

[Shri Pranab Mukherjee] Bhupesh Gupta. So, there are not two opinions on this that we must try to solve the problem and it is the concern of all us and whatever is possible, we will try to do.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Before going to the next item, I have to endorse the views from all sides of the House. A request is made and the Government has also stated through the Leader of the House and I think the time has come now when in the national interest we must strengthen the hands of the Prime Minister, Shrimati Indira Gandhi, who is competent to solve the problem and nobody else can solve this problem. I personally join with the honourable Members of this House to request the Assam Parishad to withdraw their agitation and come to the negotiating table immediately so that, before we conclude the deliberations of this House on the 30th June or 2nd July, this problem can be solved. Thank you.

Now, we go to the next item. Yes, Mr. Bhupesh Gupta, your Constitution (Amendment) Bill is there.

SHRI SHYAM LAL YADAV: What about the other Bills?

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): You see, before I asked Mr. Bhupesh Gupta to speak, I had called Mr. F. M. Khan and some other honourable Members. But they were not here and that is why I have allowed Mr. Bhupesh Gupta to speak now.

THE CONSTITUTION (AMENDMENT) BILL, 1977 (TO AMEND THE SECOND SCHEDULE)

SHRI BHUPESH GUPTA (West Bengal): Sir, I beg to move:

"That the Bill further to amend the Constitution of India be taken into consideration."

Sir, I had given notice of this Bill in 1977 and, today, it is 1980 and it has now come up for consideration. The Bill is simple. You see, I want

to reduce the salary of the President to Rs. 3,0001- and that of the Governor to Rs. 2,0001-. Now, Sir, these matters had been discussed in the past for so many years and it had been discussed as to what should be done with the very high salary that is given to the President and to the Governors.

In one case Rs. 10,000, in another Rs. 5,000 or so. Some of the Presidents were embarrassed by this ten thousand business; they voluntarily surrendered a good part of it. Dr. Radhakrishnan, with whom I was very close, surrendered Rs. 5,000. I don't know how many others surrendered, because no sensible Indian, even if he is in such a position as in Rashtrapati Bhawan, would like that he should get Rs. 10,000 for doing some ceremonial work. After all, the President under our Constitution is a constitutional figurehead. And we stand by it. He is nothing but a constitutional figurehead who goes by the advice of the Council of Ministers. But he occupies an exalted position with regard to that. Now we read in the newspapers that Mr. Sanjiva Reddy has decided to shift to a small house, No. 1, Willingdon Crescent. Good! I do not know whether this house was haunted by ghosts... (*Interruptions*). You know very well.

SHRI P. RAMAMURTI (Tamil Nadu): Sanjiva Reddy will haunt the house!

SHRI BHUPESH GUPTA: Good thing. Therefore, it is accepted in principle that his salary and perquisites are too high. Nobody justifies ! Rs. 10,000 a salary in the country where nearly 50 per cent of the population live below the poverty line. As far as Governors are concerned, Sir, the less said about them the better. They neither show any inclination of surrendering any of their amount nor getting out of the Raj Bhawans, and so on. On the contrary, some Governors want to become Chief Ministers or something like that. Well, they are also getting

a very high salary. So we thought, bring it down. The Prime Minister of the country gets Rs. 250 plus Rs. 500. I do not know how much you get, Mr. Makwana.

Now, why should there be this discrimination. This was done some 30 years ago when the Constitution was framed, following the British principle. The British principle was followed. There was no need to follow the British principle, when the President's salary was fixed. Today one man is no longer there; he has departed.

I remember, Shri Jawaharlal Nehru. When we came to Parliament first, a question arose as what salary Shri Jawaharlal Nehru as the Prime Minister should get. There was a strong view within the Congress Party at that time that he should get a higher salary than that of a Cabinet Minister—something like Rs. 5,000, Rs. 6,000, Rs. 7,000 or Rs. 10,000—and some other facilities as the British Prime Minister gets in Chequers, and so on.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): in the old times.

SHRI BHUPESH GUPTA: Jawaharlal Nehru rejected it. He said that he would take the same salary as a full Cabinet Minister, that is to say, Rs. 2250 plus Rs. 500 as sumptuary allowance or whatever it is. Anyway, it was less than Rs. 3000. We all appreciated it. It was a grand gesture by a great man, worthy of our tradition. After all, the man who led the freedom struggle was living in those days not in the Rashtrapati Bhavan nor in the Raj Bhavans, no, in bungalows, but in *bhangi* colony. Such being the tradition, it was only natural that Pandit Jawaharlal Nehru took that stand. But I do not know why a similar change was not made in the case of the President's salary. It should have been done. I knew each one of the Presidents personally very well. I know them. I am sure that the present President, Mr. Sanjiva Reddy, is a very simple man. He is a farmer. When he left the Government, he went to his village,

Anantapur, and took to the plough almost. Now, a man like him will never grudge a reduction in his salary. Such has been the tradition of our Presidents like Dr. Radhakrishnan, Dr. Zakir Hussain, Shri V. V. Giri and others. Sir, that is why I gave this Bill. Let us do something about it. I know that we do not want to change easily once we have done a thing. Since I am on the subject of the President, I must say a few things. That will be a little political and will have nothing to do with the salary. Now, do you want the President to be a constitutional figurehead?

SHRI P. RAMAMURTI: That is there in the Constitution.

SHRI BHUPESH GUPTA: Mr. Ramamurti is saying it very rightly. There is again talk about changing the Constitution. Some people are talking about a new Constitution Assembly. There in Andhra Pradesh, we have Dr. Chenna Reddy, leading one of the corruptest Governments the country has known since Independence, oppressive, violent, unscrupulous, uncouth and defiled by every evil standard. Now, Mr. Chenna Reddy has come out with a statement in which he says that the country should switch over to the presidential system and replace the present parliamentary cabinet system because he says that otherwise there cannot be any socio-economic reform. He is Dr. Chenna Reddy. I do not know whether he is a homoeopathic doctor or an allopathic doctor or any other doctor.

SHRI P. RAMAMURTI: He is an allopathic doctor.

SHRI BHUPESH GUPTA: His allopathy has gone wrong in that case. Now, Sir, he is spreading such ideas openly and publicly challenging the Constitution. Dr. Chenna Reddy has been sworn under the Constitution. Under his oath of office, he is supposed to preserve the Constitution, abide by it and do everything ac-

[Shri Bhupesh Gupta] concurring to it. Despite that oath, he declared that he does not want the present system, but wants to switch over to the Presidential system when he is oath-bound to bear allegiance to the Constitution of India. I am quoting the 'word' of the Constitution in the relevant Schedule of the Constitution. Well, Sir, this is going on. Therefore, Sir, I raised this matter seriously. I regret to say that I do not know whether our Home Minister of State for Home is reading pornographic literature or a detective novel. Anyway, you can know that from him.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA): I am younger than you.

SHRI BHUPESH GUPTA: He should convey it to the Prime Minister. I expected the Prime Minister of the country to dispute that statement. I expected Shrimati Indira Gandhi to come out publicly and state that the Government does not share Mr. Chenna Reddy's views and that a State Chief Minister would not be allowed to make a statement of this kind, so scurrilous, an affront to the Constitution, so violative of his oath of office. I still hope that Smt. Indira Gandhi will declare what * have been saying, namely, that India stands by the present Parliamentary-cum-Cabinet system, that under no circumstances, whatever be the provocation, India will switch over to the Presidential system. Sir, if I may say so, I would demand the resignation of Mr. Chenna Reddy from the Chairmanship. Residents are doing it for their own reasons. We must not have one of our constituent States a Chief Minister who has the audacity and insolence to declare to the world that our system is wrong that we want to pass over to the Presidential system. It is to be said. Sir? It is defamation of the Parliament. It is defamation of Parliamentary democracy. It is a slander on the working

of our system. And that comes from a man who is the Chief Minister of a State. It is a matter of shame, abounding shame. Sir, I would not say very much. My friend, Mr. Ramamurti, perhaps knows him better than I do.

SHRI P. RAMAMURTI: Very much better.

SHRI BHUPESH GUPTA: Mr. Chenna Reddy has got many qualities. Political qualities, various qualities and many other qualities he has got. I am not worried about it. But he should not cultivate this kind of a habit of saying such an absurd thing. Today, Mr. Chenna Reddy should come before the Assembly revoking his statement and apologise to the Assembly of Andhra Pradesh and to the nation for having insulted our Parliamentary-cum-Cabinet system in this insolent manner. This is what I ask. And in any case, I would repeat that Prime Minister Indira Gandhi should make the position clear because, Sir, now there are many Chief Ministers and I do not know how they come, what many of them are, and how many of them are thinking along the lines of Mr. Chenna Reddy.

Sir, we had during the time of emergency a sinister move secretly, to establish the Presidential system, I had even given to me by a member of the Government a copy of the draft outline of the constitutional framework for establishing the Presidential system. As you know very well, Sir, instructions were sent to Punjab, Uttar Pradesh, Bihar, Haryana and even to West Bengal to pass resolutions in support of the Presidential system. What is the guarantee that the same thing will not be done today?

Take Mr. Chenna Reddy's words or what he has said as a serious warning, as an alert to the nation, and I should as the Prime Minister of the country strive to make the position absolutely clear to the country. Sir, what do I say all this about this gentleman? It is because some people do not like this Parliamentary-cum-Cabinet

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system. They are ill at ease with it. They cannot have their own way if Parliament is vigilant and functioning, if the Government is accountable.

When the Cabinet Ministers cease to be sycophants and flatterers and be accountable to Legislatures and Parliament, then things do not go bad.

Sir, we know during the emergency how things went wrong when the Chief Ministers turned sycophants, servile creatures. Then things went wrong. Correctives were lost. All the correctives in our system were destroyed one after another and the emergency took the grip of us.

Sir, today again such trends are there. Here comes the Minister of State for Parliamentary Affairs. I do not know how he feels about this thing. But, as I have said, I hear such talk in Delhi. Yesterday some people told me that there is a suggestion for a Constituent Assembly. "What for? Parliament is here. The two Houses are here. What is the Constituent Assembly needed? What do you want? Is it for establishing dictatorship in the country, authoritarian personal power, dynastic rule or some such things? Surely if you do not want such a thing, what is the Constituent Assembly needed for now. We can amend a Constitution in Parliament.

Sir, if I had my way, I would make the parliamentary-cum-cabinet system, under the present socio-economic order, unamendable. When we were discussing under the Janata rule the question of amendment to the Constitution in the form of the Forty-fourth or the Forty-fifth Constitution Amendment Bill, there was a suggestion that there should be a chapter in the Constitution which could not be amended and then we suggested and our CPM friends also suggested that there should be some of the things which could not be amended and that one of them should be the cabinet-cum-parliamentary system of our Government. That is what we did.

Sir, we suggest that this should be done because such voices are being heard. This is the voice of treason. Those who talk about the Presidential system and a Constituent Assembly for that, theirs is a voice of treason and a voice of treachery and we cannot but pay heed to them seriously and see that such voices are silenced before we are silenced once and for all. This is what I have to say.

