

the Houses on the Bill to provide for the prevention of water pollution and the maintaining or restoring of wholesomeness of water, for the establishment, with a view to carrying out the purposes aforesaid, of Prevention of Water Pollution Boards, for conferring on such Boards functions relating thereto and for matters connected therewith, made in the motion adopted by Rajya Sabha at its sitting held on the 18th August, 1970 and communicated to this House on the 19th August, 1970 and do resolve that the following twenty-four members of Lok Sabha be nominated to serve on the said Joint Committee, namely:

- (1) Shri Maganti Ankineedu
- (2) Shri Satin Singh Ayarwal
- (3) Shri N.T. Das
- (4) Shri Gangacharan Dixit
- (5) Shrimati Ganga Devi
- (6) Shri Tukarani Hurji Gavit
- (7) Shri Y. Gadilingana Goud
- (8) Shri Samar Guha
- (9) Kuiriri Kamla Kumari
- (10) Shri G.Y. Krishnan
- (11) Hazi Lutfal Haque
- (12) Shri Yamuna Prasad Mandal
- (13) Shri Dhuleshwar Meena
- (14) Shri Mohan Swarup
- (15) Shri B.S. Murthy
- (16) Shri Kedar Pasvvan
- (17) Shri Ram Charan -
- (18) Shri Iati Tara Sapre
- (19) Shri Ramavatar Shastri
- (20) Shri T.M. Sheth
- (21) Shri Satya Narain Singh
- (22) Shri P. Sivasankaran
- (23) Shri Ramachandra Ulaka
- (24) Shri Tanneti Viswanatham."

**THE CONSTITUTION (TWENTY
FOURTH AMENDMENT) BILL, 1970
—Contd.**

MR. CHAIRMAN : Mr. V.B. Raju.

THE LEADER OF THE OPPOSITION
(SHRI S.N. MISHRA) : Would you

be pleased to announce the time when the voting will take place?

MR. CHAIRMAN : Later on I will mention it. I will expect that the Prime Minister will give the reply at 3 O'clock and thereafter voting will take place.

श्री निरंजन वर्मा (मध्य प्रदेश) : कल श्रीमन् का यह खयाल था कि वह आज साढ़े सायं बजे तक जवाब देंगे और उसके बाद वोटिंग होगी।

श्री सभापति : मेरा भी खयाल था और मैंने हाउस में कहा भी था लेकिन उसके बाद यह तय किया हाउस ने कि स्पीकर्स चूँकि ज्यादा हैं इसलिये आज वह स्पीकर्स अपनी स्पीचें दें और इसलिये यह जरूरी हो गया कि शाम को वोटिंग हो।

श्री निरंजन वर्मा : श्रीमन् मैं आपसे यह निवेदन करना चाहता हूँ...

SHRI ARJUN ARORA (Uttar Pradesh): I hope no astrologers have been consulted about the time of the voting.

MR. CHAIRMAN : If at all, they would have consulted them through you.

श्री निरंजन वर्मा : श्रीमन् मैं यह निवेदन कर रहा हूँ कि ऐसा डर है...

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन्...

SHRI PITAMBER DAS (Uttar Pradesh) : I would like to submit this. Mr. Arjun Arora thinks that no astrologers have been consulted, but yesterday we had decided that the voting will take place in the forenoon of today. I am afraid it is only because some astrologers have been consulted that the voting time has been changed.

SHRI BHUPESH GUPTA (West Bengal) : I have consulted palmists and the palmists say we should make second speeches, all of us.

श्री राजनारायण : श्रीमन् हमारी एक दिक्कत यह होती है कि जब आप समय को एलाट करते हैं तो कल के समय को ही लेकर के आपने हर एक पार्टी को एलाट किया और हमारे उपसभापतिजी ने कल

[श्री राजनारायण]
हमको 12 या 15 मिनट में रोक दिया और फिर आज
आपने समय बढ़ा दिया।

श्री सभापति : आपकी पार्टी का टाइम खत्म हो
गया है।

श्री राजनारायण : मुनिये, श्रीमन् । जब आप
आज समय तीन बजे तक बढ़ा रहे हैं तो एकादशली
हमारी पार्टी का समय भी बढ़ेगा।

श्री सभापति : नहीं, नहीं।

श्री राजनारायण : हमारी पार्टी के एक वक्ता को
और बुलाइये।

श्री सभापति : अच्छा बैठ जाइये, देखेंगे।

SHRI V. B. RAJU (Andhra Pradesh):
Mr. Chairman, Sir, I rise to support the Bill.

MR. CHAIRMAN : I am giving not
more than seven to eight minutes per
Member, and Members, belonging to the
panics, whose time is finished, will get still
less time if they want to speak.

श्री राजनारायण : कतिन पार्टी का कितना समय
है ?

श्री सभापति : सब का खत्म है।

SHRI V. B. RAJU : Sir, if your time
limit is to be respected, let there not be
interruptions and points of order.

MR. CHAIRMAN : There should be no
interruptions ; that is my request.

SHRI V. B. RAJU: Sir, I am representing
myself at the moment in this House. I am
only one There are many like this on this
last bench who cannot catch your eyes
many a time. We are very grateful to you
that you have chosen us also to participate
in this debate.

Sir, I was very closely and attentively
trying to follow and understand the speech
of the Leader of the Opposition here and
there. I have an open mind because I have
no ideological commitment at the moment
when I am speaking on this Bill. But I
find, when a vers harmless.

straightforward and simple Bill has come
before both Houses of Parliament, the
Leaders of the Opposition, particularly the
Leaders of Congress (O), Swatantra and Jan
Sangh, wanted to take a political advantage
out of it. Let me very plainly and in detail
place before this House what this Bill
contains. We were talking about the privy
purses as though unilaterally we are
abolishing the privy purses. Sir, I am not a
lawyer but I have got some experience of
administration. I tried to read, re-read, and
consult experts. It is repealing firstly Article
291. What does that Article contain? Can
anybody correct me by saying, or assuring me
that repealing Article 291 is abolishing privy
purses? It is not the case, Sir. Let it be re-
read. It is taking out a privilege. What that
Article has said is this. The amount agreed
to by a covenant or agreement or contract,
whatever it is, is chargeable on the Consoli-
dated Fund of India, but not votable. The
salaries of the Judges are charged items, but
the salary of the Prime Minister. . . .not the
Secretariat... and the Members of the
Houses are not votable. Protection is given
in that article that the amounts promised
through a contract or a covenant will be
charged items and Parliament is denied the
right of voting on it. It does not refer to the
validity or invalidity of any agreement or
covenant.

The second point is that it is non-taxable.
giving relief in respect of taxation. ' These
two privileges are being taken out. Will
the Opposition Leaders say that these
privileges shall not be taken away? In fact, I
am appealing to the Princes that through
this Bill they are being elevated, they are
being brought into the fold of commonality
They are being brought into the stream
of national policy. In fact, what given
twenty-three years ago was a political
gratification or compensation or what it is,
with the best of intentions that they would
adjust themselves to the changing

times. A period of twenty-three years has been given to them. Privy purses abolition as a scheme, has yet to come before the House. That is what I say. If I am wrong, I should be corrected. Every Member, has seen this Bill, has spoken in terms of abolition of privy purses. In a there are 560 or 500, whatever be the number, covenants or instruments of accession. Whether they are going to be abrogated and hence null and void, through any law or by any executive action, the scheme is not before us. When the scheme is not before us, when the Government has not come before us for the abolition of privy purses, any reference made of talking about covenants and agreements, is not relevant to the present situation. Confine ourselves to the Bill. This Bill is only to take away the privileges and I would like the Leader of the Opposition to contradict it.

SHRI S. N. MISHRA : What ?

SHRI V. B. RAJU : What is the Bill then ?

SHRI S. N. MISHRA : The Bill contains nothing. It is irrelevant.

SHRI V. B. RAJU : I am glad the argument falls. They have been making accusations against the Prime Minister. I do not like to take names. I do not want to make any personal attack but the leaders have been making such allegations against the Prime Minister that she is protecting the Princes, that she is actually surviving on the support of the Princes, otherwise she would have never come before the House for abolition of privy purses. (Time expires.) Sir, I am only appealing to you to give me two or three minutes.

MR. CHAIRMAN : No, please.

SHRI V. B. RAJU : When the Prime Minister does something, then they find fault

with her. When the Prime Minister does not do anything, then also they find fault with her. Actually they have been screaming from house tops that they are socialists and the Prime Minister is having reactionaries in her party. They say that the real socialists have come out of the Congress. In 1954, in the month of December, under the leadership of Prime Minister Nehru, passed a Resolution for a socialistic pattern of society. When they have actually given their concurrence to it, in my view this Bill is a humble beginning. It is not even of a socialist character. It is a very humble beginning....

AN HON. MEMBER : They will give Telengana.

SHRI V. B. RAJU : Let them not attribute motives to me. It is not a question of Telengana or no Telengana.

SHRI LOKANATH MISRA (Orissa) : You are in favour of Telengana.

SHRI V. B. RAJU : We are in the seventies. I would appeal to the Members of the Opposition, who are opposing this Bill, to see in what direction humanity is moving in these technological times.

SHRI LOKANATH MISRA : You are the only Member representing your party.

(Time bell rings)

SHRI V. B. RAJU : Sir, just....

MR. CHAIRMAN : No, Mr. Raju, please sit down.

SHRI V. B. RAJU : Last point.

MR. CHAIRMAN : No, please sit down.

SHRI AKBAR'ALI KHAN (Andhra Pradesh) : He is concluding.

SHRI LOKANATH MISRA : He is the only Member representing his party. He cannot be allowed....

SHRI V. B. RAJU : Only one point. Last point. In 1947 when the country became free with the lapse of paramountcy, the States were allowed to be free.

(Interruption)

MR. CHAIRMAN : You please sit down.

SHRI AWADHESHWAR PRASAD SINHA (Bihar) : The difficulty is that noble and good people do not get justice at your hands.

SHRI AKBAR ALI KHAN : Let him finish his point.

MR. CHAIRMAN : All right. You finish your point.

SHRI V. B. RAJU : I do not want to take the time of the House unnecessarily.

MR. CHAIRMAN : Please wind up. You have taken more than ten minutes.

SHRI LOKANATH MISRA : Sir, it is extremely unfair. One member party cannot be allowed fifteen minutes.

MR. CHAIRMAN : Mr. Sur.

SHRI BHUPESH GUPTA : You have only shown your contempt for an independent Member. We have far greater respect towards them.

SHRI LOKANATH MISRA : We are not given extra time with so many Members.

MR. CHAIRMAN : Mr. M. M. Sur.

SHRI M.M. SUR (West Bengal) : Mr. Chairman, the institution of princelyship is in course of abolition, which has been in existence for the last two centuries. With the French Revolution and the American War of Independence, Kingdoms were in course of being abolished. At that time the king had great powers. His word was law. But that was inconsistent with the order of society. People would not

tolerate that. In India we also find that when the British came, the native States that we had here were quarrelling among themselves. One was grabbing the portion of the other State, looting the treasuries, and so on. But they came into treaties when the British came. Their armies were liquidated, and there was a British Resident in every State. But still they had enough powers. They did a lot of mischief to their citizens. So, when independence came, it was left to the genius of Sardar Patel to liquidate these States and to bring the people living in the States to the same status as people living in any other part of India. But in order to do that the Princes obtained certain privileges and also privy purses. That had to be done in order to bring it about peacefully. But 22 years have elapsed since then, and therefore in the present order of society those privileges cannot remain because all are equal and everybody has got the same right. So the new Bill that has come up I fully support, and the privileges should go.

As regards the privy purses, the Government has taken up the question of settling with them how much the bigger Princes who were getting a larger share, and the others should retain. And if they are doing any public service with their funds, if they are maintaining certain institutions which are good for the society, the Government should take care that these institutions should remain and their privy purses are curtailed to an extent that they can like honest citizens.

But, Sir, what I do not like is why this arrangement should be settled outside the court. Why are we so afraid of the Supreme Court Judges? The Supreme Court Judges are specially qualified to do justice to everybody. They are also citizens of this country. They have the same ideas and aspirations as we have. They know what is good for the country. Then why should we not entrust to them special

powers to settle the question of privy purses? Perhaps we think that going to court for settlement is a time-consuming process. And, therefore, it could be settled with the Princes. But then this can be settled within six months if we are serious to it. But this question of not having enough faith in the Judges of the Supreme Court is something which is fundamentally against the Constitution.

