

**RESOLUTION RE: APPOINTMENT OF A PARLIAMENTARY COMMITTEE TO GO THOROUGHLY INTO THE MATTERS COVERING LEGISLATIVE, ADMINISTRATIVE AND FINANCIAL RELATIONS BETWEEN THE CENTRE AND THE STATES, EMERGENCY PROVISIONS IN THE CONSTITUTION OF INDIA AND PLANNING—contd.**

MR. CHAIRMAN; Mr. Bhupesh Gupta to continue.

SHRI BHUPESH GUPTA (West Bengal): Sir, I was speaking on the issue of Centre-State relations in support of the Resolution by our friend. Here I would like to give you some facts. Sir, States are being reduced to so many beggars, completely dependent on the Centre in many matters.

[Mr. Deputy Chairman in the Chair]

As a result, we have now arrived at a stage when the position of the States is like this. I am drawing on the official reports, reports of the Reserve Bank, Currency and Finance and similar other official documents. They are all available for the Members. Sir, according to the latest report of the Reserve Bank, the debts of the States/ of India comes to Rs. 16,263 crores, out of which the internal debts of the States account for Rs. 3296 crores. Loans and advances from the Central Government come to Rs. 11,369 crores and the Provident Fund etc. amount to Rs. 1,593 crores.

Now, the States of India are in this position today that they have to carry a load of indebtedness of the order of more than 16,000 crores of rupees. Now, Sir, what is the position about their finances?, Sir, as far as the indebtedness is concerned according to the latest figures available in regard to the States, the amount of outstanding central loan from the States as on 31st March, 1978 is as follows in respect of certain States: Andhra Pradesh—770 crores. Bihar—836 crores, Uttar Pradesh—1,073 crores, West Bengal—546 crores, Assam—143 crores, Rajasthan—820 I

crores, Tamil Nadu—485 crores and Orissa—560 crores. These are their outstanding loans to the Centre as on 31st March, 1976. The current figures must be higher. Now, these loans are costing the states Rs. 517 crores by way of interest charges and so on. This is the figure for 1977-78. In 1978-79, the figure will be Rs. 567 crores. This is the interest that they have to pay. Apart from this loan, there is the problem of overdrafts. As on the 28th April, 1978, the overdrafts in respect of various States stand as follows: West Bengal—118.89 crores, Uttar Pradesh—142.19 crores, Punjab—60.40 crores, Bihar—83.27 crores, Madhya Pradesh—62.16 crores and Rajasthan—3.27 crores. Altogether, the outstanding overdrafts come to Rs. 470.18 crores. Apart from that, there are ways and means advances and special advances amounting to Rs. 130 crores. This is the position. What are the revenues of the States? If you take the revenue position of the States, that should cause you alarm. I can just give you some of the broad figures. State revenue on revenue account, that is to say, their internal tax revenue plus the share they get from the central tax, comes to 9,777.6 crores. This is estimated. Then the internal tax revenue within the States comes to estimated 4,339 crores out of which Rs. 2,495.1 crores is accounted for by the Sales Tax. It means that more than half comes from the Sales Tax. The amount of capital receipts from the Centre comes to Rs. 2,854 crores—I am giving 1977-78 estimate figures—, disbursements come to Rs. 3,884.3 crores, and the deficit is Rs. 1,030 crores. This is the position of the States. Now, Sir, what happens as a result? As you know, under our Constitution, there is a provision for transfer of resources from the Centre to the States.

How many minutes can I take?

MR. DEPUTY CHAIRMAN: Till before lunch.

SHRI SUNDER SINGH BHANDARI (Uttar Pradesh): Are you sure we adjourn for lunch at the right time?

SHRI BHUPESH GUPTA: Some transfer takes place under the mandatory provisions of the Constitution and some under the permissive provisions^ like the sharing of income-tax and excise duty revenues. You will be surprised to find how dependence is growing and discretionary funds are increasing, which are determined by bureaucrats, Ministers and others.

During the First Plan period transfer from divisible resources, i.e., income tax and excise duty, was of the order of Rs. 326 crores, during the Second Plan it was Rs. 711 crores, during the Third Plan it was 1,196 crores, during the Fourth Plan it was Rs. 4,562 crores and during the first three years of the period 1974—79 it actually came to Rs. 8,335 crores. Now, if you compare these figures with the figures of grants-in-aid for the corresponding period, you will see that the allocation during the First Plan was Rs. 103 crores, during the Second Plan was Rs. 207 crores, during the Third Plan was Rs. 394 crores, during the Fourth Plan was Rs. 858 crores and during the first three years of the period 1974—79 was Rs. 2,820 crores. Now, if you compare these figures with the transfers through the Planning Commission, which is discretionary, depends on the Minister, Department, Secretary, you will see that the allocation during the First Plan was Rs. 1413 crores, during the Second Plan was Rs. 2868 crores, during the Third Plan was Rs. 5,600 crores, during the Fourth Plan was Rs. 15,312 crores and during the first three years of the five year period between 1974—79 the figure was Rs. 26,901 crores. This would show that whereas the discretionary grants amount is increasing, leaving states dependent on the Minister, bureaucrats, officials, under the cover of Planning Commission or otherwise, the share of the mandatory grants under the Constitution or permissive grants is declining proportionately. That only shows where we stand.

Now, Sir, as you know, the customs duty is not at all shared with the States. The corporation tax is not shared at all with the States. No amount is shared of these two major items of Central revenue at all. Now, how can they get the funds. Only 20 per cent of the net receipts of excise duty is shared with the States. Why should it not be at least fifty per cent, if not more, of the Union excise duty? You do not share Union excise duty in a bigger proportion with the States and ask the States to stop sales tax. Why can it not be done? Similarly, Sir, income-tax and other problems are there. The Finance Commission is no solution to the problem. They will not solve the problem. We have to make some changes in the Constitution. We have to give more economic powers to the States. We should make such a provision under the mandate of the Constitution and under the statute of the Constitution so that the States get a greater share of the resources. In that case why the customs and corporation tax should not be put in the divisible pool, we cannot understand at all, and a certain proportion of the divisible pool distributed to the States under the direction of the Constitution. This is the financial position of the State. And the Finance Minister says; No debt is going to be written off. This is what the Finance Minister declared. Now you have seen how the States have been made dependent. If the States complain, there is reason for it. Their liabilities are increasing; their development activities are increasing but their revenue, sources—internal and even the part of the revenue from the Centre to the States—are declining proportionately speaking, compared to the rest. Therefore, in financial matters, there is need not only for providing more and more resources but also for giving them more economic powers and financial powers so that they can raise their internal resources. All the public financial institutions are under the control of the Government. They cannot do

[Shri Bhupesh Gupta] anything. Economic policies are formulated by the Central Government. The States cannot do anything. Besides, the Central Government have the foreign loans<sup>^</sup> gold and deficit financing. All these things are not available to the States. Therefore, Sir, there is a very strong case, apart from its political aspect, the whole number of the Articles need reconsideration. Apart from Article 356, which provides for President's rule, other Articles are there. We do not want President's rule.

The Institution of President's rule must go. Sir, if the Government cannot be run, then, of course hold the elections as happened in the other States. Let the existing Government function as the caretaker Government and elections should be held. Why should there be President's rule in the State? Fifty times. President's rule has been proclaimed. If you take into account the history of it, you will find that it had been misused not only for toppling Kerala Government<sup>^</sup> as they did in 1959 and other United Front Governments, but also for settling their factional quarrels. Mr. Kamla-pati Tripathi is sitting here; he had to go out as a Chief Minister because of internal differences of the Congress, and in 1973, the I.P. Assembly was suspended and President's rule was proclaimed and Mr. Kamla-pati was later brought here. They misused section 356 in 1973, and in 1976 again in order to get rid of 'Shrimati Nandini Satpathy. Mr. Sanjay Gandhi wanted to get rid of her. So, President's rule was proclaimed for a few days. Internal arrangements of the Congress were made in order to put there somebody else. Even such a misuse had been made, apart from the fact that West Bengal United Front Government had been dismissed and President's rule imposed. Like that, Sir, the history of President's rule is anti-democratic and you have seen how Mr. Charan Singh, when he wanted to use his Section there, did not bother even

for the Governor's report. He just dismissed nine governments by a stroke of pen on the 30th of April last year.

Now, Sir, these are the Articles which need attention: Articles 154, 248, 249, 252 Clause 2, 258 Clause 2, 365, and there are many other Articles which give the Governor the powers to reserve Bills for the President's assent, or he need not give assent at all. Why should it be so? If the Bills are passed by a State legislature, certified by the Speaker of the concerned State legislature, they should be immediately the law of the land. If they are ultra vires, courts are there. Anybody can go to the court. The Central Government can go to a court and challenge it. But the Bills should not be held up in the name of giving President's assent.

Sir, this institution again has been very grossly misused, sometimes to harass the State, to prevent a legislation. We had this experience in Kerala; we had this experience in Bengal and now we are having this experience everywhere. Why should it be so? Article 200 and other Articles should be modified.

Sir, industry is a State subject. It is under State List 2, but then there is an entry in the Union List, entry 52, which enables the Centre to intervene even in the matter of industry. On the ground that it is necessary to do so.

Parliament has to sanction. Similarly, highways is supposed to be a State subject. Now, here again, the Centre can come in. Therefore, even in the distribution of powers, you will find that whatever has been given to the States can be encroached upon through certain other entries in the Union List as is done in the case of industry.

Today, almost all industries are under the Centre, although industry is supposed to be a State subject. Now, everybody knows it. Everybody knows that under the In-

Industries (Development and Regulation) Act, the Centre has got wide powers and those powers are derived from entry 52 of the Union List. Sir, Similarly, many other things can be said. Here again, there is encroachment.

Now, Sir, take the case of the National Development Council. What status it has got? It has no status either under the Constitution or under the ordinary law. Why should it not be made a statutory body? Why should not the deliberations and the work of the National Development Council be made known to Parliament through a proper reporting by the Prime Minister? Why, similarly, should not the work of the National Development Council be reported by the Chief Ministers to the concerned State Legislatures? There is no such arrangement at all. Yet it is supposed to be a very important body. But it has no locus standi either under the ordinary law or under the Constitution. Sir, this is another matter which should cause us concern. How the Chief Ministers feel badly about it, you can understand. There is the Finance Commission. Under article 280, the Finance Commission is appointed periodically. But the Finance Commission is appointed by the Central Government. Why should not the Finance Commission be appointed by Parliament through a resolution? Why should not others also be associated in the work of the Finance Commission? Similarly, take the case of the Planning Commission. The Planning Commission has again no status either under the Constitution or under any other law. Why should there not be a provision? It must have some constitutional and legal status. And what is more, the State Governments should be more and more involved in the formulation of planning and in the implementation of planning. The State planning bodies must be brought into the picture by the Planning Commission in a better way. Now, it is not at all in the picture

except that they ask for assistance and help and they have to wait at the pleasure of the bureaucrats, the Ministers, the concerned Ministries and the Departments. It has been stated in all the documents. As a result, the Administrative Reforms Commission, of which Mr. Morarji Desai himself was the Chairman, made a very strong remark against the manner in which the powers of the States were being eroded and encroached upon by the Planning Commission. A parallel system developed in the name of planning, undermining the position of the powers of the States. Now, there is resentment in the States. States want planning. But they do not want planning at the pleasure and under the dictates of some bureaucrats and officials here. This is how things have gone wrong. I can give so many examples. The whole thing needs a review. My friend here has done a good service by bringing in this Resolution. When shall we do it, if we do not do it now? Mr. Morarji Desai says that the founding fathers have said the last word on the subject. No. The founding fathers on Centre-State relations had borrowed lavishly from the Government of India Act. Sir, if you go through the provisions of the Constitution, Seventh Schedule, you will find that it is virtually an enlarged edition of the Government of India Act. There is nothing original about it. Section 93 was there. Here, we have got article 356. Section 93 has been bodily lifted and put here in a different guise and renumbered.

So, Sir, I think I have said enough. Here I should like to say one point more. I have given some figures here. Just I can tell you how the Ministers have been getting dependent. Mr. Raju pointed out that for two-thirds of the transfer of the resources we rely on the so-called discretionary grant. Mr. Bipinpal Das has said about it. I have given the figures. This is enough condemnation.

So, Sir, what we need really is to have a national dialogue. The States

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must have more economical, financial power and other powers. We cannot just understand the rigid, inflexible, dogmatic attitude of the Prime Minister, Shri Morarji Desai, in this matter. He just cannot understand the pressing demand of the entire opposition. He knows that at least half a dozen States, even Assam Chief Minister, have demanded more power. Mr Badal has demanded more powers and more financial resources for Pan-jab. We fully support these things. Others are also demanding. Sheikh Abdullah has demanded. Mr. Jyoti Basu had demanded. Mr. Ramachandran has demanded. The Kerala Assembly has passed a unanimous resolution asking for more powers and resources. Others have also spoken on the subject, but Mr. Morarji Desai in an authoritarian style—this is called authoritarianism—has said, no X will not have a national dialogue. Is it the way to speak? Is it the language of democracy? Is it the way to respect the public opinion, the States and others?

Finally, Sir, I would like to say that much is said about the unity of the country. We are all for the unity of the country because if unity is not strengthened, the nation does not live. But unity on what basis? Not by the rule of the thumb, not by Centre's overlordship, unity through voluntary co-operation between the Centre and the States, on a democratic foundation where the States must have the power due to them, according to at least the minimum norm of a federation—ours is a quasi-federal structure—unity which will give the States self-respect, must not make them dependent on the Centre, must be treated as self-respecting, co-operating partners of the Centre in building the nation. That should be the approach. If that is not there, only the fissiparous and divisive forces will be strengthened we will not be serving the cause of the unity.

Finally, Sir, I would like to say that our motto is unity in diversity. That

is what is our motto. Our National Anthem echoes this. The moment we recite the National Anthem, we name the States there. It is a majestic expression of the Commitment of the nation that this great nation must be strong, must be united, must aim at national integration, but that must be developed in diversity, that must be a kind of a garden in which flowers blossom and the majesty and the beauty of the garden will appear in every corner of the garden, on every flower that blossoms, and not by taking about the so-called string holding pearls and diamonds. Mr. Morarji Desai thinks that pearls and diamonds are States and his power is the string which holds the pearls and diamonds. But, Sir, what kind of jeweller Mr. Morarji Desai is, I do not know. All I would like to say is that he has used the expression in such a way that Centre's authority and power have become a halter round the necks of the States. It is not the string that holds the power. The Centre's authoritarian power is clearly and definitely proving more and more of a halter round the necks of the States. We want to establish real unity. The real Centre State relations should be re-structured and reorganised with a view to strengthening both the States and the Centre and, above all, making national integration and unity meaningful and preventing our federal principles, whatever we have, from becoming a dead letter.

