority given to it by the Constitution. I do not know if Pandit Nehru or even Mrs. Gandhi could ever conceive of this idea and of these steps that your Government has been taking during the past years such as the Prime Minister going round the whole country and holding meetings and conferences of District Magistrates. It is a unique idea of Prime Minister Rajiv Gandhi. It is this kind of attitude which you have taken towards the non-Congress-Governed States and the manner in which you have been using the high office, of Governor to bamboozle and blackmail the non-Congress Governments which form the backdrop of the strong indignation of my opposition friends. It is not related only to these two Bills. It has a long history. Therefore, you should think of it.

Now, this issue of Panchayati Raj or of local bodies is essentially an issue of decentralisation. It is essentially an issue of devolution of power to the people. But that devolution has to start from the top, not from the middle. Decentralisation has to start from the Centre and not from an intermediate circle. These are so obvious realities. Along with these realities, I can point out to this House that way back in 1983 Mrs. Gandhi, taking cognizance of the fact that certain strains were developing between the Centre and the States which needed to be sorted out, decided to set up a Commission of Inquiry to examine all problems relating to Centre-State relations. The Sarkaria Commission was set up in 1983. It completed its work and submitted its report to the Government, I think, in 1987. Then in 1988, prolonged discussions were held first in the Consul-

[Shri Lal K. Advani]

tative Committee of the Ministry of Home Affairs and then in both the Houses of Parliament. Outside so much has been written about it and so much has been said about it. I regard that report as a cautious and conservative report. I see nothing radical in it. Of course, there are several recommendations of that report which I endorse, which I support and about which I have spoken in this House also. You have not implemented even one single recommendation of that report. That report continues to gather dust in the shelves of the Home Ministry. All of a sudden, you come to the Parliament, go to the nation and say: "No, we want decentralisation of power; we want devolution of power to the people." Who is going to believe it? But you think that this is not a matter for thinking. You think that the masses are taken away by mass propaganda, media propaganda, on the eve of the elections. They forget everything. They forget even this fact that after all this is a matter which has been discussed right from 1947 when the Constitution was being framed. This concept of panchayats has a very hoary past. *Gram Sangha* have references made even in the *Ramayana* and the *Mahabharata* and even in *Kautilya's Arath Shashtra*. In the *Manu Smriti* there are references to it. But in recent times, in modern times, we have had in Gandhiji a very ardent exponent of Panchayati Raj, of village republics. Dr. Ambedkar did not agree with him. In fact, Dr. Ambedkar made some comments in the Constituent Assembly which were virtually contemptuous of the idea. Maybe it is because of that that this particular idea did not then find place in the Constitution. But there were many who understood Gandhiji's views, and who expressed regrets that this was not provided for in the Constitution. Some prominent Members who regretted this omission were Shri K. Santhanam, Shri H. V. Kamath, And even the Chairman of the Constituent As-

sembly, Dr. Rajendra Prasad felt sorry that the Constitution did not provide for Panchayati Raj as such." Mr. Alladi Krishnaswamy then said that though there is no specific provision in the Constitution it does not prevent the States from taking steps. To quote he said: "Though the Constitution does not give sufficient importance to village committees, there is nothing to prevent the Provincial Legislatures from constituting the villages as administrative units for the discharge of various functions vested in the State Governments." The conception was, whatever has been vested in the State Governments, those functions could be allocated to the local bodies'. But some other Members pressed their point. And the result, the upshot of this entire discussion was that Article 40 was introduced in the Constitution. Article 40 is a Directive Principle. It says that "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." Now this Article 40 is there in the Constitution. Why has it not been implemented? Who is to answer for this? (*Interruption*) Yes, of course, States. Except the last four or five years, most of these 40 years, it is the Congress Governments who have been ruling the States. And today when the other parties are there... (*Interruptions*) Yes, there were brief periods in between also when there were other parties. And I would say that broadly speaking, the record of non-Congress Governments in the field of local bodies is far, far superior to that of the Congress. It is so obvious that you cannot deny it. If I were to go through the track record of the Congress Government, I would start with Delhi here. The last Corporation election—this is the civic body here—was held in 1983. The Corporation Act of Delhi says that elections should be held after every 4 years. So, the elections were due in

1987. In 1987, the election was postponed for one more year. In 1988, there was a second postponement. In 1989, there was a third postponement. (Interruptions).