Sir, we like the rule of law to remain. We like justice everywhere. Therefore, we should entrust these specially qualified men to do justice to everybody, not only to us, not only to the society, but even to the Princes, to insure one so that the rule of law prevails because we have adopted the motto "Satyameva Jayate", it is only truth that prevails. This is the greatest gift that we have taken from the vedic times, from the Mahabharata and the Ramayana stories. They also say the same thing, "Satyameva Jayate". In fact, this teaching is based on our culture. Nothing but Dharma wins, Yato Dharma Tato Jayah. Therefore, we must not lose faith in these great principles which are based on our culture. And we should entrust the dispensation of justice to the Supreme Court so that there is justice everywhere, so that socialism which is the aspiration of everybody in this country is established through justice and fair-play.

SHRI K. S. MALLE GOWDA (Mysore) : Sir, I rise to remind this House that the "Indian Parliament with representatives of 540 million people, is the greatest democratic institution in the world today and, it is the pulsating heart of a great nation with a great tradition, culture and a rich heritage. It is a great temple of justice to the Indian people. Our speeches and acts here must not only be sincere and honest, but also be tempered with justice and mercy, and bring the least harm even to a small section of the people.

Sir, it is a part of history that India attained freedom 23 years ago, and that native States were spread over a good part of India barely twenty-two years ago. Twenty-three years in the life of a nation is but a short span of time. It is a part of that the iron man of India, Sardar Vallabhbhai Patel, brought about the accession of the native States to the Indian Union so peacefully and without bitterness on either side. Indeed, that was nonviolence exemplified and diplomacy unmatched. That was done so magnificently in a truly Gandhian way through consent and covenants. It had the consent and approval of Panditji, the prince charming of the nation, the great father of our Prime Minister. The Constituent Assembly also approved the settlement made with the Princes. I do not agree with the Prime Minister that the time has come for a great nation like India which has brought forth on the national scene a galaxy of great men and great teachers and Yogis like the Buddha, the Sankaracharya, Swami Vivekananda, Mahatma Gandhi, Pandit Nehru, Rajendra Prasad, Sardar Patel and others, to end the nation's covenants and pledges in so short a time as 21 years. It is an irony of fate that the daughter is made to undo what the great father did by the compulsion of her so-called friends, of whom she should say now "God save me from my friends." It is the saddest part of the destiny of our country and a big buffet of fate that there was a split in our great national organisation, the Congress Organisation. We may agree that due to the great split, there are so many upheavals on the national scene to-day. The ending of the covenants with the Princes is one such upheaval which may undermine the faith of our people in the leaders. Only a few days back the Prime Minister is reported to have told that the question of abolition of the privy purses was a human problem and she wanted to have a dialogue

[Shri K. S. Malic Gowda] with the Princes. We were very happy to know about this. She could very well have held discussions with the Princes and could easily have achieved resounding diplomatic success as Sardarji did, in bring-bout the desired change with the consent of the Princes before the next winter session of Parliament, not too distant a date. To-day there are more compelling reasons for the Princes to come to terms with the all powerful Prime Minister than at the time of integration when they had all the power behind them to reject the proposal of Sardarji.

I come from the State of Mysore whose Rulers were progressive and who held Gandhiji and Nehruji in high esteem. In Nandi Hills, near Bangalore, there is a little cottage named "Gandhi Niyaya" where Gandhiji stayed for a few days as a State guest in pre-Independence days. Even to-day the Maharaja is greatly respected by the people of old Mysore area. I know also that the privy purse of the Princes is utilised to support not only their small families but also the families of thousands of poor and humble palace employees. I request the Prime Minister to make a special provision to give employment to the thousands of employees who would be displaced; is a result of the present measure, necessitating austerity on the part of the Princes. Let me add that I have high regard for the courageous Prime Minister, the lone leader of a great son of India, the King of this country. I appeal to the Prime Minister of this great country to be compassionate and gracious and hold discussions with the Princes, not from a position of strength, but from the seat of judgement and humility, and bring about the changes contemplated by consent in a truly Gandhian way, whether this august House passes the amendment or rejects it. I have that honourable course this august House,

but and large, would support, and the nation and the world would acclaim. Thank you.

PROF. RASHEEDUDDIN KHAN

(Nominated) : Mr. Chairman, Sir, while I stand to support the Constitution (Twenty-fourth) Amendment Bill, I would like to pay a tribute to the tremendous courage and political wisdom of the Congress Party in taking a step in the direction of fuller and deeper realisation of the content of functioning democracy in this ancient land. Let us keep in our mind the historical context and the social ethos of our own time. This amendment Bill is part of a steady and ever-expanding constitutional and political movement for the stabilization of an egalitarian polity and indeed a new political culture of India. I hope it is, however, only one of the first steps towards the much more fundamental reforms that are needed in order to give substance to the slogan of socialism. Even as we are striking by law and in a peaceful and civilized manner at the obsolete remnants of a feudal hierarchy and feudal privileges almost, to quote Prof. Uma Shankar Joshi, by lighting a fourth battle of Panipat in the portals of this Parliament, I hope we will also have the wisdom and vision to fight other more important battles for eradicating inequities and crippling disabilities of our teeming millions.

We ought to be informed, Sir, in all this endeavour of legislation, by the spirit of the Constitution enshrined firstly in the Preamble and more specifically in Parts III and VI. The Preamble speaks of two fundamental, cardinal concepts. It speaks of the concept of justice, social, economic and political. It speaks of equality, particularly of status and of opportunity. This should be the framework of our action, the determinants of our legislation.

What is the genesis of this problem? The genesis of the covenants and agree-

ments arrived ; t begins in the lapse of the otherwise mi chivous British doctrine of paramountcy. The doctrine of para-mountcy itself was an ambiguous doctrine. When the re reating imperial power was leaving India, an explicit announcement was made in l je Indian Independence Act of 1947 regardi g the political fortune or the provinces of Jritish India, but the fate of the 500 and odd states was left in ambiguity by reco use to the concept of para-mountcy. The concept of paramountcy, I submit, was c' the most mischievous constructions in the entire corpus of British Constitutional Law. Paramountcy was paramount wa the reply of Lord Reading in a famous ce itroversj with the Nizam of Hyderabad. It ts reminiscent of the biblical injunction, whe l Lord God says, "I am that I am". But he moot point is : does the lapse of | aramountcy tantamount to resurrection of fictional sovereignty or does the lapse of paramountcy tantamount to almost the development of a position in tern s of the personalities of the princely states analogous to the concept of no-man's l nd? It was argued in the other House th; t the lapse of paramountcy resulted in the authentication of the sovereignty of the pr ncely state, and therefore, v h."n the Dominion of India entered into I agreements and contracts, it was entering into agreements ind contracts with sovereign personalities. T terefore, it was suggested that it was a qi estion of international law. For purposes of debate I would submit that even if it i^ a question of international law, the famous doctrine of rebus sic stantibus can b t and should be invoked. According to his famous doctrine when circumstances i hange and become materially different, wher, substantive modifications have taken plac: in the entire environment, then the agre ments, treaties and sanads also become ; loperative. But the hard fact is that tin question of Privy Purses is a question o: municipal law. Therefore, Article 291. Article 362, Article 363 and

Article 366 ought to be governed within the interpretation of Article 13. Article 13 is very clear when it says that all laws which are repugnant to the spirit and letter n\ the fundamental rights arc. to that extent, null and void. I would submit that even when an agreement was arrived at and even when the compromise article were included in the constitutional law, it was more a political concession rather than a legal agreement. Further the point is twenty three years of time is a reasonably long span of time when these commitments were honoured. Particularly if we keep in mind the vast changes which are taking place in the world, particularly the vast changes which are taking place in the under-developed countries of the world, and indeed in our country itself these twenty-three years of this century appear almost equal to a hundred yeais of the 17th or the 18th century.

The basic challenges facing India are the challenges of laying down firmly the foundations of an egalitarian democracy. I am surprised why on this issue a national consensus is not formed already. As a matter of fact, of the eight all-India parties recognised by the Election Commission, six parties in their official manifestoes have promised to the people at the lime of the fourth general elections that among the things which they would do is the abolition of Privy Purses. Should we, therefore, say that due to political tactics the same parties which have committed themselves to the people for the abolition of the Privy Purses are tod.y not supporting the move?

It is time that abolition of Privy Purses would result in hardship to the Princes'. But speaking of hardships, what about the paupers? It should hardly lie in the mouth of the elected representatives of the people to support causes of the few at the expense of the many. They are the representatives of the people who are hungry.

[Prof. Rasheeduddin Khan.] the people who are illiterate, the people who for hundreds of years have suffered all types of hardships and unimaginable misery. But when it comes to the question of a certain small and affluent section of the people, these gentlemen, these representatives start speaking eloquently. It is strange. What about the promises made to the people at large? What about honouring those basic promises? What about the inarticulate agreement to bring welfare to the common-man? What about our clear commitment that the people are the ultimate masters, whose prosperity is our duty? In this context all this talk of hardship of the Princes appears completely irrelevant.

I would submit that constitutional laws and other laws are not abstract documents. Constitutional law remains valid in so far as it reflects the changing reality of society. Whenever constitutional law is incapable of reflecting the social reality outside in its operation, it becomes obsolete.

In conclusion, I will say that what has been done ultimately is to exalt the progeny of the erstwhile feudal rulers to the dignity of becoming equal citizens of the Sovereign Democratic Republic of India. This ought to be recognized as a point of honour. This ought to be an occasion for rejoicing as we have struck at the roots of an obsolete principle and enabled the otherwise enlightened and able successors of the erstwhile and defunct Princes to become fullfledged members of a functioning parliamentary democracy. With these words, Sir, I very much commend the Amendment for the unanimous acceptance of the House.

SHRI BIPIN PAL DAS (Assam) : I rise to extend my wholehearted support to this Bill. In fact, this Bill is too late. But although belated, I congratulate the Prime Minister and the Government for coming forward with this Bill before thi-

House. I also congratulate the other parties and individuals who supported this Bill in the other House.

What has happened in the other House does only show that if the democratic forces, the progressive forces in this country can come together they can bring about radical social and economic changes in this country by means of this very parliamentary institution. I hope this House also will respond to the call of the times and do what the other House has done.

Tins measure, as some Members have said, is a very simple measure. It is not going to solve the basic problems of this country. Still I would like to say that this measure is a major and very significant step in the right direction. But I must say that this measure will lose all its social significance if the Government later on comes forward with any proposal to pay compensation. Compensation cannot be paid under any consideration whatsoever.

Now, some people have said that this proposal is all right. They support the abolition of privy purses and privileges of the Princes, but say that the manner in which this has been brought forward is not proper. I would like to know what other manner is there, Is this democratic manner improper? Is it improper for the Government to come to Parliament, to consult Parliament, to have the sanction and approval of Parliament to take' this measure through ? If it is improper I do not know in a democracy what other method can be a proper method. Those people shout from the housetops "Save democracy, save India." Today I hear a new slogan in place of the slogan "Save democracy, save India." There is a new slogan now—"Save the purses and save the Grand Alliance".

They have taken the name of Sardar Patel. We have great regard for Sardar Patel, He has done unique service to this

country by integrating all the Princely States into the Indian Union. But I would like to ask one question. Supposing any Prince had decided not to sign that agreement, what would Sardar Patel have done? I want to know. Did he not give enough demonstration of what he would have done as was done in the case of Hyderabad? Therefore, I would submit that it is not that the Princes had voluntarily agreed to sign that agreement. It was the circumstances which compelled them to sign it. Even if Sardar Patel had not done anything, the people would have taken care of this situation. So the Princes had no other choice altogether.

Now, Sir, some Princes have said that it is not so much a question of privy purses or privilege for them: it is a question of honour, it is a question of a thousand years of history. If it is not so much a question of purses, why do they object to this Bill? Let the purses go. Let the privileges go. And if it is a question of honour, as my friend, Prof. Rasheeduddin, has said just now, it is an honourable position that we are giving them to-day through this Bill; they will be elevated to the same position as the common citizens of this country, to enjoy the same democratic rights which the latter enjoy. And thousand years of history? Well, let this episode of history go back to the pages of history and let us rewrite history by passing this Bill. With these words, I commend this Bill to the House.