All that I wanted to say I have said. More can be said on the subject. I do hope that this Resolution would get due support of this House, including some of my friends there. I do not know what the Government is thinking of. We have heard the Prime Minister. Some other Ministers have also been talking like this. They talk so many things.

But I again say that I am very sorry that Mr. Morarji Desai should have spoken in the language of an authoritarian ruler in this matter. He should see the writing on the wall—The States are crying for respect to-

wards them^ for resources, for power, for strengthening the autonomy that they have got so that th^y can become the honoured partners of the great Indian Union, to re-build the country through co-operation bet/reen the Centre and the States.

Sir, I know, that ultimately, of course, all depends on how the powers are used. But that is a different matter. No amount of powers will do unless the State Government are in the hands of the left democratic forces. Therefore, ultimately, the strengthening of the country depends on a change in the structure of political power. Some classes must be pushed back; other classes must come ^Tward, or their representative must '61 -le forward. Only then. Sir, can we g(. rward. But for the present moment, we are asking for a review of the situation. I think this House has already made a very strong case for at least a review, to begin with. As I said, we stand for the re-structuring of the relations in a democratic way, for democratic purposes, to strengthen both the States and the Centre. At the moment. Sir, what is needed is to strengthen the States.

**श्री उपसभ 1पति : अब सदन की कार्य-  
वाही ढाई बजे तक के लिए स्थगित की जाती  
है ।**

The House then adjourned for lunch at eight minutes past one of the clock.

The House reassembled after lunch at thirty-two minutes past two of the clock. (Mr. Deputy Chairman in the Chair.)

SHRI K. K. MADHAVAN (Kerala): Sir, before you call the next speaker I would suggest that the time should be strictly regulated, otherwise some of us unfortunates will be left out.

SHRI V. V. SWAMINATHAN (Tamil Nadu); Mr. Deputy Chairman

Sir, this is an epoch-making Resolution which will create a new era in Centre-State relations. This is a simple Resolution seeking to evaluate the existing 25 years of Centre-State relations in our country. Prime Minister said that this is not the opportune time to discuss the Centre-State relations.

Sir, the Resolution does not contemplate amendments or deletions to any article of the Constitution. It simply ask for the appointment of a Parliamentary Committee to review the Centre-State relations regarding legislative, administrative and financial relations between the Centre and the States. Sir, a great sea-change has taken place. For the first time one party rule had been broken and Janata Party is in power in Delhi. There are various parties in the various States. While the Janata Party is in power at the Centre, many other political parties are ruling in many States from Kashmir to Kanya Kumari. Kashmir is being ruled by the National Congress. In Tamil Nadu the All India Anna-D.M.K. is ruling. Pondicherry is also being ruled by the All India Anna-D.M.K. The C.P.I. (M) is ruling West Bengal and Tripura, Congress and Congress (I) are ruling in some Southern States, namely, Andhra Pradesh, Kamataka and other places. In Goa also a non-Janata Party is ruling. In Kerala the Congress supported by the C.P.T. is ruling. In Punjab Akali Dal is ruling . So this is the best opportunity to evaluate the Centre-State relationship.

Sir, if we mention the word "autonomy" still somebody says it might lead to separation. This is falsehood. They say that this question of autonomy had been raised by the D.M.K. Party which once a time encouraged the secessionist movement in the South . That is not correct, because the Founder father of the D.M.K. Party, the late Chief Minister of Tamil Nadu, Shri Anna, who adored this august House, gave up the

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secessionist demand for Dravida Nadu in 1962 itself.

Not only that, he changed his weekly Dravida Nadu into Kanji and later he asked the youth belonging to the D.M.K. Party to donate blood for the soldiers during the Chinese aggression. And the then Government donated Rs. 6 crores during foreign aggression to the National Defence Fund. I think that was the greatest amount ever contributed by any State to the National Defence Fund. So also the present Chief Minister of Tamil Nadu, my revered leader, Mr. M. G. Ramachandran, was once a Congressman and was wearing Khad-dar and worshipping Mahatma Gandhi as his guru. Later Anna became his philosopher and guide. He donated 1 lakh of Rupees for War Fund on hearing Nehru in Radio during Chinese aggression. Then he donated his valuable present golden award to late Shri Lai Bahadur Shastri during Pakistan aggression. He also wants more power, more power for the States so that no region of the country should dominate another region in the name of integration of India. He wants power to augment financial resources. Let it be made clear. Since secession was preached by the D.M.K. Party once, let us not say that it will lead to a separatist tendency. What do they want? Whom do they doubt? During the four invasions on this country, twice from the Chinese and twice from Pakistan, we the opposite parties stood by the ruling party. We fought and whatever was needed, we contributed. When I was the Chairman of the Chidambaram Municipality. I persuaded the Dikshitar of the Nataraja temple there to donate more than 500 grammes of gold belonging to Lord Nataraja in the purified form of 999 variety. So also, the Srirangam Vaishnava temple donated to the National Defence Fund. This is what even Henry VIII of England could not do because it was a great

I bloodless revolution that we have had. Now all the Opposition parties and Chief Ministers of Opposition Governments want a dialogue, but the present Prime Minister says he is not prepared even to discuss this matter. This is most undemocratic. Sir, this mere slogan of autonomy is not a thing that will lead to separation, but their unwillingness their adamant-attitude not to hear but shut their eyes and close their ears to the word "autonomy" will lead to balkanisation of this country.

Let us, for a minute, think of what is the benefit that we obtained by having a status quo State-Centre relationship for the past 25 years. Is there any improvement? Take, for instance, the great countries of Russia and China. Within 25 years they made significant progress. Take, also, small countries like Germany, Rumania or Korea. They have also progressed. Japan also progressed. They faced great World Wars. There has been great devastation, yet they progressed. In India we have not been able to produce any Nobel Laureate after the great poet Tagore and the great scientist Raman. Even in sports we are utterly defeated, even in a traditional game like hockey, whereas Rumania, a small state, gets a high place in the world Olympics. It will be shocking to know that even after having spent so many crores of rupees on planning, the percentage of our people living below the poverty line is very high. The population living below the poverty line in India is 44.6 per cent in the rural areas and 51.3 per cent in the urban areas. And the status of the States under poverty line is: Andhra Pradesh—50 per cent; Kerala—61.5 per cent; Orissa—61 per cent; Tamil Nadu—52 per cent; Kar-nataka—49.60 per cent. There is no improvement. But, what about the big business houses? A Janata Member of Parliament, Shri Rambilas Pas-wan, in the Lok Sabha, says:—

"The policy of the Janata Government is to break the monopoly

houses, but unfortunately the Janata Party Government had issued licences worth Rs. 170.46 crores to large industrial houses during the last one year without getting clearance from the Monopolies and Restrictive Trade Practices Commission.

People are becoming poorer but the business houses are becoming richer. In Tamil Nadu we wanted help from the Centre for the implementation of a rapid transport system which costs just Rs. 26 crores, but they are not prepared to give the amount. Then we wanted some electrification of railway lines and conversion of metre gauge into broad gauge. We wanted the Sethusamudram project. But the Planning Commission says there is no money. But the Central Government have given many crores of rupees to the few monopoly houses. I will read out the list: Three Birla companies received licences worth Rs. 72.8 crores. Four JK (Singhania) firms—Rs. 26 crores. Two Thapar companies—Rs. 18.45 crores. Not only that, Sir.

In Tamil Nadu we produce quite a large amount of paddy and jaggery. But there is no purchase market. When we request the Central Government, it does not ask the FCI or the National Agricultural Federation to purchase the paddy or jaggery. Not only that. We have no power to determine the price of rice. It is in the hands of the Central Government and the Central Government, through the Agricultural Prices Commission, fixes the price of rice. They raise the price of wheat but they are not prepared to raise the price of paddy. This is not justifiable. Take Andhra. In Andhra there is fine flue-cured best Virginia tobacco in abundance, but there is nobody to purchase it; there is no market for it. And they are not worried; the Centre is not bothered. But once they come to know that there is bidi tobacco in abundance in Gujarat, they want to amend even the Tobacco Act and they want to shift the

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Tobacco Board from Guntur to Gujarat. This is against the principle of the Janata Government because they want to have Centre of activities in industry only in rural areas. But they want to shift this Tobacco Board from Guntur to Gujarat.

Not only that, Sir, they were not prepared to give the minimum price or the support price for cotton though many a time they talk much about self-reliance and still they import cotton, they import steel, they import coal, and they import cement also. So, by the existing Centre-State relations, we are not benefited. It does not produce any results. The Central Government should not be afraid of having a national dialogue on the request of various leaders. And if they are apprehensive of the word 'autonomy' and feel that it may lead to danger or fissiparous tendencies, I would simply quote Pandit Jawaharlal Nehru. In 1945 in the All-India Congress in its Election manifesto described the nature of the future federal Constitution of India as follows:

"The Federation of India must be a willing union of its various parts. In order to give the maximum autonomy to the constituent units, there may be a minimum, list of common and essential federal subjects which will apply to all units and a further optional list of common subjects which may be accepted by such units as desire to do so."

In this connection, it is also relevant to refer to the 5th historical objective resolution moved by Pandit Jawaharlal Nehru on 22-1-1947 in the Constituent Assembly, wherein it said that "the territories that now comprise the British, the territories that now form the Indian States and such other territories which are with the present boundaries or with such places as may be determined by the Constituent Assembly and thereafter according to the Constitution, shall retain the status of autonomy units together with residuary powers." Mahatma Gandhi, Shri Jayaprakash Narayan and Vinobaji,



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all these great statesmen and saints have supported decentralisation policy. Why even the present President of India Shri N. Sanjiva Reddy supports it? When the Janata Party was not in power and was in the opposition, it said in its manifesto that it would fight for decentralisation but it has not come forward with a resolution. That is the irony of fate. In fact, the credit goes to Shri V. B. Raju but when the undivided Congress was in power, he was not prepared to come forward with such a resolution. Now, I congratulate him for having brought such a resolution. And now he comes forward with such a very innocuous resolution for the formation of a Parliamentary Committee to review the matter. He has not even mentioned which section is to be deleted Or which section is to be amended or what powers be given to the States and what powers be taken away from the Centre. He has not given all these things. The reply from the Treasury Benches is that the Administrative Reforms Commission has submitted the report and that is enough and they need not consider further. They also say that in Tamil Nadu Government, they have constituted a committee presided over by the Chief Justice of Tamil Nadu Mr. Rajamannar and then the Chief Justice of Andhra Shri Chandra Reddy and Dr. A. L. Mada-liar, Vice-Chancellor of the Madras University. He is a very renowned doctor whose books on Obstetrics are in demand even in Japan. Those people do not belong to any secessionist party or movement, they are not readers of Dravida Nadu nor subscribers to Dravida Nadu doctrine; they are the eminent people and they submitted some report also. So, if this resolution is adopted and as demanded, a Parliamentary Committee is constituted, it would also give its report on the basis of the reports of the Administrative Reforms Commission and Rajamannar Committee. Sir, if we are not prepared, it seems, to give powers to the States, I quote the pre-

sent Ambassador to America, Mr. Palkhivala, who in his book Constitution defaced and deliled has written specifically that the Centre has encroached too much upon the powers of the states so much that the States are not able to start industries to produce even a shaving blade or toilet soap. So, this is for the Janata Government to re-think over its decision and come forward to consider the Resolution in favour of the opposition parties. About gold also, I want to mention one point In the recent sale of gold in Bombay, most of the purchasers 70 per cent were only from Bombay, the rest of the people were from other parts of the country. Why should the people, ' the dealers, from Calcutta and Kanya-I kumari go all the way to Bombay? Tenders must be received at the State capitals, and successful bidders must be facilitated to receive gold. Not only that; gold must be sold by the Government to small gold-smiths and retailers in all the towns. That will be the best thing. They are now having a gold refinery for refining old ornaments only in Bombay, That is one Of the signs of too much power in the hands of the Centre, There should tje some collecting depot at Madras to collect old jewels so that the persons who give old jewels get immediately i equal purity of gold.

Sir, the Central Government announces increase in D,A, to the Central Government employees without the consent or consultation of the State Government, It would affect the State employees. They agitate. It is only the States who have to face the music.The Central Government is creating problems for the States.

If anybody says that by accepting autonomy or mere slogan for more powers for the States, the integrity of India will imperil, nobody would believe because India has successfully faced four foreign aggressions. Not only that, Sir, everybody knows the historical battle that lasted for 14 days, which led to the creation of Bangladesh and when we got nearly

one crore of prisoners of war which never happened in the history of any other country from that State. India was not afraid of even the Seventh Fleet of America. India is very strong and nobody need be afraid of the unity of India. In fact, the people in the south, the Tamil Nadu people, want the Cauvery-Ganga link, but it is the Central Government that is not prepared for it. You know, Sir, that all civilizations grow on the banks of the rivers. We want to link the Cauvery and the Ganga, but the Central Government is not prepared for it. They give many reasons and say that it is not feasible economically. Even the World Bank says that it is feasible. So, whatever is not convenient, comfortable, they give many reasons for not doing it.

Not only that, Sir, regarding language also I have to say that often assurances have been given by the Prime Minister and other Ministers that Hindi will not be thrust upon anybody. I have received an invitation two days back. It is printed in Hindi and is addressed also in Hindi to me. This is an insult to me. It has been thrust upon me.

SHRI P. RAMAMURTI (Tamil Nadu):  
From whom is the invitation?

SHRI V. V. SWAMINATHAN: It is from the Ministry of Agriculture, I think, inviting for a function on the 14th where our beloved Prime Minister will participate. I could not read it.

SHRI P. RAMAMURTI: You are not supposed to read it.

SHRI V. V. SWAMINATHAN: So, they are indirectly thrusting it. They are appointing many Hindi Officers. They do not care for the demand of the non-Hindi States. A Bihar Minister says that they will instruct all the Government officers to use Hindi, that if anybody uses English he will be taken to task and that they will see that even the High Court of Bihar uses only Hindi, not English. Somebody asked him what the reaction

would be in the South, and the Hon. Minister of Bihar said that they would not care for the South. Is it the manner of dealing with the subject in the land having many languages and cultures because they think that the non-Hindi speaking people did not vote for them and so they need not bother about them? Or, do they think that the States of M.P., Bihar and U.P. alone are enough to make a Prime Minister of India? Traditionally, the Prime Ministers were coming from U.P. But this time the Prime Minister has come from the State of Gujarat, not U.P.

This is the best opportune time, and the Government must come forward to accept this resolution. It should not stand on privilege and prestige. This is a very good resolution. It is a golden opportunity for all the Opposition parties to unite together and see that this resolution is passed.