श्री सुरेन्द्र जीत सिंह ग्रहलुवालिया :  
रिज्जाइन क्यों नहीं किया, टर्म क्यों ले रहे हैं ?

श्री बीरेन्द्र वर्मा (उत्तर प्रदेश) : हर बात पर गलत बहस न करें।

श्री लाल कृष्ण झाड़वाणी : इसका भी जवाब दे सकता हूँ लेकिन फिर कहेंगे कि :

BJP is running away from the Corporation. Anyway, I am pointing out that it is your track record which is very eloquent in this regard. I was, in fact, surprised to know that out of a total of 72 Corporations in the country today, as many as 37 stand superseded, most of them from the Congress States. In Rajasthan alone there are 198 civic bodies. I am talking of the urban bodies. There are 198 civic bodies. Out of these, 193 are superseded. And you imagine, for the last several months, the Congress Party has been waxing eloquent about their concern for the decay of local self-government institutions. During this very period, a citizen of Rajasthan goes to the Rajasthan High Court, files a writ petition and succeeds in getting an order from the High Court that for the Corporations of Jaipur, Ajmer and some other municipalities, elections should be held. What does the Rajasthan Government do? Rajasthan Government has gone to the court. So, the 5.00P.M. Rajasthan Government has gone to court saying that this order should be revoked. What is Your explanation for this? It is, therefore, that I do not look upon this measure as either historic or diabolical. I regard this as hypocritical, insincere. It is pure election gimmickry, nothing else.

After all, this Government has a certain image. Its Prime Minister particularly has a certain image. I do not want to elaborate it. One of the eminent Hindi poets in the country has written a long poem and people roar with laughter when they listen to that poem, how the Prime Minister goes to study the problem of water scarcity in a certain village. I do not want to repeat that. All that I want to say is that the image is of a Yuppie Government and the effort of this Government now by bringing these two Bills is nothing more than to slightly correct that image, change that image. In fact, the 'India Today' reported, when its correspondent asked the principal aide, rather an aide to the Prime Minister, as to what was the objective of these two particular Bills, he did not speak about the health of local bodies. He simply said our objective is to make the Prime Minister of India become the Pradhan Mantri of Bharat. I am grateful to that gentleman, whoever he is. I do not know whether he is Mani Shankar Iyer or someone else. But he has candidly put it, the purpose is image correction. There is

absolutely nothing more. Otherwise, the Bills would not have been drafted in such haste. I can not understand how any draftsman in the Law could approve such Bills. Here is the leader of the House, a person who has been the Law Minister earlier. Could you conceive of such a Constitution amendment? How is it that you have in it details like ward committee and zonal committee, what should be the nagarpalika population, and nager panchayat population etc. Population will go on varying from year to year, from decade to decade. So, every time you will have to come back to Parliament for an amendment of the Constitution. It is something as absurd as if the Constituent Assembly had decided to incorporate the Representation of the Peoples Act in the Constitution. It is just not done. No one who knows law and drafting

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and legislation would make the Bills as elaborate as this. He would only provide the essential details. These are the essential details, essential attributes of what we think should be the composition of the local self Government or local self bodies. So far as my party is concerned, we have always been of the view that it was a lapse on the part of the Constituent Assembly not to give local self Government recognition and sanction. And, therefore, the moment this was proposed, we said, we are in favour. We have have all along been saying that just as it is provided in the Constitution that Assembly elections should be held every five years, the Lok Sabha elections should be held every five years, similarly it should be provided in the Constitution that this should be the periodicity of elections to local bodies. And if you had provided this much, there would have been no quarrel with it at all: no quarrel with it. And, then furthermore, as I said earlier because of the suspicion that you have generated in the minds of the non-Congress Governments over a period of time, the moment you mention Governor, your motives become suspect. Bhajan Lal has said very rightly that Governor means Governor as advised by the Council of Ministers. But how many times have we seen Governors acting on their own, absolutely on their own, as if they have nothing to do with the Council of Ministers there? We have seen Governors criticising Chief Ministers. Could it be conceived till five or six years back? It is during the last five years that we have those situations ... (Interruptions). ... Two wrongs do not make a right (व्यवधान)

हाँ हाँ राम लाल को ले लिया या नहीं लिया, उसके कारण कुम्ह बहिन का आचरण जस्टीफाई नहीं होता है।

श्री बीरेन्द्र वर्मा : राम लाल क्या अपने आप कर रहे थे। वह भी किसी के इशारे पर कर रहे थे।

SHRI LAL K. ADVANI: I am definitely of the view, Mr. Vice-Chairman, that if there had been a greater thought given to this, if there had been consultation with the opposition on this, it may not have been an issue at all; There would have been some give and take. But obviously because you did not want to do anything but election gimmickry, you did not consult the opposition.