As far as the President is concerned, it is perfectly all right. We want his dignity, his exalted position, a constitutional head in the true sense of the term. Rightly we had amended article 74 of the Constitution to make the advice of the Council of Ministers expressly binding on him. But the President has ample moral authority and I am sure the President would exercise such moral authority, need not sign on the dotted line. Before he signs, he can now, under the amended Constitution, refer the matter for reconsideration by the Council of Ministers. But, apart from that, he can always give moral advice. His moral weight and authority are unquestioned.

Sir, having regard to the exalted position of the President, I do not at all suggest by my amendment to denigrate it when I say that the salary of the President should be Rs. 3,000. The President's position is not measured in terms of money. Gandhiji's position was never measured in terms of where he lived how he lived and what kind of fortune he had, Mr. Winston Churchill called him a half-naked fakir walking up the Buckingham Palace...

SHRI P. RAMAMURTI: ...walking up the Viceregal Lodge.

SHRI BHUPESH GUPTA: Sir, we had the tradition of that half-naked fakir.

Many of us have not been worthy of it. I wish some of us in high places were worthy of it. There was the example of a man, glorious and great, who put our

[Shri Bhupesh Gupta] country, in poverty and suffering, into the highest tribune of human respect and human dignity. And this is what we want. Therefore, in our present system, the President that we have, should be a person of high dignity. No body can emulate Mahatma Gandhi or step on his pedestal but certainly we can bestow on him respect and honour in such a way that he occupies a position of high moral authority, evoking respect and commanding confidence of a willing nation. That is what we want. That is why, Sir, Rs. 3,000 should be enough. I do not know. hon. Members can say about it. If there is any difficulty, we can think of other allowances and so on for him but the salary should not be more than Rs. 3,000 in any case. When Rs. 5,000 are given voluntarily, what I have suggested is not very much below that amount. Therefore, Sir, it should be accepted and you should consider it. I know these Bills are not passed but such issues should be discussed.

Now, I come to the second point, about Governors.

SHRI P. RAMAMURTI: You have said enough about them; less said the better.

SHRI BHUPESH GUPTA: Yes, less said the better. Mr. Ramamurti is absolutely right. The institution of Governors has become a great joke of the twentieth century. If you are good for nothing, if you are highly superannuated and cannot even get a Rajya Sabha nomination even by asking Mr. Sanjay Gandhi to oblige you, you can at least be a Governor. This is what we find today.

Now, Sir, you see what has happened. I cannot abolish this institution here but I want to reduce the salary. Why should he get Rs. 5,000—an ex-ICS Mr. L. P. Singh, ex-ICS Governor of Assam, Meghalaya, Mizoram, I do not know in how many places like that? When you cannot accommodate anybody in anything, you make him

the Governor and spend money over the white elephant in a white Raj Bhavan where monies are wasted like water. Why should it be so? Our system really does not require a Governor. We can have other arrangements for it. What the Governor is for? Is he for attending marriages, opening schools, throwing coconut into the sea and going round the city sometimes in a manner which nobody takes notice of? What is the Governor for? I cannot understand it. We have the Council of Ministers; we have Legislative Assemblies; we have the Speaker; they can deal with the situation. Governor is not needed. Therefore, for a long time we have been pleading for the abolition of the Governor's post. Here, of course, I have not done it because my purpose of the Bill is to reduce the salaries of these two offices. And recently, we have seen how the Governors behaved. My friend from U.P. would tell us how the U.P. Governor has behaved during the elections. They are becoming the appendages of the Central Government, ordered about by a Deputy Secretary of the Home Ministry. And they are called 'Governor', an elegant name, when anybody else, I think Mr. R. K. Dhawan, is far more important today than all the Governors of the country put together. I am not sure if I am paying a tribute to Mr. R. K. Dhawan. But Mr. R. K. Dhawan surely knows very well. Mr. I. Yashpal Kapoor is certainly more powerful and influential than half a dozen Governors. Everybody knows it. Now, Sir, our young friend, Mr. Sanjay Gandhi of course, if the factory which manufactures Governors.

SHRI SUNDER SINGH BHANDARI (Uttar Pradesh): Not like Maruti.

SHRI BHUPESH GUPTA: Maruti car never moved. But the factory or the mill which produces Governors, moves. That moves. That is the difference. Now, we have...

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Mr. Bhupesh Gupta, can we go to the subject?

SHRI BHUPESH GUPTA: This is the subject. Sir, your sense of subject....

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): In my college day I remember, there used to be an elocution competition of speaking without the subject and one can ramble on everything. I think, you are, perhaps, a champion in that.

SHRI BHUPESH GUPTA: I am very glad I am reminded of your college days. One thing you have not said. How many times you have passed and how times you have failed.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): For your information, I am a graduate in science. (*Interruptions*)

SHRI P. RAMAMURTI: How many times have you passed in that elocution competition?

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Never failed.

SHRI P. RAMAMURTI: We are also interested in knowing whether you have passed in that competition where people spoke without any subject.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): I never entered such competitions.

SHRI BHUPESH GUPTA: I am glad to hear. You look like a graduate. I agree.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Thank you very much. Now, let us come to the Bill.

SHRI BHUPESH GUPTA: I wonder if you entered the door-steps of Master's Degree, M.A. I do not know. I think, you did a very good thing.

Now, Sir, such is the position in regard to Governors. Hence, Sir, why should we pay Rs. 2,000 for these Governors? This is what I say. Tell me. Why should we pay Rs. 5,000 now for the Governors? Leave alone Rs. 2,000 Rs. 5,000, we are paying. Therefore, Sir, we demand a reduction in the salaries of Governors. The Governors are used by the Centre as agents. For maintaining agents, why should we spend Rs. 5,000? Most of the Governors, in the States, are agents of the Central Government, functioning in liaison with the Central Intelligence Bureau, submitting over the heads of the Council of Ministers of the States, secret reports to the Centre. Recently, we have seen another example. Well, Mr. Charan Singh did not even bother to get the reports of the Governors before dissolving the nine State Assemblies in 1977.

SHRI SUNDER SINGH BHANDARI: Not even this time.

SHRI BHUPESH GUPTA: This time also, Shrimati Indira Gandhi followed in the footsteps of Mr. Charan

Singh. Hence, Sir, he is quite right. But the trouble is, you were also a party to that thing. Why is it needed? I cannot understand. What for? This is not Rs. 5,000 only. Actually, the cost will be Rs. 15 lakhs, between Rs. 10 and Rs. 15 lakhs in a year, if you take into account, all the paraphernalia and all other expenses, money spent, by the States. Why? Why should the States spend Rs. 15 lakhs or so for maintaining agents of the Central Government, real secret agents of the Central Government? Why? There is no explanation for it. Hence Sir, I say, you should reduce it. If you reduce it to Rs. 2,000, many of the Governors may feel they should not be there. Some may, but as you know, we have already said that we

I am opposed to the post of Governor. Sir, in the statement of Objects and Reasons I have already given sufficient indication of what I have said. Sir, before I end, may I ask you, if you permit me, suppose you are given

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the option to become a Governor or a Rajya Sabha Member what you will choose?

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Do not bring me into the picture too many times, I am not expected to participate in the debate. When I go there I will reply to all your points.

SHRI BHUPESH GUPTA. Very well. I have no doubt in my mind. Sir, that you will reject the offer of Governorship and you will choose to become Rajya Sabha Member. I entirely agree with you. But how much do you get as Rajya Sabha Member and how much does the Governor get? Surely, Rajya Sabha does not spend for you Rs. 15 lakhs but for Governors we spend Rs. 15 lakhs each. If you are good for nothing or sufficiently senile or superannuated, we spend Rs. 15 lakhs on you, to find an accommodation for you.

Well, Sir, I have said enough on the subject and others will also speak on the subject. This is a matter to be discussed, but before I sit, I congratulate Mr. Sanjiva Reddy for having decided to shift to a smaller house. How small it will be I do not know because sometimes smaller houses are also very misleading. You know No. 10 Downing Street looks very innocent, very small, but if you get inside, where the British Prime Minister lives, it is a different proposition altogether. Well, it is a good thing that he has made a gesture in so far as it goes and I am sure I would have the full support of the present President, Mr. Sanjiva Reddy, in putting forward this demand that formally the salary of the President be reduced to Rs. 3000. He should be given all other amenities consistent with his dignity and position. As far as the Governors are concerned, I do not wish to say very much.

Sir, before I sit, once again I hope the Members of this House will kindly

voice their strong opinion against and condemnation of Mr. Chenna Reddy's statement that the country should switch over to the presidential system. He has been saying this thing as the big monopolists like Tatas, Birlas and others saying it. Today he thinks that monopoly of power of the Congress (I) Party, specially after the Assembly elections, gives him and the men like him who are in Delhi, an opportunity to switch over to the presidential system. Therefore, Sir, before I sit, I appeal to the friends on this side of the House, to all of them, do not defect to that side, do not give them the two-thirds majority. They cannot get the two-thirds majority even after the Assembly election in July. That is our calculation. They had the two-thirds majority in Lok Sabha. Now they have lost it in Lok Sabha after the Bahuguna group has left them. If they got the two-thirds majority, I have no doubt in my mind, they will be going in, sooner or later, for amending the Constitution to switch over to the presidential system. Therefore, my appeal specially to the men of the Congress Party—they have a loyalty, tradition, name with them—is, never to defect anymore to that party to the Congress (I) party. Others will not perhaps do it and I think Rajya Sabha's efforts will be at stake. This Rajya Sabha should show that we stand as a sentinel of the Constitution, that we stand guard in defence of the parliamentary-cum-cabinet system. In this House we shall never allow the ruling party and the treasury benches the two-thirds majority whereby they can dare change the Constitution into a Presidential system, switch over to the Presidential system, as asked by Dr. Chenna Reddy.

It is the moral obligation of every single Member, man of honour sitting in the Opposition here. I am not saying anything about them. They belong to the ruling party, they have their discipline. They are too men of honour. But we are talking about ourselves. I appeal to all Members here as a very old hand

here, an old person here not to think of changing side or defecting to the Congress (I) Party. Never give it the two-thirds majority in this House and we shall see that the Constitution is not amended, Dr. Chenna Reddy's word does not become law. My friends of the DMK have suffered and I hope they will understand now that they are not to t'aink anymore on the old lines. That is ail ! ^{hope}-

Once again, Sir, the graduate of the Maharashtra University, I thank you very much for allowing me to say a few words. I have got a chance to epeak on this subject. I was waiting to say something...

SHRI YOGENDRA MAKWANA: Are you finishing? (*Interruptions*)

SHRI BHUPESH GUPTA: Mr. Makwana knows very well that I take exception to his statement in Srinagar when he said that President's rule is not ruled out in Tripura. I was a little surprised.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Mr. Makwana, why are you provoking him? You are raising something. Again he will go on.

