

**REFERENCE TO THE JUDGMENT
OF THE SUPREME COURT IN
REGARD TO THE PRESIDENTIAL
ORDER RE. RECOGNITION OF THE
PRINCES . . .**

SHRI PITAMBER DAS (Uttar Pradesh)
: Sir, . . .

MR. DEPUTY CHAIRMAN : May I make a suggestion before Mr. Das makes his point ? All the Members are excited and agitated about the judgement of the Supreme Court and Mr. Das also is going to refer to that question. I think instead of discussing that question just now, you can give any other motion tomorrow. Let Mr. Das just mention it now and we need not spend our time on that judgment now.

SHRI PITAMBER DAS : I would like to point out certain things on which we would like to be enlightened by the Government. I was referring to the Supreme Court judgment regarding the order derecognizing the Princes. Many rumours are afloat at present out of which one is that this Session of Parliament may be extended for amending the Constitution regarding that matter. Secondly, that there is the proposal regarding the change of Rules so that two-thirds majority may not be needed for getting an amendment through. Thirdly, the Prime Minister may like to advise the President to dissolve the Lok Sabha.

श्री कल्याण चन्द (उत्तर प्रदेश) : यह केवल अफवाह है।

श्री एस० डी० मिश्र : (उत्तर प्रदेश) : क्या प्राइम मिनिस्टर बोल रहे हैं।

श्री अर्जुन प्ररोड़ा (उत्तर प्रदेश) : वही बनने के लिए तो मिश्रा जो उधर छिपे हुए हैं।

श्री एस० डी० मिश्र : आपकी भी हानन बिल्कुल वही है।

(Interruptions)

SHRI PITAMBER DAS : झगड़ा इन दोनों का है और बात मेरी रक रही है।

Regarding the advice of the Prime Minister to the President for the dissolution of the

Lok Sabha, two questions would arise. Firstly, it was the Rajya Sabha that refused to pass the Resolution for consideration of the amendment of the Constitution, not the Lok Sabha. Why should the Lok Sabha be dissolved for the fault of the Rajya Sabha ?

SHRI BHUPESH GUPTA (West Bengal)
: The Rajya Sabha can be abolished by an amendment of the Constitution. We will be in favour of it.

SHRI PITAMBER DAS : Why for the action of the Rajya Sabha, the Lok Sabha should be dissolved ? Secondly the question would arise whether according to the advice given by the Attorney-General in another context, is it the right of a minority Chief Minister, or Prime Minister for that matter, to advise the dissolution of the House ? That advice was, in fact, given by the Attorney-General very recently with regard to another affair that a minority Chief Minister is not entitled to advise the Government to dissolve the Assembly. Who should that not apply in the case of the Prime Minister of a minority Government also ?

These three serious rumours are afloat I think it would not be fair for the Government to keep the people in uncertainty. We would like to know very definitely what the position is and we would like all these points to be considered which I have raised. Apart from that, I suggest that whatever steps we take now, the President should consult the Supreme Court with regard to the constitutional aspect of this tangle and then proceed in the matter. Through you I would request the Government to give us a categorical answer to these questions.

SHRI GODEY MURAHARI (Uttar Pradesh) : This is a serious matter. The Supreme Court, in all its wisdom, seems to have set aside the derecognition order. Whatever it may be, the Government is committed to the abolition of the privy purses and we have been assured that the Government would do it during the last sessions. The Government tried to do it and then brought this Order. We would like to know from the Government what steps they propose to take to give effect to their assurance that the privy purses will be done away with, and whether they would come forward with a fresh legislation and seek the approval of the Parliament by two-thirds majority or whether the Government intend to dissolve the Lok

Sabha as the members say. And Parliament should not be kept in suspense. After all, we are still in session, and the Government should come out clearly with their intentions regarding the Privy Purses Bill. It is not a question of dissolving this House or that House. It is a question of the privy purses being abolished, and that agitates the minds of the Members and as far as we are concerned, we want that they should be abolished and the Government should take the earliest opportunity to bring forth whatever measures they are contemplating, to see that the privy purses are abolished. Therefore we would like to know from the Government categorically the steps that they propose to take in the matter.

SHRI CHANDRA SHEKHAR (Uttar Pradesh) : Mr Deputy Chairman, Sir, it is very unfortunate that the Supreme Court, in its wisdom,

DR. B. N. MANTANI (Gujarat) : Why unfortunate ?

SHRI CHANDRA SHEKHAR : From my point of view 'unfortunate'.

(// interruptions)

MR. DEPUTY CHAIRMAN : Order, order. Do not interrupt please. Let us have a calm and quiet discussion. Do not get excited.

SHRI CHANDRA SHEKHAR : It is very unfortunate that the Supreme Court, in its wisdom, has struck down an order of the Government derecognising the princes. Mr. Deputy Chairman, to my mind the Supreme Court has shown to the world and to this country that no change is possible in the present economic and social conditions and the social system under the present Constitution. This is a very serious matter. It is not only striking down an executive order derecognising the princes. (Interruptions) Mr. Deputy Chairman, will you please ask Dr. Antani not to behave like this interrupting me but to behave like a gentleman?

Mr. Deputy Chairman, it is a very serious matter and this decision of the Supreme Court is a reflection on the functioning of parliamentary democracy.

HON. MEMBERS : No, no, no.

SHRI CHANDRA SHEKHAR : Mr. Deputy Chairman, this cry of a crowd on the other side reflects the entrenchment of vested interests in this country and in this parliamentary institution.

HON. MEMBERS : No.

SHRI K. S. CHAVDA (Gujarat) : The supremacy of Parliament has been upheld by the Supreme Court.

MR. DEPUTY CHAIRMAN : Do not interrupt him please. Let him have his say.

SHRI CHANDRA SHEKHAR : If democratic functioning in this House will not help me, I shall help myself. (Interruptions.)

Mr. Deputy Chairman, Sir, what I was trying to submit was that this decision of the Supreme Court has raised a serious doubt that no social change is possible through this parliamentary democracy, and those of my friends on the other side who were crying very loud in support of this decision of the Supreme Court have yet to learn the lesson from history. In many countries of the world the constitutions have been broken, dissolved, demolished, because of the obstinacy of those who tried to be defenders of those constitutions. Mr. Deputy Chairman, the same symptoms are being seen and are visible in this country now. The Hon. Judges, in their wisdom, have tried to protect the Constitution and parliamentary democracy, but they have raised a doubt in the minds of the toiling masses that they have no other option but to throw away this Constitution and try to take other measures to bring about the necessary social and economic changes.

SHRI GODEY MURAHARI : Have a new Constituent Assembly.

SHRI CHANDRA SHEKHAR : It is another point whether we are to have another Constitution or not, but the same learned Judges may come to the conclusion that there is no provision in the Constitution to convene a Constituent Assembly. (Interruptions) The only point to be considered by the Government and this distinguished House, Mr. Deputy Chairman, is whether the eleven Judges are going to rule over the destiny of this country, or whether the 520 million people are going to have their say in making the destiny of this country. That question has been posed today, and it is a serious question.

[Shri Chandra Shekhar]

posed by this decision of the Supreme Court. Some hon. friends here think that they are the only arbiters of the destiny of this country and that there can be none else to determine the future of this country. Let us remember that there is the other power also, the power of the people, the power of the masses, the power of the people who are exploited.