SHRI P. N. SUKUL (Uttar Pradesh): Your Chief Ministers did not participate.

SHRI LAL K. ADVANI: मैं जानता हूँ। आप इस प्रकार से करेंगे तो उनका रिप्रेजेंटेशन स्वाभाविक है। आपके मोटिव सस्पेक्ट हैं और ऐसी स्थिति आप पैदा करें ....

That you should create a situation in which the Chief Ministers do not trust you, and all the Chief Ministers, who do not belong to your party.

Mr. Vice-Chairman, as I have said a sharp divide and a sharp schism has been created between the ruling party and the opposition on this issue. Two or three factors are responsible. One is the manner in which the ruling party in New Delhi has been dealing with the various non-Congress governments in the States. Number two, as I said, the institution of Governor; the misuse that has been made of that. Even the Sarkaria Commission report says don't appoint a Congressman as Governor of non-Congress States, and you proceed to do that right at that very time when the report is with you. Number three, which I regard equally important is the level of political dialogue and communication between the ruling party and the opposition. How steeply it has descended? How much you have stooped! This morning's uproar in the House was a reaction to that depth to which you have sunk. After all, we cannot conceive of a situation

In India where the nation would be benefited and the nation would move forward if the Prime Minister calls political opponents traitors, or even if the opposition calls the Prime Minister a traitor. I deplore that too. I would not use any word like traitor or treason against my political opponents. I am strongly opposed to that. Therefore, it has pained me when the word 'traitor' or 'treason' is bandied about in this House in a casual manner.

वह उसको कहता है,  
वह उसको कहता है, जो यह करता है वह  
ट्रेडर है, जो ऐसा करता है वह ट्रेडर है।

As I have said I deplore the use of this word from any side, either side, but the responsibility for maintaining a high level of political dialogue, even a high level of political controversy, rests upon the ruling party. This you must never forget. And if the drop in that level starts on 15th August, and at the level of the Prime Minister, then there is no knowing as to how low we all are likely to sink. No one will be safe from that I felt sorry about the manner in which this morning every Minister of the Government stood up to defend whatever had been said yesterday, when all wanted to engage us in a debate. You should understand that you are not doing any good either to the Prime Minister or any good to the country. I wish there were some in the party who could have told the Prime Minister yesterday

प्रापकी ऐसी भाषा नहीं बोलनी चाहिए थी

'You should not have said it' ....

SHRI PARVATHANENI UPENDRA: They will lose their job.

SHRI LAL K. ADVANI: First time, the whole country was shocked.... (Interruptions)... when two years back at the Boat Club, the Prime Minister used the words:

नानी याद दिला दोगे ।  
"नानी याद दिला दोगे ऐसी भाषा बोलना  
... (श्वषधान) ...

SHRI ANAND SHARMA: Would you yield for a moment?

SHRI LAL K. ADVANI: I am not yielding. Let me complete. (Interruptions) I am not yielding. All that I am saying is that, the level of political controversy, the level of political communion, the level of political communication, should be high and everyone of us should be cautious about it, should be scrupulous about it. Otherwise, we will hurt democracy.

One last word I want to say about the Bills is that, I have received a letter from the National Society for Equal Opportunities to the Handicapped. I am referring to this small detail, only as an illustration. The Society has written to me strongly opposing the inclusion in the proposed Eleventh Schedule of item 26. Item 26 reads: 'Social welfare including the welfare of handicapped and mentally retarded'. The person who has written to me is retired and he belongs to this category. This Society is a very respectable Society, representing this class, representing their problems. They say 'What is it that is being done Has this matter been properly considered? You are delegating this to the panchayats or to the local bodies when even the State Governments are not able to do justice to this task.' His demand is that this subject should be placed on the Concurrent List. He has mentioned in his letter that there was a Committee, the Baharul Islam Committee, which, perhaps, went into this matter and had recommended that this should be placed in the Concurrent List. Now, at this point of time, because I do not have the details, I am not in a position to comment upon it. All that I am saying is that, hasty legislation of this kind may affect so many sections of the society adversely and, therefore, it is

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all the more necessary that there should be no hasty legislation on matters of this kind. I understand, this Society its representative, also called on the Prime Minister and explained to him that this was the problem and he advised him to meet Shrimati Rajendra Kumari Bajpai who is the Welfare Minister. I am referring to this only an illustration.