SHRI P. RAMAMURTI: Mr. Deputy Chairman. Sir, one would have expected that the Prime Minister, while intervening in this debate, would have cared to answer the cogent, fully documented with facts and figures and with provisions from the Constitution speech made by the Mover of the Resolution, Mr. V. B. Raju. But, unfortunately the Prime Minister in his intervention in this debate the so-called intervention—rambled from the "Vedas" to the history of the Constituent Assembly which itself he did not know properly. I had to remind him what it was. He does not know even the history of the Congress itself. He just rambled and pontifically, at the end, declared "I will not accept this Resolution." Is that the way of dealing with the House? Is that the way of debating? He is not present here. He does not want to hear our arguments. And it was left to a Janata Party Member—I think, Mr. Jagan-nathrao Joshi—who quoted some obscure "Vishnu Purana", to say that India was one nation. Our Prime Minister stated, "Oh, we gave the

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world the republican form of Government. It is all there in the "Rig Veda". Poor Morarjibhai ! He does not know the "Rig Veda". I will have to tell him that all over the world when people were in a tribal state, there was nothing but a republic. That is why in the early portion of "Rig Veda" in the hoary period, they sang:

“ऊं सह नावयन्तु सह नो भनक्तु सह वीर्यं  
करवाव है ।  
तजस्वि नावधीतमस्तु मा दिद्विपाव है ॥”

That is: "let us work together, let us enjoy the fruits of labour together, let Us do heroic acts together and let us get glory together". That is the song of the tribal form of society. But later on, what happened? The same "Rig Veda" in the "Purusha Sukta", what does it say?. It begins with:

“सहस्र शीर्षाः पुरुष । सहस्राक्षः सहस्रपात ।”

This Purush Sukta is even now chanted by the Brahmins at all religious ceremonies including the marriage ceremony. What does it say? It says:

“ब्राह्मणो ऽयं भृशनासीत् । ब्रह्मणा  
राजन्त्य.” and so on.

The Brahmins came from the face of Brahma. The Rajas or Kshatriyas were created from the hands of Brahma. The Vaishyas were created from the thigh. And from the feet came the Shudras. Our poor Morarjibhai does not know all this. Mr. Jagan-nath Rao Joshi (does not know all these. He quoted from one obscure "Vishnu Purana". I can quote "Rig Veda". I can quote the later portions of "Rig Veda". Now, why did this happen? This is a question which has got to be seriously gone into and understood. Unless you understand the problem, you will not be able to find a solution to this problem.

Today is there any country in the world, I would like to ask the Prime

Minister or anybody, which after having achieved independence from foreign rule has been talking of national integration for 30 years? If India is a nation, why do you talk of national integration?, Does Britain talk of national integration? Does France talk of it? Does Germany talk of it? Which is the country in the world which is a nation-State, which talks of national integration? As I said, unless you go into this question, you will not be able to solve the problem.

They talked of cultural unity. The only correct thing that the Prime Minister stated was that until the British came, there was no political unity in this country or there was no united political power ruling over the whole country. That is the only correct thing that he has stated in the whole speech. Nothing else.

Apart from that, the reality is that by the time the later sections of "Rig-Veda" came, society was divided into-classes based upon property relations. Common ownership of property went away. Rajas were created by violence. And in order to keep the property and oppress the other sections of people, they wanted Purohites. That philosophy was the later philosophy. That was the philosophy of later - "Rig Veda". That was the philosophy of 'Yajur Veda'. If you want, I can quote chapter and verse from the "Upanishads" otherwise known as the "Brahmanas" and "Sanyuktas". "Samhitas" like the "Titreya", "Mayitreya", "Shatpatha", "Ayitreya" and from the "Dharmasastras", the law codes made by successive law givers like Gautama, Vishnu, Vasishtha and the last one Manu and his commentator Kullaka Bhatta. From all these things I can quote, but I do not have enough time. I would, therefore, just give illustrations. This was the beginning; Rigveda was the beginning. And then what happened? What happened when the Yajurveda came, when the dharmashastras came, when the Vishnu Dharma Shastra came? What do all these things teach? They only divided the people into»

communities. And then we have the great Bhagavadgita. What does Krishna say on the battle field of Kuru-Icshetra to Arjuna?

“चातुर्वर्णम् मया सृष्टम्”

"I have created the universe; I have created the four varnas: Brahmanas, Kshatriyas, Vaishyas and Shudras. . .

SHRI L. R. NAIK (Karnataka):  
Chaturvarnas.

SHRI P. RAMAMURTI: Yes. Chaturvarnas.

“चातुर्वर्णम् मया सृष्टम्”

"The four varnas were created by me.

Then what happened later? Upanishads created the philosophy and ideology for the division of society, based upon economic exploitation. On the basis of this philosophy the dharma shastras were written. And what does the law-giver, Manu, say? He talks about chandalas. "Chandalas were untouchables". "You cannot touch him". "Anybody who touches him, he becomes impure; he becomes polluted." Hear what Manu says:

“अंबाष्टानम् चिकित्सम्।”

the profession of medicine belongs to the Ambashtas. Higher caste people should shun it. There is another argument. This is what Manu says: "One must not study the scriptures in a village in which there is a corpse or in which chandalas live". You cannot read, you cannot even study, scriptures in a village where chandalas live. This is the kind of Brahminical culture that has been imposed upon this country for centuries, and this Brahminical culture has been the doom of this country. So, what some powerful people are trying to do today is its revival. It is revivalism of this decaying obscurantism that they are attempting today in this country. They are trying to sing the

glory of their past. This is nothing but revivalism. This is what happens. And see to what extent they have gone. They have gone to the extent of condemning physicians. Medicine is the noblest of professions. But they are condemning the physicians for the simple reason that the physician goes about the country; he is a Charaka. The "Charaka Sam-hita," the earliest compendium of medicine does not believe in this philosophy. It believes in the objective realities. Nature is a reality. It does not say, nature is maya, like Shankaracharya and the other philosophers. They say, because these physicians go about curing the people, curing chandalas, curing everybody, one should not keep their company. The law-giver Manu says, because the physician goes about curing chandalas the physician's company should not be kept; he should not be allowed to attend the ceremonies. You should not even keep company with him. You should not take food from his hand. And Manu goes to the extent of saying, the food given by a physician is something like 'Puyus' that is pus or blood. Great arguments! This is enough for Morarji's Rigveda.

Let us now understand that nonexistence of nation-States was the state of affairs not only in India but all over the world for a long time. What is peculiar to India is the sanctifying of the division of society into castes by the religious books and law codes. Where can you have integration under such conditions? What does the Brahmin do in his daily puja? He starts his puja with a sankalpa? And what does the sankalpa say? My friend who was quoting from the Vishnu Purana and perhaps recites the sankalpa without knowing its meaning. What does the sankalpa say?

"Bharata varshe Bharata khande Meroh  
Dakshina parswe, Jambhu dweep.

This is what the Brahmin says. He talks of India not as a country. Even

[Shri P. Ramamurti] today the Brahmin in his sankalpa does not talk of India as a country.

"Bharata khande"—The continent of Bharat.

It is surrounded by the three oceans; that is called "Jambu-dweep", the Jambu Peninsula.

This has been the tradition that has been handed down to our people for centuries, for 2000 years, for 3000 years. This Brahminical culture has disintegrated the people. There were nothing but kingdoms not of nations but extending over a geographical territory fighting among themselves. This is not peculiar to India. In Europe also there were different territorial kingdoms. National consciousness arose at a particular period. And remember, all these years your great scholars, your great philosophers, your law-givers talked not of desha'bhakti or deshavishwasa or rashtra vishwasa.

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They talked of 'Raj Bhakti' and 'Raj Viswasa'. What does it mean? You must be loyal to the king; not loyal to the nation. Loyalty to the king. That was important. The idea of a nation did not exist at all.

One should understand that even in Europe, until the eighteenth century, there were kingdoms. The whole Europe was not one unit. Germany was not one country. France was not one country. Even Britain in the earlier period was not one. There was septenary—the seven kingdoms therefore, national consciousness is a specific phenomenon. And this national consciousness does not grow out of the wish of somebody. It cannot be conjured up by any great man. National consciousness grows during a particular historical period of development of a society. It grows out of social consciousness. And for development of national consciousness certain

things are necessary. What are they? They are a common language, a common territory to inhabit, common customs and also coming together by means of trade and commerce which, in other words, is industrial development. Only when industrial development took place, there appeared nation-states of Europe. This is what history teaches us. Even in India till the 18th century, till the time of Aurangzeb, nobody talked of India as any thing else but a kingdom. They talked of India as an empire, such as, Harsha Vardhana's empire, Ashoka's empire, and so on. They never talked of Ashoka as king of India. Ashoka was an emperor, a chakravarti. So, these were the historical factors operating then. And it is only during the 18th century the Marathas under the leadership of Shivaji got the national consciousness because trade had developed in that century. During the time of Guru Nanak in the Punjab certain amount of national consciousness was there. It began to develop and later on Ranjit Singh utilised it fully and thus Punjab got united. When the Marathas out-stepped the boundaries of their national boundaries, what was it called? It was called Maha Rashtra—not merely a Rashtra. Therefore, please understand that historically speaking this kind of national consciousness comes into existence not by the conjuring up of an individual, however great he may be. No individual can conjure up national consciousness of the people. It comes during the course of a historical process of development of trade and economic development of the society. The people speaking the same language come together and live in a contiguous common territory and follow common cultures. They come together not while living in isolated villages. They come together by means of commerce and trade. The basic reason for development of commerce is the development of industry. Then national consciousness flowers.

The other day, I was surprised to hear the Prime Minister saying about

big countries. He said: "I am today respected because I am the Prime Minister of a big country". I cannot understand such a thing.» I ask; What about Germany? Is not the Chancellor of Germany respected as much as you are respected as the Prime Minister? Germany has only one-fifteenth of India's population. Is it, therefore, the bigness of a country that matters?

SHRI KALYAN ROY (West Bengal):  
What about Cuba?

SHRI P. RAMAMURTI: No. I am talking in their digits. Otherwise they will say 'you are a Communist'. What about the United States of America? It has got only one-third of India's population. So, these are all puerile arguments which not even children will advance. This is the prattle of children, in which Shri Desai was indulging the other day. I was surprised to hear that. He would not be here to hear the Members speaking.

He was talking of the wisdom of the founding-father of our Constitution. He was talking of the wisdom of the Constituent Assembly. He said that it was "an elected Assembly. When I pointed out to him that it was not on the basis of adult franchise that they were elected, he said that any way it was an elected body. It was elected by the propertied classes and by those people who could afford to get themselves educated. That means it was the propertied class. So, the Constitution was framed by the representatives of the propertied classes and that is what we have today. This is what we have to clearly understand. This is the history of the Constituent Assembly.

He did not even understand, as far as this particular question of Centre-State relations is concerned, the history of the Congress Party even. I have got to tell him that as far as the relations between the Centre and the States are concerned—whatever it

may be with regard to other things—as far as the powers of the Centre and the States are concerned, what we have in this Constitution is *mutatis mutandis*, word for word, section for section, a replica, a repetition of the Government of India Act, 1935 and the provincial autonomy scheme of that Act. I have already dealt with this aspect in my earlier speech and so. I do not want to go into that again. The Congress repeatedly refused to accept that Government of India Act of 1935 and the provincial autonomy scheme for very good reasons and I do not want to go into those reasons also now. I think I have already done it on an earlier occasion and I do not have the time to do that now. When this is the position, the Prime Minister does not come and say why the Congress Party in 1936 and subsequently repeatedly rejected that provincial autonomy scheme and that provincial autonomy scheme which the Congress rejected at that time is now found to be extremely good. So, let him say that and let him efface his past and let him repudiate his past. Let Mr. Morarji Desai say: "I was a fool then and I did not understand in 1935 the excellence of the scheme when I was a party to that resolution, by which the Congress Party rejected it." Then I can understand him.

But today he does not even care to answer any one of these questions; he does not dare to answer the question as to why it is necessary for the State

of West Bengal to reserve for the assent of the Central Government a Bill regarding the land reforms. Why should it be reserved for the assent of the Central Government? When the State Government is fully competent to pass this Bill on a subject which is in the State List, which falls completely within the purview of the State List, why should it be held up for four months? In order to enable the jotedars and the landlords to circumvent it? Why should the Central Government enjoy that power? Where is the much-vaunted provincial autonomy? He does not answer

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that. He also does not answer, for example, the question; Why is it that when the West Bengal Government passed an Act in 1969 with regard to industrial relations....

SHRI KALYAN ROY; It is the Industrial Relations Act.

SHRI P. RAMAMURTI: .... yes, the Industrial Relations Bill, wherein it had provided for recognition of unions by secret ballot, it was reserved for the assent of the Central Government and the Central Government refused to accept it? Why is it? There is the provision in the Constitution that where on a Concurrent Subject there is a Central law and a State law and when there is a conflict, the Central law will prevail over the State Law. But there was no other Central law at that time regarding the recognition of trade unions. It was only by convention, only by an administrative order, that recognition was given by verification of the figures of claimed membership by an officer. So, why was it referred to the Centre? He does not answer that. Again, the Kerala Government passed the Agrarian Reforms Bill and it had to be sent here. When the Bill was passed in Kerala in ...

SHRI P. K. KUNJACHEN (Keralah 1968.

SHRI P. RAMAMURTI; .... 1968, it was sent to the Central Government here for assent. On the demand of the Central Government, a later Government amended the Bill and then only assent was given. Why is it necessary? Why are these powers necessary for the Central Government? Where is provincial autonomy? He does not care to answer a single question; he does not care to answer any one of these questions. But he just comes here and pontifically declares, "I will not accept it."

Sir, I say with emphasis that unless you are able to realise that there is a

I feeling of national consciousness— you may refuse to call it nationality it is a different matter—you cannot do anything, you cannot write off the reality, and you cannot wish away the reality. Our task is to see that we do not create a situation where anybody will ask to secede. Even the Dravida Munnetra Kazhagam, its leaders and, its followers, had the wisdom to realise that the demand for a separate State is unreal and not in conformity with the realities of the situation as it exists today. Therefore, for anybody to say that greater power to the States will lead to dismemberment of India is all shibboleth. That only means that they do not want to give up the concentration of power they enjoy in their hands. Power corrupts. And absolute power corrupts absolutely. Therefore, the more the power concentrated in the Centre, the more corrupt the Centre will be, whether Morarjibhai is there or Vajpayee is there or Indira is there. Even if Mahatma Gandhi were there, or even if God were to be the Prime Minister, this power concentrated in the Centre

would corrupt absolutely, and

AN HON. MEMBER: If there is any God.

SHRI P. RAMAMURTI: If there is any God, according to the Upnishad, if we had God, if he had the misfortune of being the Prime Minister of this country, under conditions of such concentration of power, even. He would be corrupt, because absolute power corrupts absolutely.