SHRI M. N. KAUL (Nominated) : Mr. Chairman, Sir, I have listened to this full debate with great interest and instruction. But I feel that the issues that have been raised lie within a narrow compass. I will not go into the philosophical questions or the ethical questions or the political implications. I will come straight to the concrete issues that I have been raised. By and large, the wisdom of the settlements that were

made with the Princes has not been questioned. And I think it has also been conceded that at that time the scales were loaded by the British Government in favour of the Princes. I was the Secretary of the Constituent Assembly on the legislative side at that time and had an opportunity of watching at close quarters what was happening and came to know some of the behind-the-scene activities at that time. There were standstill agreements with the princes and settlements involving accession to India had to be made within a limited period, otherwise on lapsing of paramountcy they would have become independent and that would have led to turmoil. One day I asked Sardar Patel in regard to Hyderabad, where the situation was getting very complicated, as to what will happen when the standstill agreement was to come to an end within a few months. He briefly observed, as he always did, that it will be settled before that date. And it was settled before that date. The other settlements were by agreement. But it is equally true that these settlements were political settlements and I knew that the Sardar did not budge an inch on the question of non-justiciability of these settlements. Article 363 should form part of the Constitution. That was his view. It was also clear that nobody at that time thought that these payments were in perpetuity. Of course we thought that they would last a long time and nobody knew how long. I have a clear impression that it was never thought that this would be in perpetuity. That is my impression of those times and I thought that I might share it with the House.

If I sum up the debate, hardly anybody in this House has said that the privy purses and privileges should not go. What has been said is that the manner of doing it is wrong. Some have criticised the Constitutional procedure that has been adopted by the Government. Others have said that

[Shri M. N.Kaul.] this change should be brought about by agreement with the Princes. Now I ask those friends : Were not the last three years long enough a period to come to an agreement? If the princes have failed to come to agreement within that period, how long is the Government to wait? Government has already waited too long and I think they could not wait any longer . . .

SHRI LOKANATH MISRA : Can I mil one question?

MR. CHAIRMAN : No interruption.

SHRI M. N. KAUL : So far as the question of compensation is concerned, the Government have made it clear that no question of compensation arises. The privy purses have to go, but the Government, taking a considerate of the matter, has said that some transitional arrangements will be made. We have no concrete idea of the [transitional arrangements. But they will be dealt with by Parliament when the time comes.

Bar to interference by the courts, that is, article 363, should remain.

There is objection to the manner. What is this manner that is being talked about? Now, let us see exactly what the Government has done. Shri Rajagopalachari has stated that the Government is doing with collateral protection embodied in the Constitution. Let us understand clearly. It is a Bill which says that Articles 291, 362 and the definition of Ruler will be omitted. Now. . .

SHRI SUNDAR SINGH BHANDARI (ibid) : Does it mean that you can away . . .

MR. CHAIRMAN : No, do not interrupt.

SHRI M. N. KAUL : I will complete my thoughts. I cannot condense ten sentences in one.

Now, what is the implication of the omission of Article 291? Its omission means that the privy purses are not charged on the Consolidated Fund and secondly, they will not be free of taxes. That is to say, these two assurances were embodied in the Constitution, and were given a constitutional guarantee—a guarantee was given in the Constitution that they will be free of taxes and they will be charged on the Consolidated Fund. Omission of Article 291 means that that protection vanishes. Now, so far as the privileges and the dignities are concerned, there was a direction in Article 362 of the Constitution to the Legislature and the Executive, that is to they should honour the commitments that had been made to the Princes under the settlements with them. And then, a definition

had been provided of the word 'Ruler'. What is the net effect? The net effect is that what you may call the collateral protections have been done away with in the Bill. Please be quite clear. When this Bill comes into force on the 14th October 1970, happens is that these provisions do not remain. Before that the Government has to take action in the executive sphere to "abolish" the privy purses. The practical abolition of the privy purses will be by Presidential action that will be taken, that is to say, each individual Ruler, by a Presidential order, will cease to be a Ruler. That will be the position according to my reading—I do not know what the Government will do. Now, on the passage of this Bill, the Government is armed with parliamentary authority, The Government can take executive action even without parliamentary action. Here they first propose in this Bill to omit the collateral protection and then when the Act comes into force, the Government can take

action in the executive sphere which must remain in the executive sphere, because that responsibility is cast on the President on the advice of the Government of the day, the final step, therefore, is that you have

got to de-i (cognise the Rulers and once you de-reco gnise the Rulers, the agreements being with lie Rulers. A, B, C, D and the whole serie . not being the Rulers cannot draw ihe p Ivj purses and enjoy the Privileges.

MR. CHAIRMAN : Please wind up now.

SHRI M. N. KAUL : I have got one minute mo c.

MR. C\ MRMAN : No, I have noted.

SHRI I)KANATH MISRA : What would you feel if we withdraw your pension?

MR. CHAIRMAN : You have taken 9 minutes. Be quick.

SHRI M N. KAUL : I will sum up that the manner that has been adopted by the Govern nent is appropriate and there are further steps io be taken regarding the de-reco nition of the rulers and these taken.

12 NOON

श्री श्याम लाल यादव (उत्तर प्रदेश) : श्रीमान्, मैं निवेदन करना चाहता हूँ कि भूतपूर्व नरेशों के विशेषाधिकारों और निजी कोशों के संविधान में वर्णित सुरक्षा सम्बन्धी अनुच्छेदों को लूट करने के लिए इस सदन में जो विचार विमर्श चल रहा है, उस संबंध में विभिन्न दलों ने जो नीतियां अपनायी हैं, उनको यहां पर व्यक्त करने की चेष्टा की गयी है। हमारे भारतीय क्रांति दल ने 12 मई 1969 को जो प्रस्ताव स्वीकार किया था, उसे मैं आदरणीय सदन की सेवा में प्रस्तुत करना चाहता हूँ। वह इस प्रकार है :—

"Where ol' privy purses to ex-rulers of .he Indian States forms one of ihe covenai s or provisions of the instruments of i >erger formally entered into between the e rulers and the Governmen! of India an I is further guaranteed by the Constitution ihe National Executive of the Bhartiya Kranti Dal is opposed io ihe abolitio i of these purses. According to Sardar latel himself "the privy purse settlements ' ere in ihe nature of considera-

lion for the surrender by the rulers of all their ruling power-, and also for the dissolution of ihe Slates as separate units." Therefore, even if the guarantee given in the Constitution in regard to payment of these purses be not enforcible in a Court of Law, their abolition or repudiation would amount to a breach of faith on the part of the Government of India and shake confidence .of the people in Government assurances solemnly given."

मान्यवर, कहा यह गया कि इस सदन में कुछ दिन पूर्व एक प्रस्ताव स्वीकार किया गया था कि इन प्रिवी पर्सों को समाप्त किया जाय। मैं उसी प्रकार से यह निवेदन करना चाहता हूँ कि उसी तरह से संविधान सभा ने एकत्रित होकर एक फैसला किया था कि प्रिवी पर्सों दिये जायें। अगर संविधान सभा के उस प्रस्ताव के प्रति देश के उस फैसले के प्रति आज की सरकार को आस्था नहीं है, तो यह कैसे यह दखील दे सकती है कि इस सदन ने जो निर्णय लिया उसके प्रति इस सदन को आस्था रहे। अगर आप आश्वामनों को इस प्रकार से तोड़ेंगे तो देश के अन्दर आने वाली मरकारें आपके वायदों पर कभी पूरी नहीं कर सकती। और मान्यवर, अगर हमारे कुछ दोस्त जिम शब्दावलि का प्रयोग किया करते हैं जनतांत्रिक व्यवस्था के प्रति, संविधान की सुरक्षा के लिए, उसके लिए मैं कहना चाहता हूँ कि उनके दिल में संविधान के प्रति कोई आस्था नहीं है, उनके दिल में इस देश की धरती के प्रति कोई आस्था नहीं है। आप जम्हूरियत की बात करते हैं। मान्यवर, मैं कहना चाहता हूँ कि इस देश में गरीबी है, इस देश में भुखमरी है, इस देश में बेकारी है। उसे दूर करने के लिए क्या उपाय हमने सोचे? एक उपाय यह है कि ईमानदारी के साथ, परिश्रम के साथ काम किया जाय, मेहनत की जाय। मैं कहना चाहता हूँ कि दुनिया के उन देशों में जहां सम्राट हैं और मैं नाम लेना चाहूंगा इंग्लैण्ड और जापान का, वे बड़ी पुरानी सल्तनतें हैं। आज उन देशों से बड़ कर इस धरती पर जम्हूरियन और कहा है? आज उन देशों से बड़ कर संपन्नता और कहा है? जापान एक छोटा सा देश है, जिसकी धरती हमसे कम है, जिसके खनिज पदार्थ हमसे कम हैं, जिसके प्राकृतिक साधन हमसे कम हैं और वह देश हाल के युद्ध में विनाश के गर्त पर पहुंच चुका था,

[श्री श्याम लाल यादव]

लेकिन आज वह देश हमसे कई गुना मालदार है। क्यों? आज वहां का नफ़ा है और वहां उनकी व्यवस्था चलती है, लेकिन उस देश के लोगों ने, उस देश की सरकार ने ईमानदारी के साथ परिश्रम किया और इसलिए देश ने उन्नति की और वह धनी हो गया।

आज इन प्रिवी पसेज के बारे में मैं निवेदन करना चाहता हूँ कि न तो इन राजाओं से, न राजाओं की व्यवस्था से, न उनके समूह से और उनके वक्ताओं से मुझे या मेरे दल को कोई सहानुभूति नहीं है, उनको हमारा कतई समर्थन नहीं है और न उनके लिए हमारे पास कोई हमदर्दी है। हम तो केवल एक मित्रांत की बात करना चाहते हैं। आप अपने मित्रांत के अनुसार सोच सकते हैं और फैसला ले सकते हैं, लेकिन मेरे विचार में, मैं समझता हूँ यह प्रश्न देश की जनता के सामने है। मैं यह कहना चाहता हूँ कि यह फैसला आपके हाथ में नहीं है। यह फैसला देश की जनता के हाथ में है। आपने पहले जो वायदे किये थे उसमें जनता ने आप का साथ दिया। उसके अनुसार आपने उनको प्रिवी पर्स दिये। इसके बाद प्रिवी पर्स समाप्त करने के प्रस्ताव आपने भी पास किये और हमने भी प्रस्ताव पास किये, लेकिन आपकी जनता ने आपका साथ नहीं दिया। और मान्यवर, इस देश में बेकारी है। आपने अहमदाबाद में प्रस्ताव पास किया कि एक हजार करोड़ रुपये बेकारी को दूर करने के लिए खर्च करना है। और आपने भी ऐसा ही पास किया था, लेकिन उस बात को दूर रख दिया है। तो देश में स्वोर्गन से, इस तरह के नारों से बेकारी दूर नहीं हो सकती है। दुनिया में जो भी धनी हो सके हैं, उन देश के लोगों ने ईमानदारी से और मेहनत से काम किया है और इसलिए वे धनी हुए हैं, लेकिन आज इस देश में क्या होता है। करोड़ों रुपयों की सम्पत्ति का नुकसान हमारे इन माधियों के आंदोलनों से और इन माधियों के मत्वाग्रह से देश में हो रहा है और रोज-रोज काम बन्द करने से और बाजार को बन्द करने से जो नुकसान देश का हो रहा है, उससे अधिक नुकसान और किसी पूरी चीज से नहीं हो रहा है। ठीक है, आप हंस सकते हैं, लेकिन इस हंसी का जवाब इस देश की जनता देगी।

(Time bell rings)