' These people are crying hoarse in favour of the vested interests, in favour of the princes whose hands are smeared with the blood of the toiling masses, and this is indication, Mr. Deputy Chairman, that this parliamentary institution has come to that pass about which Pandit Jawaharlal Nehru once said:

"Parliamentary democracy in this country has yet to show whether it can be a proper instrument of social and economic change."

Mr. Deputy Chairman, Sir, only a minor decision was taken by the Government and that decision was to do away with the privileges and privy purses. . . .

DR. B. N. ANTANI : You are in minority today.

SHRI CHANDRA SHEKHAR : Mr. Deputy Chairman, Mr. Antani does not know the meaning of the word 'minority'. Even in this House we are in a vast majority.

MR. DEPUTY CHAIRMAN : Please be brief.

श्री जगदम्बी प्रसाद यादव (बिहार) : अगर कोई 'व्हाइट फाफ़ धार्डर' की बात हो तब तो और चीज है लेकिन यह सब बातें कहने का आग क्यों मौका दे रहे हैं।

SHRI LOKANATH MISRA (Orissa) : Sir, great facility is given to people who try to run down the Constitution on the floor of the House. . . .

AN HON. MEMBER : And the judiciary.

SHRI LOKANATH MISRA : Yes; and the judiciary, while people who could really contribute something on the subject are restrained.

DR. B. N. ANTANI : It is most unfair that a Member should be allowed to decry the Constitution on the floor of the House.

श्री निरंजन बर्मा (मध्य प्रदेश) : इनको बोलने का कितना समय दिया जाएगा, हम लोगों को भी मौका दिया जाय।

SHRI MAHAVIR TYAGI (Uttar Pradesh) : I want to know what this is. Is this a discussion we are having ?

MR. DEPUTY CHAIRMAN : No; this is not a discussion.

SHRI CHANDRA SHEKHAR : Sir, I have been interrupted from the very first sentence; I do not know why they are feeling so very touchy about it.

SHRI PITAMBER DAS : Sir, on a point of order. I would very much like my point of order to be heard by you and Mr. Chandra Shekhar himself. The point is this. I raised the matter and I requested the Government to come out with a statement on that matter. All that Mr. Chandra Shekhar wants to say may be relevant after the statement is there but not on my request for that statement. Therefore whatever Mr. Chandra Shekhar is saying should not be allowed. Let the statement come first and then he might have his say.

(Interruptions)

SHRI M. M. DHARIA (Maharashtra) : On this point of order raised by Mr. Pitamber Das may I submit to this House that there were occasions in this House that whenever a matter of national importance had taken place anywhere in the country we had for some time allowed various parties and the leaders to express their feelings on the floor of the House. . . . Sii today when this issue is of such vital importance. . . .

SHRIMATI YASHODA REDDY : (Andhra Pradesh) : To whom ?

SHRI M. M. DHARIA : To the people at large; not to the people who are representatives of the vested interests.

It is so very important that. . . .

श्री जगदम्बी प्रसाद यादव : वेस्टेड आरके साथ था वेस्टेड इन्टरेस्ट कहने में क्या मतलब है।

MR. DEPUTY CHAIRMAN : "I have seen your point, Mr. Dharia. Please sit down.

SHRI LOKXNATH MISRA : The Congress (R) people are the worst vested interests in this country; they have been holding on to power for the last 23 years.

MR. DEPUTY CHAIRMAN : Mr. Misra, please sit down.

SHRI LOKXNATH MISRA : The vested interests are represented by Mr. Dharia.

SHRI M. M. DHARIA : My submission is, the leaders of various parties should be allowed to express their feelings and opinions today on this point of basic importance and having regard to past precedents the leaders should be allowed and Mr. Chandra Shekhar should be allowed to continue.

MR. M. K. BHAGHAT : Sir, on a point of order.

(Interruptions)

MR. DEPUTY CHAIRMAN : Let me dispose of the point of order raised by Mr. Pitamber Das.

SHRI MAH/VIR TYAGI : I entirely agree with Mr. Dharia that this important matter must be discussed in this House. The Deputy Chairman had already said in the morning session that this is an important matter and that he does not object to discussing this question but he has pointed out the dignified way of discussing it, that is, to give notice for tomorrow and then discuss it.

SHRI BHUPESH GUPTA : I have already given notice,

SHRI MAH/VIR TYAGI : That is what I say. Rather than discuss it today when we have not been able to read the actual wording of the verdict of the Supreme Court, we can discuss it on a regular morning session.

SHRI ARJUN ARORA : I agree with Mr. Tyagi. Mr. Pitamber Das should not have been allowed to say what he has said.

SHRI PITAMBER DAS : I am not going into the merits; I am only just suggesting that if the Government were in a position to make a statement on that basis we can have a discussion.

SHRI BHUPESH GUPTA : Mr. Chandra Shekhar should continue. Meanwhile I have already tabled a motion giving direction to the Government. This motion can be taken up tomorrow as a formal motion or as a formal Resolution by which Government should be instructed what should be done. I have tabled a motion. Meanwhile, let Mr. Chandra Shekhar continue.

(Interruptions)

MR. DEPUTY CHAIRMAN : Mr. Mani, please sit down. As I have already pointed out in the beginning, Mr. Pitamber Das was given permission to refer to this issue. Of course, sometimes we have allowed this practice, though I would not say that it is very good or proper. When such issues are raised, normally other representatives or other Members would also like to express their views. I do not know whether it would be possible for the Government to spare any time for any other discussion, but as we have allowed two or three Members, I should like to allow three or four Members also to express their views. Anyway, I want hon. Members to be brief in their observations, so that we can finish it before lunch hour.

(Interruptions)

THE LEADER OF THE OPPOSITION (SHRI S. N. MISHRA) : It is most unfair. When some hon. Members have been allowed to make remarks on this, we cannot be deprived of doing so.

MR. DEPUTY CHAIRMAN : Mr. Mishra, I would allow three or four Members also to make brief observations. I have never said that I am not going to allow some others.

SHRI BHUPESH GUPTA : The Leader of the Opposition should be asked and then perhaps you should go.

MR. DEPUTY CHAIRMAN : It is for the House to decide it.

SHRI BHUPESH GUPTA : After Mr. Chandra Shekhar, let the Leader of the Opposition speak.

MR. DEPUTY CHAIRMAN : All right, please sit down. Mr. Chandra Shekhar, please finish it.

SHRI CHANDRA SHEKHAR : I am finishing. . . .

SHRI PITAMBER DAS : If you allow the parties, then the first claim is that of the Leader of the House. He should be called first.

(Interruptions)

MR. DEPUTY CHAIRMAN : Please do not interrupt.

SHRI CHANDRA SHEKHAR : Mr. Deputy Chairman, Sir, I am finishing in a few sentences provided I am not interrupted. What I was trying to impress upon you is that the hon. Supreme Court seems to be more concerned with interpreting the intricacies and the legal verbal delicacies. They seem to be little concerned about the feelings of the people in this country and when such a situation arises in any country the people have to take recourse to certain methods, which may bring about an amelioration of their difficulties. This Parliament, as the highest forum of this country, has to give a lead to the people of this country. Whether we are going to depend upon the wisdom of eleven Judges of the hon. Supreme Court and leave the people to take their own course of action or not, this Parliament is going to give a guideline to the people and assure them that, in spite of the wisdom of these learned Judges, there are remedies open to the people through parliamentary institutions. If this answer is not provided by this Parliament, I am afraid the people may take recourse to some measures which may silence the voices on the other side, which so readily talk about the freedom and the rights of a certain privileged few, but they have left open the exploitation of the common man. Under the circumstances I would urge upon the Government to come forward with a concrete proposal before this House before the Session ends, so that people understand that parliamentary institutions have still some power to take care of their interests and some learned people cannot ride roughshod over their aspirations and hopes.