SHRI BHUPESH GUPTA: I gave a privilege notice over it. You say such things without being a full Minister. You are only a half-Minister—not even a full-Minister. You said in the Srinagar Press Conference that President's rule is not ruled out in Tripura. Mr. Zail Singh . . .

SHRI NARASINGHA PRASAD NANDA (Orissa): Sir, on a point of order.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Just a minute. He is on a point of order.

SHRIMATI USHA MALHOTRA (Himachal Pradesh): Sir, I am also on a point of order.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Just a minute. Let me hear.

SHRI NARASINGHA PRASAD NANDA: Kindly hear me. He is a Minister of the Government. My point of order is this. Is a Minister or the Government entitled to provoke a Member while he is moving his Bill to speak more than he wants to speak?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHIV SHANKAR): Sir, this point of order has been raised so that he may rejuvenate himself to speak a little more.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Mr. Minister, it is the convention in this House that the Chair always takes care of the points of order. Mr. Nanda, you need not worry about Mr. Bhupesh Gupta. Nobody has touched him so far. He is very safe. Now the lady Member.

SHRIMATI USHA MALHOTRA: Mr. Chairman, Sir...

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): You are on a point of order, or...

SHRIMATI USHA MALHOTRA: I just wanted to bring to your notice that the hon. Member has said that if people are good for nothing, they could be made Governors. (*Interruptions*) I would like to suggest that this should not be said because it is against the convention of this House.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Madam, you have not heard him properly.

SHRIMATI MONIKA DAS (Karnataka): He said so.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): Would the lady

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[Shri A. K. Gulkarni] Members please take their seats? Madam, I have gone through all the rules. The rules book is with me. I am just keeping this discussion within the parameters provided by the rules. Perhaps, you are a new Member. I would only sympathise with your desire to participate. But, to deal with Mr. Bhupesh Gupta and, particularly, with lady Members, it is very difficult. Please don't go near that point. So, I would ask Mr. Gupta to please conclude.

SHRI BHUPESH GUPTA: Sir I am concluding. I never take exception to any interruption by a lady Member, even if it is on a point of disorder. Sir, how can I do that? After all, this is the only contact between me and the ladies. Therefore, Sir, no worry that way. Only, I was just saying that I am very glad that she has done it and I hope she will do it more and more because nothing please me more than provocation and provocation by women especially!

Now, Sir, I have said all this. Others will discuss it.

SHRI P. RAMAMURTI: Sir, may I make a submission? Mr. Bhupesh Gupta has been in hospital for long; his health has not been good.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): I am trying to persuade him to sit down.

SHRI P. RAMAMURTI: Therefore, in the interests of this House I would like to ask these people not to provoke him to speak more. He has almost concluded. Why provoke him to speak more and make him get exhausted? Therefore, in the interests of his health I would ask him to conclude.

SHRI BHUPESH GUPTA: Sir, I appreciate my friend, Mr. Ramamurti's concern for my health. Only Mr. Makwana gave me a little trouble. He said a very wrong thing. He would not say any more, I hope. The day

he said it, the same night Mr. Zail Singh, the Home Minister was good enough to call on me—he came to my house—and I explained to him. And I did not know he has been making such statements. Then next morning the statement appeared. In all fairness I must say, the Home Minister told me—at my place—and I did not get the impression that the Home Minister's mind was working in the direction of imposition of President's rule in Tripura. This is my impression. I may be right or wrong. I must say this that it was very kind of him to have come to me, to my place and so on. In this connection, Sir, I would give one word of advice to my young friend, Mr. Makwana, and then I will sit down. You are a Minister of State. Naturally it is a very powerful Ministry but, as you know very well, the centre of power today is not in the North Block or the South Block. The centre of power is somewhere else. I am told, all the files go to No. 1, Akbar Road, then they are seen, processed and then go elsewhere. Now, Sir, I would also like the Prime Minister to clarify this position, whether the files go to No. 1, Akbar Road before the Ministers see them. Sir, Mr. Makwana knows it very well. He is the Prometheus unbound and he knows where his power lies.

Sir, I have only one word more. One Minister, Mr. P. C. Sethi, goes on record—in a public statement—that if Mr. Kamal Nath does not want him, he cannot be a Minister for a single day. I read that statement. I tabled a question and that question has not been admitted on the ground—you know what?—that this is too small a matter. Is it too small a matter? That I will take up with the Chair. Is it too small a matter? A Cabinet Minister publicly says—and it is published in the papers—that if Mr. Kamal Nath does not want him, he cannot remain in the Cabinet for a single day. It is a shameful statement. I say that Mr. P. C. Sethi has been my personal friend in some ways for a long time. He should not have made that state-

ment. If it is true, I would like the Prime Minister to know how many Prime Ministers we have got in the country—one, two or three.

SHRI SULTAN SINGH (Haryana): One. Only one Prime Minister.

SHRIMATI KUMUDBEN MANI-SHANKAR JOSHI (Gujarat): Only one Prime Minister.

SHRIMATI SUSHILA SHANKAR ADIVAREKAR: We have only one Prime Minister.

SHRI BHUPESH GUPTA: Sir, I accept this when two ladies are simultaneously saying this. But then control your P. C. Sethi, control your Kamal Nath and control some others also.

SHRI SANKAR GHOSE (West Bengal) : Mr. Vice-Chairman, Sir, we are glad to see Mr. Bhupesh Gupta again in this House. The Bill that he has brought raises certain important questions. I suppose the purpose of this Bill is more symbolical, with the object of ensuring that there is no excessive expenditure.

So far as the question of the reduction of the salaries of the President and the Governors is concerned, I am sure Mr. Bhupesh Gupta does not want the salary of the President shall be less than that of a secretary to the Government of India. A Secretary to the Government of India gets Rs. 3,500 per month. It would apparently not be in the fitness of things that the President of India will get Rs. 3,000 when a Secretary to the Government of India will get Rs. 3,500; or that the Judges of the High Court will get Rs. 3,500 and the President will get less than that.

Sir, these matters are best left to conventions. When Dr. Rajendra Prasad became the President, he voluntarily reduced his salary to Rs. 2,500. I think when Dr. Radhakrishnan became the President, he again voluntarily reduced it to Rs. 2,500. And when Shri Sanjiva Reddy became the

President, I remember reading in the newspapers, he also offered to reduce his salary.

Sir, the question is not merely that of the salary of the President. Along with the salary, there are other questions also. From time to time, we read reports that the President will shift to a smaller bungalow. This question had come up before also. Dr. Rajendra Prasad made that offer; Dr. Radhakrishnan also made that offer; and now President Sanjiva Reddy has repeated that offer. Sir, it will be quite in the fitness of things if the President shifts to a smaller bungalow. But, if it is a small bungalow, there is the question of security arrangements. A certain expenditure will have to be incurred for those arrangements. But if that expenditure is incurred once and for all, that will be all right. It is not essential that the President has necessarily to live in a huge presidential house.

When Independence came, this question came up because Mahatma Gandhi was very much against this show and glitter, which we had inherited from the British, particularly Lord Curzon. Lord Curzon thought that the oriental people could not be governed unless the rulers lived in very big and palatial buildings. When Independence came, Mahatma Gandhi wanted that our rulers should live in smaller houses. We did not really follow that practice. And it has been defended on two grounds namely, that the Head of State must live in a big place and that foreigners come and they will expect our Head of State or rulers to live in big buildings. Therefore, Sir, that raises the question of the President's bungalow also and of a life-style consistent with our economic conditions.

The question of reduction of salary raises the question of the entire salary structure because, as I have already submitted, we cannot reduce the salary of our President below that of our High Court Judges or that of the

[Shri Sankar Ghose]. Secretary to the Government. Therefore, a national income policy or a national wage policy, an integrated policy, has to be formulated so that within that integrated policy we can say that there should not be very great disparity in the salary incomes. At one time a suggestion was mooted that the ratio of the salaries should not be more than 1:10, no salary should be ten times more or the highest paid person should not receive more than ten times the salary of the lowest paid person. Therefore, this Bill that Mr. Bhupesh Gupta has brought, raises the general question that an integrated income, wage and salary policy should be formulated. There should not be too great disparity between the salary income that different people receive.

This also raises the question that Mr. Bhupesh Gupta raised, apart from the President's salary, about the Presidential form of Government. Sir, so far as the Constitution is concerned, the Parliamentary system of Government is something basic to our Constitution. If there is any basic structure to the Constitution... I find that the Law Minister is shaking his head, probably not agreeing with me.

SHRI SHIV SHANKAR: You have gone on record as saying that there is no basic structure.

SHRI SANKAR GHOSE: So far as the basic structure is concerned, there are two kinds of basic structures.

SHRI SHIV SHANKAR: I would remind you of your speech in 1976 at the Calcutta Lawyers' Conference.

SHRI SANKAR GHOSE: So far as the basic structure is concerned, even in that Lawyers' Conference, I said that secularism and democracy were basic but that Parliament has an absolute right on the question of altering fundamental rights. The real conflict was whether Parliament has a right to change the Fundamental Rights. On

the Fundamental Rights, the real question was this. It was at one time supposed that property was part of the Fundamental Rights and that you cannot change the Fundamental Rights. Now property has gone out. Therefore, on the question of the basic structure, there should be a national debate on that question. Certain things basic to our polity and our Constitution: namely, (1) secularism, (2) republicanism, (3) democracy and the Parliamentary form of Government, adult franchise etc. There are certain values that have developed. These are basic, basic in the sense that Parliament does not even seek the right to alter them, for it is not a question of an abstract right of whether Parliament has an absolute right.

So far as the system of Government that has developed in our country is concerned, we are committed to the democratic structure and the secular structure. If it is said that there is no basic structure, in the sense that we can destroy our secular structure, that we can destroy the republican character of our Constitution, that we can destroy the democratic character of our Constitution, I submit that such a right does not exist because Parliament does not seek that right. It is a derogation of Parliament's right. When we say that Parliament has constituent powers and that Parliament has plenary powers, then, we are thinking of these within the secular and republican character of our Parliament. 4 P.M.

SHRI BUDDHA PRIYA MAURYA (Andhra Pradesh): Who gave that Constitution?

SHRI SANKAR GHOSE: The Constitution has mentioned who gave it? The people.

SHRI BUDDHA PRIYA MAURYA: If you talk in terms of "basic" things, then every word of the Constitution is basic. That is the basic law.

SHRI SANKAR GHOSE: I will deal with that question. Now, so far as the question who gave the Constitution is

concerned, the Constitution itself has mentioned that the people of India have given the Constitution.

SHRI BUDDHA PRIYA MAURYA: No, they never gave it. It is the people who were having less representative character, it is they who gave the Constitution. And Parliament which is a better representative of the people has got every right to change any part of the Constitution.

THE VICE-CHAIRMAN (SHRI A. G. KULKARNI): You can have your views. He is expressing his own views.

SHRI SHIV SHANKAR: Instead of going into that, Mr. Ghose, why don't you go into the subject proper? This is alien to the subject.