मान्यवर, इसलिये मैं कहना चाहता हूँ कि इन आश्वासनों को तोड़ कर के हम इतिहास में जरूर ऐतिहासिक काम करेंगे, लेकिन वह ऐतिहासिक काम यह होगा कि जिस देश में जम्हूरियत है, जिस देश में जनतंत्र है, उस देश की सरकार ने अपने पिछले, पूर्वगामी सरकारों के वायदों को बदल दिया। यह एक ऐतिहासिक काम होगा, यह एक ऐतिहासिक वचन-भंग होगा। यह जो है वह हंगिज शोभनीय नहीं है। इसलिए मैं कहना चाहता हूँ कि जनतंत्र के लिये जरूरी है कि जो परम्पराएँ हैं, उनका विकास होना चाहिये और उन संबंध में हमें आगे बढ़ कर के कार्य करना चाहिये, लेकिन वैसा हम नहीं कर रहे हैं। मान्यवर, इस देश की गरीबी मिटानी है तो इस देश की खेती की पैदावार को आप बढ़ावें, आप खेती में से लोगों को हटा कर दूसरे रोड-भार धंधों में लगायें। इस देश की गरीबी हटाई जा सकती है, इस तरह से कि खेत का उत्पादन बढ़ाया जाय, लेकिन आज खेत का उत्पादन बढ़ाने पर आपका खीर नहीं है। जो योजनाएँ बनाये उसमें पहले खेती का उत्पादन बढ़ाने के लिये प्रयत्न करें, किसानों के हितों की सुरक्षा के लिये उस तरफ आप ध्यान दीजिये। लेकिन यह नहीं करने। आपकी यह मान्यता है, जैसा कि एक साथी ने कहा कि जो व्यक्तिगत सम्पत्ति है, उसका अधिकार समाप्त होना चाहिये। यह सही है कि दुनिया में कहीं-कहीं साम्यवाद है और इस देश में भी बड़े-बड़े साम्यवादी दल हैं जो कि व्यक्तिगत सम्पत्ति के अधिकार को समाप्त करना चाहते हैं और अगर उनके हाथ में सत्ता होगी तो वह उसको समाप्त करेंगे, लेकिन, मान्यवर, दुनिया में साम्यवादी दलों को, इतिहास में कभी भी सत्ता संविधान सभा के जरिये, जनतांत्रिक व्यवस्था के जरिये नहीं आई, उन्होंने हमेशा सत्ता को खूनी क्रांति के द्वारा प्राप्त किया है। तो इस तरह से अगर उनको सत्ता मिलेगी, अगर उनको अधिकार प्राप्त होगा, तो इस सम्पत्ति के अधिकार को जरूर हटा सकते हैं। लेकिन मैं समझता हूँ कि इस देश की जनता इस तरह के लोगों के आग्रह को, इस तरह के लोगों के नेतृत्व को कभी नहीं स्वीकार कर सकती है। जो इस देश में व्यक्तिगत सम्पत्ति का अधिकार है वह जनतंत्र के जरिये से, जम्हूरियत के तरीके से, हटाना संभव नहीं है। अगर आप ऐसा कर सकते हैं तो खूनी क्रांति से ही आप कर सकते हैं, खूनी क्रांति से ही आप समाप्त करेंगे तभी उसको

आप कर सकते हैं। लेकिन जो देश में जम्हूरियत की जनतंत्र की ताकतें हैं, वह मैं समझता हूँ कि ज्यादा मजबूत हैं, उसकी जड़ें ज्यादा गहरी हैं। इसलिये, मान्यवर, ऐसे लोगों को इस देश में बढ़ने का मौका हमें नहीं देना है।

(Time bell rings)

मान्यवर, मैं एक बात कह कर ही खतम कर देना चाहता हूँ। मैं कहना चाहता हूँ कि आप जिस प्रकार की नीतियों का परिपालन कर रहे हैं और जो आप इस देश में साम्यवाद लाना चाहते हैं, वह हमको कहां ले जावगा। आपके यहां गंगा बहती है, लेकिन उसमें कभी आपने स्नान नहीं किया, आपने उसके प्रवाह की मज्जा नहीं। मेरा कहना है कि आपने स्थिति की संभरता को समझा नहीं है। इसी के साथ-साथ मैं कहना चाहता हूँ कि यही नहीं है कि इन नरेशों को किसी धर्म दिया जाना है, बल्कि इस देश में जिन लोगों ने ब्रिटिश हुकूमत का साथ दिया, जिन्होंने देश के साथ गहरी की, उनका समाप्त करने की बात आप नहीं करते, उनकी पेंशनों का समाप्त करने की बात नहीं करते। उदाहरणों में एम० एम० राफसरो की और सैनिक सेवा के लोगों को जिन्होंने ब्रिटिश सरकार की सेवा की थी, जिन्होंने इस देश के स्वाधीनता संग्राम में विरोध किया था, उनको पेंशन दे रहे हैं, इनकी पेंशनों का समाप्त नहीं किया जा सता है। एक बात और कही गई कि उन लोगों ने जिन्होंने नि देश के स्वाधीनता संग्राम में अपनी आहुति दी, उनको मेवालों के पुरस्कार के लिये क्या किया? यह और तरफ से नहीं कहा गया, यह कांग्रेस पार्टी की तरफ से कहा गया है। इस देश में, इस देश के चपे-चपे में आपका जालन 20 वर्ष तक रहा है और इस देश में जिन लोगों ने स्वाधीनता संग्राम में आहुति दी, उनको मगर आपने कोई पेंशन नहीं दी, उनके लिये कोई व्यवस्था नहीं की। जो इसका कर्मक, इसका दोष, इसकी जिम्मेदारी आपके कंधों पर है, आप इसको दूसरों पर क्यों थोपते हैं?

मान्यवर, इस देश की गरीबी को मिटाना है तो ईमानदारी और परिश्रम का बनावरण बनाया जाना चाहिये। इस तरह के कर्म के नारों को लता कर इस देश की सरकार के प्रति जो आस्था लोगों के दिलों में है, उसको नष्ट करने की कोशिश नहीं की जानी चाहिए।

SHRI SRIMAN PRAFULLA GOSWAMI (Assam) : Mr. Chairman, Sir, I am very happy to support this Bill. This has been disturbing our mind for a long time. It took three long years. Three years ago negotiations began and as somebody said the negotiations went on and on. I consider that there cannot be a better and greater grace than that shown by the Prime Minister. Not only our Prime Minister, but also the previous Home Minister, Mr. Chavan, negotiated with the Princes. But it is a matter of great regret that the princes did not accept even the basic position that privy purses and privileges should be abolished. Even then our Prime Minister was going on negotiating and negotiating. There cannot be any more patience than this. Now, coming to the point let me tell frankly that we have no sympathy or respect for the outmoded, feudalistic remains created by British imperialism. The princes were the protected feudal satellites of the British imperialists. When we have got independence, when we have accepted democratic socialism, these privileges and privy purses are inconsistent and have no meaning at all. I can understand Rajas and Maharajas appearing in theatres and dramas in their feudalistic dresses, but I cannot tolerate these extraordinary privileges to continue even today in such a changed order of society. The Rajas and Maharajas exist because of these extraordinary privileges even when there are no States. Even during the days of British imperialism the native States were not independent. They were subservient. They were the satellites of the British who not only interfered in their internal affairs but controlled them. Some Rajas and Maharajas who did not like to obey the British order had to pay heavily for that, even some of them were executed. The remaining Rajas and Maharajas were all along subservient right from the days of the East India Company to the last days of the British. When the British imperialism ended, we thought that all these

[Shri Sriman Prafulla Goswami.] Rajas and Maharajas would also be ended, but somehow they remain. With all respect to Sardar Patel,. I must say when the agreement was made, at that time many of us were not happy. Some of us even questioned about retaining the princes with extraordinary privileges and privy purses. But we were told that in the course of time these, can be changed. Some parties and many people were against such privileges from the time of agreement end this issue we had to face in the elections.

I welcome the abolition of these two articles 291 and 362 of the Constitution and this should be gracefully accepted. Now, Sir, one point, when in such a long time the Princes did not respond, or agreed to the abolition of their extra privileges, I think there is no course left for any further negotiation with them. I hope our Prime Minister will no more negotiate with them about the interim arrangement. Whatever interim arrangement is to be made should be placed before Parliament and it should be decided by Parliament. I must say that propaganda was going on for the last one year by interested parties. Even some of the "Syndicate Congressmen" used to put questions to us which created a suspicion that the Prime Minister would not dare to bring forward the Bill for the abolition of privy purses, because some of the Princes were with her. She will demonstrate today whether she loses her power or not, she has brought the legislation with the purpose to abolish the privy purses and privileges of the Princes. She has come forward with the Bill. It is for us to use this occasion to fulfil the aspirations of the people and to implement our decision in the House. If we understand the meaning of democratic socialism, to which we are wedded and to which even our Parliament is committed, I do not think with many others in this house that the Rajas and Maharajas showed any spirit of sacrifice

when they signed the agreement, they gained so many extraordinary privileges along with privy purses that it was only for self-interest to maintain feudalistic privileges and huge privy purses. I can understand the Jan Sangh and the Swatantra Party opposing it. Their philosophy is to oppose such reforms which want to abolish any form of feudalism but I cannot understand the logic behind the opposition by the Syndicate Congress. Even Mr. Morarji Desai, when he was in the undivided Congress, not only agreed to the abolition of privy purses and privileges but he negotiated with the Princes to carry out the policy. It is regrettable that when he is out now, he wants to oppose the measure to which he and others as Congressmen were committed. Today circumstances have changed very much, modern age can not accept or support the feudalistic relics to remain. The princely privileges are incompatible with the democratic concept of society. What is the guarantee about those privy purses and privileges when they were not incorporated in the fundamental rights? If these are fundamental rights, then they should have been incorporated in the Third Chapter on Fundamental Rights of the Constitution. Sardar Patel knew that these were not going to remain for ever and that, is why such extra privileges were kept aside from the fundamental rights. There can not be any claim that these clauses would remain for ever and that Parliament would never change them. Sir, Parliament is supreme, it can amend our Constitution. The two clauses about which we are concerned can be abolished by two-thirds majority according to the Constitution. Too much leniency has been shown by the Prime Minister for such a long time in the negotiations with the Princes. If the Princes had agreed to this one year before, then probably the Princes would have got praise from our Prime Minister. She would have praised the Princes as Sardar Patel praised them. I

do not have any liking for the Princes but I do not like- to abuse the Princes. They are decaying in the process of our social transformation. I have not read any books about Princes or Maharajas because I do not care to read the outmoded feudalistic history and I do not relish all the stories of their vices and degradation. These Maharajas and Rajas may exist in plays and dramas but they should not exist any more in our democratic societies. Let them exist along with other citizens with equal rights and privileges. What right, legal or moral; I, the princes have to go on getting privy purses, unearned money for so many years? When there are no independent States, Rajas are going about in cars having special numbers with separate Flag of their own and they have got all other extraordinary privileges. They are protected from common laws for citizens' with extraordinary rights and privileges. Even now too; so-called Rajas are exempted from the Arms Act. There are more extraordinary privileges. They need not pay tax. Their properties and privy purses are exempt from taxes. They can not be prosecuted without the permission of the Union Government. So many other extraordinary privileges exist for them. Can we allow these strange customs of feudalism to prevail in our Society? No, we can not.

So I wholeheartedly support this Bill. Let the people see and judge whether we are sincere in implementing our commitment or not. I consider that it is one step toward socialism, although this measure itself is not Socialism. People will know in 1972 and remember how the Syndicate Congress betrayed their own commitment:

SHRI T. CHENGALVAROYAN (Tamil Nadu) : Mr Chairman, I feel considerably embarrassed to participate in the debate on this Bill. My embarrassment is not due

to lack of conviction or commitment either on my part or on the part of the party to which I have the honour and the privilege to belong. In fact, Sir, if I can just recall to this august House, it was on the platform of the Indian National Congress that we decided about the ten tenets for the political dynamism of the new Congress work and appeal to the masses of our country. In that great upheaval of political dynamism on the part of the Congress, my great leader, Shri Kamaraj, and the evangelical endeavour of my beloved comrade, Mr. Mohan Dharia, were responsible for the adoption and the assimilation of the ten tenets of the new programme for the Congress. At that time, Mr. Chairman, we knew and knew to our great distress and dismay that the Gods at Olympus, nay the Goddesses at Olympus, were rather cynical about the advisability of launching upon this great programme. Therefore, Mr. Chairman, I wish to submit with very great respect and with equal force and strength that we on this side do not lag behind anybody in the matter of our adoption of, and our dedication to, this grand idea of the abolition of the privy purses.

We know, Mr. Chairman, of the great change that has taken place in this country, changes in our political outlook, changes in our social values, changes in our economic direction and even changes in ethical values, that it does not require even an elementary school lesson about our keeping abreast and attuned with the new changes that are now taking place in this country. But my regret, Mr. Chairman, is whether at all this Bill serves that purpose. May I have your leave and the indulgence of this House for a very few minutes if I just examine what is the content and the compass of this amendment Bill?

