

RAJYA SABHA

*Saturday, the 28th February, 1970/
the 9th Phalguna, 1891 (Saka)*

The House met at 6 P.M. MR. DE-
PUTY CHAIRMAN in the Chair.

STATEMENT RE ABOLITION OF
PRIVY PURSES AND PRIVILEGES

SHRI BANKA BEHARY DAS (Orissa): Sir, I have a point of order to raise. Before the Home Minister makes a statement on the abolition of the privy purses and the privileges, I want to draw the attention of the Chair of the very fact that though we have passed the Resolution that all the legal and other steps should be taken before the presentation of the Budget, I am sorry to say that in the other House when I was hearing the Home Minister, he only stated there that in this session the Constitution (Amendment) Bill will be introduced. Today the papers have clearly indicated that though the Internal Affairs Committee has decided to introduce the Bill, they are not going to pass the Bill in this session. So, when the Home Minister makes the statement here, he should categorically give an assurance to this House that not only the Bill will be introduced—because they have already violated the spirit of the resolution by not introducing the Bill—but at the earliest opportunity the Bill will be passed. That assurance I want to have from the Home Minister because there is news that there is something behind the scene. Secondly, I want to know from the Home Minister as to what is the marginal benefit that he is going to give to those persons because we are against the marginal benefits being given to these Rulers.

MR. DEPUTY CHAIRMAN: The Home Minister will make the statement.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): In December 1969. Shri Banka Behari Das had moved a resolution in this House asking Government to take all legal and other steps for the abolition of privy purses and privileges of ex-Rulers before the presentation of the general budget this year. The resolution was adopted without amendment.

Even before the adoption of this resolution, I had made it clear on more than one occasion that Government had decided to abolish privy purses and privileges of Rulers of former Indian States as these were incompatible with an egalitarian social order. I had also said that details for giving effect to the decision of Government were being worked out.

Since the adoption of the resolution we have had two discussions with representatives of the Rulers during which I have made it clear that it was the intention of Government to bring forward necessary legislation in the budget session of Parliament this year for the abolition of privy purses and privileges and that some transitional arrangements were being examined to enable the Rulers to adjust themselves to changed circumstances.

In his address to Parliament on February 20, 1970, the President has announced the decision of Government to abolish privy purses and privileges and to introduce legislation to give effect to this decision. With this authoritative announcement a decisive step has been taken towards the implementation of the resolution passed by this House.

I have only to add that the necessary legislation will be introduced in Parliament in the current session.

SHRI BANKA BEHARY DAS: Sir, I raised this question. I know that it will be introduced. I stated earlier that it is not enough to introduce because we know what is the

(SHRI BANKA BEHARY DAS)
case of the Patents Bill. It may be introduced and kept pending for months and years. I want to know whether it will be passed in this session and whether the Government is very serious to pass that measure.

MR. DEPUTY CHAIRMAN: An assurance has been given that the Bill will be introduced and surely the House will be vigilant and watch the progress.

THE LEADER OF THE OPPOSITION (SHRI S. N. MISHRA): May I submit that what the Home Minister has been pleased to say does not show any progress so far as his former pronouncements on the subject are concerned? He has only added that our esteemed President was also pleased to add his voice. That does not mean that we did not attach as much importance to the pronouncements made by the hon. Home Minister. We did attach all the importance that was due to this pronouncement, and yet we find that we are almost in the same position in which we found ourselves before the passing of this Resolution in this House. Therefore my humble submission would be that what the hon. Home Minister has tried to say just now is only a kind of sop to this House. That does not satisfy the House at all because the intention of that Resolution—not only the intention but also the clearly expressed directive of that Resolution—was that legal and other steps must be taken before the presentation of the Budget. But I am sorry to say that the Government has not paid any respect to that near unanimous Resolution passed by this House. Government has not come forward with any measure that would satisfy us that the Government is really serious about implementing that Resolution.

SHRI Y. B. CHAVAN: May I now have a word? It would be merely taking a technical view of the matter because, as I mentioned before, this is an important question but, at the same time it is constitutionally and legally, a little more complicated

question as well. As I have said in reply to that debate, our effort will have to be to take, as far as possible, the princes also with us. Anyway, Sir, the announcement of the President is certainly an advancement on the position Government had taken before, and I would humbly submit to this hon. House, Sir, that we respect the wishes of this hon. House and it is, really speaking, to respect these wishes that we had taken a step, which certainly fulfils the spirit of that Resolution. I know that the letter of that Resolution might possibly not have been implemented, but I can only assure the introduction of the Bill. How can I guarantee the passing of the Bill?

SHRI BANKA BEHARY DAS:
You give the assurance that this will be introduced and passed in this very session.

SHRI S. N. MISHRA: Even the formality of introduction of the measure has not been done. That is the point

MR. DEPUTY CHAIRMAN: The hon. Minister has assured the House that the Bill will be introduced as early as possible, which means perhaps in this Session. But it depends upon the House to get it passed, as pointed out by the hon. the Home Minister.