SHRI SANKAR GHOSE: Because this question has been raised, it is important.

[The Vice-chairman (Shri Sawai-singh Sisodia) in the Chair]

So far as the Constitution is concerned, it was framed at a particular time, but the Constitution provided for certain fundamental things which are, as I said, secularism, republicanism and democracy. Now this is very important. What happened when the debate on the basic structure came? In the Golak Nath case, Chief Justice Subba Rao said that the Fundamental Rights are transcendent and Parliament cannot reach or alter those Fundamental Rights. Unfortunately among those Fundamental Rights, property was one. Justice Hidayatullah who is our Chairman now, in the Golak Nath case said that it was unfortunate that property became a fundamental right; for if you sought a socialistic pattern of society, it was perhaps a mistake to include property in the Fundamental Rights. Therefore, when the question of basic structure came, the conflict was whether Parliament has the power to change the Fundamental Rights. I submit, and I have submitted before in 1976,

that Parliament has the right to change the Fundamental Rights. And among the Fundamental Rights, there were two kinds of rights. There were certain property rights and there were certain personal rights. Property rights are much inferior rights. It was a misfortune that property rights crept into our Fundamental Rights. But personal rights such as the right of life and the right of liberty are much superior to the property rights. Now the nation has got rid of property rights.

The question that arose then was: Can we change these Fundamental Rights? That is a different question from, can we change the democratic structure, the democratic character of our country? Can we change the secular character of our country? Can we change the republican character of our country? These are quite different things. Therefore the debate that was sparked off from the decision on the Golak Nath case is different. Golak Nath was a wrong decision. It said that Parliament has no right to change the Fundamental Rights. It was rejected and overruled by the decision in Kesavananda Bharati's case. The decision in Kesavananda Bharati's case said: yes, Parliament can touch the Fundamental Rights, but Parliament cannot touch the basic structure. Now, so far as the basic structure is concerned, it is not a question of abstract right. It is not a question of whether Parliament can change. I say, no Member of Parliament will or should say or assert that he wants to destroy democracy; no Member of Parliament will or should say or assert that he wants to destroy secularism; no Member of Parliament will or should say or assert that he wants to destroy republicanism. It is not so much a question of abstract right, even though the Law Minister intervened and wanted to disagree with me. It is not a question of whether Parliament has that right.

The Indian Parliament will never seek the right to destroy the secular character because secularism "is basic

[Shri Sankar Ghose].

in our Indian Constitution and not only in the Indian Constitution but in the entire Indian civilisation. Republicanism is basic in our Indian policy. Democracy is basic. Therefore, to approach it from a purely legalistic and technical aspect is not correct. It is more fundamental. It has far-reaching consequences.

The question is with all the developments that have taken place in India, and when we have a society in which there are different religions and when we have accepted a secular character of society, does any Parliament has the right to destroy secularism? Can Parliament declare that We are a Hindu State? No, Parliament has no right to declare that. It has no moral right to declare that. Because it is not a moral right, Parliament does not seek that right.

Therefore, the matter can be approached from two aspects. One aspect is the legalistic aspect as in Kesa-vananda Bharati's case where the Supreme Court said, no, Parliament cannot change the basic structure. Second: So far as Parliament is concerned, the Law Minister here can not stand up and say, no, I want to destroy democracy; I want to destroy secularism. He cannot ever seek that right. It will be an immoral claim if he seeks it.

Therefore, this is the fundamental aspect. It is not a question of an abstract right that Parliament claims. We are representatives of the people. We cannot represent people if we say that we want to establish here a Hindu State. We can represent people only when we say that Hindus, Muslims, Christians and Sikhs have equal rights. That is our secularism. So I say that secularism is something basic and fundamental, not in the Kesavananda Bharati sense, not in the sense whether Parliament can technically alter it by votes. By vote, you can do anything. But no Member of Indian Parliament will ever seek that right.

This question of the Presidential salary has come and the question of Presidential form of Government has also come. Therefore I say that there are certain basic and fundamental matters. Mr. Maurya has raised question as to who made that Constitution. The Constitution was made by people with a limited franchise. Under the Government of India Act there were legislators, and they were converted into Constituent Assembly. That is well known. The truth is that the political sovereigns are the people and Parliament is the legal sovereign. The legal sovereign came through a limited franchise of the political sovereign or the people.

The political sovereigns have a culture and history. We have survived as a nation because we had a spirit of tolerance, a spirit of synthesis, a spirit of harmony and that spirit is symbolised in this concept of secularism. Therefore, when this question arose as to what the basic structure is, not in the legalistic or in the technical sense, but in a more fundamental sense, a more political and philosophical sense, I say that there are certain basic things which the Indian people held to be dear, sacred and which are not to be touched. Not to be touched not in the sense of what Chief Justice Subba Rao said in *Govindanatha Sankar* case that it is beyond the reach of Parliament, but because it is beyond the reach of the moral sense of Parliament. There is no Member of Parliament who can say or should say yes, republicanism we can give up. There is no Member of Parliament who can or should say, yes, democracy we can give up. There is no Member of Parliament who can or should say, yes. Secularism we can give up. Therefore, "these three pillars of the Indian Constitution, republicanism, secularism and democracy, are part of the basic structure, as I said, not in the legalistic sense but in the more fundamental political and philosophical sense; these are the foundation of our society."

The question of Constituent Assembly has also been raised. The main hurdle that was noticed when bank nationalisation came up was the hurdle of property namely, that property was an entrenched right. That was the hurdle. In the Privy Purses case what was the hurdle? Again as property was an entrenched right and Privy Purses legislation was set aside.

Property right is the right of a few but liberty is the right of many. Democracy stands for liberty and capitalism stands for the right of a few. There is a conflict between these two rights; the rights of democracy and the privileges preserved by a capitalistic society. Therefore, when we have got rid of property from fundamental rights, the whole concept and perspective have changed. Previously when it was said there is no basic structure, the real attack was that the decision of bank nationalisation was wrong, the decision of Privy Purses was wrong. The entrenchment of property in the Constitution as a fundamental right was wrong. It was nobody's case in all these debates that we can give away our democratic character or the secular character or the republican spirit of our Constitution.

When I say democracy I believe that Parliamentary form of Government is basic to our democratic structure. Regarding that Parliamentary form of Government the answer given by the Law Minister last time was that there is no thinking that the Parliamentary system of Government should go. I submit that this Parliamentary system of Government is also fundamental to the kind of democracy that we understand. Therefore, we should consider that this Parliament will never seek any right to destroy the Parliamentary form of our Government or our democratic structure. This basic structure or fundamental character of Indian polity should remain.

I am grateful to Mr. Bhupesh Gupta for bringing this Bill in which he has raised these important questions. So far as the actual Bill is concerned, I have already submitted that this can only be part of the total integrated policy on the salary structure. Obviously the salary of the President cannot be below that of a Secretary to Government. One change alone is not sufficient. This can only be part of a total policy. But it is a symbolic measure to bring about greater austerity to change the life-style of people holding high offices, to ensure that the five-star culture is not there, to see that Western consumerism is not there and to see that a simple life-style more consonant with our Indian economic conditions is followed. With these words, I support the spirit behind the Bill.

श्री शिव चन्द्र झा (बिहार) : उप-सभाध्यक्ष महोदय, भूपेश गुप्त जी ने जो यह विधेयक पेश किया है कि राष्ट्रपति और गवर्नर की तनख्वाह घटाई जाए इसका मैं भी समर्थन करता हूँ। जब देश में बहुत विषमता है तो ऐसे वक्त में हम इस विधेयक को लाये यह बहुत अच्छा है। यह बहुत उपयुक्त वक्त है। इस समय किसी की ज्यादा तनख्वाह है और किसी की कम तो ऐसे वक्त में लाजमी हो जाता है कि ऐसा विधेयक लाया जाए और खासकर ऐसे वक्त में जब कि हमारा आदेश हो जाता है समाजवाद का। समाजवाद का मतलब है बराबरी। जब हमारा एक नया समाज बनाने का आदर्श हो जाता है तो यह लाजमी हो जाता है कि ऐसा विधेयक आए जैसा भूपेश जी ने रखा है। कबल इसके कि मैं इस विधेयक की बातों पर आज अभी जो बात शंकर घोष जी ने उठाई है उसके मुतलिक मैं एक-दो शब्द कहना चाहता हूँ। पहले तो हमें जानना है कि संविधान में स्ट्रक्चर चेंज करने का अधिकार भारत की जनता को है या नहीं। यह सवाल जब आता

[श्री शिव चन्द्र झा]

हे ती मैं पूछना चाहता हूँ कि हम को यह अधिकार है या नहीं कि हम दूसरा संविधान बना सकें। जिस तरह से पहले किया गया कि लोग चुन कर आए और उसको कंस्टीट्यूट असेम्बली में कन्वर्ट किया गया। तो संविधान बनाने का यह अधिकार है या नहीं हमको? थोड़ी देर के लिये मान लें कि हमें दूसरा संविधान बनाना है तो हमें यह अधिकार है या नहीं कि हम इस संसद को कन्वर्ट करें कंस्टीट्यूट असेम्बली में। यह बुनियादी अधिकार है। यदि हम को यह अधिकार है तब थोड़ी देर के लिये मान लोजिए कि जिस तरह का हम स्ट्रक्चर बनाना चाहेंगे उस संविधान में वह हम बना सकते हैं या नहीं? यह दूसरी बात है कि कौन सेकुलर है और कौन क्या है और इन सारी बातों पर जो संविधान बनाने वाले होंगे वे अपने आप फैसला करेंगे। लेकिन इसके पीछे जो एक बुनियादी बात है वह यह है कि भारत की जनता को पूरा अधिकार है, इस संसद की, जनता के प्रतिनिधि को पूरा अधिकार है कि वह जैसा स्ट्रक्चर बनाना चाहे राजनीतिक बनावट पर वह बना सके। इसमें कोई दो मत नहीं हो सकते हैं। चाहे किसी कोर्ट का कोई भी फैसला हो, भारत की जनता को जो अधिकार हैं उनको बदला नहीं जा सकता है। बुनियादी सवाल हमारे सामने यह है कि क्या हम हमारे देश के संविधान के बुनियादी ढांचे में कोई परिवर्तन कर सकते हैं? यह बात ठीक है कि जनता के चुने हुए प्रतिनिधियों को संविधान में परिवर्तन करने का अधिकार है, लेकिन जिस संदर्भ में हमारा संविधान बना है और संविधान में जो अच्छी बातें रखी गई हैं उनको हम नहीं छोड़ सकते हैं। हिन्दुस्तान को जनता को और उसके प्रतिनिधियों को इस बात का पूरा अधिकार है कि वे संविधान में परिवर्तन करें,