This Amendment Bill, Mr. Chairman, as you know very well, is an amendment by way of repeal of the three articles of the Constitution. I would be very pleased,

[Shri T. Chengalvaroyan.] and it requires no unseasonable importunity on my part when I say that this question of the abolition of the privy purses is nowhere to be found in this Amendment Bill.

May I just, take, with your leave, Mr. Chairman, the first clause which repeals article 291 ? Article 291 merely states that the question of the amount payable under the covenant or agreement entered into with the Rulers would be only payable out of the Consolidated Fund and would be free of tax. I realise, Mr. Chairman, in the great endeavour of the abolition of the Privy purses, the repeal of article 291 becomes absolutely necessary. But if we just examine the other article which is now sought to be repealed, namely, article 362, I must express my very profound disappointment on the soundness of the legal advice which the Government got in regard to the removal of article 362. In fact, Mr. Chairman, I am sure you will agree with me when I say—and Mr. Kaul has given some indication in his speech—that the repeal of article 362 will become rather unnecessary if we understand the constitutional scope of article 362. In my respectful submission. Mr. Chairman, it is article 362 that gives constitutional competency for Parliament to enact law in regard to the privileges and rights even with regard to the payment of Privy purses. Perhaps, the Government must have been rather nervous in regard to the expression found in article 362 that due regard shall be had to article 291.

You know, Mr. Chairman—and I have read your brilliant argument in many cases before the Supreme Court beginning from the Parlakimidi case—the expression "due regard" appearing in any statute does not mean a binding force upon the considerations and the provisions. If the Government had got moral courage it could have very well acted tunder the provisions of article 362 itself in abolishing the privy purses by an executive fiat. I do not know,

Mr. Chairman, why recourse should be taken to this cumbersome process and to this prolonged agony that a Constitution Amendment Bill requires to yo into this question

Here, Mr. Chairman, Sir, I beg your pardon and the indulgence of this Home if I were to state that there is something political behind the whole Amendment Bill. If there had been an honest conviction about the abolition of the privy purses, I should have expected wilh great respect that our gical Prime Minister should have issued a fiat and it would run right through the entire country and we would have cried hallelujah io that step.

Mr. Chairman, may I have just one submission with regard to this ? Article 362 is now repealed. Now the question that remains is whether under the provisions of article 363 the question of justiciability is still maintained.] am not very much perturbed about the justiciability of ihe action which proposes to abolish the privy purses. One thing I am not able to reconcile. That is the doctrine of equality on the one hand and the non-justiciability of the provisions in article 363.

My esteemed friend, Mr. Dharia, quoted the preamble and said that we have declared equality among all citizens. I say amen to that word, and to the speech of my friend, Mr. Dharia. But may I not plead with him and plead with this House thai the same doctrine of equality and the same tenet of equality must be available when you denigrate and degrade the Princes to the ordinary level of a citizen ?

SHRI K. CHANDRASEKHARAN (Kerala) : Now, Sir, the real thing has come out Up till now we never knew where he had stood.

SHRI M. M. DHARIA (Maharashtra) : Sir, the House should not forget that my colleague is a very nice advocate.

SHRIMATI YASHODA REDDY
(Andhra Pradesh): So are you supposed to be.

SHRI T. CHENGALVAROYAN : Mr. Chairman my submission is this, that the doctrine of equality enshrined in our Constitution must not be denied by this step.

MR. CHAH: MAN : You must finish now.

SHRI T. CHENGALVAROYAN
One word more and I have done. Mr. : Chairman, I must state very clearly and categorically that we on this side of the House do not oppose this Bill, but object to this Bill, and our objection is based upon the ground that the question of allowance, the formula of allowance and the scheme of allowance are not known to the Parliament. I know that they will come in a short time.

MR. CHAIRMAN : You must wind up now.

SHRI T. CHENGALVAROYAN : I am concluding. (Interruptions) May I conclude, Mr. Chairman, by saying that when reason is fatigued, argument is exhausted, obduracy may not persist.

श्रीमती बिजावती चतुर्वेदी (मध्य प्रदेश) : सभापति जी, आज प्रधान मंत्री जी द्वारा जो संविधान संशोधन बिल हमारे सदन में प्रस्तुत किया गया है मैं उसका स्वागत और समर्थन के लिए प्रस्तुत हुई हूँ। (Interruption) मैं सभापति महोदय, आप से निवेदन करूंगी कि मैं किसी के भाषण में बाधा नहीं देती और मैं आप की सुरक्षा चाहूंगी कि मेरे भाषण के बीच में कोई बाधा उपस्थित न की जाय। इसके साथ ही साथ मैं एक निवेदन और करना चाहूंगी कि इस सदन के अन्दर इस बिल पर मैं पहली महिला हूँ जो अपने विचार व्यक्त करने के लिए खड़ी हुई हूँ और दूसरी बात यह है कि मैं स्टेट से आयी हूँ, रियासती क्षेत्र जिसको कहा जाता था, इसलिए प्रार्थना है कि मेरे साथ आप थोड़ी समय की उदारता करें। ऐसा मेरा आप से अनुरोध है।

श्री सभापति : आप कृपा कर शीघ्र ही खत्म कीजिए।

श्रीमती बिजावती चतुर्वेदी : मैं यह कहना चाहती थी कि समय जिस तेज रफ्तार से बढ़ रहा है, दुनिया की मान्यताएँ और भावनाएँ भी उन्ही तेज रफ्तार से बदल रही हैं। सभापति महोदय, आपको विदित है कि यह 20 साल की बात नहीं, महीनों में और दिनों में कितनी तब्दीली आती है। जो कल, कुछ महीनों पहले हमारे हमराज थे आज वह हमारे हमसफर तक नहीं रहे। जो कल हमारा साथ दिया करते थे आज वह हमारे विरोध में बैठे हैं। जिन्होंने कल बड़े-बड़े प्रस्ताव पास किये राजाओं के प्रिवी पर्स समाप्त करने के लिए, जिन्होंने बड़े-बड़े प्रस्ताव पास किये राष्ट्रीयकरण के लिए, जिन्होंने दस सूत्री कार्यक्रम अपनाने के लिए बड़े-बड़े चोड़े भाषण दिये, आज जब उसको कार्य रूप में परिणत करने के लिए प्रधान मंत्री कदम उठाती हैं तो वही लोग उसकी खिलाफत करने हैं। तो कितनी जल्दी दुनिया बदल रही है, कितनी रफ्तार से विचार-धारणें बदल रही हैं, भावनाएँ बदल रही हैं, इसे देखा जाय। (Interruptions) आप कह कर मुनने की भी क्षमता रखिये। ऐसे न चले जाइये। तो मैं कह रही थी कि इतनी जल्दी दुनिया बदल रही है कि समाज जिनको कभी पवित्र मान्यताएँ मानता था खगले ही कुछ समय के बाद उनको समाज ने कलंकित घोषित किया। आप को सभापति महोदय मालूम होगा कि एक समय माना जाता था 'पंचवर्षा भवेत् कन्या', पांच वर्ष में शादी कर दी जाय। 5 वर्ष की कन्या गौरी मानी जाती थी। उस पवित्र मान्यता को बाद में समाज ने कलंकित घोषित किया और उसे समाज के लिए कलंक माना गया और उसके लिए ही हम को शारदा ऐक्ट पास करना पड़ा। बीस साल पहले राजाओं के साथ जो मुआहिदा हमारा हुआ वह बीस साल पहले पवित्र हो सकता था लेकिन आज की बदलती हुई दुनिया में, आज की बदलती हुई भावनाओं में, आज बीस साल बाद जो हमारी नई पीढ़ी पैदा हुई है वह आज उन मान्यताओं को बर्दाश्त नहीं कर सकती, आज उन मान्यताओं को पवित्र नहीं बल्कि हमारे ऊपर एक कलंक मानती है जिसका सुधार करना हमारे लिये ही नहीं बल्कि उन राजाओं के लिये भी जरूरी है। वह समय को, परिस्थिति को, जन-भावनाओं को पहिचानते हुये, समझते हुये, अपने को बदलने की कोशिश करें।

[श्रीमती विद्यावती चतुर्वेदी]

सभापति महोदय, इस बात से मैं इंकार नहीं करती और अगर दूसरे कहते हैं कि सरदार पटेल ने इसको माना था, सरदार पटेल की दुहाई दे कर के कहते हैं कि उन्होंने इस पवित्र मान्यता को, करार को माना था, वह ठीक था और वह यह भी कहते हैं कि राजाओं ने बड़ा त्याग करके देश की अखंडता के लिये जन-भावनाओं से प्रेरित हो कर के अपने राज्य को सरदार पटेल के हवाले कर दिया था, देश के हवाले कर दिया था, लेकिन मैं मानती हूँ कि अगर सच्चे दिल से उन्होंने त्याग किया था तो मैं उनको बधाई देती हूँ, उनकी दुहाई देती हूँ, लेकिन साथ ही आज भी देश की परिस्थिति उनके सामने है, एक वही प्रश्न उनके सामने बाड़ा हुआ है, और आज भी उन मान्यताओं को छोड़ कर, उन मुद्दाहिदों को छोड़ कर जन-भावनाओं से प्रेरित होकर के, जन-भावनाओं को समझ कर के, आज की परिस्थिति को देख कर के, आज की दुनिया की हवा को देख कर के, उन्हें चाहिये था कि वह स्वयमेव कहें कि अगर जनता इस प्रिवी पर्स को रखना नहीं चाहती, देश इसको देना नहीं चाहता और यह नहीं चाहता कि ये विशेष अधिकार हमको मिलते रहें, जनता यह नहीं चाहती कि यह प्रिवी पर्स जो हम खजाने से ले रहे हैं वह लेते रहें, जनता उसका विरोध करती है, जन-भावना उसका विरोध करती है, जन-भावना उसके प्रतिकूल है, तो हम स्वयमेव इसको देने को तैयार हैं।

सभापति महोदय, मुझे एक कहानी याद आती है, कृष्ण में मुझे कर्ण की कहानी को पढ़ने का मौका मिला, मैं सोचा करती थी कि आया यह सत्य है या असत्य है लेकिन मैं देखती हूँ कि भारत देश में आज भी कर्ण की कमी नहीं, आज भी भारत में वह कर्ण है जिसने स्वयमेव अपने प्रिवी पर्स को त्याग करके—काश्मीर जिसको हम भारत का मस्तक कहते हैं, जो हमारे भारत का भाल है, वहाँ के राजा ने आज अपने प्रिवी पर्स को छोड़ कर के, कर्ण दानों के समान अपने आप अपने प्रिवी पर्स को त्याग करके हमारे भारत को, भारत के भाल को, गौरान्वित करने का कार्य किया और आज हम कहते हैं कि वह राजाओं के लिये एक अनुकरणीय मार्ग है जिसे उन्हें अपनाया चाहिये।

सभापति महोदय, जहाँ तक कि प्रिवी पर्स की बात है प्रिवी पर्स के कुछ पैसों की बात नहीं है, यह एक

सिद्धान्त की बात है। अगर कोई माननीय सदस्य खजाने से दो तरह से पैसा लेता है तो वह आफिस आफ प्राफिट में आता है, अगर आज कोई कर्मचारी दो तरह से किसी भी तरीके से खजाने से पैसा लेता है तो वह आफिस आफ प्राफिट में आता है लेकिन उसी खजाने से -

श्री लोकनाथ मिश्र : कौल साहब पेंशन लेते हैं।

श्रीमती विद्यावती चतुर्वेदी : मिश्रा जी, आपके जरा भी बर्दाश्त नहीं, आप बाद में जितने भी प्रश्न चाहें करें, मैं सब का जवाब दे दूंगी, लेकिन इस समय मेरा समय लिमिटेड है।

