

THE DEPUTY CHAIRMAN; To conclude your speech? SHRI BHASKAR ANNAJI MASODKAR; No, no. After lunch, if you permit me.... SHRI GHULAM RASOOL MATTO; you continue after lunch.

THE DEPUTY CHAIRMAN: You continue your speech after lunch. Now the House stands adjourned for lunch and we will meet at 2.30 p.m.

The House then adjourned for lunch at thirty-three minutes past one of the clock.

The House reassembled after lunch at thirty-two minutes past two of the clock. [The Deputy Chairman in the Chair]

SUPPLEMENTARY DEMANDS FOR GRANTS (TAMIL NADU) 1988-89.

THE MINISTER OF STATE IN THE DEPARTMENT OF EXPENDITURE IN THE MINISTRY OF FINANCE (SHRI B. K. GADHVI); Madam, beg to lay on the Table a statement (in English and Hindi) shewing the Supplementary Demands for Grants for Expenditure of the Government of Tamil Nadu for the year 1988-89 (November-December, 1988).

REPORT OF COMMISSION ON CENTRE-STATE RELATIONS—Contd.

SHRI BHASKAR ANNAJI MASODKAR. Madam, I was trying to make a point that the Indian Constitution has to be approached as a dynamic and living document and I tried to submit that the position of the States and the position of the Union is distinctly carved and any interplay between them shows that they are not equal nor do they stand on the same footing. It is not merely a legalistic or juristic approach. It is a matter that arises out of necessity. This House will be interested to know that in all the theories of federalism some tests are laid down and one of the tests which is said to be the basic test to understand is to go back to the

history and to find out as Prof. S.V.3i in his treatise on Modern Federalism says, is to inquire whether a federal situation was existing before the Union adopted the federal Constitution. So our inquiry, our point of view, will have to be moderated and will have to be adopted by viewing the circumstances then existing when we became free, and its reflection in the constitutional document which we adopted, as the people of India. In essence I submit we have adopted federal means to reach unitary goal.

I have already made the submission that there is magic, the national magic in the words, what we call, the people of India. Right from Kashmir to Kanya Kumari and from Assam or the East to the West, in the length and breadth of this great noble country reside only one people. You may be having different streams of cultures, having different religiosity, different stains, economic differences but the basic unity and integrity lies in the words "people of India". So, my humble submission is that before we tinker with the Constitution and that too in a very casual and easy way, we must understand the basic spirit of this Constitution which you have adopted and have worked out for the last four decades. It is an open question, as far as this House is concerned and Parliament of this country is concerned, whether we want to revise the Constitutional structure. With all wisdom and foresight, the founding fathers have left to this particular august body, not to the States, not to the State Assemblies, but to this august body, if I may say so the constituent power and we have inherited it. So, it is for this House to consider if the time has come when we should have a look-back or a fresh look at our own Constitution. Of course, that would require compelling reasons, and I don't think that the report we are discussing makes out any case for such compelling reasons.

Madam Deputy Chairman, the Report says, with all its few general