SHRI MAN SINGH VARMA (Uttar Pradesh) : If he believes in parliamentary democracy, Mr. Chandra Shekhar should have advised the Prime Minister not to recommend for Presidential Order against the verdict of Parliament.

MR. DEPUTY CHAIRMAN : Mr. Bhupesh Gupta. Try to be brief.

SHRI BHUPESH GUPTA : All right, if I am not interrupted. Undoubtedly, Sir, an extremely critical and challenging situation has arisen. Neither we in this House nor the people can accept the judicial assassination of the social objectives and the national will by the Supreme Court. Hence, Sir, we are called upon to meet this challenge. It is within the domain of the Supreme Court under our Constitution, I concede, to interpret the law. . . .

SHRI S. D. MISRA : Assassination is the monopoly of Mr. Bhupesh Gupta.

SHRI BHUPESH GUPTA : Undoubtedly, Sir, we concede, there is no escape from conceding it, under our Constitution as it is it is the privilege of the Supreme Court to interpret the law in the Constitution; but then, Sir, it is also our privilege representing the sovereign will of the nation to see that the Supreme Court gives way to the changed law, that the Constitution is changed whenever it comes after interpretation in contradiction with the will of the nation; and hence the Constitution has got to be changed. Now, Sir, I am not a defeatist in this matter. I can tell you that the Government should not act either in funk or in a spirit of defeatism or under pressure. It has enough strength in it and the support of the masses to act calmly, decisively and effectively to see that the princes and their friends do not get away with the booty simply because somebody somewhere, eleven gentlemen, have said something. Therefore, in the first instance, I would like to know from the Government what they are going to do in this matter. My suggestion is that article 124 which deals with the composition of the Supreme Court should be changed. The number is restricted to 14. The number should be raised as President Roosevelt did with a view to giving on the Bench a clear majority of the people who stand for social progress and turn those who are conservative into a minority. It is open to the Government. • Secondly, the idea of a mid-term election to the Lok Sabha, it is a defeatist thing. The Lok Sabha passed it. The Lok Sabha will pass it again. The Rajya Sabha would have passed it but for a little. . . .

SHRI S. D. MISRA : Sir, on a point of order. We are not interrupting the hon. Member. When the talks of people's majority, people's majority* cannot be of all the 53 crores. People are represented by Parliament in both the Houses. If Parliament has given its verdict right, he is talking of people's majority.

SHRI BHUPESH GUPTA : Was the majority again-1 it ? The majority in this House certainly was in favour of abolition. The two-thirds problem came. Therefore, you can talk about two-thirds business. The majority has been clearly demonstrated in both the Houses. Therefore, I should suggest to the Government that the Government should not think in terms of just dissolving the other House. As far as that House is concerned even two-thirds majority was found. In this House certain difficulty arose. This we can overcome. The Government can easily introduce the Bill tomorrow and get it passed, if necessary, by extending the session. There is no difficulty about it. Therefore, I should like to know what step Government is going to take because it is a serious matter. You have to amend the Constitution now. The Rajya Sabha cannot be dissolved we are a permanent body.

SHRI S. D. MISRA : You are permanent in the Rajya Sabha.

SHRI BHUPESH GUPTA : If I am permanent, I am making a suggestion. If this Rajya Sabha comes in the way of the Privy Purposes Abolition Bill, I am here and now in favour of abolition of the Rajya Sabha by an amendment of the Constitution because Rajya Sabha cannot be allowed to hold up progress... (Interruptions) If we cannot extend cooperation to Government and vote for the abolition of the privy purse, no permanency, liquidate it, punish the Rajya Sabha.

(Interruption)

MR. DEPUTY CHAIRMAN : Order, order.

SHRI BHUPESH GUPTA : We must all commit *harakiri*. It will be an excellent pleasure for me to commit *harakiri* with Shrimati "5 ashoda Reddy.

MR. DEPUTY CHAIRMAN : Now, Mr. Lokanath Misra.

SHRI LOKANATH MISRA : I have been called; please sit down, Mr. Gupta.

SHRI BHUPESH GUPTA : Let me finish. Finally, Sir, as I suggested, the Government should certainly come and make a statement. If the Princes and their friends are allowed to get away with the judgment, the nation will be demoralised and people will think of us as

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a bunch of impotent, ineffective people who cannot meet a challenge of this kind. Everybody knows that the whole country wants abolition of the privy purses. Therefore, I suggest that the Government should consult all those who voted for the abolition of the privy purses in the two Houses of Parliament and work out a common strategy of counter-attack in order that the privy purses are abolished and not revived. Finally, before I sit down, may I suggest to the Government that all the laws should be put against the Princes. The income-tax law should be applied to them. The wealth tax should be increased on the Princes. And many other measures should be taken against them which are within the competence of the ordinary law of the land. Sir, it is quite possible for the Government to increase the rate of wealth tax as far as the Princes are concerned.

MR. DEPUTY CHAIRMAN : That is not necessary. I have called Mr. Lokanath Misra.

SHRI BHUPESH GUPTA : No grass must be allowed to grow under our feet. (Interruptions) We must strike as ruthlessly, as relentlessly, as promptly, as the Supreme Court has struck. (Interruptions) The Princes should not be allowed to get away with their booty. We must prevent the Princes' lobby... (Interruptions) Today Mr. Manubhai Shah will vote with us.

(Interruptions)

MR. DEPUTY CHAIRMAN : Please sit down, Mr. Bhupesh Gupta.

(Interruptions)

SHRI BHUPESH GUPTA : We would extend our co-operation to the point of abolition of the Rajya Sabha so that the will of the nation will prevail. (Interruptions) It is a matter of shame if we are not in a position to cope with this. (Interruptions) I once again ask the Government to act as President Roosevelt did when the New Deal was struck down by the Supreme Court.

(Interruptions)

MR. DEPUTY CHAIRMAN : All right that is enough. Please sit down.

SHRI LOKANATH MISRA : Mr. 1 Deputy Chairman, Sir, I was surprised to hear sermons from Mr. Bhupesh Gupta. He said something about judicial assassination of the people's will.

SHRI BHUPESH GUPTA : Social objectives and national objectives.

SHRI LOKANATH MISRA : I was surprised particularly because the gentleman belongs to a party whose hands are blood red with political assassinations...

SHRI BHUPESH GUPTA : On a point of order. My friend says that my hands are blood red. Now, if anybody's hands are bloody, it is his hands.

(Interruptions)

SHRI LOKANATH MISRA : You are the blood suckers in this country (Interruptions) The Communists are the worst parasites in this country. They are blood suckers and they always deal with the employers under the table against the interests of the employees.

Therefore, they are the worst suckers in this country. (Interruption by Shri Sheel Bhadra Yajee) Sir, does Mr. Yajee understand anything that is going on here ? I have my gravest doubts about it.