The question arises; what is it that united us? The answer is: the common struggle against British imperialism. It was that common struggle, the objective of common struggle and coming together, realising that British imperialism cannot be fought single-handed. In earlier periods, other people had tried to do it; they did not succeed. Tipu Sultan tried to do it. So many other people tried to do it. In 1857, Rani of Jhansi and all those great people tried to do it; they did not succeed. Therefore, when the realisation came and also time wa\*

ripe, when the economy in this country had developed to such an extent that people came together and national consciousness sprouted and grew. It was precisely at that period that the people speaking different languages and all these things, came together to realise that in order to fight the British they must all unite. And that unity is what we want to preserve. Why do we want to preserve that unity? Let it be understood that today we want to preserve that unity for the simple reason that even today this country is facing neo-colonial aggression, neo colonialism. Therefore, our common enemy today continues to be imperialism under new garbs, under different garbs; our people have also got to fight the pre-capitalist formations like feudalism and semi-feudalism, which continue to exist whatever might be the reforms you may have carried out. All those reforms are on paper. Therefore, we realise that in order to - fight against this exploitation both by landlords and foreign imperialists, the monopolists, the foreign capitalists, the multi-nationals, the International Monetary Fund, you will only go and shout at the International Monetary Fund, you will go and talk only in the Colombo Conference, but you will not rouse the people of this country against imperialist exploitation, for the simple reason, you know, that if you rouse the people of this country against exploitation of this country by imperialists, people will turn round and ask: what about your exploitation? Therefore, you do not dare to rouse the people of this country against that foreign exploitation. You talk about it only in forums like the International Monetary Fund and all that. Therefore, Sir, since we realise that we have got to fight against both these enemies of the common people, that the common people have got to unite on this basis, therefore, we are interested in preserving that unity and cementing that unity on the basis of our understanding of historical and social processes at work in this country. And here I do not like

to go into those historical and social processes. These processes are such that if you refuse to take note of them and try to satisfy them and evolve a scheme on the basis of willing cooperation and common understanding, the disruptive forces will inevitably appear.

Then the Prime Minister made a fun of words and said that the Constitution makers made India into an Indian Union; they did not call it a federation, as if the word 'Union' is different from the word 'Federation'. What is Union? Joining together. What is Federation? Joining together. What is the difference between the Union and Federation? Today you have got the United States of America; it is not called Federated States of America. Probably Mr. Morarji will say that it is not a Federation; America is a Union. Is it the way of arguing a political question?

Regarding financial resources, he says if all the income-tax resources are given to the States, Maharashtra will be the greatest beneficiary. Don't we know it? Are we fools? Are we children? You took all the words mutatis mutandis from the 1935 Constitution and only income-tax will form part of the divisible pool and nothing else. But far more than income-tax, sometimes 15 to 20 times more, are the expanding revenues belong to the Centre. At least a big part of it must form constitutionally a part of the divisible pool which can be distributed on the basis of certain considerations taking into consideration the backwardness, economic development and cultural development of a State. We can take all these factors into consideration. A proper formula can be evolved by the Finance Commission or somebody else in order to distribute this divisible pool. I do not know if the D.M.K. or Mr. Annadurai was such a fool as not to understand that if income-tax was to be reserved for the States Maharashtra will get the bulk. We ask for a reconsideration of the whole question. Understand it



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that the Congress Party itself had repeatedly demanded it. The Congress Party had, in 1942 in the famous Quit India Resolution specifically, promised that the future Constitution of this country will be a federal one where the constituent units, the federating units will enjoy complete autonomy with the residual powers resting with the federating units. Today, you have got to answer this to the people of this country. Can I ask you why you have changed that? It is a very significant thing that all the promises made during the entire freedom struggle against imperialism by the Congress Party were completely overthrown when the Constitution was framed. Why? The proof of pudding is in the eating. Why was it precisely overturned? It is for the simple reason that you wanted all concentration of political power in the Centre so that big monopolies can grow. The growth of monopoly, monopoly capitalism and monopoly capital require that concentrated political power must be in the hands of the Centre so that Birlas and Tatas and all of them can have their lobby in the Parliament, in the Central Government and in various other offices. If power is distributed then they will have to have their lobbies in every State. Birla will have to have a lobby in each of the 20 States. Local pulls will also operate on the Governments there. The local capitalists will also begin to operate their pulls. Therefore, in order to avoid that thing, in order to have concentration of economic power and in order to help the growth of concentration of economic power, you decided to have this Constitution overthrowing all your previous promises and said that the entire political power will be concentrated in the Centre.

After all, what is this resolution? The resolution simply says that let us have a committee of Parliament. Why does the Prime Minister not have confidence in the Members of his own

party? I cannot understand why he rejects it.

SHRI K. K. MADHAVAN: If you cannot understand, we cannot make-you understand.

SHRI P. RAMAMURTI: I cannot understand why a committee cannot be constituted. Or is Mr. Morarji Desai afraid of the Members of his own Party? He has not got trust in the Members of his own Party. They can go and argue there. Why is he not willing? Does he think that all wisdom is concentrated in the Prime Minister and Members of his party are dummies? Janata Party talked of decentralisation of power. Where is decentralisation of power? We are today discussing this question of Centre-State relations. It also involves the question of decentralisation of power. It is the thing which you have promised. You keep on talking of the Panchayats as if the resources and powers of States have got nothing to do with it. That is the problem. Raja-ji said once that the States were glorified municipalities. Today I call them glorified Panchayats. And, this thing was felt by the Congress Ministers themselves.

SHRIMATI HAMIDA HABIBULLAH (Uttar Pradesh): Mr. Piloo Mody is a great advocate of decentralisation.

SHRI P. RAMAMURTI: He does not know many things. I can tell him many other things also. We know, for example, when Dr. B. C. Roy objected to centralisation of powers, he had a big quarrel with the Central Government on many questions. I know, for example, in 1953 when many of our people had been convicted under the Arms Act, and when Rajaji decided to release them and pass orders it required the sanction of the Central Government. So, when I was coming to Delhi, Rajaji told me that he had written to Pandit Govind Bal-labh Pant, who was at that time the Home Minister and asked me to go

and meet him and request him to expedite the necessary sanction. I went to see Pantji. Pantji at that time said:

“हां, राजा जी, वह तो सब कुछ कहेंगे लेकिन मैं नहीं मानूंगा” ।

I cannot accept it. I reported the position to Rajaji. Rajaji telephoned Panditji and said: I am resigning, I am quitting. Under the threat of resignation, he had to get these people released. Why should this power be concentrated in the hands of the Centre? Mr. Morarji Desai does not answer that question. Therefore, Sir, only a simple proposition is put forward today. The mover of this Resolution is not bringing forward any amendment to the Constitution nor has he said that no amendments to the Constitution are necessary. Going by experience, why was it that many Janata Party Chief Ministers agreed at one time but later on, under pressure refused to accept the holding of the meeting of Chief Ministers to consider the financial aspects. That was under pressure. The instinctive feeling was there that they do not have got enough powers. Therefore, when this instinctive feeling, even among the Chief Ministers belonging to your own Party, is there, the more you try to suppress it, the more it will burst out in a violent form some day. And we want to avoid it bursting out in a violent form. But once it bursts out in a violent form you will not be able to control it. Again I ask where is the question of disruption of unity in this country?

Everybody in the country says that the Defence must be with the Centre. the Communications must be in the hands of the Centre, these are the vital things necessary for the unity of the country. Defence, Communications, External Affairs and Currency. These vital things are going to be in the hands of the Centre. Nobody has demanded that any of these things should be transferred to the States. So these vital functions through which you run the country, through which

you defend the country, through which you suppress a rebellion in the country should remain with the Centre. Nobody raises a question of demanding any of these things. (Time hell rings).

Therefore, where is the question of divisive forces operating in the country being behind this demand? Therefore, Sir I once again, want to point out that if these things are not accepted, it is you who will be responsible for the dire consequences. It is the ruling classes, it is the propertied class, it is the big business houses who will be responsible. Despite your talking otherwise your policies are in the interests of big business houses. It is these big business houses which are interested in keeping power with the Centre. Mr. Morarji Desai and the Janata Party is today only echoing the feelings and the desires of these people when they say, we will not hold a debate on this question. Mere denial will not do. The growth of monopoly is there. Another Member has just now given the figures. Therefore, Sir, denial of these things and saying we want to prevent concentration of wealth are not enough. The way to hell is paved with good intentions. Intentions alone do not matter. Therefore, having seen the working of the Constitution, having seen that it has led to the concentration of economic power in the hands of a few, having seen that this concentration of power in the Centre has not led to the evenness, to the levelling of the unequal development in all these States but has led to more and more unequal development, as between States, having seen that as a result of it animosities deepen between State after State, quarrels develop in the matter of allocation of wasters, in the location of an industry, having seen all these things with the experience of the last 30 years, that such disruptive forces are growing, is it not prudence on the part of the Government, a serious Government, a responsible Govern-

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ment, a responsible Prime Minister, to see how to combat these forces, how to level up these things? Is it not necessary to go into the root of these things and seek the willing co-operation of all these States, if necessary, by any change in the Constitution, for which we all must be prepared? What did the British Government give us this scheme in 1935? I am very sorry to say that the leaders of the Constitution whom we call great men did not have greater wisdom than the Simon Commission and the British Government which framed the 1935 Act, as far as this question is concerned. If some people say that is the acme of wisdom, we refuse to accept that. We have only to pity them.

Therefore, with all the emphasis at my command, I want to support this Resolution. I want the Janata Party people to reconsider it. Mr. Morarji Desai asked us to reconsider it. I would ask him to reconsider it. Let him not talk like the Dharmashastras. Let him not talk like Manu who would not have the company of physicians because they would go among the untouchables. Do not behave like Manu of the Dharmashastras. He was afraid of logic. Manu said, "Brahmins should not have anything to do with the Dharmashastras". It is because he was afraid of logic, because his philosophy was based not on logic. Therefore do not behave like Manu, have logic. We will argue with logic. If you are not prepared to listen to logic and reason, then hell will descend on this country. You will be responsible for the unleashing of disruptive forces in a way which we all want to avoid and prevent. We are interested in keeping up the unity of the country which was built through the struggle against imperialism. We are interested in cementing it. We are interested in making it like a rock or steel. Therefore, please accept this Resolution.

Thank you.

SHRI MURASOLI MARAN (Tamil Nadu):  
Mr. Deputy Chairman, Sir, I rise to support the Resolution moved by Mr. Raju. I should also like to congratulate Mr. Raju for having made an illuminating speech illustrating how the various provisions of the present Constitution are highly unsatisfactory regarding the Centre-State relations. I do remember that in 1970 the DMK Party organised a conference on State Autonomy in Madras and Mr. Raju also participated in that conference along with people like Mr. Ajoy Mukherjee and others. I am so very glad Mr. Raju is keeping up the same spirits and I am further glad that Mr. Raju has not been spoiled because of his association with the ruling party.

Sir, regarding the Centre-State relations. We have got three documents, very good documents. One is the report of the Rajamannar Committee given during the DMK regime. The second is the white paper on the resolution passed by the Tamil Nadu Legislature during the DMK regime. And the third one is the present memorandum prepared by the Left-front Government of West Bengal. Sir, regarding the three documents, the Home Ministry has given its opinion which has come in the newspapers. What does the Home Ministry feel about the third document?

the proposals put forward by the left-front Government of West Bengal were not so new and had been mooted earlier by the Rajamannar Committee appointed by the erstwhile DMK-led Ministry in Tamil Nadu, and subsequently in a 'white paper' prepared by the State Government."

Sir, thus starts the communique of the Home Ministry. And what is the reaction on the three documents produced by two Governments elected by the people? Sir, I want once again to

quote from the communique of the Home Ministry. I quote:

"All these three documents seek to shift the balance of the Centre-State relationship towards the States and to reduce the constitutional edifice to a loose federation."

Sir, they have said the last word. Unfortunately, the Prime Minister has said that he is not at all ready to have any formal dialogue on the subject. I would say it is very unfortunate. I do not know why the Prime Minister should be allergic to a subject of such importance. The Prime Minister has said:

"The powers given to the Centre are vital but the Government is trying to see that they are not mis-used."

These are the words of the hon. Prime Minister. He agrees that certain provisions in the Constitution are likely to be misused, but at the same time....

SHRI P. RAMAMURTI: Can be misused, not likely to be misused.

SHRI MURASOLI MARAN: This is according to the Prime Minister. ...he gives us an assurance that those provisions will not be misused. Sir, with great respect to the hon. Prime Minister, I would say that man is, unfortunately, not immortal. Tomorrow, in the Treasury Benches, some obscurantists may come to power.

SHRI P. RAMAMURTI: Yesterday. it happened.

SHRI MURASOLI MARAN: What will happen if an obscurantist party or an obscurantist person comes to power in Delhi and starts misusing all the provisions of the Constitution? We have seen with our own eyes how even innocuous provisions have been misused. So our plea is that those provisions that are likely to be misused and those that had been mis-used should be amended, should be thrown out lock, stock and barrel.

Let us take the notorious article 356 under which a State Government can be toppled at the will and

treasure of the Centre. Regarding this specific article, the Prime Minister has stated that this power is very vital. I am simply astonished and surprised because this was not the voice of Mr. Morarji Desai when the Janata Party came into being. Sir, I would like to quote from the manifesto of the Janata Party. They have stated certain things in regard to article 356 which violates the very spirit of federalism. I would quote from the Janata Party manifesto. It says;

"The Janata Party will move to amend article 356 to ensure that the power to impose President's Rule in the States is not misused to benefit the ruling party or a favoured section within it."

This was the solemn assurance given by the Janata Party to the people of 22 States, the people of this nation. Why did they want to remove this article or to amend this article? Sir, in the Preamble, they say;

to generate fearlessness and to revive democracy

This is there in item number seven of their catalogue. Therefore, once again, I would remind the Prime Minister that what they have stated in the Janata Party manifesto should be implemented. That is why people have sent you here. Therefore, even if you are not agreeable to the Resolution moved by Mr. Raju, you should at least fulfil what you have promised to the people of India in the name of creating fearlessness and reviving...

SHRI BHUPESH GUPTA: This manifesto has been spiritually buried like the time capsule.

SHRI MURASOLI MARAN: Let us create another time capsule and put it also if the Prime Minister does not keep his word.

Secondly, the much used words of the powers that be are that the Administrative Reforms Commission has given the verdict. The Administrative

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Economic Commission, in its report, has stated that everything in the Constitution is valid and that, therefore, no change in the Constitution is necessary. This is in the Home Ministry's communique. This is often repeated. Time and again, ad nauseam, they say that the Administrative Reforms Commission has given the panacea for all Centre-State ills. I am sorry to differ from this. There are two reports. One is the report given by Mr. Hanumanthaiya. He was the Chairman at that time. (Before that, a study team was appointed under the Chairmanship of Mr. Setalvad. They have gone into the question. They say;

"We have proceeded on the assumption that the basic constitutional fabric must remain intact."

Sir, this very assumption is wrong. They have not at all taken into account the issue of amending the Constitution. Therefore, the very premise, the very starting point, is wrong. Secondly, the same Setalvad Committee says:

"As our enquiry concerned itself with administrative reforms and not with basic constitutional and political reforms, we did not consider it appropriate to include legislative relationship within the scope of the study."