In conclusion, I would say that my own view, as I have already explained and my party's view, has been that the local bodies should have Constitutional recognition. My view has been that provision for regulating the elections to the local bodies should be incorporated in the Constitution because, if it is not incorporated in the Constitution, may be the non-Congress Governments hold them regularly, but the Congress Governments are not going to hold them regularly. (Interruptions) I appreciate your view that this step had to be taken mainly because of the sins of the Congress Governments. I appreciate that.

As a test of your earnestness, of your sincerity, of your bona fides, I urge upon three things. Firstly, we have proposed certain amendments which are innocuous and which do not detract from the basic concept of democracy at the grassroots and in regard to some of which, I think, Bhajan Lalji should have absolutely no objection to replacing the word 'Governor' by the words 'State Government'. There are other amendments also. There have been very carefully chosen, on which all of us are agree, and I would say that if you are really sincere about Panchayati Raj and you are not concerned about scoring an election gimmickry, you should have no hesitation in accepting all our amendments. This is the first test.

The second test is.. (Interruptions) Sarkaria Commission. If you are really sincere about decentralisation,

about devolution of power, this devolution of power, as I said, cannot start from the middle. It should start from the top and the Sarkaria recommendations you must implement.

Thirdly, if you are not willing to accept either of these two courses, my suggestion is this I would like to point out that at the moment, we are discussing not merely the motion moved by the Prime Minister but we are also discussing the motion moved by my colleague, Shri Satya Prakash Malaviya for referring the Bills to a Select Committee of the House. My suggestion is that, if the Government is earnest, if the Government is sincere and all that it is keen about is to ensure that there is a healthy local self-Government set-up in the country then it should have no hesitation in accepting the proposal of Shri Satya Prakash Malaviya. Of course, I am sure Shri Malaviya would be willing to change the names, include the Congress names also if they agree to that and let this House create a precedent that a select Committee of this House has been created for a positive. Constructive purpose. That select Committee could be asked to report within a fortnight or if the Government is thinking, as I hear, to meet again for a short session in October to deal with the issues of Karnataka and Punjab by the beginning of that session. The Select Committee could complete its work so that a unanimous decision about panchayati raj institutions could be taken in this House. I would say, that would be remarkable not only for the Congress party here but it would be a remarkable achievement for the Rajya Sabha as a whole. A sharply divided country and a sharply divided nation have been brought together on a question on which there is really no difference of principle.

ठाकुर जगतपाल सिंह : उपाध्यक्ष महोदय, श्री प्रधान मंत्री जी के बारे में जितनी बातें कहीं गई हैं, उस संबंध में मैं कहता हूँ—

हम सब भी कहते हैं तो हो जाते हैं बदनाम  
वो कल भी करते हैं तो चर्चा नहीं होती।

**SHRI VISHVJIT P. SINGH:** Mr. Vice-Chairman, Sir, I am grateful to my colleague Mr. Advani who at the end of his speech said that there were no serious differences in thinking about these Constitutional Amendment Bills between the Members of the Government side and the Opposition. Sir, there are two or three things which he has said and to which I would like to reply before I go on to give my speech.