SHRI BHUPESH GUPTA : Any way, I am not disturbing you.

SHRI LOKANATH MISRA : There must be a certain amount of humour also.

Sir I thought that the ruling party had yet the grace to take the defeat with good humour. They have not been able to take it so and on this occasion...(Interruptions)... I will reply when you ask me questions after I have put in what I want to say.

MR. DEPUTY CHAIRMAN : Mr. Misra, you continue your speech.

SHRI LOKANATH MISRA : They have not been able to take it gracefully, even this defeat. The Government and the honourable Members of this House have definite reasons to feel indebted to the Supreme Court to feel thankful to the Supreme Court, because it has upheld the dignity of this House...

SHRI BHUPESH GUPTA : No, Sir, we are shocked by this.

SHRI CHANDRA SHEKHAR : We are ashamed of the behaviour of the Supreme Court.

SHRI LOKANATH MISRA : You are the hypocrites.

SHRI CHANDRA SHEKHAR : We are ashamed of the Supreme Court.

MR. DEPUTY CHAIRMAN : No, let us not cast any aspersions on the Supreme Court.

SHRI CHANDRA SHEKHAR : I have every right to say this.

MR. DEPUTY CHAIRMAN : Do not interrupt him. Let him finish.

SHRI CHANDRA SHEKHAR : But I was interrupted thirty times.

SHRI LOKANATH MISRA : Sir, I want to express my feeling of gratitude because the Supreme Court has upheld the dignity of this House in keeping with the decision of this House...

SHRI BHUPESH GUPTA : It has insulted the dignity of the House. It is an insult to us. Nearly two-thirds majority wanted the abolition. The Supreme Court has insulted our dignity.

SHRI LOKANATH MISRA : They have said whatever they had to say. This is a very important point. When they say ... (interruptions by Shri Sheel Bhadra Yajee) Sir, I will not speak a word till there is silence on that side.

श्री मान सिंह वर्मा (उत्तर प्रदेश) : मिस्टर याज्ज गाली क्यों दे रहे हैं। वे बार-बार शेमलेम-शेमलेम कह रहे हैं।

श्री लोकनाथ मिश्र : उनका गला बैठ जान तो दवा पिला दीजिए।

श्री उप-सभापति : आप बैठ जाइये।

श्री मान सिंह वर्मा : आप हम को रोकने है। उनको क्यों नहीं रोकने है।

श्री उप-सभापति : आप बैठिए पढ़ें।

SHRI MAN SINGH VARMA : Mr. Deputy Chairman, do you feel helpless ?

वे शेमलेम शेमलेम कह रहे हैं और आप उनको नहीं रोकने है।

श्री लोकनाथ मिश्र : हमारी तरफ से लोग उठकर बोलने हैं और उनको तरफ से यानी जी बैठ कर ही अपनी कमंडी करने रहने हैं।

MR. DEPUTY CHAIRMAN : Please sit down, Mr Yajee ; otherwise, I will have to adjourn the House.

SHRI LOKANATH MISRA : Sir, Mr. Chandra Shekhar, as a spokesman of the ruling party, said something about some social changes. A person who wears a particular type of goggles, of red hue or of the right red would probably view things in a very distorted manner and according to Mr. Bhupesh Gupta, probably Mr. Chandra Shekhar has developed optical illusion...

SHRI A. D. MANI (Madhya Pradesh) : Optical delusion or illusion ?

MR. DEPUTY CHAIRMAN : Please do not interrupt, Mr. Mani.

SHRI BHUPESH GUPTA : This is very unfair, Mr. Deputy Chairman, Mr. Chandra Shekhar sees you, Mr. Misra, as a truly incorrigible spokesman of the princes. What is the optical illusion about it ?

DR. B. N. ANTANI (Gujarat) : It is a compliment.

1 P.M.

SHRI LOKANATH MISRA : But, Sir, I feel that the ruling Congress has developed probably an optical illusion. Why I say this is because the Prime Minister does not have the eye or vision to see that the Muslim League is a communal party and Shri Bhupesh Gupta is a representative of the Russian Government. Therefore I say that the ruling party has developed an optical illusion and the testimony for that comes from Shri Bhupesh Gupta himself, who is one of their greatest friends. Sir, Shri Chandra Shekhar said about some social changes... (Interruptions) He said about some social changes. Whatever may be the social changes according to the distorted vision of my friend, Shri Chandra Shekhar, let there not be any social disruption. He said that he wants to torpedo the entire society and to bring it in tune with what he sees in Soviet Russia. It is not possible. Therefore, when he said that eleven judges should not rule the destiny of this country,

may I ask him one question ? Would he like five Young Turks to rule the destiny of this country ?

(Interruptions)

SHRI CHANDRA SHEKHAR : They have the support of the people.

SHRI BHUPESH GUPTA : According to my friend, the Nizam of Hyderabad should rule the destiny

(Interruptions)

SHRI LOKANATH MISRA : They must have some patience to listen to us. If they cannot take the Supreme Court judgment gracefully, I would appeal to the government to come forward in a straight manner and admit their defeat and say :

"We have committed a great wrong" (Interruptions) There is a difference between speaking and shouting. Many of the members on the other side know the latter art. They do not know the former art. When they cannot put forth their point of view and express what they mean the only course open to them is to shout...

MR. DEPUTY CHAIRMAN : You conclude now.

SHRI LOKANATH MISRA : I am winding up. Therefore, the mistake committed by them must be admitted. If they come here and admit that the advice given to the President by the government is extremely wrong, then we will pardon them and would not ask them to resign...

(Interruptions)

SHRI MULKA GOVINDA REDDY (Mysore) : We need not get perturbed over the judgment of the Supreme Court in declaring *ultra vires* the Presidential order. Almost all political parties in this House as well as in the other are committed to the abolition of the princely privileges and purses. Last time when that Bill was lost in this House by one-third of a vote, the standing committee of the PSP had said in their resolution that the government should again refer the matter to the Parliament. Instead, they took this action, though we did not oppose the Presidential decree at that time. We had warned them that it would have been better if the matter was brought before Parliament again. Even now one need not be disappointed or speak with voice of despair.

It is quite possible because all the parties are committed and all the parties are committed to the abolition of the privy purses and the princely privileges

[Shri Mulka Govinda Reddy.]

without compensation and it should not be very difficult to get this passed with the requisite two-thirds majority. But, again this will be struck down if no compensation is paid to the princes. Sir, when in the Golak Nath case, the Supreme Court decided that the Parliament has no right to amend Chapter III of the Constitution, Shri Nath Pai brought forward a Bill to restore that right to the Parliament to amend the Constitution and it is unfortunate that the ruling party and the undivided Congress did not give support and it is still pending. We should pass it and then we will get the right to amend the Constitution and the other provisions of the Constitution including the right to property and if this is done, it is possible to pass this Bill again without much difficulty at all. There is no need to amend the Constitution as recommended by Shri Bhupesh Gupta to increase the number of the Supreme Court Judges. There is no need at all. We have got that right and that right should be restored to the Parliament to amend any provision of the Constitution as we like, of course, with the requisite two-thirds majority and that will be valid. This is my view, Sir.