तो, सभापति महोदय, वह प्रिवी पर्स भी लेते हैं और फिर एम०एल०ए० या एम०पी० या मिनिस्टर के रूप में भी उसी खजाने से पैसा लेते हैं लेकिन वह आफिस आफ प्राफिट में नहीं आता। सभापति महोदय, मेरा कहना खाम तौर पर प्रिवी पर्स के लिये नहीं बल्कि उनको जो विशेष अधिकार मिले हैं उसके बारे में कहना है। मैं यह नहीं कहती कि ये सब लोग उसका दुरुपयोग करते हैं लेकिन मैं जिस क्षेत्र से आइ हूँ वह बुन्देलखंड का क्षेत्र है और वह डाकुओं का एरिया है, डाकुओं का क्षेत्र है, इनके हथियारों की कोई गिनती नहीं है, इनके पास लाइसेंस नहीं है, कुछ पता नहीं कि इनके पास कितने हथियार हैं, कहां से आते हैं और कहां जाते हैं तथा डाकुओं को कितने हथियार कहां से मिलते हैं और कहां से आते हैं यह कुछ पता नहीं, जो डाका डालते हैं वह तो भुक्कड़ रहते हैं, वह तो सिर्फ बदनाम डाकू हैं, लेकिन उनका वह धन शरीफ डाकुओं के बहां चला जाता है जो उनको सहायता देते हैं। आज उनके ऊपर हमारी सरकार कुछ नहीं कर सकती है, हमारा वहां का एडमिनिस्ट्रेशन उनके ऊपर कुछ नहीं कर सकता है, जब तक कि राष्ट्रपति से या यहां की सेंटर की गवर्नमेन्ट से परमिशन न ले लें तब तक कुछ नहीं किया जा सकता है। तो इस तरह के विशेष अधिकार हैं जिनका कि दुरुपयोग हो रहा है। यह भी हम रखे हुये हैं। मैं यह नहीं कहती कि सब जगह इसका दुरुपयोग हो रहा है, लेकिन, सभापति महोदय, जिस क्षेत्र से मैं आती हूँ उस बुन्देलखंड की चर्चा मैं कर रही थी और मैं वहां की जन-भावना आपके सम्मुख रखना अपना कर्तव्य समझती हूँ। जो सरदार पटेल की दुहाई बेबे हैं उनको मैं कहना चाहती हूँ कि जिस समय बुन्देलखंड

के राष्ट्रपति के साथ एघीमेन्ट हो रहा था... (Time bell rings).

सभापति महोदय, मुझे थोड़ा-सा समय और दे दीजिये, मैं बहुत जल्द खत्म करती हूँ।

उस समय जबकि काबिनेट पर साइन होने को थे तो बुन्देलखण्ड प्रजा लोक परिषद् में मेरे पति अध्यक्ष थे, उस समय यह बात उठाई गई थी कि राजाओं को दो अधिकार नहीं मिलने चाहिए, यह जनतंत्र के लिये कलंक की बात है, कि एक तरफ उन्हें राजा के अधिकार हों और दूसरी तरफ प्रजा के भी अधिकार हों, जिस समय यह बात बड़ी तो मेहनत जी जो कि सरदार पटेल के सेक्रेटरी थे वह हमारी बात किसी तरह से मानने के लिए तैयार नहीं थे, तब हमें पटेल साहब से मिलने जाना पड़ा और इस बात के लिये पटेल साहब ने संजूर किया कि यह होना चाहिये और मैं अगर भूल नहीं करती तो 17वीं या 19वीं धारा में इसका समावेश किया गया, इसकी सम्मिलित किया गया कि इन तरह के दुहरे अधिकार उनको नहीं मिलने चाहिये। परन्तु दूसरी स्टेटों में इस तरह की कोई बात नहीं उठाई गई। अन्त में इसको बालाएलाक रख दिया गया।

मैं एक बात और कहना चाहती हूँ कि जो बी०के०डी० के हमारे एक माननीय सदस्य ने उठाई। मैं भी कहती हूँ हम राजाओं के बारे में जब सोचते हैं तो उन वीर सेनानियों के बारे में क्यों नहीं सोचते जिन्होंने देश के खातिर अपनी कुर्बानी की है। जो शांसी की रानी की दुहाई देते हैं, बंदी-बड़ी बाने करने हैं। लेकिन सभापति महोदय आज उनके खानदान वालों की क्या हालत है? मैं आपको एक निसाल देना चाहती हूँ: कानपुर के राजा मदन सिंह उस शांसी की रानी के सबसे अगुवा सेनानी थे। आज उनके खानदान के लोग इधर-उधर टोकरें खा रहे हैं, आज वह परेशान हाल हो रहे हैं। इन्हीं राजाओं ने कानी उनकी जिता नहीं की, अपने प्रिवी पर्स और विशेषाधिकारों की सुरक्षा के लिये आज बड़ी जिता है। आज तक उन्होंने उनकी हालत की ओर कभी ध्यान नहीं दिया और मुझे दुःख है हमारी सरकार ने भी ध्यान नहीं दिया। (Time bell rings).

मैं एक केवल एक बात और बताना चाहती हूँ। उनके पास कुछ पक्ष थे जो शांसी की रानी के लिखे हुए

थे। नेहरू जी ने उनकी एक दूरबीन को भी—जो 'वे नाईट' के नाम से थी—राष्ट्रीय सम्पत्ति मानकर यहाँ संग्रहालय में जमा करा लिया था, उनके पक्ष भी यह मानकर ले लिये गये कि वे राष्ट्रीय सम्पत्ति हैं। लेकिन आज तक उनकी सहायता करने पर ध्यान नहीं दिया गया। मैं प्रधान मंत्री महोदय से निवेदन करूँगी...

श्री सभापति: अब आप खत्म कीजिए।

श्रीमती विद्यावती चतुर्वेदी: मैं बिल्कुल खत्म कर रही हूँ। तो जिस समय वह उन राजाओं के साथ उनके प्रिवी पर्स के लिये मुद्रावजा देने के लिये तय करें उस समय सबसे पहले हमारे उन वीर सेनानियों का ध्यान रखना चाहिये, ताकि हम उन्हें सम्मान दे सकें। सबसे पहले उनकी तरफ ध्यान देना होगा। उन वीर सेनानियों के परिवारों की सहायता किस प्रकार की जाय यह मैं प्रधान मंत्री पर छोड़ती हूँ।

श्री विश्व भूषण देवशरमा (मध्य प्रदेश): माननीय सभापति महोदय, शायद एक क्लर की हैसियत से मैं सबसे आखरी वक्ता हूँगा जो क्लस की तरफ से विचार आपके सामने रखता हूँ।

मुझे गर्व है कि भारतीय जनसंघ जैसी पार्टी ने हमें अपनाया है। भारतीय जनसंघ जिस ओर बढ़ रहा है मैं समझता हूँ, अगर संस्कार नाम की कोई चीज है, तो उस ओर बढ़ रहा है और दूसरी पार्टियों की अपेक्षा भारतीय जनसंघ ने अधिक रूप से उसकी पहिचाना है। मैं यह भी जानता हूँ कि सभी लोग, जो माननीय सदस्य हैं, को एक पार्टी में बंधे हुए नहीं हैं, सबों में सभी पार्टियों के संस्कार हैं और जब मैं यहाँ पर भारतीय जनसंघ से बढ़ा हूँ तो इसका यह मतलब नहीं कि कांग्रेस के सिद्धांत मुझे पसन्द नहीं। कुछ अंग में सभी सिद्धांत ठीक हुआ करते हैं, पर अधिक रूप में जमाने की ऊपरी स्थिति को देखते हुए जो पार्टी जिनको जंचती है उसी में जाना पड़ता है, यह अमूमन नियम है। अब मुझे तो ऐसा लगता है, सब लोगों का मुँह देखते हुए, कि केवल एक तरफ का ही बोलबाला है। आपको मालूम होगा लोक सभा में भी कितने लोग बोले, और यहाँ भी कितने लोग चाहते हैं बोलने के लिये, और चागला साहब जैसे यहाँ विराजमान हैं। मालूम नहीं उन्हें कितना समय दिया जायेगा।

डा० बी० एन० अन्तनी (गुजरात): दिया जावेगा कि नहीं?

श्री विजय भूषण देवशरणा : हा, दिया जायेगा कि नहीं। आपने देखा कि एक समय था जब कांग्रेस के सब लोग इसके समर्थक थे, लेकिन उसके बहुत से लोग अब दूसरी ओर हट रहे हैं। तो क्या आप यह समझते हैं कि कांग्रेस में कोई परिवर्तन नहीं आया है। जब आप केवल एकतरफा होकर बोल रहे हैं कि सबको मिटा देना चाहिये, क्या इसका यह मतलब है कि महात्मा गांधी जैसे लोग, पंडित नेहरू जैसे लोग, और जितने बड़े-बड़े वरिष्ठ नेता हैं, सब शांत काम कर बैठें ? मुझे खुशी है कि माननीय प्रधान मंत्री महोदय ने कहा था लोक सभा में कि अगर एक साथ ही मिटा दिया जाता तो शायद वे बातें नहीं आती और वे दिक्कतें नहीं होती जो आज सुनने को मिल रही हैं। लेकिन केवल अनुमान से ही काम नहीं चलता है। हजारों बर्ष के इतिहास को मिटाने वाले हैं और आगे चलकर मालूम नहीं जमाना किम और झुकेगा, यह नहीं कहा जा सकता है और केवल अनुमान के आधार पर हम नहीं चल सकते हैं। हमें इन सब बातों को समझना होगा। केवल एक तरफ होकर बातें नहीं कर सकते हैं।

मैं इस पक्ष का हूँ कि जो समाज है उसको यदि आप समझें तो यह समाज का ही दोष है और आप केवल राजा महाराजाओं के ऊपर यह दोष नहीं डाल सकते हैं और यह दावा नहीं कर सकते हैं कि यह उनका दोष है। समाज ने ही राजा महाराजाओं को बनाया है और हमने ही राजाओं को अपनाया है। इसलिए इसका दोष हम पर भी है और केवल राजा महाराजाओं के ऊपर दोष लगाना यह सदन को शोभा नहीं देता है।

मेरा तो केवल यही निवेदन है कि एक प्रतीक हमें कम से कम रखना चाहिये। हम सब मिटने के लिए तैयार हैं। महाराणा प्रताप के जो वंशज हैं या मुगलिया दरबार के जो वंशज हैं उनको आप पनपने का मौका दें। चाहे गुरु गोविन्द सिंह हो, चाहे रणजीत सिंह हो या कम से कम एक हरिजन हो, आदिवासी हो, पारसी हो, किसी को तो पनपने का मौका दें ताकि जो इन्स्टी-ट्यूशन है वह रह सके और इस तरह से आप इस इन्स्टी-ट्यूशन को मिट्टी में मत मिलाइये।

साथ ही साथ मैं यह भी निवेदन करना चाहता हूँ कि जो हमारे बच्चे हैं वे सब के सब बेबकूफ नहीं थे।

बहुत बुद्धिमानी के साथ जो उन्होंने फार्मूला बनाया था उसमें बड़ी बुद्धिमानी थी। मैं समझता हूँ कि 1972 का इलैक्शन बतला देगा कि यह जो सदन आज कदम उठायेगा वह कहां तक ठीक है। मैं इतना निवेदन कर देना चाहता हूँ कि अभी तक अधिकांश राजा महाराजाओं को जो प्रिंसी पर्स मिलता था उसकी वजह से उनके मुंह में ताले लगे हुए थे, लेकिन अब आप उस कुंजी से ताले को खोल रहे हो और यह जो कदम आप उठाते जा रहे हैं उसके बारे में 1976 में जो इलैक्शन होने वाले हैं वे ही बतलायेंगे कि यह सही कदम था या नहीं।

माननीय सभापति महोदय, मुझे महिलाओं के प्रति बड़ा आदर है और मैं इस बात को अपने लिए गौरव समझता हूँ कि पंडित जवाहर लाल नेहरू के समय में ही था जिसने श्रीमती इंदिरा का नाम भावी प्रधान मंत्री पद के लिए सुझाया था। उस समय किसी भी कांग्रेस वाले को इतनी हिम्मत नहीं थी जो आगे आकर यह कहे कि भावी प्रधान मंत्री श्रीमती इंदिरा जी होंगी। आज सब लोग उनके साथ हैं तो मुझे इस बात का गौरव है। वे आज विधवा हो गई हैं लेकिन इसके साथ ही साथ मुझे इस बात का गौरव है कि ऐसा होते हुए भी वे इतने प्रश्नों का मुकाबला कर रही हैं और देश को बुद्धिमता के साथ संभालते हुए आगे ले जा रही हैं।

इन बातों के साथ मैं पुनः आपको धन्यवाद देता हूँ कि आपने मुझे यहाँ पर बोलने का मौका दिया। लेकिन मैं समझता हूँ कि केवल देश के रुख को देखने हुए उतावली में आकर कोई काम करना उचित नहीं है बल्कि समझदारी के साथ आपको अपने वोट देने के सम्बन्ध में निर्णय करना चाहिये।

SHRI. S. G. SARDESAI (Maharashtra) :
Mr. Chairman, Sir, I want to be brief and in any case I will take less than five minutes.