Mr. Advani has said that it is the Congress-ruled States where elections have not taken place, it is the Congress-ruled States which are the greatest defaulters in this matter. I would like to reiterate here that my Prime Minister, my leader Shri Rajiv Gandhi, has himself said exactly the same thing. He has said it himself. he has said that we are also to blame, our States also have not conducted these elections. The reasons why they have not conducted the elections, I will come to them later, but the measure has been brought keeping in view all the States. There is as much opposition from our own States as is there from the opposition-ruled States. Don't think that power is given away so easily. I would like to tell you that from the Independence Day till today we have been talking about the stability of this country and attributing much of the stability to the steel frame of the bureaucracy, saying that it is the steel frame of the bureaucracy, which is the legacy of the British rule which has kept the country together. There is no doubt that we have a very functional, efficient bureaucracy which has stood the test of time, but let us not forget that this bureaucracy has gone along with us only because it has suited it to do so. Wherever there has been a measure which has eroded its power, it has not gone with us. Real progress, real development and real reform can only be there if there

is participation of the people. If the participation of the people is not there, it cannot be done. When we tried to bring in the land reform through the ceiling laws, it was the bureaucracy which stopped it. Every single Act in this country has a clause which says that such transfers will be considered genuine which have been proved genuine to the satisfaction of the Ceiling Officer. And who is the Ceiling officer? The District Collector, the District Magistrate is the Ceiling Officer. And that is the main reason why land reforms have not been properly implemented till today.

Similarly, when we tried to bring in other kinds of reforms—for example the 'garibi hatao' slogan which we had given, after which we wanted to bring in the anti-poverty programmes—we were stymied by the bureaucracy. They did not want to give up their powers. The backlog of allocations in the banks for the anti-poverty programmes reached such a high level that finally under the orders of late Prime Minister Indira Gandhi, we had to have mass loan melas to be able to distribute that money. Mr. Vice-Chairman. I shall be grateful if I have less interruption. Every single reform that we tried to bring in has been stopped by the vested interests in this country. The patwari at the lower level, the thanadar at the lower level is still exploitative of our people. I own land and even as a Member of Parliament I have to give in to the demand of my patwari if I want even a small copy of my jamabandi. That is the situation today. The poor villager living in the village is exploited by the thanadar, by the police. The brutalisation at the lower level is of a type which you cannot imagine. The fact is that the colonial rule is alive and well in India. It is still there 42 years after Independence. The fact is that the exploitation of the masses by the vested interests is still there at the lower level. India is still governed by a colonial adminis-

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trative system. The eyes and ears of the Government are still the DC and the SP. This is about the only democratic country in the world which is still governed by the colonial system.

**SHRI V. GOPALSAMY** (Tamil Nadu): What have you been doing all these years?

**SHRI VISHVJIT P. SINGH**: I will just come to that if you hear me patiently, Mr. Gopalsamy. Feudalism was sought to be removed. It has been removed. We have got rid of princes, we have got rid of zamindars and talukdars. But what have we replaced them with? They have been replaced by exploitation of the vested interests, the vested interests which perpetuate themselves by suborning the system itself. Benefits meant for the weaker sections are hijacked by them. They want every thing for themselves. They do not want to give up their powers. The weaker sections, with less education and less resources, are not able to help themselves and those few who manage to help themselves are not in a position to help others around them. And even the ones who are able to, have become a part of the vested interests themselves.

Rural labour has not been organised by any party, including our party, including the Communists. Every body wants to organise urban labour. But rural labour, the vast work force which is really exploited has not been organised. No real rights are enjoyed by the people at the lower level. I would like to quote from "Occasional Papers" published by the Ministry of Rural Development in 1988:

[The Vice-Chairman (Shri Jagesh Desai) in the Chair]

"In view of the essential conflict of interest between various segments of society, the programmes essentially aiming at redistributive justice and target group-oriented

development are not likely to enthrone those who stand to lose as a result of implementation of these programmes. In fact, they are more likely to subvert them.

The social conditioning of 'people' whose participation is being sought is essentially characterised by certain crippling disabilities which stand in the way of their active participation in the programmes.

These persons are economically poor, assetless, placed at lower rungs of society. In spite of their numerical strength, they are powerless and are subjected to social and political control by those who benefit from their weak positions. These persons also are generally ignorant, largely illiterate, without ability to anticipate their own problems, grievances and views. Because of these features, they are highly vulnerable to manipulations by more resourceful and powerful sections of society and are even made to work against their own interests. .... Centuries of exploitations and dehumanising experiences have built a culture of social inferiority around them.

There continues to be inherent hesitation on the part of bureaucracy generally towards any programme for making the people more aware, conscious and asserting. Therefore, wherever such schemes have been implemented even with limited objectives, their objectives have got diluted in the process of implementation by the suspicion of bureacracy...."