SHRI S. N. MISHRA : Sir, I would permit myself with your indulgence a little temerity on my part to enter a complaint against the Chair, because I find, Sir, a novel practice being established here, when comments are allowed to be freely made on the judgment of the highest Court of the land. This is a practice which is bound to be detrimental to the administration of justice. A judgment may be favourable to us or it may not be favourable to us, and we on this side of the House, and particularly the party which I represent, have shown grace in accepting the judgment of the Supreme Court which might not have been favourable to our party. Recently, when the judgment was delivered by the, hon. Supreme Court in the case involving the election of the President and the judgment upheld the election of the President, we did not, you see, make any noise about it. We did not raise this matter in this House. I hope this healthy practice would be followed by all parties in the House. Otherwise, we have been a witness this morning to the spectacle of very serious objections being raised to the judgment of the Supreme Court. . .

(Interruptions)

MR. DEPUTY CHAIRMAN : Nobody has said anything ...*(Interruptions)*...

They have only said that we should find out the ways and means of solving the problem.

SHRI BHUPESH GUPTA : Sir, you are an expert..... *(Interruptions)* In Bihar, when the judgment was given on the land reform case, I supported it—
(Interruptions)

SHRI S. N. MISHRA : Sir, I am taking everything in a cool-headed manner. I am only making a humble suggestion to the Chair for, you see, the conduct of the House. Now, Sir, what is happening is not the assassination by any judicial process, for that matter, of any kind of progressive measures. What is happening here is the assassination of decency and the norms of conduct. My friend, Shri Bhupesh Gupta, for whom I have shown respect on many occasions, was pleased to say that he might like to commit 'hara-kiri' with an hon. Member, Shrimati Yashoda Reddy. I do not find fault with that. But, may I say that he has committed political 'iirakiri' with Shrimati Indira Gandhi? That, of course, he has performed with great dexterity. . .

(Interruptions)

SHRI BHUPESH GUPTA : Sir, is this born out of affection or something else?

SHRIMATI YASHODA REDDY : What I said was that I entirely agree with Mr. Bhupesh Gupta even for abolishing the Rajya Sabha because many things which are happening would not happen. Many of the members, if they are asked to face the election, will see what is a direct election. Then many things which take place in this House will not occur. Democracy will be saved.....

SHRI BHUPESH GUPTA : I call her a brave lady. I can understand...

(Interruptions)

SHRI S. N. MISHRA : You will kindly recall that when this Executive Order was promulgated by the President, we had said that it amounted to a contempt of the House. And today we are glad that this stand has been upheld by the hon. Supreme Court. This was nothing less than a contempt of the House, and the Supreme Court has rightly administered a slap in the face of the Government.

Now, my humble submission is that if the Government goes about such matters in a lackadaisical or ignorant way then our social structure is bound to be in jeopardy. It is not because of the knowledge and understanding by the Supreme Court of the Constitution, by which we survive, but it is because of lack of knowledge and understanding of the Constitution on the part of the Government, that we have to come to grief on such important occasions. We have come to grief on quite a few occasions in the past. And it is established beyond any shadow of doubt that this Government lacks even the minimum understanding of the law as laid in the Constitution.

Now, Sir, we had also said on that occasion that the Government does not seem to be interested in the abolition of Privy Purses. What we had said. . .

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA) : You also said that. It was also by your side.....

SHRI S. N. MISHRA : All that has been by your side. The Government were not interested in the abolition of Privy Purses. All that the Government was interested in was to fill its political coffers by negotiations with Princes individually, in getting money from them and also getting political support from them...

(Interruptions)

SOME HON. MEMBERS : Wrong.

SHRI S. N. MISHRA : We had asked the Government on that occasion to come with a full scheme of compensation and the lump sum which they wanted to pay to the princes...

(Interruptions)

Please bear with me. And this was natural. Naturally, Sir, a Government of this kind, a Government which had got on its Council of Ministers some princes, cannot be expected to abolish the Privy Purses. The people who saw that illusion are now coming to grief. So the Government was only making a show of it and did not go about it in the proper manner. That was the objection taken by my party on that occasion, and I stick to that stand of my party. And I think that the Hon. Supreme Court has upheld the same view that our party held on that occasion.

Now, it has been suggested that the Rules should be changed so that there can be more frequent amendments of the Constitution. What I want to submit is that if the Rules have to be changed, they have to be changed in order to prevent impersonation and double voting which took place in the other House. Rules have to be changed in order to prevent double voting. That should be the first priority. And there are even Ministers who are guilty of double voting on that occasion quite a few times, four or five times, and therefore ... (Interruptions) Sir, we are still awaiting transmission of a message from the other House as to what happened during the course of voting, because we had demanded on that occasion that there was some 'gole-maar' in the voting in the other House, and therefore whole procedure would be infructuous in that House. . . .

(Interruptions)

श्री चन्द्रशेखर : हम भी यह देख रहे हैं कि यह पहले से बदल गये हैं। कहीं प्रिन्सेज के रुपये की वजह से तो नहीं बदल गए ?

SHRI S. N. MISHRA : Please wait. It has been suggested...

(Interruptions)

SHRI CHANDRA SHEKHAR : My friend was a great socialist for a long time. He has changed suddenly because of unknown. . . .

(Interruptions)

SHRI S. N. MISHRA : They have bagged you already, Mr. Gupta.

SHRI BHUPESH GUPTA : The Princes have not only run away with the privy purses but they have run away with my friend, Mr. Mishra.

SHRI S. N. MISHRA : They have bagged you already because they have got a very good person in Shrimati Indira Gandhi, the Prime Minister and thereby you have been indirectly bagged by them.

SHRI CHANDRA SHEKHAR : Why are you showing an inferiority complex?

SHRI S. N. MISHRA : I do not want to be a socialist of the brand which Mr. Chandra Shekhar represents.

SHRI BHUPESH GUPTA : I cannot compete with my friend...

SHRI S. N. MISHRA : So we cannot be a party to changing the Rules which can make frequent amendments of the Constitution possible. If at the last stage two-thirds majority is required, there is no reason why that should not prevail in the earlier stages also. If you are quite sure of the support of the majority at the last stage, one should be quite sure about the other stages as well. There can be no difficulty about it. It has been suggested that the courts are coming in the way of social changes and progress. We in this country do not think of the courts in the form of People's Courts in other countries like Russia and we would like the courts to maintain their present character as they have. I think they have done justice to the Constitution which we expect of them. The only thing that those of us who want a democratic socialism to come in the country is that the changes and the progress have to take place through the constitutional and legal process. That cannot be done through freaks and idiosyncrasies of certain individuals. You know the whole character of the Second World War was changed into a People's war when Russia entered into war. We do not think the courts would become People's Courts when persons like Mr. Gupta would enter the Supreme Court. We do not think on those lines. What we want is the exercise of political power has to be related to the Constitution and the laws of the land and that is precisely what the Supreme Court has probably done. We have not gone through the full text of the judgment. It would be very fruitful for us to go through the full text of the judgment and then make some remarks on that but it does seem that the main point the Supreme Court has upheld is that anything that has to be done through the exercise of political power has to be related to the Constitution and the laws of the land. That is precisely the verdict perhaps. Lastly it has been suggested—and on that the country is expecting a reply from the Government—that there might be dissolution of the other House. My friend Mr. Das said that for what this House has done, the other House is sought to be punished. That reminds me of a couplet and I cannot restrain in myself from quoting it:

कसूर छोकरे का है बुधा से लड़ती हो,
उलट गया है जो ब्राँचल हवा से लड़ती हो।

SHRI AKBAR ALI KHAN (Andhra Pradesh): I do not think anybody has

read the Supreme Court judgment. Let us read it and then consider it.