लेकिन सोचना यह है कि क्या हम संविधान के बुनियादी ढांचे में कोई परिवर्तन कर सकते हैं? मैं समझता हूँ कि संविधान के बुनियादी ढांचे में परिवर्तन करने का अधिकार हमको नहीं है। मेरे कहने का मतलब यह है कि हमारे संविधान की जो बनावट है और जिन बुनियादी बातों को लेकर यह संविधान बनाया गया है उन पर कोई भी कुठाराघात नहीं कर सकता है। हमारे संविधान का जो बुनियादी दर्शन है उसको खत्म करके अगर तानाशाही का सिलसिला इस देश में चलाने का प्रयास किया जाएगा तो उसका अधिकार हमको नहीं है। इमर-जेंसों में यह बात बिल्कुल साफ हो गई है। इस देश के संविधान को अगर तोड़ने-मोड़ने की कोशिश की गई तो उसको कोई भी सहन नहीं कर सकता है और ऐसा करना इस देश के संविधान के बुनियादी सिद्धांतों के विपरीत होगा। हमारे संविधान का जो एक आदेश है उसमें कोई भी परिवर्तन नहीं किया जा सकता है? लेकिन देश के अन्दर समाजवादी समाज की स्थापना के लिए अगर कोई परिवर्तन किया जाएगा तो उसको इस देश की जनता हमेशा स्वीकार करेगी। हमारे देश के संविधान के प्रिम्बुल में जो बातें कहीं गई हैं उनकी स्थापना के लिए संविधान में कोई परिवर्तन करने का अधिकार हमको हमेशा है। हमारे देश में जो अनइम्प्लायमेंट है उसको खत्म करने के लिए और हमारे समाज में जो विषमता है उसको खत्म करने के लिए अगर कहीं बातों का उल्लेख हमारे संविधान में करना है तो ऐसा करने का अधिकार हमको है। लेकिन ध्यान देने की बात यह है कि हमारे देश के संविधान के बुनियादी ढांचे में कोई परिवर्तन नहीं लाया जा सकता है।

जहां तक इस विधेयक का ताल्लुक है, राष्ट्रपति और गवर्नर की तनख्वाहें

1977

घटाने की बात का संबंध है, मैंने पहले ही इसका स्वागत किया है। आप जानते हैं कि हमारे देश में एक खेतिहर मजदूर दिन भर खेत में काम करने के बाद महीने में 30) ६०, 35) ६० या 38) ६० कमाता है। एक खेतिहर मजदूर की तनख्वाह महीने में 30 ६० सरकारी आंकड़ों के मुताबिक है। एक तरफ तो हमारे मुल्क में इस प्रकार की हालत है, लेकिन दूसरी तरफ राष्ट्रपति को 10 हजार रुपये मिलते हैं। आप खुद अन्दाजा लगा सकते हैं कि इसमें कितना फर्क है। राष्ट्रपति का वेतन एक खेत-मजदूर से 333 गुना ज्यादा हो जाता है। इसी प्रकार से गवर्नर को जो तनख्वाह मिलती है उसमें यह अन्तर एक और सौ का हो जाता है। श्री भूपेश गुप्ता जो ने विधेयक में राष्ट्रपति की तनख्वाह तीन हजार और गवर्नर की दो हजार कर देने को जो बात कही है उससे यह अनुपात एक और सौ का हो जाता है। यद्यपि यह हिसाब ठीक से नहीं बैठता है, लेकिन कुछ इसी प्रकार के आंकड़े बैठते हैं। जैसा मैंने कहा है, अभी यह अन्तर 333 गुना है। श्री भूपेश गुप्ता जो ने विधेयक से यह अन्तर बहुत कम तो नहीं हो जाता है, लेकिन हमारे देश में तनख्वाहों में जो अन्तर है उसमें कमी आ जाती है। आज हमारे देश में आवश्यकता इस बात की है कि समाज में जो विषमता है, डिस्पैरिटी है, उसको समाप्त करने के लिए कोई फण्डामेंटल कदम उठाये जायें। राष्ट्रपति हमारे देश के हेड हैं। उनको तनख्वाह में और एक खेत-मजदूर को तनख्वाह में कितना अन्तर हो, इस पर हमें विचार करना है। यह अन्तर एक और बीस का भी हो सकता है। लेकिन मैं समझता हूँ कि सब से अच्छा आदर्श अन्तर तो एक और दस का होना चाहिए। इस देश में समाजवादी समाज की स्थापना करने के लिए और विषमता दूर करने के

लिए हमें कोई ठोस कदम उठाने होंगे। समाज में बराबरी लाने के लिए और इस देश में जनतंत्र को मजबूत करने के लिए कोई न कोई कदम उठाने होंगे। इस दृष्टि से हम देखें तो श्री भूपेश गुप्ता जी का विधेयक कोई रेडिकल विधेयक नहीं है और उतना रिवोल्यूशनरी भी नहीं है। लेकिन फिर भी यह विधेयक रेडिकलिज्म की ओर एक नई दिशा की ओर ले जाता है। इसलिये इसका समर्थन करना लाजिमी हो जाता है। उप-सभाध्यक्ष महोदय, इन्होंने खुद कहा कि गवर्नर पर कितना खर्च होता है 10-15 लाख रुपया प्रति साल। इस तरह 10-15 लाख प्रति साल का मतलब हुआ एक या सवा लाख रुपया प्रति महीना जो कि गवर्नर पर खर्च होता है। इस तरह से और भी महकमे हैं जहाँ पर आपको बराबरी लानी चाहिए। प्रधान-मंत्री पर कितना खर्चा होता है, इसका हिसाब लगाया जाये। डा० लोहिया ने हिसाब लगाया था कि प्रधानमंत्री पर, उस वक्त पंडित जवाहरलाल नेहरू प्रधान-मंत्री थे, 25 हजार से 35 हजार रुपये प्रति दिन खर्च होता है। वर्तमान प्रधान-मंत्री इंदिरा गांधी पर प्रति दिन कितना खर्च होता है इसका भी हिसाब लगाया जाय। मेरा ख्याल है कि कम से कम 40-45 हजार रुपया प्रति दिन खर्च होता है। जब कि हमारे समाज में ऐसे भी लोग हैं जो 30 रुपया महीना मुश्किल से कमाते हैं, 30 रुपये महीने उनकी मजदूरी होती है। क्या इस तरह की विषमता हम पसंद करेंगे? तो इस विधेयक का यही मकसद है कि इस पर रोक लगाई जाय। इसकी जरूरत इसलिये भी है ताकि हम मैक्सिमम और मिनिमम का फैसला कर सकें और इसके लिए विधान में संशोधन लायें और यह लिखित रूप से प्रिन्सिपल के रूप में हो और इसके लिए संविधान में इस तरह

[श्री शिव चन्द झा]

की धारा का समावेश करना होगा। यदि हम बराबरी के समाज की ओर जाना चाहते हैं तो यह हमें करना होगा और इसके लिये स्ट्रक्चरल चेंज आपको करना ही पड़ेगा। ये बातें भूल भुलैया की हैं प्लानिंग आफ दि वर्ड्स जिसे कहते हैं बाल की खाल उतारना। तो हमें ऐसा करके इसमें परिवर्तन लाना होगा जिसमें 1 और 20 का अनुपात, मैक्सिमम और मिनिमम का रेशियो होना चाहिए। इस तरह इसकी बनावट में हमें चेंज करना होगा। फिर राइट आफ बर्क का उसमें समावेश होगा, राइट टु स्ट्राइक होगा, प्रेस के मुत्तालिक और प्लान्ड प्रेस समाज में हो, इस तरह के स्ट्रक्चरल चेंज होना चाहिए। हमारे जनतंत्र के खिलाफ उसकी बनावट नहीं होगी बल्कि वह जनतंत्र के बुनियादी बसूलों के मुताबिक होगा और साथ ही साथ जो जनतंत्र की खूबसूरती है उससे कहीं ज्यादा खूबसूरत ऐसे राज्य की बनावट होगी। वह जनतंत्र शानदार जनतंत्र होगा और वह जनतंत्र वह जनतंत्र होगा जिसकी और दुनिया के जनतंत्र की बढ़ने की कोशिश कर रहे हैं। लेकिन इसकी शक्ल जब चेंज होगी तो उसमें राष्ट्रपति की तनख्वाह और एक खेतिहर की मजदूर की तनख्वाह में जो डेसपेरिटीज हैं उसको जितना ज्यादा कम कर सकें उतना करने की कोशिश करें तो यह अच्छी बात है। लेकिन यदि ज्यादा हम नहीं कर पाते तो जिस रूप में यहां कहा गया है वह ठीक है। परन्तु साथ ही साथ इस तरह के जो खर्चे हैं उन पर रोक लगाई जाय। अखबार में यह बात आई है कि राष्ट्रपति जी छोटे बंगले 1, विलिंगडन क्रिसेंट में जाना चाहते हैं। यह अच्छी बात है। लेकिन जैसा कि भूपेश गुप्ता जी ने कहा कि 10 डाउनिंग स्ट्रीट जो है, लंदन में, जो इंग्लैंड के प्रधानमंत्री का निवास स्थान है मैं उसे

देख चुका हूं, मैं बराबर वहां जाया करता था हाउस आफ कामंस में और एक नजर 10 डाउनिंग स्ट्रीट पर भी डाल दिया करता था। तो यह बात ठीक है कि बाहर से वह छोटा मोटा मालूम होता है, उसका बड़ा भयानक रूप नहीं है, अन्दर से वह छोटा सा है ऐसा बाहर से देखने पर मालूम होता है। इसी तरह राष्ट्रपति जी जब छोटे भवन में जायेंगे तो वह दुनिया के सामने एक आवर्ण रखेंगे कि वे जनता के सेवक हैं। भारत एक गरीब देश है और इसलिये वहां का राष्ट्रपति इससे बड़ा भवन एफोर्ड नहीं कर सकता है। यह मुगलिया महल राष्ट्रपति जी को शोभा नहीं देता है। यह गांधी जी का देश है जवाहर का देश और लोक-नायक जयप्रकाश का देश है। गांधी जी का सपना था कि भारत का राष्ट्रपति यदि संभव हो तो देश की बागडोर किसी आश्रम में रहकर चलाये। लेकिन आज वैज्ञानिक युग है तथा और भी बहुत सी बातें हैं जो कि आज की दुनिया में संभव नहीं हैं। परन्तु यदि इसको आप ज्यादा से ज्यादा रोक सकें इसकी कोशिश करनी चाहिए। इसलिये राष्ट्रपति महोदय का जो कदम है वह स्वागत योग्य कदम है। जिस तरह से इस कदम का स्वागत है उसी तरह से उनकी तनख्वाह घटाने के बारे में कोई बिल चाहे वह प्राइवेट मेम्बर बिल के रूप में आये और चाहे सरकारी बिल के रूप में आये, उसका हम स्वागत करेंगे और यह इसलिये जरूरी हो जाता है क्योंकि हम समाज में जो मौजूदा विषमता है उसको खत्म करना चाहते हैं और समाज में बराबरी लाना चाहते हैं।