Therefore, they have neglected all the political and constitutional aspects of the Centre-State relations. Why? They have stated the reason;

"We do not consider the time ripe or in any other way appropriate for a general review of this nature."

SHRI P. RAMAMURTI: They are looking for a proper astrologer,

SHRI MURASOLI MARAN: Much water has flown under the river Yamuna since then. Many changes

have taken place. All I would request them is that they should implement at least those recommendations which have been commended by the ARC:

[The Vice-chairman (Shri Shyam Lai Yadav) in the Chair

Sir, what does the Administrative Reforms Commission say? (Interruptions) I am not lowering the demand. I am asking them to at least do what they preach in their Bible. Now article 263 says that there should be an Inter-State Council. There are many provisions in our Constitution which are not at all used, not at all touched, they have been kept in hibernation during the last 30 years. Article 263 provides for an Inter-State Council, but so far they have not provided for it. Even though the Administrative Reforms Commission has also recommended it, no Government neither the previous Government, nor even this Janata Government has done it. Why, what is the reason? The reason is very simple. At present, according to the Constitution there is a master-servant relationship between the Centre and the States. If they create an Inter-State Council, they would be equal partners the States would be sitting in the Inter-State Council along with the Centre as equal partners. But the Central Government does not want to give States such an equal status. Is the Centre genuinely interested in the States as they proclaim? I do not think so. Another article which has not been given effect to, which has been left aloof, is article 269(f). According to this article the Centre can levy taxes on the sale or purchase of newspapers and on advertisements published therein. Here is a clear-cut provision in the Constitution. The Centre has got all the powers to tax advertisements appearing in newspapers. You know very well that there are several newspapers with circulation in lakhs. They can give a copy of their newspaper to the

buyer free of cost and yet they will be making profits because of their earnings from advertisements, but the Centre is not levying the tax. Why, what is the reason? The reason is simple. If they levy the tax, they would collect it and give it back to the States. So, Sir, they do not want to augment the resources of the

States. So, I cannot accept the theory, that the Centre is very much interested in the welfare of the States.

Mr. Ramamurti has said that our present Constitution is almost a copy of the 1935 Act. (Interruptions) Not only that, it is a copy in respect of many aspects. According to Mr. Durga Das Basu, 75 per cent of the present Constitution has been textually copied from the 1935 Act. In the 1935 Act this Parliament was called the 'Federal Parliament', the Supreme Court was called the 'Federal Court of India', the Railways were called 'Federal Railways'. Now they have removed everything. The semblance of federalism has been removed from the 1935 Act. Besides this, what all has been provided in the present Constitution has also been taken away by the Central Government. I want to say that certain frauds have been committed upon the powers of the States. Don't think that I am using strong words. These are the words used by a friend of the Janata Party. Sir, there are three significant entries in the State List: (a) Industries; (b) trade and commerce and (c) production, supply and distribution of goods. Sir, the basic scheme of the Constitution is that industries and commerce should remain as State subjects and should be dealt with primarily by the States. But as Mr. Swaminathan as told us, by one stroke of the pen, by passing a resolution here, the Centre has taken away as much as 93 per cent of industries in terms of value of their output. Even items like razor blades, paper, gum, shoes, matchboxes, household electrical appliances,

cosmetics, soaps and other toilet requisites have all been brought under the dominion of the Centre. That is why Mr. Palkhiwala<sup>^</sup> presently the Indian Ambassador in America and one of the patrons of the Janata Government, has stated in his book, I quote;

"We have permitted a clear fraud to be perpetrated upon the powers of the States under the Constitution."

If you are not in agreement with the Resolution of Mr. Raju, at least do away with this fraud which has been committed in the name of the Constitution. It has been advocated by no less a person than Mr. Palkhiwala in his book 'Our Constitution Defaced and Defiled',

Sir, the primary argument put against the clamour for autonomy is that it will endanger the unity of India. Mr. Ramamurti has dwelt on that subject and I do not want to go deep into that problem. As he has put it, the Prime Minister has said that he is respected abroad because he is the Prime Minister of a large country. He has broken that argument. It is beside the point. Nobody wants to lessen the size of India. Those who want State autonomy, those who are supporting the Resolution of Mr. Raju have never said that they want to reduce the size of the country. There was a time when you could dub anybody, if he demanded State autonomy, as a secessionist. You could gag the mouths of those who wanted State autonomy by saying that they were anti-national. Nobody would believe that. I want to quote the words of an eminent Indian—a contemporary Indian. He says: "The Centre should have only natural powers and deal with defence, external affairs and general economic policy". Who is this great Indian? He is none else than Mr. Jayaprakash Narayan. He has said that Centre can have these powers alone. Now nobody will say that 'JP' is unpatriotic

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Nobody can claim to be more patriotic than 'JP'. He is the godfather of the Janata Party, he is one of the guardian angels of the Janata party. He has made it very clear that the Centre should have only these powers—defence, external affairs and general economic policy. Sir, do they mean to say that 'JP' is unpatriotic and anti-national? I do not think so. When we achieved Independence, Mahatma Gandhi was no more needed. I think, after we restored freedom and democracy, the relevance of 'JP' also seems to have gone.

SHRI BHUPESH GUPTA; He is now the integrator of the Janata Party.

SHRI MURASOLI MARAN; That is right. That is why I tell them, please take his advice also in this matter. If you are taking his advice regarding inter-party affairs, regarding this matter also, please take his advice.

Why are we demanding State autonomy? It is not a static slogan or a dogmatic proclamation. The reason for clamouring for State autonomy is that the States have come of age. After the creation of linguistic States, every State has attained a personality a separate identity, with its geographical area, with its homeland. You may call it by whatever name you like. The Marxists call it nationality; you may call it a sub-nation or cultural nationalism. Whatever name you may give, but this point is there, realism is there and you cannot forget that the States have come of age, with their separate entities. Moreover, they are nearer to the people. This is an age of action. People want performance and solution of the problems—and that too immediately. They are not ready to wait.

Sir, the Centre has been behaving like an uncontrollable colossus and treating the States as mere adminis-

trative conveniences for its imperial adventure, crushing local initiative and regional creativity. You cannot run a country of continental proportions by sitting in Delhi. You maybe a powerful person; you may have a very discipline party. But look at the size of the country from the Himalayas to Kanya Kumari. You cannot run the country by remote control. That is the very basis of the demand for State autonomy.

Therefore, Sir, federalism is the only answer. You can solve the problems of the nation only by injecting real federalism, wholesome federalism into our political structure. Sir, people say that the Indian States are the-creatures of the Constitution, I am not ready to take that argument. In America, all the 13 sovereign States joined together and created a federation. In India, the situation is the reverse. We have to make federalism by a reverse process. If States are the creatures of the Constitution, I would say that the Centre is also a creature of the Constitution. So what We want is a shared sovereignty. Sovereignty should be shared by the Centre as well as by all the 22 States. That is why, Sir, the Chief Ministers or the ruling governments in the States have no freedom of action; but the nation-building activities are, in the hands of the State Governments. And they have no finances. They have no money and they have no freedom of action also. That is why Sheikh Abdullah said that if a Chief Minister wants to sneeze he has to come to Delhi to seek permission. He has explained the situation very correctly. May I at this juncture draw your attention to what the present President of India, Mr. Sanjiva Reddy has said? Let us see what his experience is as a Chief Minister of a very big State in India. This is what he said in the Link Magazine of January 26, 1978:

"As a Chief Minister, 20 years ago, I used to feel this. For exam-

pie an estimate made for a bridge costing Rs. 30—40 lakhs. I know where the bridge is. I know how it is constructed, if the Planning Commission has to examine the project, and it has to go for the consideration of the Central Government, then there is any amount of delay over small things like a bridge or a small project. Such centralisations will not work in future."

This is what the President has stated. The theme of subordination of States to the Centre runs through our entire Constitution. And a nincomjKiop from some State coming to occupy some power in Delhi thinks that he is omnipotent and omniscient and he is competent to take any decision and he issues threats to the States also. This is the pitiable position. Why? I will say this is a kind of neo-colonialism. With one illustration I will have done.

The Centre seems to be in the monopolistic possession of all the wealth and the money generated here. And where do they have the money from? Sir, they have no control of their own on any State except on small territories like Delhi, Goa and Pondicherry. In fact, all territories belong to the States since majority of the population lives in the States. And how about the revenue position? I would point out the position from my own State, Tamil Nadu.

From 1974-75 to 1983-84, during the course of ten years, the Centre is going to collect by way of income tax, customs duty, excise duty and by way of borrowings Rs. 6310 crores, from Tamil Nadu alone. And what do we get from the Centre by way of Plan grants, non-Plan grants, direct Central investment during the same period. Tamil Nadu gets back only Rs. 4,560 crores. What happens to the balance? The Centre is going to get to the extent of Rs. 1,050 crores. They levy taxes and keep the money

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and think that they are possessing all the money and all the wealth. And when a natural calamity takes place in Tamil Nadu, the Chief Minister or somebody else has to come here with a begging bowl. In fact, the money belongs to the State. Is it not exploitation similar to the one indulged by the East India Company Government of old? I would call the present exploitation as internal colonialism. During the Company days they used to take away the profits to England. Now the money is sent to the Government of India. You tax the people, take away the money and bring it to Delhi. And the States have to come here with a begging bowl and then you give them doles. Is there any scientific method of governing the devolutions? No. That is the situation. Mr. Ramamurti referred to the Brahminical culture regarding our society. The same kind of Brahminical culture prevails in the Central Government and in our political system. I do not mean this Government alone. Whoever comes to power seems to follow the same kind of Brahminical culture. They think the States which are far away are Chandals and untouchables. That is why. Sir, I would say: Let us be unchained to the past and unafraid of the future. Let us take a decision, let us agree to the Resolution of Mr. Raju. Time is ripe now. As my friend Shri Swaminathan, has put it, several non-Janta Governments have come to power in various States. This is the opportune time. If we find some hidden virtues, some sweet things in the Constitution and still if you still close your eyes, then you will be following the policy of the ostrich of burying the head in the sand, and it won't pay. That is why, Sir, I want to finish my speech with a quotation from Dr. Ashok Mitra, the Finance Minister of West Bengal, who clearly says: —

"If the Constitution is not amended to provide for decentralisation of the financial sources, public resentment would grow to flash-point and if there was an explosion, neither



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the States nor the Centre might be spared."

Thank you, Sir,

**श्री मुरासोलि मरान (महाराष्ट्र) :** उक्तनामव्यक्ति जो, इस प्रस्ताव पर जो बहस चल रही है, मैं उसको बड़े गौर से सुन रहा था। खातकर के मेरे मित्र श्री राममूर्ति जिन्होंने उक्ति, अरण्यक, ब्राह्मण और ऋग्वेद का इनमें जिक्र किया, वह भी मैं सुन रहा था। लेकिन मैं कहना चाहूंगा कि यह जो प्राचीनतम काल को लेकर सारे सभाल को उतारना जा रहा है, उसका अन्त में इस प्रस्ताव से कोई सम्बन्ध नहीं है। आज राजू साहब ने इन प्रस्ताव को इस सदन में रखा है। मैं मानता हूँ कि इतने दिनों काँग्रेस आन्दोलन में और कांग्रेस के साथ रहने के बाद कुछ चीजों के बारे में पुनर्विचार उनके जैसे निश्चय करने लगे हैं। यही मेरा निष्कर्ष है। इस सम्बन्ध में एक चीज मैं सदन के सामने रखना चाहता हूँ। हिन्दुस्तान के अन्दर संघीय राज्य की जो चीज चल पड़ी, उसका सम्बन्ध राष्ट्रीय आन्दोलन से है। श्री राममूर्ति जी भी इस चीज को कबूल करेंगे,—ए० आई० सी० सी० का जो 1942 का प्रस्ताव है, वह उन्होंने अपने भाषण में कोट किया—कि उनके पहले भी मुस्लिम लोग का प्रस्ताव 1939 में इस देश में हुआ है, जिनमें कहा गया था कि राज्य के अधिकार और केंद्र के जो अधिकार हैं, उनमें किसी क्लिप्त का बंटवारा हो कि राज्य को कितने अधिकार मिलें। इसलिए मैंने कहा कि ये सारी चीजें जो हिन्दुस्तान में चल पड़ी हैं, उसका सम्बन्ध हिन्दुस्तान के राष्ट्रीय आन्दोलन से जो है। देश आजाद हुआ और देश का बंटवारा हुआ। जो इण्टरप्रेशन श्री राममूर्ति जो ने दिया है मैं उक्त इण्टरप्रेशन को मंजूर नहीं करता। एक चीज जरूर हुई कि मंजूर केंद्र की बात चल पड़ी। लेकिन इसकी वृत्तमनि बिल्कुल अलग है।

बंटवारे के बाद जो स्थिति उत्पन्न हुई, पाकिस्तान बनने के बाद जो स्थिति उत्पन्न हुई, उस स्थिति में जिन लोगों पर उस वक्त जिम्मेदारी थी वह यह समझने लगे कि मूलतः इस समस्या को ले कर जो फ़ैडरल राज्य या संघ राज्य की बात चल पड़ी थी वह चीज अब हट गई है। पाकिस्तान एक अलग राष्ट्र बन गया है। इसलिए केन्द्र के पास ज्यादा सत्ता रह सकती है। उन्होंने ऐसा मानकर ही भारत के संविधान की रचना की। श्रीमन्, आगे चलकर असल में हुआ यह कि बहुत लम्बे अर्थ तक इस देश में यह स्थिति बनी रही कि केन्द्र में भी और राज्यों में भी एक ही दल का शासन रहा। और एक ही दल का शासन रहने का दुष्परिणाम यह सामने आया कि केन्द्र और राज्यों के सम्बन्ध जो अच्छी बुनियाद पर खड़े होने चाहिए थे, वे कायम नहीं हो पाए। केन्द्र और राज्यों के सम्बन्धों के बारे में जो सारी वृत्तियाँ आज मित्रों ने बताई उसका सबूत बड़ा कारण यह है कि कांस्टीट्यूशन के अन्दर आने के अन्दर, विधान के अन्दर 356 का जिक्र किया गया। राममूर्ति साहब को याद होगा कि मध्य प्रदेश का मामला 1967 के आसपास उठा, उत्तर प्रदेश का मामला उठा उस वक्त अपोजिशन को आक्रोश रहा कि गवर्नर के अधिकारों का दुरुपयोग करके काम चलाया जा रहा है। असल में मैं यह बात मानता हूँ यह जो कहा जा रहा है सेंटर और स्टेट सम्बन्धों की बात है, संघीय और राज्यों और घटकों, राज्यों के सम्बन्धों क्या हों, यह जो मामला अभी बताया जा रहा है, यह गलत है। असल में बात यह है कि जो राज्यों के लिए ज्यादा अधिकार मांगते हैं वे यह चीज कहने के लिए भी तैयार नहीं हैं कि जो ज्यादा अधिकार उनको मिलेगा वह उनके राज्यों में नीचे की जो इकाईयें हैं ग्राम पंचायत से ले कर जिला परिषद, कारपोरेशन, म्युनिसिपैलिटी तक उनका कैसे बंटवारा होगा, इसका जिक्र तक करने के लिए यह लोग तैयार नहीं हैं। मैं आपको कह रहा