SHRI KRISHAN KANT (Haryana) : Mr. Deputy Chairman, after hearing Mr. S. N. Mishra I feel that really the time has come when the people of India might have to think whether in the present Constitution and the Parliament, democracy can really function. It is the verdict of the people that they have come to doubt whether this Supreme Court—as Mr. Chandra Shekhar put it, may be they are eleven eminent people—can decide the fate of the country. Therefore I would like to quote—what my friend from the opposite always quotes—Mr. Setalvad. Mr. Setalvad, in his book 'My Life', a summary of which has been given in the 'Current', which many friends in the opposite are fond of, the same Mr. Setalvad says this about Mr. Subba Rao and his judgment; on the majority judgment in Golak Nath's case, Mr. Setalvad says it "clearly appears to be a political decision, not based on the true interpretation of the Constitution, but on the apprehension that Parliament, left free to exercise its powers would, in course of time, do away with the citizen's fundamental rights, including his freedom." Here is Mr. Setalvad, whom my friends in the opposite quoted in connection with the U.P. affairs. And here is what he says about Mr. K. Subba Rao, an ex. Chief Justice of India.

SHRI LOKANATH MISRA : You are still groaning under the momentum of his Attorney-Generalship.

SHRI CHANDRA SHEKHAR : The cat is out of the bag now.

SHRI KRISHAN KANT : This judgment of the Supreme Court and the decision of the Supreme Court to pay more compensation for the bank nationalisation are so serious as to lead one to doubt whether the present Constitution, and the Fundamental Rights as enshrined in it, can lead to a social revolution, or not. If they do not lead to a peaceful social revolution, then the time has come when the Government must think of devising ways and means to change this Constitution, whether by calling a Constituent Assembly or by some other method, so that the march of the people will not be restrained in any way, whatever important people on the other side may say. I cannot appreciate Mr. S. N. Mishra, more so because he is the leader of a party, when he goes so far as to forget his own commitment to the

ten-point programme which included the abolition of the privy purses. As such, his interpretations are not valid to the people of the country, more so after his party has joined the Jan Sangh and the Swatantra Party. I can appreciate the Jan Sangh people because...

MR. DEPUTY CHAIRMAN : The issue is about the privy purses.

SHRI K. L. HAN KANT : I could appreciate if the Congress (O) people were told at that time that they were free to vote on the privy purses Bill. The Jan Sangh people were more honest in the stand they took because they were never for the abolition of privy purses. But our people, people of Congress (O), have forgotten their commitment to this and so they are not loyal to themselves. So Mr. Deputy Chairman, the time has come for us to take a decision on this judgment of the Supreme Court, and if necessary this Session of the House may be extended for the purpose.

About the Rules, Mr. S. N. Mishra said. The Lok Sabha has already changed the relevant rules, but the Rajya Sabha Rules are still silent about it. It is a question of interpretation of the Rules, and it has been settled in the Lok Sabha with all parties subscribing to it. One of the leaders of a party in the Lok Sabha with which Mr. S. N. Mishra's party is having the coalition in U.P., Mr. Madhu Limaye, wanted the change, and they have changed it. But Mr. S. N. Mishra does not want the change in the Rules. Is not the two-thirds majority requirement necessary only at the last stage, not at the earlier stages? The Lok Sabha Rules Committee has made that change in their Rules. The same party, with which Mr. S. N. Mishra's party in U.P. is aligned, and of which Mr. Madhu Limaye is the leader, they are for it. So that shows how much degeneration has taken place in Mr. S. N. Mishra's Congress (O) Party. So I would ask the Government to come forward and take a decision on any of the processes, because the people in the country will judge us by what we do now. Now a historical point has come for a change in the destiny of this country. Whether this Constitution can go forward with the programmes and policies which the people of India have asked for, whether this Constitution and its parliamentary system or this parliamentary organ will function or not, before this Session is out, a decision must come, whether it is by changing the

composition of the Supreme Court as was done by President Roosevelt, or by calling a meeting of both the Houses by virtue of the residuary powers vested in such a joint House as per the Constitution itself, or by constituting a Constituent Assembly for the purpose of going into the present Constitution and making the necessary changes in the powers enjoyed by the different organs, say, this Parliament and the Judiciary, or by going to the people to have their verdict for a new Constitution. All this must be brought about and a decision taken. Otherwise, the people will not forgive us.

SHRI THILLAI VILLALAN (Tamil Nadu) : Mr. Deputy Chairman, my party is committed to the abolition of the privy purses. No force on earth, no machinery on earth, can stop the march of progress.

SHRI S. D. MISRA : DMK is very progressive.

SHRI THILLAI VILLALAN : You please wait. Why do you interrupt?

SHRI DAHYABHAI V. PATEL : He is only trying to help you.

SHRI THILLAI VILLALAN : Privy purses will be abolished definitely, it will not be given in future on any account. Feudalism cannot live long or for ever. We need not be carried away by the pronouncement of the decision of the Supreme Court. The Supreme Court is supreme in its own sphere but people are supreme in this country and they will pronounce their own decision in the end. So, Sir, this may be a successful defeat to the people but a shameful success to the reactionaries. I call it a successful defeat to the people since we have come to know even today in the year 1970 the reactionaries are having some strength in the country. Therefore, I call it a successful defeat to the people and at the same time a shameful success to the reactionaries.

SHRI BHUPESH GUPTA : Say monstrous affront to the people.

SHRI THILLAI VILLALAN : Yes. Therefore I request this Government to face the situation. ..

SHRI NIRANJAN VARMA (Madhya Pradesh) : Boldly. ,

I SHRI THILLAI VILLALAN : ...Boldly I because the reactionaries are helping the

[Shri Thillai Villalan] forces of progress. I would therefore request the Government, whether by an amendment of the Constitution or in any other way, to remove the obstacles in the path of progress. With these words I express my views on the pronouncement of the decision of the Supreme Court.

MR. DEPUTY CHAIRMAN : Mr. Chitta Basu, you are the last.

SOME HON. MEMBERS : No, Sir.

SHRI A. D. MANI : This is not fair. I have been waiting for a long time.

SHRI CHITTA BASU (West Bengal) : Sir, a new era of struggle for socialism and democracy has started. This House cannot afford to ignore the fact which is outside this Chamber; by 'Chamber' I mean this Parliament. It has been the constant endeavour of the Members of Parliament here to reflect the urges, wishes and the struggles of the people outside but we cannot afford to ignore that the Supreme Court has of late been acting as a third Chamber in order to Block the march of the people towards progress. Therefore we cannot ignore this very simple fact that the Supreme Court by this kind of a decision has acted more in the capacity of a third Chamber setting in judgement or the* Parliament which is the highest institution of the people. What I feel is, it has not been a defeat of the Government but rather I would say it was the only correct stand taken by the Government of India in the matter of abolition of the privy purses. Even at this late stage I want to urge upon the Government that they should bring forthwith a measure during the current session of Parliament so that we can abolish the privy purses and privileges in the current session itself. Not only that, I would further say that it has been the greatest mistake on the part of the Government to continue negotiations with the Concord of Princes for the payment compensation. Here and now the Government should come out and say openly and publicly that there shall be no negotiation in the matter of payment of compensation to the princes. Therefore the Bill which I want to be placed before the House should also include non-payment of any kind of compensation to the princes.