SHRI S. N. MISHRA: So far as that subject is concerned, I must say again that even the formality of introduction of such a measure has not been done by the Government, and to that extent it is a completely unsatisfactory statement that has been made by the hon. Home Minister. But apart from that, another submission that I would like to make is that even in the other House and in the country there has been serious concern about the way in which the Constitution has been murdered in Haryana.

SOME HON. MEMBERS: No, no.

SOME HON. MEMBERS: Yes, yes.

(Interruptions)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI S. N. MISHRA: We are the Council of States.

SHRI SRIMAN PRAFULLA GOSWAMI (Assam): On a point of order. Mr. Mishra, the Leader of the Opposition, was discussing about the introduction of a Bill for the abolition of privy purses and privileges, and hon. Members were pressing for its passing, and the Home Minister rightly said that it depends upon the House to pass the Bill.

SHRI S. N. MISHRA: This is no point of order.

SHRI SRIMAN PRAFULLA GOSWAMI: Please wait. When we are discussing this subject, how can Shri Mishra bring in another subject—Haryana—along with this? He must bring that subject up separately. While he was saying about the purses and the privileges, how can he bring in another subject? He can bring it up separately, not along with the privy purses. He can be discuss it now? It is irrelevant.

MR. DEPUTY CHAIRMAN: Mr. Goswami, because the hon. Member. Mr. Mishra, has introduced another subject, it means that he is satisfied with the answer given by the hon. Home Minister to that question of privy purses and privileges. It means he is satisfied with the answer, and so he has started a second matter.

SHRI ANANT PRASAD SHARMA (Bihar): Before the Leader of the Opposition, Mr. Mishra, further proceeds with the question of Haryana, I raise a point of order, and my point of order is that in Haryana there is a properly constituted legislature functioning. And how can he raise

that question in this House? That is my point of order. What is your ruling on this point of order, Sir?

SHRI S. N. MISHRA: Unless you have heard me, Sir, there can be no point of order.

MR. DEPUTY CHAIRMAN: Mr. Sharma, you have raised a point of order and perhaps the hon. the Leader of the opposition wants to have his say on your point of order. Am I right in saying so, that you want to have your say on this?

SHRI S. N. MISHRA: My question was not put and even then you.

श्री शीलभद्र याजी (बिहार) : डिप्टी चेयरमैन साहब, गवर्नर के कन्डक्ट पर यहाँ डिसकस कर सकते हैं लेकिन असेम्बली के बारे में कैसे कर सकते हैं।

SHRI JAGDISH CHANDRA DIKSHIT (Uttar Pradesh): On a point of order. Can this House sit in judgment over the decision of the Speaker whether of U.P. in regard *chap-pals* thrown by Sangh members, or in regard to Haryana adjourning the House *sine die*? Can this House sit in judgment over the decisions taken by other Houses in a parliamentary democracy?

SHRI S. N. MISHRA: Sir, I was submitting with all humility that we are the Council of States and in respect of all serious developments in the States we have to take cognizance. Otherwise this House has absolutely no justification for its existence. There have been serious developments in Haryana, in the midst of a no-confidence motion the House had been adjourned *sine die*, therefore I would submit to you that, since we have all sworn by the Constitution and since this happens to be the Council of States, we have to take notice of this matter immediately. We cannot allow things to go on like this, in some States

you find that a particular Ministry, to avoid the discomfiture of going out, gets the House adjourned *sine die*. So my submission would be that this subject should be taken up immediately for discussion in this House before any other matter is taken up.

SHRI G. RAMACHANDRAN (Nominated): May I say that this subject of the abolition of privy purses is one on which there is agreement between the Opposition and the ruling party but that we are witnessing is a sort of firework to win laurels? That is all.

SHRI PITAMBER DAS (Uttar Pradesh): The point that Mr. Mishra has raised is certainly a matter for the Rajya Sabha to consider. If what is improperly happening in States cannot be discussed in the Council of States, where else would it be discussed? We represent the States after all. Some things have happened in the Haryana Assembly. A no-confidence motion was admitted and in all fairness it ought to have been discussed whatever the result of the voting would have been. To adjourn the House *sine die* and prorogue it in the midst of that motion does not stand to reason. It is unconstitutional. If we do not discuss it here, where else can it be discussed? We must take immediate notice of it.

SHRI SHEEL BHADRA YAJEE:
A motion was brought by the Opposi-

tion. The Chief Minister challenged it, and they withdrew it. Now again this question is being brought.

(Interruptions)

MR. DEPUTY CHAIRMAN: Order, order. Let us not proceed with this discussion today because today's sitting is only regarding in the placing of the Budget on the Table. We will have the regular sitting on Monday and on that day I think we can raise this discussion provided it is allowed by the Chairman. Therefore we need not discuss that matter today. It is a matter of only one day intervening. On Monday we are meeting and therefore we can consider this issue on that day. Mr. Sethi.

THE BUDGET (GENERAL), 1970-71

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI P. C. SETHI): Sir, on behalf of Shrimati Indira Gandhi I beg to lay on the Table a statement of the estimated receipts and expenditure of the Government of India for the year 1970-71.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 11 A.M. on Monday.

The House then adjourned at twenty minutes past six of the clock till eleven of the clock on Monday, the 2nd March, 1970