हूँ जिस राजमन्त्रार कमेटी का जिक्र किया जा रहा है, राजमन्त्रार कमेटी की जो रिपोर्ट बनाई गई है, उसका भी मूलतः आधार 1935के ऐक्ट का रहा और उसी को सामने रख कर सेंटर और स्टेटके बारे में सोचा गया है। आपको यह सुन कर आश्चर्य होगा कि राजमन्त्रार कमेटी में डिस्ट्रिक्टलाईजेशन का मतलब सिर्फ सेंटर स्टेट रिलेशन से है और उनकी जो छोटी इकाईयाँ हैं, कारपोरेशन, जिला परिषद्, म्युनिसिपैलिटीज पंचायत है उनको क्या अधिकार मिलेगा इसका जिक्र तक रिपोर्ट में नहीं है। असल में यह सवाल सेंटर और स्टेट का है, ऐसा मैं बिलकुल मानने के लिए तैयार नहीं हूँ। आज स्थिति क्या है? आज स्थिति यह है कि सेंटर में संसद् है, राज्यों में विधान सभाएं हैं। राज्यों के नीचे जिलों में क्या स्थिति है? जिलों में संस्थाएं हैं जैसे जिला परिषद् है, कारपोरेशन है, म्युनिसिपैलिटीज हैं, यह सब हैं और यह ऐसी संस्थाएं हैं जिन के लिए हमारे संविधान में कोई हिक्काजत नहीं है। कारपोरेशन को भी सुपरसीड किया जा सकता है, जिला परिषद् को भी सुपरसीड किया जा सकता है और कई जगह ऐसा हुआ है। इसलिए आज जो हमारे यहां सारा सिलसिला चला है इस के दो केन्द्र हैं। एक केन्द्र है दिल्ली और दूसरा केन्द्र है राज्य। यह सही मानने में डिस्ट्रिक्टलाईजेशन नहीं है इससे मैं सहमत हूँ। लेकिन इसका अर्थ यह लगाना कि इसी सिलसिले को चलाने मात्र से, केन्द्र के जो अधिकार हैं राज्यों को सुदूरकने मात्र से सारी समस्याएं हल हो जाएंगी तो यह गलत समझ रहे हैं। समस्या यह है कि राज्यों के पास जो अधिकार आएंगे, जो भी हैं, उसका इस्तेमाल कैसे हो रहा है। जब राज्यों की विधान सभाओं में आप जाएंगे तो आपको पता चलेगा वहां जब इन सवालों पर बहस चलती है तो वहां की जिला परिषदों के लोग, वहां के म्युनिसिपैलिटीज के लोग, कारपोरेशन के लोग क्या समझते हैं। मैं आपको अपने

राज्य का उदाहरण दे कर कह रहा हूँ। कहा जाता है कि महाराष्ट्र में जो जिला परिषद् ऐक्ट है वह प्रोप्रिसिव ऐक्ट है। कई जगह उसका नाम लोगोंके सामने रखा जाता है। श्रीमान्, मैं यह कह सकता हूँ कि जिला परिषद् ऐक्ट जो महाराष्ट्र में है उसमें किसी किस्म का भी डिस्ट्रिक्टलाईजेशन नहीं है, सेयरिय आफ पावर है, सत्ता बांटने का उसमें एक जरिया है लेकिन किसी किस्म का अधिकार उनको दिया गया, ऐसा कोई स्विति नहीं है। पहले तो जिला में एक कलेक्टर था। अब महाराष्ट्र में जिला परिषद् का चीफ एग्जीक्यूटिव आफिसर होता है। वह कलेक्टरके रैंक का आदमी होता है। एक जिले में दो कलेक्टर हो गए हैं। चीफ एग्जीक्यूटिव आफिसर कलेक्टर रैंक का आदमी होता है। तो असल में किसी किस्म का कोई डिस्ट्रिक्टलाईजेशन नहीं हुआ है।

4 p.m. है ऐसे राज्यों में जहां कहा जाता है कि बहुत अच्छा डिस्ट्रिक्टलाईजेशन का एक ढांचा उन लोगों ने बनाया है; राज्यों में इतनी चीज जरूर है कि डिस्ट्रिक्ट इलेक्शन होते हैं . . . .

(Interruptions)

श्री पी० राममूर्ति : हम लोग न सिर्फ यह चाहते हैं कि सेंटर की पावर्स स्टेट्स को थोड़ी सी बांट दी जाय बल्कि हम यह भी चाहते हैं कि स्टेट की पावर्स म्युनिसिपल और लोकल बाडीज को भी बांटी जाय।

श्री सदाशिव बागाईतकर : जिस प्रस्ताव की मैं बात कर रहा हूँ उसमें ऐसी बात नहीं है। जो भाषण मैंने सुना है उसमें कहीं यह बात नहीं आई है . . .

(Interruptions)

श्री पी० राममूर्ति : क्योंकि वह कानूनी तौर से हर एक स्टेट में कर सकते हैं। इसलिए हर एक स्टेट से वही बात उठती है और लीटा दी जाती है। जहां पर हम हैं जैसे वेस्ट बंगाल वहां अभी नजदीक में

[श्री पी० राममूर्ति]

एक बिल आने वाला है। उसके लिए कानून का सम्बन्ध नहीं है। जहाँ कानूनी बात है संविधान का उससे सम्बन्ध नहीं है ...

**श्री सदाशिव बागाईतकर :** मैं दलील दे रहा हूँ, मैं तो चाहता हूँ संविधान में तो सिर्फ केन्द्र और राज्यों का विचार किया गया है परन्तु मैं तो उल्टा कह रहा हूँ। मैं चाहता हूँ कि संविधान में ग्राम पंचायतों और जिला परिषद् जैसी इकाईयों का भी विचार किया जाय ... ( *Interruptions* ) ठीक है आपको आपत्ति नहीं है लेकिन आपने यह कहा नहीं है। आपको आपत्ति नहीं है तो दूसरी बात है। मैं स्पष्ट रूप से कहना चाहता हूँ। मैं संविधान की बात कह रहा हूँ और संविधान की बात यह है कि जहाँ उसमें सिर्फ केन्द्र और राज्यों का विचार किया गया है मैं चाहता हूँ कि वहाँ और इकाईयों का भी विचार करना चाहिए तथा आज जो खाली मैजिस्ट्रियल पावर लोगों की है चाहे तो जिला परिषद् सुपरसीड करे, चाहे तो म्युनिसिपल सुपरसीड करे, चाहे तो महा-पालिका सुपरसीड करे, उनको मुलतवी करे इस चीज को हटाया जाय। इसलिए आप जहाँ सीमित सवाल रख रहे हैं उसका मैं विरोध कर रहा हूँ। आप लोग सीमित सवाल उठा रहे हैं कि केन्द्र के जो अधिकार हैं वह राज्यों को ज्यादा मिल जाय। आप झूरी बात कह रहे हैं। परन्तु उस अधिकार का बटवारा कैसे किया जाय, उसका नक्शा क्या हो यह आप कहने के लिए तैयार नहीं है। इसलिए मैं चाहता हूँ ... ( *Interruption* ) आप तैयार हैं तो हम जरूर विचार करेंगे लेकिन जिस प्रस्ताव का आपने समर्थन किया और जिस प्रस्ताव के हक में सारी दलीलें पेश की उसमें यत्र गुंजाइश तक नहीं है खासकर मेरे डो० एम० के० के जो

मित्र यहां बैठे हैं उनसे मैं पूछना चाहता हूँ कि जिस राजमन्त्र कमेटी का बार बार वे जिक्र कर रहे हैं क्या उस कमेटी में एक लफ्ज भी इस बारे में है कि राज्यों को जो अधिकार मिलेंगे उन अधिकारों का नीचे की इकाईयों में कैसे बटवारा होगा। इस चीज का उल्लेख तक नहीं है।

**श्री देवराव पाटील (महाराष्ट्र) :**  
पहले राज्यों को मिलने तो दीजिए।

**श्री सदाशिव बागाईतकर :** यह गलत है देवराव जी कि राज्यों को पहले मिले और केन्द्र को बाद में मिले। अधिकार तो एक ऐसी चीज है आपको मालम होना चाहिए कि एक दफा मिल जाय तो कोई छोड़ता नहीं है। आप इसे 30 साल से अनुभव करते आये हैं। अधिकार ऐसी चीज नहीं है कि जो पहले मिल जाय और बाद में उसे पास आन कर दिया जाय ... ( *Interruptions* )

**श्री पी० राममूर्ति :** आप दोनों को मिला लीजिए हमें कोई आपत्ति नहीं है ... ( *Interruptions* )

**श्री सदाशिव बागाईतकर :** उपसभाध्यक्ष जी, मैं यह कह रहा हूँ कि हम ... ( *Interruptions* ) यही कहते हैं राममूर्ति जी कि अगर बात करनी है, सोच विचार करना है तो मुकम्मल विकेन्द्रीकरण पर विचार किया जाय और यह चीज जनता पार्टी के मनीफेस्टो में है। पर आप जिस तरह का पारशियल डीसेंट्रलाइजेशन चाह रहे हैं कि राज्यों को ज्यादा अधिकार दिये जाय फिर राज्य सोचेंगे ( *Time bell rings* ) उनको भी आपने ज्यादा समय दिया ... ( *Interruptions* ) ठीक है मैं कहना चाहता हूँ कि विकेन्द्रीकरण की जो बात और वह बात जो मनीफेस्टो में है वह प्रेक्टिकल है। मुझे

खुशी है विकेन्द्रीयकरण का मामला राममूर्ति जो और मार्क्सिस्ट दोस्त अगर उठाते हैं। इसमें मुझे कोई नाराजगी नहीं है, मुझे खुशी है क्योंकि मैं जानता हूँ कि युगोस्लाविया और सोवियत रूस जैसे देशों में कई स्टेट होने के बावजूद इतना मुकम्मल सेन्ट्रलाइजेशन है कि वहाँ किसी राज्य को कोई अधिकार नहीं है। सोवियत रशिया के कांस्टीट्यूशन में यह भले ही लिखा हुआ है—राइट टू, सेसीड लेकिन वह लिखने तक सीमित है, वह देखने में नहीं आया है। हम 40 साल का इतिहास जानते हैं। तो मार्क्सिज्म का डीसेन्ट्रलाइजेशन के साथ नई दृष्टि से कोई ताल्लूक आ जाता है, तो कुछ हद तक मैं स्वागत करने वाला हूँ क्योंकि आज तक मार्क्सिज्म की परिभाषा सेन्ट्रलाइजेशन के साथ जुड़ी हुई है। इसलिए वेद-पुराणों की बात छोड़ दीजिए, आज की असली चीजों को भी पेश कीजिए।

लेकिन साथ-साथ मैं यह भी चाहता हूँ कि इस तरह आधे-अधूरे तरीके से सोचने का तरीका हम अख्तियार करेंगे तो हम गलत रास्ते पर पहुँच जाएंगे और इसलिए आज एक बात मैं कहना चाहूँगा कि अगर आप सेक्टर-स्टेट रिलेशन का सवाल उठाते हैं तो क्या आज इस प्रश्न को प्रायोरिटी देने की, अग्रणीयता देने की स्थिति है, यह भी सोचना पड़ेगा। इसलिए मेरा यह कहना है कि अगर राजनैतिक दृष्टि से कोई सवाल देखना है और सोचना है तब तो हम समझ सकते हैं वह तो अपना अधिकार है लेकिन सही मानों में इस देश का जो इस वक्त आईन है, संविधान है, वह सही दिशा में है और उस में तब्दीली करने से क्या दिशा रहेगी इस दृष्टि से सोचना है। फिर यह अधूरा सोचना आपको छोड़ना पड़ेगा और एक मुकम्मल दृष्टि से आपको सोचना होगा। ऐसा कोई प्रस्ताव लाने तो हम लोग जरूर विचार करते लेकिन चूँकि ऐसी स्थिति नहीं है इसलिए इस अधूरे कदम के समर्थन में मेरी कभी भी सहमति नहीं हो सकती। इतना कह कर मैं समाप्त करता हूँ।

SHRI N. G. RANGA (Andhra Pradesh) : Mr. Vice-Chairman, Sir, I am generally in favour of this Resolution. I seek the permission of the House to withdraw one of my amendments, and that is in regard to the suggestion that I have made that the word "legal" should be omitted. I want that amendment to be omitted. But the other amendment, that the report should be made within one year, should remain.

The real thing is, whoever comes to power does not want federalism; he does not want State autonomy. But when he is in Opposition, he wants more and more autonomy. And so far as our Janata friends are concerned, most of them have been sufferers, I think at the hands of the Union Government in the past. Therefore, at that time they wanted more and more autonomy. So when they were writing their Manifesto, they were wholeheartedly in favour of autonomy. After having got into power and tasted what it is like, in dismissing, as my hon. friend, Mr. Raju, said the other day, by just a stroke of pen, taking advantage of only two words in the Constitution, six State Governments ....

SHRI V. B. RAJU (Andhra Pradesh):  
Nine.

SHRI N. G. RANGA: ... and getting their own people in them, they no longer have any use for State autonomy. But do we want complete autonomy? Nobody has asked for it. But we want more and more autonomy. How much of it? Not as much as the mad Bihar Government has tried to exercise by imposing Hindi and Hindi alone and nothing else, as if it is an independent State living by itself. Not to that extent. Not even to the extent that the West Bengal Government has suggested through the memorandum that has been circulated among our Members by their Chief Minister. Not to that extent. But nevertheless there should be more and more autonomy. As my hon. friend

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from Tamil Nadu has quoted chapter and verse, there are so many statutory powers which are already there which are supposed to be enjoyed and exercised by the State Governments but which are not being allowed in actual practice to be exercised.

My hon. friend has quoted Mr. Jayaprakash Narayan to say that in his thinking he was all in favour of State autonomy. And what is it that Mr. Jayaprakash Narayan has suggested? He has said that the Centre should have complete power over economic matters. That is a statement which is as vague as are his many other statements. It can be interpreted in different ways, in any way you like. Economic powers: That is exactly what the Union Government is exercising, having control over all the excise revenue, getting all the money here and afterwards taking as much as possible for its own expenditure and trying to give something to the State Governments as loans, as subsidies, as friendly overtures or friendly gestures, and so on and so forth. Is that the kind of autonomy that my honourable friend from Tamil Nadu wants? Yet, he quotes him. Therefore, we can go on quoting any number of people, any number of instances in favour of autonomy or in favour of federalism or in favour of Central power. These things do not cut any ice at all. What is most essential is that the political parties must realise—I do not know how soon they would realise—that there is need for more and more State autonomy, and at the same time there should be sufficient safeguards by way of overall powers with the Union Government to ensure the unity of the whole of this nation, known as the Union of India, the Indian Union.