MR. DEPUTY CHAIRMAN : Mr. Shah.

SHRI JOACHIM ALVA (Nominated) : Sir, I want to say a few words. I was in the Court...

MR. DEPUTY CHAIRMAN : I have called Mr. Shah.

THE LEADER OF THE HOUSE (SHRI K. K. SHAH) : Sir, may I appeal to the House that in moments of crisis, elders should not allow themselves to be upset?

SHRI S. N. MISHRA : It is a crisis for you.

SHRI BHUPESH GUPTA : We are not upset.

SHRI CHANDRA SHEKHAR : We are not upset.

(Interruptions)

SHRI K. K. SHAH : Who is committing hara-kiri should be left to be decided by the future. It is enough for us if we can judge the course of events. We can read the writing on the wall, though others refuse to read it. Asmyhon. friend was good enough to cite some couplet, may I say in return:—

एक नुक्ते ने महरम से मुजरिम कर दिया ।

हम दुआ लिखते रहे, वह दगा पड़ते रहे ।'

श्री सुन्दर सिंह भंडारी : बहुत पुराना मिसरा आपने कहा है ।

SHRI K. K. SHAH : May I also point out to my hon. friend, the Leader of the Opposition, that judgments have to be honoured?

SHRI S. N. MISHRA : Yes.

SHRI K. K. SHAH : But judgments can be criticised freely. It is a recognised practice.

SHRI S. N. MISHRA : In this way?

SHRI K. K. SHAH : Yes, Sir.

SHRI S. N. MISHRA : No, no.

SHRI K. K. SHAH : You are completely wrong. I have been and my hon. friends have been doing it every day in court...

श्री निरंजन वर्मा : उसकी मैरिट्स पर कहा जा सकता है, इंटेंशन्स पर नहीं कहा जा सकता ।

SHRI K. K. SHAH : Sir, you will gagrec with me that we accept the judgment, but we freely criticise the judgment without attributing intentions to the court. Therefore, every judgment is open to public criticism the moment the judgment is delivered. Sir, so far as the Government is concerned, the judgment of the Supreme Court requires careful study . . .

SHRI A. D. MANI : We have not even read it.

SHRI K. K. SHAH : I have got some information. It raises many important questions. Government would decide upon the course of action in the light of the study. Government, of course, remains committed to its policy of abolishing princely privileges and princely purses by appropriate constitutional methods.

SHRI CHANDRA SHEKHAR : No compensation should be paid.

(// interruptions)

MR. DEPUTY CHAIRMAN : Please sit down. I think we have had enough discussion on the judgment of the Supreme Court on the princely purses.

SHRI S. N. MISHRA : On a point of order...

(// temptations)

MR. DEPUTY CHAIRMAN : Order, order please.

SHRI BHUPESH GUPTA : We want immediate action. Do I have an assurance from the Government that they are going to take quick action that is required of the situation?

MR. DEPUTY CHAIRMAN : What is your point of order?

SHRI S. N. MISHRA : My point of order is that the hon. Leader of the House has been pleased to say that the Government would like to bring it about in a constitutional manner.

SHRI S. D. MISHRA : We appreciate it.

SHRI S. N. MISHRA : Now, it has been upheld by the hon. Supreme Court that it was sought to be done in an unconstitutional manner. I had submitted on an earlier occasion and even today that it amounted to contempt of the House. Now, it is for you to consider it. When the judgement has been delivered by the Supreme Court, I would like the Chair to go into the text of the judgement and find out whether it amounted to contempt of the House or not.

SHRI CHANDRA SHEKHAR : Is it a point of order? May I point out that there are people who are trying to denigrate...

(Interruptions)

MR. DEPUTY CHAIRMAN : Please sit down.

SHRI CHANDRA SHEKHAR : We are not here to hear nonsense from them...

SHRI S. N. MISHRA : I am on my legs. I am on a point of order.

SHRI CHANDRA SHEKHAR : He is a reactionary...

(Interruptions)

MR. DEPUTY CHAIRMAN : Order, order please.

SHRI CHANDRA SHEKHAR : On his point of order I am going to raise another point of order...

MR. DEPUTY CHAIRMAN : Please sit down for a minute.

SHRI BHUPESH GUPTA : I want to know...

MR. DEPUTY CHAIRMAN : Mr. Bhupesh Gupta, please sit down, for a minute.

SHRI S. N. MISHRA : We may not have much concern for the fact that the Government brings into disrepute the office of the President and in that process itself, but we have all concern...

SHRI K. K. SHAH : I am sorry, after I have spoken on the point of order you are passing remarks.

SHRI S. N. MISHRA : I am completing my point. But, Sir, this House cannot ignore the fact that there has been an issue of contempt of this House because of the irresponsible executive order which has been struck down by the hon. Supreme Court.

श्री शीलबद्र याजी : क्या बात करते हो ?

श्री एस० डी० मिश्र : यह क्या समझेंगे, कोई चीज समझ में आती है।

श्री शीलबद्र याजी : शर्म नहीं आती ?

श्री एस० डी० मिश्र : शर्म तुम्हें है ? शर्म है ही नहीं। शील बद्र याजी हैं।

SHRI S. N. MISHRA : I am raising this point of order with all humility to you as the custodian of our rights and the dignity of the House whether the executive order, about which we had earlier raised that it amounted to a contempt of the House, has been upheld by the Supreme Court. If it has not been upheld by the Supreme Court, what is the duty of the Chair in this matter? That is my precise point.

SHRI CHANDRA SHEKHAR : On a point of order...

SHRI K. K. SHAH : Mr. Deputy Chairman ...

SHRI CHANDRA SHEKHAR : First my point of order

SHRI SUNDAR SINGH BHANDARI :
You should obey your leader.

SHRI CHANDRA SHEKHAR : My point of order is...

SHRI S'D. MISRA : Can there be a point of order on a point of order?

SHRI CHANDRA SHEKHAR : Yes. Is it permissible in this House that the reactionaries who are gasping for their survival... (*Interruptions*) especially those in the Congress (O) who are gasping for their breath and survival should try to use the Supreme Court judgment and use this august forum for propagating their anti-people views without any relevance to the present discussion? This is my point of order.

SHRI BHUPESH GUPTA : Whatever my friend says he is entitled to his opinion. As far as the Government executive order is concerned, Government has power. The President has acted absolutely within his right. If technically something is not in order, it has to be set right. But I want to know from him when are we going to have it and what interim steps are you going to take in order to see that these gentlemen who have gone to the Court to frustrate and sabotage the will of the nation do not get any benefit from the anti-social acts of this kind. I should like to know from the hon. Minister to give us some idea about it.

(*Interruptions*)

SHRI K. K. SHAH : I am only referring to the one point made by the hon. the Leader of the Opposition about the contempt of the House. May I remind him that when the discussion was going on on the floor of this

House, your party was good enough to say "we are not passing the Constitution Amendment because there is enough power today with the Government to do away with the privy purses?" Did you say that or not?

SHRI S. N. MISHRA : The power is not with you.

MR. DEPUTY CHAIRMAN : It is very difficult to say in what manner the judgment has been given. We have not seen the copy of the judgment. Let us see the copy of the judgment. Actually this House has passed the resolution unanimously to abolish the privy purses.