As I was listening to the speeches of some of my friends on the right yesterday, I was wondering whether we are in the twentieth century or in the sixteenth or the seventeenth century. The point which was stressed most, as far as I could make out, was the question of the sanctity of conventions and what they call, the democratic process.

I would like to remind them and I think it is necessary for us to remind ourselves, because whenever the question of the democratic process is raised, most of us have in mind what happened in Western Europe. At a certain stage of development of the democratic process in England, King Charles I was beheaded; at a certain stage of development of the democratic process in France, Louis XVI had to be beheaded; in Russia, Nicholas had to be beheaded; and, in America, the development of the democratic process started with the rebellion against George III and Washington never gave him any privy purse, if my knowledge of history is correct. In Germany it led to the panicky flight of Kaiser Wilhelm II. In Austria it led to the end of the last scion of the Holy Roman Empire. You talk of democracy, you talk of history. Are these not facts of history? This is how democracy has grown all over the world. I am speaking with anger but so that I may not be misunderstood I want to say that we do not want to do all these things in India and I say it with all authority on behalf of my Party. We do not want to do these things. We are striving to evolve a more peaceful process for changing the ancient and rotten aspects of our society. This is our effort but whether we succeed in peaceful transition depends not on our ideas but on what we want but on whether the forces of reaction show any signs of change. If they do not, what awaits India is a violent revolution for which we will not be responsible but those who oppose any change will be responsible. I do not want to say more and I do hope the press tomorrow, when they report my brief speech, will report precisely what I have said. But as I said, this is history. This is what has happened all over the world and I will only end by one single sentence. The Princes in India should be thankful that they are losing only their purses and their privileges and not their heads. Thank you.

श्रीमती पुष्पाबेन जनादनराय मेहता (गुजरात) : सभापति महोदय, आपने जो मुझे मौका दिया, उसके लिए मैं आपकी आभारी हूँ। आप जानते हैं कि जहाँ वे मैं आती हूँ, उस प्रदेश में जिन्हें नेटिव स्टेट्स बोलते थे, राजा बोलते थे, उसके 50 प्रतिशत वहाँ थे, सोराष्ट्र और गुजरात में। हम स्टेट पीपुल्स कान्फ़ेंस की ओर से और काठियावाड़ राज्य-परिषद् की ओर से उनके साथ लड़ते थे, झगड़ते थे, वे हमारे साथ लड़ते थे, झगड़ते थे। गांधी जी और सरदार साहब का भी मार्गदर्शन हमें मिलता था, मगर उस समय एक जोश था, मगर मैं हैरान हो रही हूँ जब से दो दिन से यह चर्चा चल रही है कि जो उस समय हमारे घनदर जोश नहीं उससे ज्यादा आज हम वाक्यसुद्ध में लगते हैं। हम जानते हैं कि राजा नहीं हैं, उनको क्लर कैसे बोलते हैं, वे तो एक्स-क्लर हो गए, वे तो राजा नहीं हैं, आज जो हमारा प्रश्न है वह बहुत छोटा प्रश्न है, चन्द लाखों का प्रश्न है, हम उनको कितना प्रिवी पर्स देना चाहते हैं, कम्पेनसेशन देना चाहते हैं या प्रिवी पर्स ले लेना चाहते हैं, अधिकार ले लेना चाहते हैं, वही हमारी खास बात है। वन्स अपॉन ए टाइम देयर वाज़ ए किंग इतनी ही बात है, आज राजा नहीं हैं, सारी शान्ति हो गई और अभी भी हम बोलते हैं यह राजा ऐसा था, वह राजा वैसा था, हमें यह राजा कहना छोड़ देना चाहिए क्योंकि राम भी राजा थे, कृष्ण भी राजा थे और बुद्ध भगवान भी राजा थे। और जैसा मैंने बताया जिनको देखा और सुना, ये भी राजा थे। तो यह राजा की बात नहीं, व्यक्ति की बात है। मगर आज मैं कहना चाहती हूँ कि हम जो प्रिवी पर्स की बात करते हैं तो जब राज्य शान्ति होती है तो उसके लिए किसी न किसी को कुछ न कुछ देना पड़ता है। सरदार पटेल की राजनीतिक कुशलता ने राजाओं से उनका राज्य ले लिया। उनको देना पड़ा या हमने छीन लिया, यह बात अलग है, लेकिन जो कटुता, जो तिरस्कार, जो घृणा होनी चाहिए भी वह उनकी राजनीति में नहीं थी। इसलिए मैंने अपनी आँखों से देखा है कि जब सरदार प्रथम बार जामनगर आए तो जाम साहब बोलते थे कि वह हमारे बड़े भाई हैं, हम उनके छोटे भाई हैं। छोटे भाई होने के नाते उन्होंने हमसे राज्य छीन लिया है और जो लोग नेटिव स्टेट्स में रहते थे वे लोग जानते हैं कि उनकी श्रद्धा अमर्यादित थी। हम उन

[श्रीमती पुष्पाबेन जनादनराय मेहता]

बातों को भूल नहीं सकते। उनसे मिलने के लिए वे लोग तीन-तीन घंटे खड़े रहते थे और आज हमारे पास चन्द लोगों का प्रश्न है। प्रिबी पर्स देना या न देना, कम्पेन्सेशन देना या न देना, एक बात है, मगर मैं यह कहना चाहती हूँ कि राजनीति से हमने जिनका राज्य ले लिया उसके बदले उनको हमको कुछ देना पड़ता है। उनसे हमारे करार हैं और वे पवित्र करार हैं। उस हिसाब से हमको वह रकम उनको देनी चाहिए। मैं पूछना चाहती हूँ कि आई० सी० एस० अफसरों को, जो इंग्लैंड से आए थे, आज हम कितना दे रहे हैं। बार बार इधर से पूछा जाता है कि उनको कितना दे रहे हो? आपने कहा कि हम वह बंद नहीं कर सकते क्योंकि वह हमारा करार है। अगर वह करार है तो यह भी करार है। मैं कहना चाहती हूँ कि प्रिबी पर्स के बारे में हमारी एक नीति है। और यह कांग्रेस और वह कांग्रेस इसमें क्या है, हम इससे सहमत हैं कि प्रिबी पर्स समाप्त होना चाहिए, लेकिन व्यक्ति के नाते हमारा झगड़ा है कि उनको कम्पेन्सेशन देना चाहिए और वह हमारी मारेल जिम्मेदारी है। वह पक्की तरीके से देना चाहिए क्योंकि आपकी नज़र में एक राजा गायकवाड़ हैं, एक राजा काश्मीर के राजा हैं, लेकिन हमारी नज़र में ऐसे राजा भी हैं कि जिनको एक हजार या दो हजार रुपयेही प्रिबी पर्स का मिलता है। . . .

डा० बी० एन० अन्तनी : दो सी।

श्रीमती पुष्पाबेन जनादनराय मेहता : और दो सी भी मिलता है। उनका प्रिबी पर्स उनके पूरे परिवार के खर्च का आधा होता है। मेरी एक बहिन है जो रानी है। वह कहती थी कि प्रिबी पर्स बंद हो जाने के बाद मेरे परिवार का मुँह कैसे होगा। तो हमारा जो विरोध है वह इस बात से ही है। मैं कहना चाहती हूँ कि यह एक ज्ञान्ति है और ज्ञान्ति का हमको कुछ न कुछ मूल्य देना पड़ता है। वह हमने दिया है। उसमें हमने कोई बड़ी बात नहीं की है। जो कुछ हमने पाया है उसके बदले में जो दिया है वह उतना ज्यादा नहीं है।

तीसरी बात यह है कि हमने जब ज़मींदारी को एबालिश किया, ज़मींदारी को समाप्त किया तो उनमें ऐसे किसान भी हैं और उनको मैं जानती हूँ कि उनको कम्पेन्सेशन इतना कम मिला कि जिसके कारण उनके

घर की परिस्थिति बहुत खराब हो गई है। उनके पास कोई काम नहीं, कोई धंधा नहीं और आहिस्ते-आहिस्ते टेपरिंग बेसिस पर जो दिया जाता है उससे उनका गुजारा ही मुश्किल से होता है। तो यह हमारा मूल प्रश्न है। और दूसरी बात जो ज्ञान्ति हम करने को निकले है वह ज्ञान्ति क्या है। चार करोड़ की एक छोटी-सी रकम के लिए हम इतनी बड़ी-बड़ी बातें कर रहे हैं यह मेरे लिए एक ताज्जुब की बात है। मैं सोचती हूँ कि हमारे भाई जो बड़े हाउम के सदस्य हैं, वे सोचेंगे कि राजा सारे बड़े राजा ही नहीं हैं, सब छोटे राजा ही नहीं हैं और इसलिए अगर हमको देश की आस्थाओं में परिवर्तन करना है तो यह अच्छी तरह से करना चाहिए। इस लिए मेरा एक मुझाब है, मेरी एक विनती है कि जब प्रिबी पर्स को समाप्त करने की बात होती है तो उसके लिए बार-बार सोचना जरूरी है और आज हमको सोचना पड़ेगा कि हम कहां पर खड़े हैं। आप जानते हैं कि सबकी बुराइयां और बदनामी हम बोलते हैं, लेकिन उनके साथ-साथ उन्होंने क्या किया है, इन बात को भी हमको सोचना चाहिए। केवल बदनामी और बुराई का जिक्र करके ही किसी राष्ट्र का विकास नहीं होता, ऐसा करने से ही देश की प्रगति नहीं होती, देश आगे नहीं जा सकता है। इसलिए जो हुआ सो हुआ, लेकिन आज जिसके पास सत्ता नहीं, जो केवल हमारे प्रिबी पर्स पर ही निर्भर है उनके लिए हम इतने जोर-शोर से क्यों बोल रहे हैं, यह हमारे लिए एक ताज्जुब की बात है और मैं चाहती हूँ कि जब हम विचार करें तो हम यह सोचें कि यह सब हम किसके लिए कर रहे हैं और किस कारण से कर रहे हैं और इसके कारण फायदा क्या है। इससे अधिक मुझे माननीय सदस्यों में कुछ कहना नहीं है, लेकिन मैं चाहती हूँ कि हमारा जो मूल प्रश्न है उसको हम इतिहास की दृष्टि से देखें, हम इसको समाज व्यवस्था की दृष्टि से देखें। हम नहीं जानते कि गांधी जी ने कितने उपवास किए, लेकिन हम यह नहीं भूल सकते कि गांधी जी ने राजकोट में कितना काम किया है। हम नहीं जानते कि वहां हम कितनी मुश्किल से अपना जीवन व्यतीत करते थे। हम भूल जाते हैं कि बंस अपना ए टाइटम उनका वह समय था, हम भूल जाते हैं समय होत बलवान, समय बलवान है, मनुष्य नहीं बलवान है। आज उनके पास सत्ता नहीं है, उनके पास कुछ नहीं है तो उनकी

जो बात है उसको भूल जाना चाहिए। यहाँ पर बोला गया कि नामा के महाराज ऐसे थे, खालियर के राजा ऐसे थे, वहाँ के राजा ऐसे थे। वह कोई अच्छी बात नहीं है। वह भूल जाओ। उसको भूलने से ही हमारे राज्य की, हमारे देश की, परिस्थिति अच्छी होगी। उसको भूलने से ही हमारे लोगों की स्थिति अच्छी होगी, लेकिन बार-बार ऐसे बातें कहने से मैं सोचती हूँ कि हमारे वह लोग जो कि ताकत में हैं, जिनके हाथ में सत्ता है, जिनके हाथ में पावर है, जिनके पास मुश्रीम सत्ता है, वह पार्टी बहुत छोटी बात करती है और वह बड़े दुःख की बात है।

परिवर्तन और शान्ति की बात कही गई। परिवर्तन और शान्ति बड़े-बड़े शब्द हैं, मगर जो रिट्रोलिटेगन आफ दि प्रिसेज एंड बागीरदार की बात है वह भी एक बड़ा प्रश्न है। वह हम भूल जाएंगे तो मैं सोचती हूँ कि हम और अनरेस्ट पैदा करेंगे। इस समय इतने बहुत सारे प्रश्न हैं और इसमें एक प्रश्न और बढ़ा देंगे।

इसी से मैं प्रधान मंत्री को प्रार्थना करती हूँ कि जो कम्पैसेशन की बात है, जो प्रिवी पर्स की बात है उनके लिए वह जरा ठीक से सोचें और हाउस को भी मैं प्रार्थना करती हूँ कि जब सोचने का समय आ जाए तब ऐसा सोचें कि हमारे यहाँ कोई मुश्किल न हो।

MR. CHAIRMAN : Dr. Antani. If you will take only ; *o minutes, you can speak. Otherwise, we will adjourn and meet at two o'clock.