Are we sure where we would be able to draw a line? There is splendid scope for compromise, splendid scope for give and take and for experiments. That is the reason why in the beginning I was not so very keen on de-

manding that legal changes also should be made. But after having heard the debate I thought it would be better to drop that amendment and not insist that legal powers must be vested with the Union Government. It seems that the Prime Minister wanted the State Governments to believe in the judgment of the Union Government, and therefore not to insist upon any legal authority for more and more autonomy. As has been said by several friends, where is the guarantee that the Union Government also would be wise? Was it not a fact that the Union Government, of which Mr. Morarji Desai was such a powerful Minister, at that time was responsible for dismissing any number of State Governments which came into existence as opposed to the Congress Party between 1967 and 1969? That was the Union Government and the present Home Minister was one of the victims of that misuse of power as you may call it, or overuse of power, by the Congress Government here. Twice he had to vacate his Chief Ministership. Once Mr. Jyoti Bosa and his colleague, Mr. Mukherjee had also to be driven out of office. One of our Ministers here today also happened to be a Minister at that time and Shri. P. C. Ghosh was pitchforked and chosen as a Chief Minister merely because of the mercy of the Union Government. Therefore, it is no use saying, "Leave it to the Union Government and our judgment. Don't you know that Mr. Morarji Desai is a scrupulous man? Therefore, leave it to him." This scrupulous man was also a party to all those things in those days. This scrupulous man now asks the State Governments to trust the tender mercies of the Union Government. How wrong it would be for the State Government to depend upon the Union Government's good graces, and graces which cannot be depended upon! They may change from day to night, from night to day.

Yet, how could any kind of change ever be brought about? I do not know. It is going to be very difficult, because, We go on talking like this, but when

we go over there, we begin to talk in a different manner. This is how it happens. Nevertheless progress there has been in this country. There was a time when some of our friends said they wanted complete State autonomy and therefore we were keen on establishing a federal constitution in this country with only limited powers. That was a time when there were so many Indian States. We had to canvass them to come into the Indian Union. Therefore, We offered them a bait if you like to call it so. We made that offer anyhow with all good intentions. Once they came in, we found ourselves face to face with many fissiparous tendencies. These tendencies were being strengthened by those friends on both sides of the Communist Party—Communist Party of India and Communist Party (Marxists). At that time they were keen on supporting the Nizam's plea for autonomy and independence. They were also keen to bring about violent revolution. We wanted to overcome that kind of threat. For that reason at that time we swerved in favour of a strong Central Government and less and less of provincial autonomy. That is how this Constitution has come to be given this particular shape. It is neither unitary nor federal. It partakes of the features of both. Is it a good thing? Many think it is not good. In practice you cannot have anything entirely good. Such is life.

What is the position in America? They have their State Governors. Some of them were too conservative like our Hindi faddists here. They were not prepared to treat their blacks liberally and in a democratic manner. Martin Luther King was their leader. Then the Federal Government had to send troops in order to protect them and enforce the judgment that was given by the Supreme Court and to see that their children were sent to schools and prevent that kind of untouchability. Are we sure that in India such a situation would not arise? Take the case of Tamil Nadu or Bihar. Suppose in Tamil

Nadu they say to the Hindi people: You are not going to get any job unless you know Tamil, unless you write in Tamil and unless you learn to read Tamil. You should speak to us only in Tamil. What will you do? Take the bad example of Bihar. Suppose this is followed by other Hindi States. What will be the fate of South Indian? Tamils are not the only South Indian people. We have Kannadigas, Telugus, Keralites, Oriyas and Bengalis who may become victims of such a development. To avoid that situation, you need some overall power in the hands of the Union Government?

But then autonomy upto what point in industry and economy? Can you leave all the money with the State Government making the Union Government dependent upon their mercies for their maintenance? That also cannot work. Therefore, there has to be a compromise. Both have to work in a co-operative spirit continuously. That would need a tremendous spirit of co-operation both from the Centre and also at the State level. A time would come when a better balance might be achieved. How does it come? As a result of the 1977 elections, you have been pitchforked into power. You are wedded to village autonomy, district autonomy and State autonomy. They have formulated programmes in such a manner that more and more money will be going from the Centre to the States and from the States to the districts and from districts to villages and so on. All this money has got to be used and it could be used only in a democratic and decentralised manner. When this system goes on in that way, a time would come—how soon I do not know—

when the State Governments will be having sufficient financial viability or self-reliance which would enable them to turn round to the Centre and say: Now we are not going to accept your dictation. Centre means what? Not these Ministers who are only figure-heads. There are departmental heads.

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there is the Planning Commission and there is the Finance Ministry. To them they will turn round and say: "You want us to exercise all these autonomous powers and deliver the goods and achieve the results. We would not be able to achieve the results unless you stop dictating to us," This is how the new plan is likely to work its way in order to deprive the Union Government or force the Union Government to discard as much of its power, as much as its supervisory and dictatorial power as possible. Sir, merely round a table, or in an argument or in this Parliament, or in the manner of a seminar or in a debating fashion, these things cannot be solved. Why? It is because they have tasted power. My honourable friend, Shri Ramamurti, said that absolute power corrupts absolutely. True. Absolute power in the hands of the rulers of the Soviet Union corrupted them to such an extent that Hungary and Czechoslovakia were made mincemeat of. They were all-independent nations, as far as possible, and they were brought into the Warsaw Pact and when they had been brought into it, they could not get out of it at all and their industries had to be devetailed into the industrial economy of the Soviet Union also. So, there also absolute power had corrupted the rulers so much that their so-called national sovereignty has turned out to a form of neo-colonialism. So, these words can be bandied about according to convenience or for the sake of argument and they will not serve any useful purpose. It is the spirit in which we approach this Resolution, this problem, which matters most and here I want my honourable friends, of the Janata Party to remember their own earlier, experiences, also to remember their own manifesto and try not to appear before the people as hypocritical and as sychophantic as every political party has done till now, by whatever name it has gone, either at the State level or at the

I Union level. If they wish to gain any kind of reputation at all for honesty in public life, then. Sir, they should be prepared to accept this Resolution. What is it that this Resolution demands? My honourable friend Shri V. B. Raju, was careful enough not to go beyond the terms of this Resolution, not to import any political passion or political partisanship into it and to present it as if he was presenting it for a seminar of professors and political theoreticians. Therefore, he has made it easier for my honourable friends, if they are really keen about it, to accept the spirit of this Resolution without any partisanship at all. Let them not bother about the various speeches that have been made from a partisan angle either from that end or from the communist end or from any other side.)

I am not interested in the total Indian history. These exponents of the total Indian history who are so much angry about Brahminism are themselves Brahmins and, Sir, it was a privilege, it was their privilege to segregate and suppress more than one half of our population and make them untouchables and uneducable people and it is also their privilege now to ridicule the whole of our cultural past and say that only the materialist interpretation of history is the correct one and, therefore, we must accept that. But there is this danger. My honourable friends who are very keen about state autonomy and who are more sincere about it. I mean, in Tamil Nadu and in the South, should also remember one thing that we should have as much respect for the other people's sentiments as we expect the others to have towards our feelings and sentiments. Now, can we have that much of autonomy as to, what should I say, encourage, allow and permit large masses of people to hold in ridicule the sacred feelings, the sacred thoughts and the sacred views of equally large masses of people, living in their midst or living in the other States, but anyway with-

in India? Sir there was an instance of this kind where a procession was taken out in one of our towns with the picture of Lord Rama with a garland of shoes hung over it. Such a thing cannot be had as a part of provincial autonomy, because there are people here, many people in this country, who venerate that Great Man, who hold him as an ideal in our social life, in our family life. Therefore, I say that similar things can be said about Islam, about Christianity the Christians and the Mohammedans. This is a country where our social life is so very complex. Our communities are too many, living in different ways and having different cultures -and different ways of approach to God or Godlessness. So there is much greater need for our people to have patience towards each other than is the case with other people. That is why, federalism is much more important, local autonomy is very much more important than in any other country in any part of the world, and under such circumstances it behoves the Janata Government, the present Government, to accept this Resolution.

SHRI S. W. DHABE (Maharashtra): Mr. Vice-Chairman, Sir, the Resolution contemplates the appointment of a Parliamentary Committee for a very important subject. The subject is such that ever since the Constitution of India came into force there has been a continuous debate on constitutional provisions governing relations between the Centre and States. Various interpretations have been put on the Centre-State relations, and different interpretations have been given by different jurists to different provisions. Some describe it as "a federation with a strong centralising tendency". According to the Administrative Reforms Commission, "the Constitutional edifice of India is neither unitary nor federal in the strict sense of the term". The judgment of the Supreme Court in the State of West Bengal versus Union of India reinforces the view that the Constitution of India establishes a federal struc-

ture with a strong unitary bias. Centre-State relationship of India is necessarily to be viewed in this context of a federal structure with a clear bias in favour of a strong Centre.

Sir, if you read the Preamble to the Constitution, you will find. Sir, it says: India shall be a Union of States. Section 3 makes it very clear that Parliament has power to form a new State by separation of a territory, increase the area of any State, diminish the area of any State, and so on. Sir, this clearly shows that the total approach of the Indian Constitution, and the founder Dr. Ambedkar, was right, in framing such a Constitution, namely, the approach is that India is one and one country. Sir, there are elements in our country also who believe that India is not one nation. Vedas were quoted to ridicule the concept of one nation. They relied upon Vedas itself and said that India is a big continent. India is unitary. Our concept is not that we are different nationalities. Our concept is not that we want disintegration of this country. Our concept is not that anybody has the right to secede, as also those living on the northern and eastern borders of this land. When the DMK Government was dismissed, it was discussed in the House, the report showed that one of

the papers wrote: .....premier of Tamil Nadu a separate flag for Tamil Nadu", and so on. The idea was not merely to have only a discussion on the Centre-State relations but to alter the Constitution and to completely demolish its importance and basic features. In this connection, a very interesting document has been circulated by the Chief Minister of West Bengal. He does not want it only for the sake of discussion. Having come to power in the particular State, they want more economic power and complete autonomy probably to do whatever they want taking into consideration their relations and close affinity of thinking across the border. They have made four suggestions. I would like to read from the document circulated by the Chief Minister of



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West Bengal and I do not think that is the intention of the resolution moved by the hon. Mover. The first thing is that the word 'Union' should be deleted. Then the Central Reserve Police, the Border Security Force, etc. should be dispensed with. There should be no security forces under the Centre. Then they have stated that there should be Concurrent List. The most important recommendation is contained in paragraph 12. Their demand is that IAS and IPS services should be abolished. I quote;

"All-India services like the IAS, the IPS, etc., whose officers are posted to the States, but remain under the supervision and disciplinary control Of the Central Government, must abolished."

Then it goes on to say that Articles 356 and 357 which we all know were abused sometimes, should also be deleted. Sir, the wording is very important. I quote:

"Articles 356 and 357 which enable the President to dissolve a State Government or its Assembly or both should be deleted. In the case of a constitution breakdown in a State, provision must be made for the democratic step of holding election and installing a new Government as in the case of the Centre."

It is very difficult to understand how the Assembly can decide to dissolve itself. The whole concept of the Indian Constitution is different. I agree with my friend, Mr. Bagaitkar. You only talk about the powers of the States because you have come into power and because the Constitution has provided that. But the Panchayats are not even mentioned in the Constitution. If you want decentralisation of power, then has Bengal a different culture or a different nationality? Why the Bengali people should not be given appointments in Uttar Pradesh? They want abolition of- services. Why can a man from Tamil Nadu not serve in

Delhi? The whole document smacks of a separate State thinking. That is what they want to aim at. That is what the Tamil Nadu people wanted. I have got a demand in my area regarding Maha Vidarbha State. Will it be a separate State or will it have a separate nationality? If some people want Goa as a separate State, will it have a separate nationality? Madhya Pradesh is a very unweildy State. Chatisgarh people want a separate State. Will it be new nationality? Chatisgarh and Maha Vidarbha can form one State with Nagpur as its capital. Will it acquire a new nationality. Demand for separate Telengana was there. If it had been formed, would it have separate nationality? Therefore, we have to give a very serious thought to the Centre-State relations and nothing should be done which will give an impression within the country or to anybody else that we are disintegrating. Decentralisation does not mean disintegration. To talk of Vedas and to quote other authorities is ridiculous. In Eastern Europe, Communists acquired power by conquering Poland and Czechoslovakia.

Sir, the real question is that some adjustment is necessary. The problems are, no doubt, there. I entirely agree with what is stated in the Resolution, namely, that there should be a review of the Centre-State relations from time to time. Some of the problems are there, just like the Maharashtra Employment Guarantee

Bill. What right has the Centre got to withhold assent for days together? There is no time-limit. Why should not a State have the right to go ahead with a programme, if it wants to have it? Simply because the other States cannot do it, can the assent be withheld? Can we not redraft article 201 so as to speed up the economic development in order to improve the living standards of the people of this country?

What about article 130 of the Constitution?  
The Maharashtra Assembly

unanimously passed a resolution demanding a Bench of the High Court at Aurangabad and Poona. If the permission of the Central Government is needed for it, why should it not be given? Why should we not have decentralisation for disposal of cases? Why should such a lengthy procedure be followed? Article 130 provides that the Supreme Court shall sit in Delhi and at other places if it chooses. There is a unanimous demand that the Supreme Court should not sit in an ivory tower in Delhi alone but have Benches all over the country for the disposal of cases. In Karnataka High Court alone 10,000 land cases are pending for a very long time. The demand for a Bench at Meerut and some other places is there. Why should Article 130 and other Articles not be amended and a provision for separate Benches at different places made therein. There is also demand for a session of Parliament in the South. There are also various other matters which are very important and should be considered.

Sir, Part XI of the Constitution deals with the relations between the Union and the States. Article 249 refers to the power of Parliament to legislate with respect to a matter in the State List in the national interest. Article 249 provides that if the Council of State declares by a two-thirds majority to legislate in respect of any matter in the State List in the national interest, it can pass such a legislation.

There are also provisions like Article 356 in the Constitution, to which I want to make reference at this stage, also need a second look. But if you stretch the idea to such an extent and say that there are separate nationalities and that this is a federation of sovereign States and that idea has to be implemented, then I would say that it completely gets counter to the wishes of the founding fathers of the Constitution and to our interests. In that case, we will have to call a session of the Constituent Assembly for completely changing the basic features of the Constitution.