लेकिन फिर एक और बात आ जाती है। यदि आप सिर्फ इतना ही करें तो तब भी हमारा काम पूरा नहीं होगा। बात जो सोचने की है वह यह है कि यह तफरका जो समाज में आजादी के बाद आया है वह क्यों आया है? कौन सी बनावट की

वजह से यह तफरका आया है ? कौन सा सिलसिला आजादी के बाद इस देश में चला ? यह हमें निष्पक्ष रूप से देखना होगा कि बावजूद पहली योजना, दूसरी योजना और तीसरी योजना के यह विषमता किन वजहों से आई है। यदि हम निष्पक्ष रूप से देखेंगे तो हम इस नतीजे पर आ जाएंगे कि बीमारी यही है और हम इस पर कुठाराघात या प्रहार करें। जब देश में से वह बीमारी खत्म हो जाएगी तो सब और बातें ठीक हो जाएगी, हमारे रास्ते साफ हो जाएंगे। मैं यह कहना चाहता हूँ कि आजादी के बाद क्या हुआ ? भारत में पूंजीवाद बढ़ा है। जहां-जहां पूंजीवाद है वहां पर विषमता बढ़ी है। हर पंचवर्षीय योजना ने भारतीय पूंजीवाद को बढ़ाने की कोशिश की है। जहां-जहां पर पूंजीवाद है वहां पर विषमताएं बढ़ती चली गई हैं। अमरीका के राष्ट्रपति की तनखाह एक लाख अस्सी हजार डालर के करीब है। अमरीका में खेतीहर मजदूर को काम कितना मिलता है। मैं खुद एक खेत मजदूर के लकोनिया में रह चुका हूँ। वहां पर खेतीहर मजदूर को 300-450 डालर मिलता है अर्थात् लगभग 3500 रुपये मिलते हैं और राष्ट्रपति को एक लाख अस्सी हजार डालर मिलते हैं। वहां भी विषमता है। और बातों में उनका स्तर ऊंचा हो सकता है लेकिन अमरीकी राष्ट्रपति और अमरीकी खेतीहर मजदूर दोनों में बहुत विषमता है। इंग्लैंड की भी वही बात है। जहां-जहां पर पूंजीवाद है वहां डिस्पैरिटी बढ़ती गई है। कुछ रियायतें मजदूरों को दी जाती हैं जिससे समाज में थोड़ी सी समानता आती है लेकिन बुनियादी विषमता बढ़ती ही चली जाती है। इसी तरह से पूंजीवाद भारतीय समाज में बढ़ा है। पहली योजना के बाद हर योजना की मदद से समाज में पूंजीवाद का विकास हुआ है जिसकी वजह से यह खराबियां आई हैं। अब मैं आपको पंडित जवाहर लाल नेहरू का उदाहरण देना चाहता हूँ। प्लानिंग कमीशन में पंडित जवाहर लाल नेहरू जी थे और दूसरे लोग थे। सब

उनको बता रहे थे उनको खुश करने के लिए कि यह हकीकत है। उसको रखने के लिए कह रहे थे कि हमारा रेट आफ ग्रीव इतना बड़ा है, डबलपमेंट हुआ है, इतने परसेंट आगे हम बढ़े हैं। पंडित जी ने सब को सुन लिया और कहते हैं कि इन आंकड़ों का कोई मतलब नहीं होता है। यह आंकड़े हमें मत बताइये कि हमारा रेट आफ ग्रीव इतना है वा डबलपमेंट इतना है। जब तक देश में एक भी इन्सान भूखा है इन आंकड़ों का कोई मतलब नहीं है। यह दृष्टिकोण उनका था। उपसभाध्यक्ष महोदय, आज हमें वह समाज बनाना है जिसमें एक भी इन्सान भूखा नहीं रहेगा। जब तक भारत में एक भी इन्सान भूखा रहेगा जनता बगावत करेगी इन्कलाब करेगी, जेलों को भरेगी और नये समाज को बनाने की तैयारियां करेगी। यह निर्विवाद बात है। भारत में प्लानिंग के बाद पूंजीवाद बढ़ा है। पूंजीवाद के बढ़ने से विषमता बढ़ी है। गरीबी घटने के बजाय गरीबी बढ़ी है। जो मुट्ठी भर पूंजीपती लोग आजादी के वक्त में थे आज भी वही है। आंकड़े बोल रहे हैं। टाटा, बिड़ला की हस्ती जो आजादी के वक्त थी, 15 अगस्त के पहले थी वह आज कई गुना बढ़ गई है। आज वे कहां पर पहुंच गए हैं। तो मेरे कहने का तात्पर्य इतना होगा कि गरीब गरीब होता गया और अमीर और अमीर होता चला गया है। यह सिलसिला देश में चलता रहा और विषमता बढ़ती गई। इंदिरा जी ने गरीबी हटाओ का नारा दिया लेकिन गरीबी हटाने के बजाय गरीबों को हटाने लग गई, सब को जेलों में भरा, यह एक दूसरा ही सिलसिला चला दिया। गरीबी हटी नहीं गरीबों को ही हटाने लग गई। तो इस योजना से जो सिलसिला आजादी के बाद चला उससे पूंजीवाद बढ़ा। गरीब गरीब होते गए और अमीर अमीर होते चले गए। अर्थ व्यवस्था कुछ लोगों के हाथ में केन्द्रित होने लगी। नतीजा यह हुआ कि आज सारी अर्थ व्यवस्था के आपके आंकड़े बताते हैं कि यह 75 मोनोपॉल हाऊसेज के हाथों में है जिसमें 20 बड़े हैं

[श्री शिव चन्द्र झा]

इसमें दो बड़े मगरमच्छ हैं जो सारी अर्थ-व्यवस्था को अपने हाथों में किए हुए हैं, अपने कब्जे में किए हुए हैं। आपको इस कंसेंट्रेशन को खत्म करना होगा। तब आप जो हमारी आर्थिक बनावट है उस पर प्रहार कर सकते हैं। तब जो हमारा मकसद है कि ग्रामदनी का फर्क घटे और बीस के अनुपात में हो या एक और दस के अनुपात में हो, हम इसकी ओर बढ़ सकते हैं। कहने का मतलब यह है कि यह विधेयक तनख्वाह घटाने का, यह अच्छा कदम है। लेकिन साथ ही साथ उसके पीछे जो दर्शन है, उस दर्शन के मुताबिक समाज को बनाने के लिए लाजिमी होता है कि भारत में जो पूँजीवाद है इसका हम खात्मा करें। पूँजीवाद जब तक रहेगा तब तक ये खराबियाँ रहेंगी। इतिहास का तकाजा है कि भारतीय पूँजीवाद को खत्म करें। इसको करने का क्या तरीका होगा।

एक तरीका जो हमारे सामने है वह यह है कि ये जितने मगरमच्छ हैं इनको सरकार अपने हाथ में ले ले या समाज अपने कब्जे में ले ले। जो विदेशी बैंक्स हैं या जितने कम डिग/मोनोपोली इंडस्ट्रियल हाऊसेज हैं, सबका राष्ट्रीयकरण हो, समाज इनको अपने कब्जे में करे। ये माथुर जी ठीक कह रहे थे। वे यह कह रहे थे कि राष्ट्रीयकरण हो। बाबजूद राष्ट्रीयकरण की खराबियों के। एटली ने जब हाऊस आफ कामन्स में सारे बैंक्स आफ इंग्लैंड स्टील और बोल को, सबको नेशनलाइज किया था तो चर्चिल ने उस पर विरोधी वेंच से क्या कहा। उपसभाध्यक्ष महोदय, चर्चिल ने कहा : "This is not a Bill," जब स्टील नेशनलाइजेशन का बिल आया तो चर्चिल ने कहा : "This is not a Bill. This is a This is a conspiracy by the Krem lin". चर्चिल का राष्ट्रीयकरण का नाम से एक साजिश दिखाई पड़ती थी। जितने सोशलिस्ट होते

हैं वे सबके सब क्रेमलिन और रशिया के एजेंट हो जाते हैं यह उनका दृष्टिकोण था। एटली ने किया और बाबजूद राष्ट्रीयकरण की खराबियों के इंग्लैंड के समाज के लिए बहुत कुछ कल्याणकारी काम हुआ। इसीलिए राष्ट्रीयकरण में खराबियाँ होने के बावजूद यही एक प्रशस्त मार्ग है जिसके जरिये से समाज को बराबरी की ओर हम ले जा सकते हैं। इसीलिए यह पहला कदम हो जाता है कि आप इन पर कब्जा करें, समाज इन पर कब्जा करे। जब ये कर्मांडिंग हाऊसेज हमारे हाथ में आ जायेंगे तब हम अर्थ व्यवस्था को अपने दृष्टिकोण से चलाने में सफल होंगे। ये सब कदम उठाने की जरूरत है।

बजट के बारे में बहुत सी बातें आयीं कि वह बजट बहुत शानदार है, किसी ने कहा कि सोशलिस्ट है, किसी ने कहा कि वेस्ट बजट है। लेकिन हकीकत में साफ्ट स्पीच बिग स्टिक, यह उसके पीछे दर्शन और आदर्श हैं। You speak softly and have a big stick in your hand. छोटे छोटे कंसेंट्रेशन कर दो और बुनियादी बात को अपने हाथ में ले लो। मतलब जो उसका है वह यह है कि कोई बड़ा परिवर्तन न हो। यह बजट के पीछे आदर्श है। ऐसे काम नहीं चलेगा। आपमें यदि हिम्मत है, आपमें यदि गरीबी हटाने की हिम्मत है, नये समाज को बनाने की हिम्मत है तो आज आप ये जो कर्मांडिंग हाऊसेज हैं, जो बिग सेक्टर्स हैं उन पर कब्जा करें। 6 बैंकों का राष्ट्रीयकरण करने का विधेयक आप लोगों की आंखों में धूँ आँकने के लिए लाते हैं। यदि आप महसूस करते हैं कि 6 बैंकों का राष्ट्रीयकरण हो तो क्या बजह है कि और बैंकों का राष्ट्रीयकरण न हो, विदेशी बैंकों का न हो। कहने का मतलब यह है कि जो बुनियादी टिमिडिटी है उसको आपको छोड़ना होगा और आपको दिलकी मजबूती के साथ इन पर कब्जा करना होगा और ऐसा यदि आप करेंगे (The bell rings.) खत्म कर रहा हूँ।

उपसभाध्यक्ष (श्री सवाई सिंह सिसोदिया):
पांच बजे तक बोलेंगे ?