Sir, the gap between the intention of the Government and implementation has grown. The twin enemies of inefficiency and corruption have raised their ugly head and have seen to it that whatever development programme we bring in does not become effective.

My colleague, Mr. Ahluwalia, just now quoted the leprosy programme. I would like to say, Sir, that at the best of times the delivery rate is

below 50 per cent. We are in a situation where, no matter what the allocation we do, we find ourselves in a bind. Schemes are meant for the same target group—different kinds of schemes—but many agencies are there. Each time a new scheme is announced, the bureaucracy creates clones of itself and more and more officers get involved, more and more agencies get involved, more seats are allocated, more offices are allocated and what happens is, the delivery rate goes down each time. Why we have merged the present Jawahar Rozgar Yojana with the RLEGP and NREP has been because of this reason, to try and create one agency which will take over this whole scheme and get rid of the excess weight which we have to carry along all the time. Whatever little, finally, is filtered through is negated by the corruption—the corruption in the system, the corruption not just of the officers but the corruption in the system itself.

I would like to mention to you, Sir, that many times in this House when we have been discussing rural development we have talked of bank loans which have been taken in fictitious names and finally it is found that the actual applicants for the loans never got the money. We have talked of subsidies which are eaten away by middlemen in between. The Prime Minister himself has mentioned this in his speech. Subsidies meant for the weaker sections are eaten away by middlemen. This is which is sought to be curbed. Now pressures are built up, pressures which are social, which are economic, which are political, for a change in this system. No system is ever perfect in a static form. Every system has to evolve. Evolution is not the prerogative of nature alone. Man has to evolve, political systems have to evolve. We, Sir, have been stuck with the same system. Today we talk of the decay of our institutions. We talk of the log-jam in the courts, of the cases which are pending in the courts which are not taking decisions. We talk of the decay of administration.

of the quality of administration. We talk of the black economy when there is a large amount of money which is officially recognised as part of the black money. We talk of our legislatures. There are people here who talk of the low standard of the debates in Parliament, talk of the low standard of the debate in the State Legislatures. Why this decay? Because our systems have not evolved, our systems are outmoded. They are unresponsive to the needs of the people, they are unresponsive to the needs of the hour. In this connection, Sir, I would like to quote the hon Prime Minister. Speaking at the Conference of the Chief Ministers on 7-7-1989, he said:

"Models evolved elsewhere were transposed to this country. There were models designed for imperial preferences and imperial prejudices, imperial cares and imperial compulsions, the colonial bureaucracy, the colonial military, the colonial merchants and their feudal culture. We are now engaged in enshrining in the Constitution Mahatma Gandhi's vision of democracy in the village as the foundation on which to erect the superstructure of democracy."

This is the hon. Prime Minister. It is these models which needs to be changed. This is an answer to all of you. Mr. Gopalsamy, please hear this. It is not a coincidence that the first post-colonial, post-feudal leader of independent India is bringing in these changes because he is getting rid of the colonial and the feudal system. He is not a part of the system.

I have said, Sir, before that India is the only democratic country in the world which does not guarantee a local government at the lower level. The avenues of power in this country are limited. Vested interests get created. I would like to give an example. If a politician evolves

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through a natural process of leadership selection in a district, what avenues does he have for advancement? His avenues are either the State Legislature or the Central Parliament. There is a bottleneck, and he cannot break into that bottleneck. If he is not adopted as a candidate by any political party, what does he do? He sets about creating a constituency for himself. How does he go about creating a constituency for himself? By taking an extreme posture, by taking on the garb of extremism, by taking on the garb of regionalism, by taking on the garb of communalism, by raking up issues which he rakes up for his own selfish ends without realising what consequences they will have, without understanding what long-term effect it will have on the nation. He does not care. He is only interested in entering into the system in some way or the other. It is that we have to guard against. We have to provide for him an avenue at the lower level. We have to provide for him a forum at the lower level.

Sir panchayati raj is the only solution to this whole thing. On the same analogy I can go further even on the planning perspective. I will come to that a little later. You need panchayati raj. There has been a lot of criticism of the Bill. Other speakers have also spoken. I say it is totally unjustified. This is a purely enabling legislation. Much criticism was handled by my colleague, Mrs. Natarajan, the other day. She lucidly pointed out that there are no provisions in this Bill which give any powers to the Centre. The power is being taken away from the States and being devolved downwards. Their fear is that the public will force them to give more and more powers. That is what they are frightened of. They are not frightened of the Centre. They are frightened of the people themselves. It is that fear which is getting translated here. The planning imperative, as I mentioned before, and as Madam Natarajan and the hon.