SHRI LOKANATH MISRA : Not unanimous .

(*Interruptions*)

MR. DEPUTY CHAIRMAN : I am on my legs. Please sit down. So far as I remember, if my memory does not fail me, I think the resolution was moved by Mr. Banka Behary Das and it was unanimously adopted by the House.

SHRI LOKANATH MISRA : I was against it. Even if it is one, you cannot say it was unanimous.

MR. DEPUTY CHAIRMAN : I had the impression it was unanimous.

I stand corrected. I was under the impression that it was unanimous.

SHRI LOKANATH MISRA : Not at all. I spoke against it for 45 minutes.

MR. DEPUTY CHAIRMAN : So, with one exception it was passed, almost unanimously, if not unanimously. And when that Resolution has been passed by the House, I think every Member should have great concern as to why that Resolution is not being implemented. I have nothing more to add.

The House stands adjourned till 2-30 P.M.

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

The House re-assembled after lunch at thirty minutes past two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

I THE APPROPRIATION (RAILWAYS) NO. 4 BILL, 1970

II THE APPROPRIATION (RAILWAYS) NO. 5 BILL—conh.

श्री सूरज प्रसाद (बिहार) : उपसभापति महोदय, मैं रेलवे का जो प्रप्रोग्राम बिल है उस पर बोलने हुए सरकार का ध्यान कुछ रेलवे की समस्याओं की ओर खींचना चाहता हूँ।

पहला सवाल जिसकी ओर मैं मंत्री महोदय का ध्यान आकर्षित करना चाहता हूँ वह माटिन लाइट रेलवे की हालत के बारे में है। मैं उनको यह बताना चाहता हूँ कि शाहदा-महाराजपुर लाइट रेलवे जो प्रायः ५० पी० में है उसको पहली सितम्बर, 1970 से बंद कर दिया गया है। हावड़ा-श्यामता-हावड़ा गिण्खला लाइट रेलवे जो वेस्ट बंगाल में पड़ती है उसको भी माटिन एण्ड कम्पनी ने पहली जनवरी से बंद करने का नोटिस दे दिया है। इसी प्रकार फतवा इस्लामपुर द्वारा समराम लाइट रेलवे को भी बंद करने का आदेश कम्पनी ने पहली मार्च 1971 से लागू करने का कर दिया है। अगर ये तमाम रेलवे की लाइनें बंद हो जाती हैं तो करीब 5000 रेलवे के कर्मचारी बेकार हो जाते हैं और 4000 ब्रेन्डसे पोटंस जो उसमें लगे हैं वह बेकार और अन्-एम्प्लाइड हो जाते हैं। इसके अलावा यह रेलवे लाइन हर रोज 48000 पैसेजर्स को चला करती है। इसलिए मैं सरकार से कहना चाहता हूँ कि इस रेलवे लाइन के बंद हो जाने से हजारों लोगों के सामने रोटी-रोजी का सवाल उपस्थित हो जाता है और साथ ही साथ उस इलाके के अन्दर रहने वाले जो लोग हैं उनके सामने आवागमन का सवाल बहुत ही गम्भीर बन जाता है। मैं दो रेलवेज के बारे में विशेष रूप से कहना चाहता हूँ—आगरा समराम और फतवाह इस्लामपुर लाइट रेलवे लाइनों के बारे में। इस रेलवे लाइन के बंद हो जाने से यहाँ के आमपात्र के रहने वाले जो लोग हैं उनके लिए आवागमन का सवाल बहुत ही भयंकर बन जाएगा। यह जो आगरा समराम रेलवे है यह शाहाबाद से गुजरती है। शाहाबाद बिहार का बहुत विकसित जिला है, यहाँ हजारों टन अनाज रेलवे द्वारा चलाया जाता है और सैकड़ों हजारों विद्यार्थी आगरा आगे के कालानों में पढ़ते हैं, उसी रेलवे से होकर गुजरते हैं, क्योंकि आगरा शहर में उनके लिए व्यवस्था नहीं है। ऐसी हालत में यह रेलवे लाइन बंद हो जाती है तो लोगों का तकलीफ और

असुविधाओं का अनुमान सहज ही में लगाया जा सकता है। यह प्रश्न बिहार असेम्बली में भी उठाया गया था और वहाँ के पी० डब्ल्यू० डी० मंत्री ने यह कहा था कि बंगल की जो सड़क है उस सड़क पर हम सरकारी बस भी नहीं चला सकते हैं, इसलिए कि जो सड़क है उसमें दो पुल हैं जो इतने खराब हैं कि वह किसी भी हालत में सरकारी बसों के भार को बर्दाश्त नहीं कर सकते। ऐसी हालत में इस रेलवे लाइन के अलावा दूसरी कोई भी सुविधा नहीं है जिससे पैसेजर्स को चलाया जा सकता है। अभी आगरा समराम लाइन बंद कर दी जाती है तो आवागमन का कोई दूसरा जरिया नहीं रहेगा। अगर टैक्सो के जरिए चला जाए तो दम, बायट क्षया पड़ता है जब कि रेलवे से तीन, चार रुपये ही खर्च होते हैं।

इसलिए पैसेजर्स की असुविधा का कोई ठिकाना नहीं रहेगा। गत साल भी मैंने इस प्रश्न को उठाया था और माननीय मंत्री जी से यह कह, था कि इस रेलवे का राष्ट्रीयकरण सरकार को कर लेना चाहिए। उस समय माननीय मंत्री जी ने यह कह, था कि इस रेलवे का राष्ट्रीयकरण करना, इसलिए सम्भव नहीं है क्योंकि इसके लिए सरकार को मुआवजा देना पड़ेगा, लेकिन अगर उसका मेनेजमेंट खराब हो जाएगा तो सरकार उसको अपने हाथ में लेने के बारे में सोचेंगी और विचार करेगी। मेरा निवेदन यह है कि अब परिस्थिति ऐसी आ गई है कि सरकार इस बारे में सोचे और विचार करे कि वह इस रेलवे को ले सकती है या नहीं। उस समय माननीय मंत्री जी ने कहा था कि अगर मेनेजमेंट खराब हो जाएगा तो तब सरकार इस रेलवे को अपने हाथ में ले लेगी। अब जिस तरह की परिस्थिति हो गई है उसमें अधिक खराब परिस्थिति क्या हो सकती है जबकि एक के बाद दूसरी और तीसरी रेलवे लाइन को यह कम्पनी बन्द करने जा रही है? इसलिए मैं मंत्री जी से आग्रह करूँगा कि वे पैसेजर्स की असुविधा को ध्यान में रखते हुए, विद्यार्थियों की असुविधा को ध्यान में रखते हुए, माल ढोने की समस्या को ध्यान में रखते हुए, हजारों हजारों कर्मचारियों की बेकार होने की समस्या को ध्यान में रखते हुए उन्हें इस रेलवे को अपने हाथ में ले लेना चाहिए और इस बात को टालने से काम चलने वाला नहीं है।

एक तरफ तो सरकार यह कहती है कि हमें ज्यादा से ज्यादा लोगों को काम देना है और दूसरी तरफ जो इस समय काम पर लगे हुए हैं उनकी बेकार होने की नौबत आ गई है। इसलिए मैं सरकार से आग्रह करूँगा,