श्री शिव चन्द्र झा : खत्म कर रहा हूँ ।

उपसभाध्यक्ष (श्री सवाई सिंह सिसोदिया):
बोलिए बोलिए ।

श्री शिव चन्द्र झा : इसलिए यदि आपमें हिम्मत है तो आप दिल की बुलन्दी से हमला करें। तब सारा देश आपके साथ होगा। आपको याद नहीं है जब बंकों का राष्ट्रीयकरण हुआ था कोयल लोकसभा में तब उस सदन और इस सदन में लोगों ने विरोध किया। लेकिन विश्वास करने वालों ने सदन के अन्दर और सदन के बाहर ईट से ईट बजा दी थी आपने तब पास किया था, सारा रास्ता प्रशस्त किया था तो यह हिम्मत लाईये डर से घबरायें नहीं यदि ऐसा आप करेंगे तो एक बड़ा परिवर्तन होगा समाज में। इसलिए जब आप ये सख्त कदम उठाएंगे तभी समाज में गुणात्मक परिवर्तन होगा। लेकिन जब तक यह काम नहीं होते हैं, श्री भूपेश गुप्त का जो विधेयक है, उससे हम गुदग्रात कर सकते हैं, एक हवा बना सकते हैं। इसीलिए यह तनख्वाह घटाने की जो बात है, वह अच्छी बात है और इसमें इन्होंने जो यह बात रखी है, इसका मैं समर्थन करता हूँ और आशा करता हूँ—कहां गये छोटे मंत्री जी—जहां बराबरी की बात आई, भाग गये यहां से, और श्रीनगर से कहते हैं कि हम राष्ट्रपति शासन लागू कर देंगे। अपने स्वार्थ के लिए तनख्वाह ना रहे हैं, भाग रहे हैं—आज ज्यादा बोलोगे तो राष्ट्रपति शासन कर देंगे।

है हिम्मत तबवार उठाने की, तो आओ इन मगरमच्छों पर तबवार उठाओ, सारा देश तुम्हारा साथ देगा, लेकिन यह पर्दे पर नाटक से काम नहीं चलेगा।

इन्हीं शब्दों के साथ मैं समाप्त करता हूँ।

SHRI P. RAMAMURTI: Mr. Vice-Chairman, Sir. I fully support the Bill brought forward by my friend

and colleague. Comrade Bhupesh Gupta. I want to remind the people that during the freedom struggle we all shouted against the Viceregal Lodge. This was the biggest palace in the world. The British built this biggest palace in order to show to the princes at that time that they were much bigger. The White Hall is not bigger than our Viceregal Lodge, which is now the Rashtrapati Bhavan. The Buckingham Palace is much smaller. This is probably the biggest palace in this world.

During the course of the freedom struggle Mahatma Gandhi as well as other leaders of the national movement were shouting, the moment independence of this country was achieved, the Viceregal Lodge will be converted into a hospital for the common people. This is the solemn pledge given by the leaders of the national movement during the freedom struggle. They said that they would convert the Viceregal Lodge into a hospital for the common people. This was the promise given. But today that solemn promise given to the common people of this country, on the basis of which we rallied the people in the struggle for freedom, remain unfulfilled and it still continues to be the residence of the President of India. It is natural, therefore, that people who were associated with that national movement, who were part of that national movement, who had participated in that national movement do not wish to reside in that place. Successive Presidents have expressed their desire to leave that place. But, unfortunately, I do not know what the Government's thinking has been. Somehow the Government of India has been thinking that the President requires such a large house in order to keep up the dignity of the President. I do not understand this logic. The Buckingham Palace is a much smaller place but that does not mean that the dignity of the King of England is any less. As a matter of fact, the dignity of the country would have risen if the Viceregal Lodge had been converted

[Shri P. Ramamurti] into the biggest hospital for the common people of this country and the entire world would have applauded our country and the honour of this country would have risen in the estimation of the people not only of our country but in the estimation of the people of the entire world.

Now, my friend was saying that if the President gets less salary than the Secretary, then his dignity would be offended. I do not know where-from he gets it. Mahatma Gandhi at that time stated, we should not get more than Rs. 500]. In 1937, when we accepted office, all the Ministers were getting Rs. 500 in all the States; at that time there were no States, there were Provinces. Rajaji was getting only Rs. 500], whereas his secretary, an Englishman, was getting Rs. 2,500. But that did not mean that British Secretary's dignity was any higher than that of Rajaji or that of Shri Gobind Ballabh Pant, who was the Chief Minister of Uttar Pradesh at that time. He was also getting only Rs. 500. I can tell my friend that even today the Ministers in Tamil Nadu and the Ministers in Kerala are getting a salary of Rs. 1,000, whereas the secretaries are getting Rs. 2,500 or Rs. 3,000. I believe the Chief Secretary gets Rs. 3,000 or Rs. 3,500. The Chief Secretary of the State is equivalent to...

AN HON. MEMBER: He gets Rs. 3,500].

SHRI BHUPESH GUPTA: In 1957 when Mr. Nambudiripad became the Chief Minister, we fixed his salary at Rs. 150]. Mr. Ramamurti was also there then.

SHRI P. RAMAMURTI: Ultimately, it was raised and even the Congress Government raised to Rs. 1,000; they did not raise it further. Therefore, when anybody says that the dignity of the Viceroy or the President will depend upon the amount of

salary that he gets, it is an argument which I cannot understand at all. It goes against the entire grain of our national movement. We have got certain standards, certain values of service to the people, and the dignity of the President depends upon his services to the people. After all, it we have a President who has been given this honour to head the State on the basis of his services that he had been rendering to the people of this country, then he continues to have that dignity. But when you make somebody who has rendered no services whatsoever, some X-Y-Z, as the President of this country, whatever might be the salary he gets, he will not have that dignity. Therefore, Sir, the dignity of the country—I am not talking of the dignity of the President—the dignity, the honour of the country depends that the President being a person who has rendered eminent service to the people, continues to be looked upon by the people as a man who has dedicated himself to the welfare of the people and that he is not a man who is hankering after money. Therefore, from that point of view, it is quite natural, apart from the fact that he gets all other perquisites from the State—his guests are fed by the State; he need not pay house rent—as to why he should get more than Rs. 3,000. I do not understand the argument of my friend that it must be on par with the salaries of the Secretaries and others. Therefore, this is the first point that I would like to make.

Secondly, I would like to point that I that there have been Presidents in this country, not only in this country, but in the world, whose prestige was so high in the eyes of the world. I had been to Vietnam about two years ago. When Ho Chi Minh became the President, he was asked to move to the Governor's House—at that time, Governor-General's House. But President Ho Chi Minh refused. During the freedom struggle he was living in a wooden hut in the forest...

SHRI BHUPESH GUPTA: I will tell you what happened. When we went in a delegation of Parliament, we were shown President Ho Chi Minh living in a little hut with two rooms, and I asked my Congress friends and others also: What about your bungalows?

SHRI P. RAMAMURTI: So, when I went to Vietnam, President Ho Chi Minh on his becoming the President of the Republic was asked to move to the Viceroy's or Governor-General's House. President Ho Chi Minh refused to do so, and within that compound, he made a small hut-like room, and down below...

SHRI BHUPESH GUPTA: Just two rooms.

SHRI P. RAMAMURTI: Two rooms on the top floor and down below one small hall made of wood, just like a hut in which he was living during the struggle for freedom in the forest, and there were some wooden chairs and wooden benches where he used to receive dignitaries, foreign dignitaries in that hall, and upstairs there was one study room and a bed room, and President Ho Chi Minh's honour and dignity did not go down or suffer; rather his honour and dignity went up. That is what I want to point out.

Therefore, Sir, all these are false ideas that we have borrowed from the West that dignity of the President depends upon the pomp and grandeur in which he lives. This is not our standard; this is not the standard of our country. These are not the "values of our country; these are not the values of our freedom struggle. At least, now, let us revive the values that we had. These" values have been completely obliterated during the last 30 years of our independence, and therefore, let us try to set an example and try to revive those values by seeing to it that the President gets a lesser amount of salary. That is what I say as far as my first point is concerned. As far as the second point is concerned, which he made in regard to the Gov-

ernors, I would say, the Governors have become objects of ridicule in this country. Nobody respects the Governors in this country. The activities of the Governors have been such in this country that they have become objects of ridicule by the common people. Nobody bothers about the Governors. Who bothers about the Governors? If somebody says, a Governor is walking along a particular street, they just laugh at it. Nobody bothers. It is all your doing. It is all the doings of the Government.

SHRI A. G. KULKARNI (Maharashtra) : Mr. Ramamurti, how do you expect the Governors to be strong and independent-minded, when they are all political appointments? Where sycophancy rules strong, how do you expect any damn Governor to be strong? How can you expect it when a sycophant like Dr. Chenna Reddy comes here, when his position becomes very bad? When his position as Chief Minister becomes bad, he comes here to solicit support.

SHRI K. K. MADHAVAN (Kerala): Much less when Chief Ministers are transplanted at somebody's will.

SHRI P. RAMAMURTI: I agree with my friend, I was not going into the reasons. I am only pointing out an objective fact, a fact of reality in life, that the Governors have become objects of ridicule in the entire country by the entire people. Why? The reason is this. What are their functions? What is the way in which they act? They are just to submit reports at the dictates of the Central Government or the Home Minister or the Prime Minister. This is what has happened. I can give an example.

SHRI A. G. KULKARNI: I can give more examples. I can give ten examples.

SHRI P. RAMAMURTI: You can give more examples. I will give only one example. I am satisfied with one example. Sir, there was a Governor in Madras, in 1956. His name was Mr. K. K. Shah. Just on a particular day...

THE MINISTER OF SHIPPING AND TRANSPORT AND TOURISM AND CIVIL AVIATION (SHRI A. P. SHARMA): Don't discuss individuals.

SHRI P. RAMAMURTI: He made a public statement that the Government which was in existence at that time ^m Madras, was one of the best Government, administratively best, honest, uncorruptible and all sorts of things he said. He used all sorts of epithets and he gave a public certificate.

SHRI A. G. KULKARNI: DMK.

SHRI P. RAMAMURTI: I do not bother about the party. A Government was in existence. He gave all these epithets, this public certificate. He said this in public. Next day, he comes here. Two days he remains here. Another report is signed by him. He goes back and sends it. In this, he says, this Government is the most corrupt, and that this Government should be removed. On the basis of this report, the Government is dismissed. What are the people to think of such Governors? What can they think? They would think this Governor has been called by the Centre, he has been asked to write a report, or a report has been written by the Centre and he has been asked to sign on the dotted lines, he has no compunction, that he does not care he has no conscience and so on. Just two days before, he has said this Government is the most uncorruptible, honest and so on. He does not think 'How can I change my opinion?; What have I discovered ⁿ one day after I came to Delhi?' He does not bother about it. He signs that. When ^such is the fate of the Governors, when such is the conduct Of the Governors, in this country, what else can they be except objects of ridicule and why should they be paid Rs. 5,000 for being objects of ridicule? I do not understand it at all. It is a luxury. Hence, it is better, if you pay them Rs. 2,000. The Constitution provides that you should have Governors. Therefore have

them. I do not bother about it. I do not want to change this provision. When once you have them, why should these objects of ridicule in the country be paid" Rs. 3,000, for being objects of ridicule? Why should you pay Rs. 5,000? We can get somebody for Rs. 5 for being objects of ridicule. This is what I would say.