Minister, Mrs. Kidwai said the other day, now will take place at the lower level. We have seen plans which have gone away plans which have been made in Delhi and State capitals. It is now time that the people took charge of their own destiny. Once again I would like to quote the Prime Minister giving the same speech:

"We are amending the Constitution not because we wish to infringe States' rights, but because local self-Governments require the same constitutional sanctity as the Constitution assures to the Union Parliament and to the State Assemblies. This is not a dispute over Centre's jurisdiction and the rights of the States as is sought to be made out in certain quarters. The opposition to guarantee power to the people is being dressed up in bogus constitutional arguments. This is not an issue for confrontation between the Centre and the States; this is an issue for confrontation between the people and the vested interests. This is an issue between our commitment to power to the people and the determination of the feudal and capitalist interests to retain their power."

My anticipation is that eventually Panchayati Raj will evolve. Today we are giving it a limited list of subjects. There are countries in the world...

I hope you are not looking at me with impatience.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): I am finding out the time you have taken.

SHRI VISHVJIT P. SINGH: I will take a little longer.

THE VICE-CHAIRMAN (SHRI JAGESH DESAI): Another ten minutes.

SHRI VISHVJIT P. SINGH: Another five minutes would be enough.

Today we are planning to give a limited list of subjects to Panchayati

Raj. There has been an amendment suggested by the Opposition. I have gone through the list of amendments. There has been an amendment suggested by the Opposition that even judicial powers should be given to the Panchayati Raj institutions. I anticipate eventually in the future even in regard to these subjects the people will take the powers in their own hands. They will take up their own destiny in their own hands not only to the extent of judicial powers, but even to the extent of law and order and administration. Believe me, this is what the Opposition is afraid of. They are aware of it. They are intelligent enough to understand that this is a movement which once started cannot be stopped. It carries within it its own momentum and its own imperatives, just like when we got in the Panchayati Raj for the rural areas, the imperatives of the urban areas were also there and we have to recognise them. Similarly I say that eventually the imperatives and aspirations of the people, the imperatives of maturity will dawn on them. Today there are people who say that there is more corruption at the grass-root levels than there is anywhere else. That is why we are wanting Panchayati Raj to get rid of corruption. They say there is immaturity, there is lack of education. It was Winston Churchill who said: "Don't give India independence because its people are incapable of ruling themselves." But I say we have proved to the world that we are capable of being a vibrant and strong democracy. That is why I say there is no reason why the humblest amongst us should not over a period of time evolve to that maturity of statesmanship when they can actually look after their own destiny and when they can plan their own future and when they can see their own future. I would like to quote from the hon. Prime Minister once again speaking at the same conference, he said, I quote:

"...democracy cannot long survive paternalistic models of economic

growth. A vibrant democracy demands participatory growth. We are making decisions regarding what is good for the people at levels far removed from the people. We are then implementing these plans through a machinery that is alien to the people's will. This has led to a peculiar psychological and sociological syndrome in which the people believe that they have a right to development but not a responsibility for development. The assertion of a right without a recognition of the corresponding responsibility translates into unreal expectations, unrelated to real constraints of resources, unrelated to the inescapable need to make choices between alternative uses, unrelated to the imperative of raising resources, deploying them intelligently among competing needs, and phasing the fulfilment of expectations according to sensibly perceived priorities.

It is by no means the people's fault that this sense of responsibility for their own well-being, progress and growth has not percolated to the grassroots. The fault lies with us in that neither democracy nor the devolution of power nor the assignment of responsibilities has been assured or effectively undertaken at the cutting-edge where the people and the administration meet. This we propose to rectify."

(THE DEPUTY CHAIRMAN in the Chair).

Thank you, Madam.

#### REFERENCE TO INDEPENDENCE DAY SPEECH BY THE PRIME MINISTER

SHRI GURUDAS DAS GUPTA  
(West Bengal): Is there a statement?

THE DEPUTY CHAIRMAN: Let me find out. It is quarter to six and hardly there are any Members who wanted to discuss it. We are in the midst of discussion of two important Bills. If the House so