Sir, the most important thing that confronts us today is to see how we can improve the living standards of the masses of this country. On the one hand we talk of the unity of the working class of the entire world, but on the other hand we do not want to talk of the unity of India as one country. Sir, the entire problem before us today is how to improve the living standards of the people of this country, whose wages are very low. The real fight in India today is between haves and have-nots, the rich and the poor. The inter-dependence of the States today is so much that I want wheat in the South, I cannot get it except from the north because there is no wheat produced in the South. Therefore, for the purposes of speed, economic growth and speedily improving the standards of our people if an adjustment is necessary in the Constitution, certainly a dialogue should take place. To deny a dialogue, will not be a correct approach. There are the Directive principles in the Constitution, which require to be implemented. If any amendments in the Constitution are necessary those should be made. When a committee was appointed under the Chairmanship (Shri Swaran Singh, it recommended some changes but said that basically: India is a unitary country, which must have a strong Centre. Both can be there, and if we make only Defence Communications and External Affairs—only three subjects—for the Centre I am sure India which became united after the freedom struggle, will disintegrate into many States. Therefore, these fissiparous tendencies should not be encouraged. It should be one country for purposes of economic upliftment of the people, speedy justice and for efficient administration. It is necessary that there should be one country.

Some ridiculed that talk of national integration. What is national integration? Is it not a reality today that Hindu-Muslim problems are still there? Is it not a reality that people from one area to another look up

[Shri S. W. Dhabe]

each other with suspicion? Even the Scheduled Castes and the caste Hindus are still to be assimilated. One great Communist leader in my State said that because of Hinduism, communism is not possible in our country. In the Hindu way of life, communism may not succeed in our country. But to say that integration problem is not there and it is purely an economic and social problem, is not correct. That is the problem of the socially-back-ward people. Therefore, we must have national integration. We have to consider, at the same time, the economic, cultural and social problems. Both these aspects are not contradictory; they are complementary to each other. Therefore, I would say that it is a sad day for India if those with fissiparous tendencies come to power. If they come to power, would liquidate the States, what to say of autonomy. Let them come to power; that is a different matter, but while coming to power, if they say that we are separate nationalities, it would be wrong. The attitude of the Prime Minister when he said that there should be no dialogue, is not correct. I fully endorse the resolution of Mr. Raju that some Committee should be appointed to review it and discuss it in order to help to integrate the forces and to strengthen a democratic unity of our country. Thank you.

SHRI V. B. RAJU: Mr. Vice-Chairman. Sir, this Resolution is conditioned by time, that is, with the clocks striking five, this Resolution will be talked out and nothing will be left, because the session adjourns on the 18th. Now, it is a non-party Resolution, in fact, with a purpose and a positive approach. If all parties agree, I would propose a closure. It is not for merely debating the issue. The Rajya Sabha is a responsible House and it must do something very concrete. I am only appealing to the ruling party to consider this because I do not want to make it a partisan issue, divide the House and stand on formalities and

all that. The ruling party must have a plan of it which has been discussed on two days, I was very sorry on the Prime Minister's intervention in the earlier stage when he opposed it. Anyhow, it happens. I do not criticise him. Therefore, this is the submission I can make...

SHRI N. G. RANGA: Let us go on till 5.15.

SHRI V. B. RAJU: We cannot, under the time limit.

SHRI DINESH GOSWAMI (Assam): Some of us have given the names and would like to participate. So, I would request that we should continue the debate. The Half-an-Hour Discussion can be taken up on Monday.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): There are large number of Members who have given their names, and there are parties also from which not even a single Member could speak. And there is insistence that at least one Member from each party may be allowed to speak.

**श्री सुन्दर सिंह भन्डारी : अभी कुछ और सदस्यों को भी बोलना है इसलिए मेरा आपसे निवेदन है कि अभी डिबेट जारी रहे ।**

SHRI L. R. NAIK (Karnataka): Somebody must speak from Karnataka.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): I am trying to accommodate. But there are some parties which have not got a chance. We have to accommodate them. Let us hear Shrimati Kaur.

SHRI DINESH SINGH (Uttar Pradesh): Can it not be extended?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI DHANIK LAL MANDAL): Sir, it will not be possible for us to continue the debate after 5 P.M. If you want to continue it on some other

day, we have no objection, but not today.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): The Session is not going to be extended.

SHRI DINESH SINGH: Sir, if you are not extending the time, you must decide now on the point that has been made about closure. You must say 'Yes' or 'No'.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): He has appealed to all the parties.

SHRI V. B. RAJU: Sir, I moved for closure but I paraphrased it by saying that let there not be a division on that point. Let all the parties in the House agree and act in a constructive way. It is not merely a tactical approach.

(Interruptions)

SHRI SUNDER SINGH BHANDARI: There should be a full discussion on the subject. The discussion is going on.

SHRI V. B. RAJU: Now, what shall we do?

SHRI MULKA GOVINDA REDDY (Karnataka): Conclusion is necessary.

SHRI V. B. RAJU: It will only be talked out.

SHRI HAREKRUSHNA MALLICK (Orissa): Let there be a full discussion in the House. If we get divided on this, the purpose will be lost. Let there be a full discussion. Let all the parties be satisfied. I would appeal to the Chair.

SHRI DINESH GOSWAMI: Sir, if the debate is not going to be extended and if it is going to be talked out at least, let the discussion be extended upto 6 P.M. So that Members who want to express their views would be able to do so. This is a matter in which not only parties are interested, but regions are also interested and

there are some regions who would like to emphasise their views. I hope the hon. Minister will agree to it.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): I think hon. Members must be knowing that we cannot extend the time. There is another item to be taken up at 5 P.M. Let us hear as many Members as possible. Let us hear Madam Kaur.

SHRI DINESH GOSWAMI: I do not think there is any bar under the rules to defer the half-an-hour discussion till the next day. I do not think there is any bar under the rules.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): That is the discretion of the Chair. Shrimati Rajinder Kaur.

SHRIMATI RAJINDER KAUR (Punjab): Sir, those who have spoken on the Resolution are unanimous that some type of decentralisation is a must. There is no basic difference on the principle. The differences are only peripheral. Decentralisation of powers is a necessary pre-requisite to speedy national economic development and political stability. Ours is a vast coun. try with diverse religions, cultures, languages, races climates etc. It is a huge nation with multifarious nationalities. Therefore, the founding father; of the Constitution never meant to centralise the powers in New Delh but the powers were to be shared b; the States too. No doubt, under thi Constitution, they use^ the word 'Union of States', but it certainl: does not mean 'unity of States'. Signi fican^y the word 'federation' wa omitted from the text of the Consti tution Dr. Ambedkar explaining th preference for the word 'Union' state in the Constituent Assembly that th drafting committee wanted to mal it clear that though India was to l a federation, the federation was ni the result of an agreement betwei the States to join in a federation. Tl federation was not the result of I agreement. Therefore the States ha

[Shrimati Rajinder Kaur]

no right to secede from it. The federation is a union because it is indestructible. Dr. Ambedkar clarified that India had avoided the rigidities of a classical federation by devising a Constitution which was intended to provide for a federal Government in normal times and for a unitary Government in times of emergency. Thirty-year rule by one party distorted 'union' character of the Constitution and turned it into a more or less unitary type. Centralised Five-Year Plans gave added scope for the concentration of power at the Centre. Our worthy Prime Minister declared only yesterday that for the first time in the history of independent India States have been consulted on the first year of the rolling Draft Plan. Otherwise, States used to have no say in the developmental plans. The residual powers left with the Centre in the Constitution were made maximum use of. The States are left with very little revenue resources. A major part of the taxes comes to the Centre and the States have to come to the Centre with a begging bowl. Punjab is demanding financial autonomy for the States, i.e. decentralisation of the financial powers. Therefore, I will deal only with the financial autonomy for the States. I personally, however, feel that any centralisation of power gives temptation and is likely to lead to dictatorial trends as have been proved in the past. If we wish to safeguard our democracy from the emergence of any dictatorship, power—political and economic—has to be decentralised to the gram panchayat level. The Janata Party is committed to the principle of decentralisation. The only question that remains to be settled is how and the extent to which decentralisation has to be implemented. Its need was stressed by Mahatma Gandhi, Shri Jayaprakash Narayan and our worthy President, Shri Neelam Sanjiva Reddy. Even our worthy Prime Minister said the other day in the House that he was of the opinion that decentralisation should go to the ex-

tent that Centre should not have a separate secretariat. Everything might be done through the States though, he pointed out, genuine practical difficulties. The first step towards decentralisation should be in the financial sphere. No decentralisation of power is possible without the decentralisation of financial power. Finances provide the back and sinews of Government. Indeed no Government can carry out its responsibilities without finances and the degree with which it meets its obligations, and the measure of success in satisfying the expectation of its people largely depends on the adequacy of its financial resources. The integrity of the financial system must be tested by double criteria. On the one hand it must be adequate and on the other it must be independent.

Adequate results of the developmental plan is the responsibility of the States, while money is controlled by the Centre. In the Indian public finances system States are considerably dependent on the Union Government for finances. Accordingly there is an important flow of funds from the Centre to States. The total resources transferred from the Centre to the States increased from Rs. 1413 crores in the First Plan to Rs. 2869 crores in the Second Plan and 56 crores in the Third Plan and Rs. 9780 crores in the Fourth Plan. These transfers formed 41.1 per cent of the States total expenditure in the First Plan, 48.5 per cent in the Second Plan, 52.2 per cent in the Third Plan and 56.1 per cent in the Fourth Plan. In recent years, the importance of transfer from the Union Government to the States has further increased. The States are left with little resources to carry out their development programmes. The States cannot mobilise additional resources because mobilisation of additional resources has led to violent political reaction in the masses. The Central Government collects Rs. 10,000 crores as taxes and 22 per cent of the taxes is given back to the States, with the result that the States cannot take up

even basic developmental projects like education, housing, sanitation, etc., while the Centre can afford to squander away like they have done in the air-conditioned market in Cannaught Place in New Delhi.

Decentralisation of financial resources is a panacea for solving all developmental problems of the States. The Constitution has envisaged transfer of resources from the Centre to the States on the recommendations of the Finance Commission. The Finance Commission now controls only 30 per cent of the resources and the rest goes to Discretionary plan and Non-Plan Grants and Loans. The growing dependence of the States on the Centre has reduced them to mere District Boards

which cannot do any thing without the consent and the sweet will of the Centre.

Punjab feels that it has been treated like a colony by the Centre in the last 30 years. It has not been allowed to develop according to its own initiative and programmes. Freedom of work has been allowed only in agriculture and its allied spheres and Punjab ranks first in the fields of agriculture, poultry and dairy. Punjab has not been allowed to develop in the field of industry. Punjab's contribution to the national food basket is the highest, while Punjab's contribution to the national industrial kitty is the lowest. Even agriculture-based industries have not been set up in Punjab. Punjab has 1-5 per cent of the total land, while it uses 27 per cent of the total production of tractors. But there is no tractor factory there. Punjab is the first State to use harvest combines. Punjab produces over a million bales of cotton, but has no textile industry worth the name. The sugar mills in the State hardly consumes 15 to 18 per cent of the total cane output, as against the national average of 33 per cent.

Punjab's development in agriculture has served as a ready market

I for consumer goods. Punjab sends I the raw materials and gets back the finished products. Leaving aside the small-scale industries, very little industrial units have been allotted to Punjab.

With all this, the total drainage of money outside the State is Rs. 425 crores per annum. This lopsided growth of the economy is responsible for Punjab slipping to the third position from its first position in the per capita income.

"What Punjab needs is freedom to develop and freedom to progress. If Punjab is allowed to progress freely in the field of industry, I can assure this House that within a calculated period, Punjab will be second to none in industrial progress as compared to international standards. Once delivering a lecture in a Gurudwara at Madras Shri C-Rajagopalachari said: "If there would have been free enterprise, the first man to land on the moon would have been a Sikh". Other States must be having their own problems. A strong, economically-developed border State of Punjab would certainly be an asset to the country. Economically strong States mean a strong country. Strong States can never mean a weak centre. The unity of the country has to be maintained by the defence forces and not by the Centre keeping a lion's share of taxes and distributing it at its own discretion.

SHRI L. R. NAIK: May I know whether the hon'ble Member can read out a written speech?

SHRIMATI RAJINDER KAUR: Mr. Vice-Chairman, Sir, I am speaking for the first time. Sir, the clear example is that of Jammu and Kashmir which had its own Constitution, its own flag, its own national anthem, its own Prime Minister and full internal autonomy. When the Central Government wanted to arrest the Prime Minister of Jammu and Kashmir, not a single shot was fired and the Prime Minister was immediately arrested.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): please conclude.

SHRIMATI RAJINDER KAUR; I am finishing in a minute. Moreover, in India nobody thinks of demanding a division of the Army. Moreover, whatever power the States have or will have will only be through the Constitution which can be conveniently amended if ever there is a slight danger to the unity and integrity of the nation. If our worthy Prime Minister does not feel that a Parliamentary Committee should not be set up to discuss the issue of decentralisation of power, some other ways can be found as a step forward towards decentralisation. Decentralisation is need of the time. The earliest possible it is achieved the better it is for the country's economic development as a whole and for the political stability of the country as the States will not tolerate the economic exploitation by the Centre for long. Thank you.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): We now pass on to the next item half-an-hour discussion.

"SHRI BHUPESH GUPTA: Sir, before you take up the half-an-hour discussion I have to make a submission. I have given notice of half-an-hour discussion on the nuclear power pack. Two notices have been given. I hope some time next week time will be found to discuss it. This arises specially after the Prime Minister's remarks here during the Question Hour.

#### HALF-AN-HOUR DISCUSSION

**On points arising out of the answer given in the Rajya Sabha on the 26th April, 1978, to Starred Question 67 regarding Cauvery Waters issue.**

SHRI ERA SEZHIYAN (Tamil Nadu): Sir, I thank you very much

for giving me the opportunity to raise half-an-hour discussion on points arising out of the answer given to Question No. 67. The question is a very simple one. The question has been raised.

"(a) whether the Southern States have urged upon the Central Government for an early to" the Cauvery waters issues; and

(b) if so, in what manner Government propose to settle the issue to the satisfaction of the concerned State Governments?"

Sir, this settlement of the Cauvery waters among the three Southern States, namely, Karnataka, Tamil Nadu and Kerala, has been prolonging for a long time. In the answer, the hon'ble Minister has been pleased to say that:

"An understanding amongst the concerned States, namely, Karnataka, Kerala and Tamil Nadu with regard to the use and development of Cauvery waters was reached at an inter-State meeting held by the Union Minister of Agriculture and Irrigation in August, 1976."

Sir, the first sentence itself I want to contest.

SHRI L. R. NAIK (Karnataka): Sir, on a point of order. In the Rules of Procedure and Conduct of Business in the House, the Chair has sufficient power to adjust the commencement of discussion regarding certain items. So the hon'ble Member can commence after some time. Meanwhile let the Resolution that has been moved be completed. You have ample powers, Sir.

THE VICE-CHAIRMAN (SHRI SHYAM LAL YADAV): Kindly take your seat. Now that the discussion has been taken over, I think there is no time left. In this House the non-official business terminates at five O'clock and the time is not extended.