The other point which Mr. Bhupesh Gupta has raised is also in consonance with the national traditions, the traditions of this country. Hence this should also be accepted. In this connection, I would like to add something more. Mr. Bhupesh Gupta has raised the question of Presidential form of Government which is being bandied about. I do not want to add anything to what Shri Bhupesh Gupta has already said in the subject, but I want to point out that the Supreme Court has recently reiterated the judgment of the Keswanand Bharati case and said that the Parliament has no right whatsoever to alter the basic features of the Constitution, and according to them 'right to property' is not one of the basic features of the Constitution. This has been stated very clearly. 'Right to property' is not one of the basic features, but what are the other basic features ^{ol} the Constitution? Parliamentary form of government, executive being responsible to the Parliament, executive not being supreme; these are certain fundamental characteristics of the Constitution, certain basic features of the Constitution. Parliament being elected on the basis of adult franchise, Assembly being elected on the basis of adult franchise, the representatives of the people being supreme, their authority being supreme over the executive; these are the basic features of the Constitution.

Now there is a talk that the Government of India should go in for a review of this three Bench judgment to a full Bench of 13 Judges. They have told that the Government is just waiting for there are going to be about 7 or 8 vacancies in the next

four or five months. Already two vacancies exist there. In a short time justice Krishna Iyer and Justice Kailasam are going to retire and in the course of five or six months, I am told, seven or eight vacancies will be there. When these vacancies are filled by yes-men, this Government will go in review of this judgment so that they can get the judgment in their favour, that Parliament can alter anything. I hope this is not true because what I want to point out here is, if you take the Constitution as it is, there is nothing in the Fundamental Rights excepting the right to property which stands in the way of carrying out any of the Directive Principles of the State Policy. For example, I will read out one or two most important things. The first thing is very very vague that "the State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of the national life." It is all vague, nobody can say how concretely it has to be done. The second thing is a little more concrete that "the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment." Now this is one of the real Directive Principles. What stood in the way of the Government of India to carry out this Directive Principle all these 33 years, since the Constitution has come into existence? What have you done excepting amending the 'Right to Property' wherein we have stated compensation can be given. After the bank nationalisation was questioned in the Supreme Court and it was struck down by the Supreme Court, we have amended the Constitution to say that the compensation need not be equitable. What the court considers equitable....

SHRI SHIV SHANKAR: Which is equivalent.

SHRI P. RAMAMURTI: Need not be just equivalent. The amount is

prescribed there. So, even the 'right to property', as it exists today does not help. Otherwise, what prevented the Government of India from carrying out this Directive Principle? I find there has been more concentration of wealth in the hands of a few people, disparities have grown. Not only this, in the Five Year Plans that have been formulated and placed before the Parliament, the basic objective of those Plans has been to reduce disparities and concentration of wealth in the hands of a few people. But nonetheless all these years the opposite has taken place. Why has it taken place? Is it because of the Constitution, or is it because your policies were different from what you proclaim? The Government *policies* were different from what it has been proclaiming about the Directive Principles. Actually opposite of what the Government is directed to do has actually happened in this country. Therefore to blame the Constitution and say that the Directive Principles must have precedence over the Fundamental Rights is something unheard of because the historical experience shows that it is actually the other way about. For example take land reforms. Did the constitutional provisions stand in the way of formulation and implementation of land reforms. You have passed many Land Reforms Acts. But no less a body than the Task Force of the Planning Commission has said that all these Land Reforms Acts that have been enacted over the last 23 years or so have remained paper Acts because these have not been implemented, because there has been no political will on the part of the Government here and in the States and because of the fact that implementation of these laws are left to the bureaucrats who are tied by means of a hundred threads with the landlords. This is not my finding, but of the Task Force. In fact, Mm Gandhi, when she called a meeting of the Chief Ministers during the emergency—I read her speech—also admitted this. When the Chief Ministers flaunted figures about 'lis-

[Shri P. Ramamurti]

tribution of surplus lands during the emergency period, she taunted them: "What are you saying? These lands do not belong to the landlords. The landlords' lands have not been taken away at all. These lands belong to the Government. These are Government lands which have been handed over to these people." She openly said this. She also stated that the implementation of these laws could not be left to the bureaucrats because they were tied up with the landlords. When I met her at that time—when many of our comrades who were working in the Kisan Sabhas had been detained—I said to her: "This is your own statement. And our people are detained. Are we fighting for the implementation of these land reforms, or are we fighting against these? How are we obstructing these land reforms? Why are you detaining us?" She had no answer.

Sc- it is not the Constitution which has stood in the way of implementing land reforms.

THE VICE-CHAIRMAN (SHRI SAWAISINGH SISODIA): Mr. Ramamurti, you have to conclude by 5 O'clock, till three minutes are there.

SHRI P. RAMAMURTI: Certainly. Therefore, their statement that the Directive Principles must have precedence over the Fundamental Rights does not stand scrutiny at all because the Directive Principles have not been carried into practice all these years—not because of the constitutional provisions but because of absolute lack of will on the part of the Government. On the other hand, the will of the Government is quite in the opposite direction. The Directive Principles are there only to adorn the Statute Book, to adorn the Constitution and they are not intended to be carried out. That is why they have not been made justiciable. They

have been made non-justiciable so that you cannot go to the court. This is the actual position.

In this connection, the talk of a Constituent Assembly becomes ominous. I am quite sure even with the large number of Members that they have got in the Lok Sabha and even if they get two-thirds majority in this House after two years, having gone through the experience, many Members of the ruling party will not vote for a change in the Constitution for the Presidential form of Government. Having gone through the harrowing experience of the emergency days, I am absolutely certain that sufficient numbers of the Congress (I) ruling party themselves will get mobilised to frustrate any effort to amend the Constitution in order to make it a Presidential form of Government.

5.00 P.M.

It is because the lowest people in the Congress (I) Party also realise that it is not easy to mobilise two-thirds majority in either of the Houses. It is because of that they have now begun to talk of a Constituent Assembly. If we are able to sufficiently mobilise the people of this country, if all those people who are interested in seeing that this fundamental character of our Constitution is preserved—the fundamental character is that we should have an Executive which is subservient to the elected Members of Parliament, an Executive which is accountable to the Legislature, which is only the basic feature of the Constitution—and if all those people who are interested in preserving this and all of us put our shoulders to the wheel and go to the common people, I am sure even their attempt to mobilise people through a Constituent Assembly will fail. There-

fore, Sir, with these words I support what Comrade Bhupesh Gupta has already moved. I hope this won't come to vote this time but next time.

Thank you, Sir.

THE VICE-CHAIRMAN (SHRI SAWAISINGH SISODIA): Now we shall take up the Half-an-Hour discussion.

SHRI A. G. KULKARNI: I will not speak, Sir.

THE VICE-CHAIRMAN (SHRI SAWAISINGH SISODIA): Mr. Mathur.

SHRI NARASINGHA PRASAD NANDA: After Mr. Mathur, I will speak, Sir.

SHRI A. G. KULKARNI: I have already told the Secretariat that on my behalf Nandaji will speak.

THE VICE-CHAIRMAN (SHRI SAWAISINGH SISODIA): Mr. Mathur.

**HALF-AN-HOUR DISCUSSION ON POINTS
ARISING OUT OF ANSWER GIVEN ON
10TH JUNE, 1980 TO STARRED QUESTION
24 REGARD-ING PURCHASE OF BOEING
747 AIRCRAFT.**

श्री जगदीश प्रसाद माथुर (उत्तर प्रदेश) : श्रीमान्, मैं शर्मा जी का बहुत आभारी हूँ कि उन्होंने आधे घंटे की चर्चा मान ली है और मैं आशा करता हूँ कि जो उन्होंने उस दिन जल्दी में जो गलत बातें कह दी थीं, उन बातों का शर्मा जी सुधार कर जो मैं कहूँगा उसको सही मान लेंगे।

ऐसा लगता है कि एयर इंडिया आहिस्ता-आहिस्ता भ्रष्टाचार का अड्डा बनता जा रहा है। उसमें कुछ बड़े-बड़े व्यक्तियों के नाम भी आ रहे हैं। श्री संजय गांधी का नाम भी उसमें आ रहा है। जब श्री संजय गांधी का नाम आता है तो मैं यह नहीं जानता कि वह भ्रष्टाचार कर रहे हैं अथवा भ्रष्टाचार को रोकने का प्रयत्न कर रहे हैं। यह तो वह जानें अथवा शर्मा जी जानें। लेकिन उनका नाम शर्मा जी अवश्य है। मैंने उस दिन कहा था कि एयर इंडिया के लिए पांच बोइंग जहाज खरीदने के लिए

एक बैठक हुई थी और शर्मा जी ने यह कहा था कि सदस्य महोदय किसी ख़ास की दुनिया में रहे रहें हैं। मैं शर्मा जी का बताना चाहता हूँ कि यह बैठक 18 मई, रविवार के दिन प्रातः 9 बजे श्री जे० बी० पटनायक, जो उस समय मंत्री थे, के घर पर हुई थी। यदि वह इसको झुठलाना चाहे तो मैं पूछना चाहता हूँ कि उस समय चेयरमैन श्री रघुराज, इन्दर सेठी, डिटी मॅनेजिंग डायरेक्टर, डायरेक्टर इंजीनियरिंग, डायरेक्टर फाइनेंस ये सारे के सारे बड़े अफसर उस दिन दिल्ली में क्यों आए थे। यदि आवश्यक समझें तो मैं उन फ्लाइट्स का नम्बर भी दे सकता हूँ कि कौन-कौन से सदस्य किस-किस फ्लाइट से यहां आए थे। आप कहेंगे कि कंसल्टेंटिव कमेटी की मीटिंग थी। यह लोग सामान्यतः उसमें आते नहीं हैं। धीरेन्द्र ब्रह्मचारी का भी नाम उसमें है। वे उस मीटिंग में थे। मैं सारी बातों का दोहराना नहीं चाहता कि किस तरह से 8 मिलियन डालर का एक-एक जहाज के हिसाब से पांच जहाजों का सोदा करने का प्रस्ताव धीरेन्द्र ब्रह्मचारी ने रखा था। इस संबंध में मैं केवल एक बात कहना चाहता हूँ कि बोइंग कम्पनी के इस रिजन के मैनेजर (MIKE FRITZ GERALD) वह भी उस दिन ओबेराय होटल में ठहरे हुए थे। यह जानकारी कि बड़े अफसर आए इतवार के दिन यहां आए मीटिंग प्रातः 9 बजे हुई। और बोइंग कम्पनी का आदमी यहां पर उस दिन ठहरा हुआ था। इस बात को सिद्ध करने के लिए पर्याप्त है कि दाल में कुछ काला है।

उपसभाध्यक्ष (श्री सवाई सिंह सिसोदिया) : मैं माथुर साहब आपको बोलने से रोकना नहीं चाहता लेकिन आपका ध्यान नियम 60 की ओर आकर्षित करना चाहता हूँ कि आधा घंटे में हमको यह कार्रवाई समाप्त करनी है।