SHRI S. N. MISHRA : What is the scheme now ?

MR. CHAH MAN : We adjourn at one o'clock and we meet at two o'clock.

SHRI S. N. MISHRA : What do we do at two o'clock ?

MR. CHAIRMAN : From 2 to 3 the debate goes on and there are a number of speakers. Exactly at 3 P.M. the Prime Minister will j.peak. I informed you this morning.

DR. B. N. ANTANI : Mr. Chairman, I thank you very much for giving me two

minutes. At least I am lucky that I got some time, I shall be very brief. I have listened to the debates in both Houses. As the previous speaker said that he is the ' last Ruler to speak, I am the last Chief Minister of a State to speak now.

SHRJ ARJUN ARORA : You may still be the Chief Minister of Gujarat.

DR. B. N. ANTANI : Now, do not exercise your brain here.

SHRI ARJUN ARORA : I will support you.

DR. B. N. ANTANI : But, I am, Sir, something else. I was also the President of the States Peoples Conference and I ultimately became the Chief Minister of a State. Now, with all these in mind I have been seeing all the arguments, the pros and cons, on this Bill. They do not appeal to me. One thing only appeals to me. The Prime Minister, evolving as she is as a brave and bold Prime Minister in history, is being misdirected and misguided and she is not taking caution, which is very necessary in taking such a serious step.

Now, as there are only two minutes—Sir, you are a lawyer and I am also a lawyer and what can we do in two minutes—I will only say this. Madam Prime Minister compared Morarji Bhai with Bhishma Pitamaha. I think she committed a mistake. Morarji Bhai is happily married and is the father of a good family. So, he should, not be compared with Bhishma Pitamaha. As an old man, as a very serious admirer of Madam Prime Minister I request her to search her heart and beware of the Shakunis in her camp.

1 P.M.

Having done that—how many minutes there are I do not know. But I want this thing to go on record. Reading the history as I have done, writing the history which I have done, the history that they are writing today is—as the previous speaker said in

[Dr. B. N. Antani.] his enthusiasm, "Ah, they should be thankful that they are losing their purses and they are not losing their heads." Where were all of you in the years at that time, if you had the tongue in your mouth to speak these words in those days? Sir, I remember the words of a great Prime Minister of England, Robert Walpole. This sort of enthusiasm on the part of a socialist and a new socialist and the alliance of my friend, Shri Bhupesh Gupta, on this issue, I have been watching all these things, and I have been amused. But I tell you this thing. Robert Walpole said: When a war is on the way, when a certain Bill is passed in the House of Commons, they are ringing the bells today; they will be wringing the hands tomorrow. This is my voice. This is unfair. This step is most unethical and unwarranted and unjust. They could have waited for some time. What we all plead for is that sort of caution. That caution is not being taken. Somebody said that the political parties like the Swatantra Party are politically exploiting this. "The Swatantra Party, a party of reactionaries, hai, hoi, hai, a party of free enterprise, hai, hai, hai". It is all right. But we are consistent. He who laughs last laughs best. Let us not forget it.

MR. CHAIRMAN : The House stands adjourned till 2 P.M.

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

The House reassembled after lunch at two of the clock, MR. CHAIRMAN in the Chair.

MR. CHAIRMAN : Mr. Banka Behary Das.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Just one point before Mr. Banka Behary Das starts his speech. It was

decided that the voting would take place at 3 o'clock. Three hon. Members who were coming by plane from Calcutta have reached now.

SHRIMATI YASHODA REDDY: The Bihar plane has to come.

SHRI AKBAR ALI KHAN : All irrelevant.

SHRI BHUPESH GUPTA: Mr. Morarji's astrologer has said that it should not take place before 3 o'clock.

SHRIMATI YASHODA REDDY : Prime Minister's astrologer has said that.

SHRI S. D. MISRA (Uttar Pradesh) : Shri Bhupesh Gupta is the Prime Minister's astrologer.

SHRI BANKA BEHARY DAS (Orissa) : Mr Chairman, Sir . . .

SHRI AKBAR ALI KHAN : Mr. Chairman, Sir, for your kind notice, he is the hon. Member who brought forward the Resolution.

SHRI S. D. N ISRA : Mr. Akbar Ali Khan always behaves as if he is in the Chair.

SHRI MULKA GOVINDA REDDY (Vysore) : Actually, on that day he had presided.

SHRI BANKA BEHARY DAS : Mr. Chairman, I am most happy that I have been able at last to participate in this debate. I would have been most unhappy if I had not been able to reach here to give my vote to give a lasting blow to the citadel of reaction in this country. I may remind my friends here that I did not take advantage of any plane service because all the planes from the eastern region were cancelled. Even I could not take advantage of the train service because Howrah station has been paralysed. Therefore, I had to rush up to a rikshawalla who brought me from Kharagpur. And if anybody can be my

comrade in bre; king this citadel of reaction n this country it can be a rikshawalla and not the owner of the cars or the planes.

Mr. Chairm Ji, Sir, I was really astonished about t) e behaviour of some parties to this Bill whei I was in Orissa organising land movemei t against the Princes who are here to d feat this Bill. I got news about the Io | Sabha debate and also the voting figure, tnd really I was astonished at the behavk jr of Congress organisation und the Jan S.' ngh I do not bother about the Swatantra Party for voting against this Bill. I v\ fat io remind those friends that on December 19, when this Resolution was moved by me, I got the support of the Jan Sa lgh and the Swatantra also.

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SHRI BATVKA BEHARY DAS : I am going to say »l at. I was really astonished...

SHRI PIT,%MBER DAS : Now I find that we are at a disadvantage by your absence yest-,rday. We had taken up that point yes erday and had explained why in spite of yo ir Resolution we are going to oppose it.

SHRI BA>> KA BEHARY DAS : I know what is the situation of my Jan Sangh friends and r y Swatantra friends. It is not a new thing They spoke in the other House and th :y have spoken in this House, and I have at least read from the papers, if not the en ire debate.

Mr. Chair nan, Sir, I know that they might be anx ous about certain other things. They might be anxious about the procedure of terminatio i of these privy purses and the privileges of the Rulers. But that is a question of i rocedure while this is a ques-tion of print pie. Are you supporting this measure as far as the principle is concerned? I am not wit i Mrs. Gandhi or the Congress Party as far as the procedure is concerned. That day wl en this resolution was passed

in this House, we gave a warning to the ruling Congress Party and also the Prime Minister that we were not in favour of giving any compensation to the Rulers. We know that the question of privy purse and privileges is not a question of properly right. Nobody can claim that this is a property right. I want to remind my friends that all those Rulers who fought before the Committee which went into the question of integration of States revenue into the Indian Union revenue, took one stand. I want to remind the ruling party here of this stand; I am not bothered about the others because I know the motive behind their opposition to this Bill. When this question came up before the committee on integration of revenue, all the Rulers said that this was a political pension for them. They said, let us not get this pension from the state Governments; let us get this pension from the Government of India. So even at that time, they never fought that it was a fundamental right. They never fought that this was a question of property. They only fought so that the privy purse could be ensured for them for a longer period and they could get this political pension from the Government of India. So I may remind my friends here that at no stage up till now the Princes had taken the position that it was a property right. If that is the position of the Rulers, I do not understand why the Government of India is so much bothered about them to give them compensation or terminal benefits.

SHRI AK.BAR ALI KHAN : Humanitarian grounds.

SHRI BANKA BEHARY DAS : If the Government of India wants to go by humanitarian grounds, let them tackle the question of the slum dwellers; h t them tackle the question of unemployment in this country; let them tackle the problems of so many poor people who do not get even one square meal continuously for a

[Shri Banka Behary Das] week. If there is any humanity left in them, if they want to look at things from a humanitarian point of view, let them think of these people, not the Rulers who are getting this price from the Government of India for their treachery to the nation, who are getting this price only because they were there with the British Government to support it and to subvert the State people's movement and suppress the nationalist movement. .

SHRI SUNDAR SINGH BHANDARI :
The Communists were also there with the British Government.

SHRI BANKA BEHARY DAS : When I was a student, I was connected with the States people's movement in Orissa. You know Orissa had 26 Princely States and one-third of the area of Orissa belonged to the Princely States. And when there was the great liberation movement in the States, all the Rulers—I do not want to name them, because their sons and daughters have become Members of the other House—came and fell flat before Sardar Patel and said they wanted to be rescued...

SHRI S. S. MARISWAMY (Tamil Nadu) : How did they go to the other House

SHRI BANKA BEHARY DAS : They wanted to be liberated from the clutches of the people, not from the clutches of the British Government or of their political agents at whose door they were knocking every day and every night. And Sardar Patel suggested the way by which they could be liberated, and that was the process by which the integration took place. So, let us not talk of any spirit of nationalism or any spirit of intergration that motivated these Rulers. So, Mr. Chairman, I was saying that this was the price which was given for their treachery to the nation, and that treachery should be put an end to. I would rather plead with them that if they want to be liberated even now.

then they should forgo these privy purses and privileges. Only thus they can be liberated and become free men of this country, talk as free men and bargain as free men. As long as they have these privy purses and privileges, they cannot be liberated. I want to liberate these Rulers from this political pension. I want these Rulers to be liberated from the privileges they have been enjoying because of the weakness of the Government of India. So, if they have any sense of honour—because they talk of their honour too often—I am prepared to give them honour. I will say that all the former rulers in this country should live with honour. But how can they live with honour if they go every moment to the Government of India with bended knees ? If they want to be liberated, if they want to have honour and if they know what honour means in this country, if they want to live as other free citizens in this country, then I would first of all say that they should forgo these Privy purses, these Privy purses should be abolished immediately if they want to be free citizens of this democracy. I was, therefore, really astonished when my friends of the Cong(O) and the Jan Sangh wanted to defeat this measure. I want to remind them that they themselves voted on the Resolution of December 19th and if today they oppose this measure, I should say that they are going to pass a no-confidence motion against themselves, not against this Bill. It is a clear indication of it. You can embarrass Mrs. Indira Gandhi for so many things. You can embarrass her and defeat her Government because it fails to tackle the unemployment problem. You can defeat this Government since it is not prepared to protect the integrity of this country. But you should not embarrass this Government to defeat this Bill. If you do that, you are going to pass a no-confidence motion against yourself. That is why I appeal to you—I will be with you if you are very

sincere on the question of compensation, all our party members will be with you— let us join and defeat the Government on that...

SHRI S.N. MISHRA : You are not going to be of any use to us at all on that also.

MR. CHAIRMAN : Mr. Das, please finish your speech now.

SHRI KRISHI (AN KANT (Haryana) : Sir, he should be allowed to speak for some more time.

MR. CHAIRMAN : No, no.

श्री राजनारायण : मैं एक सफाई चाहता हूँ। माननीय सदस्य ने कहा कि अगर कम्पेंसेशन का विधेयक बहू लाएंगी तो हम लोग उसकी मुखालिफत करेंगे, तो उस समय सिगिल गारंटी होगी। हम चाहते हैं कि आप इसका जवाब दें। भावावेश में आकर मत दौड़िए, भावना में मत बहिए। All that glitters is not gold. सभी चमकने वाली वस्तुएं सोना नहीं होतीं। बांकाबिहारी दाम जी हमको यह जवाब दीजिए कि प्रधान मंत्री साहिब कह चुकी हैं कि हम कम्पेंसेशन देंगे, ट्रांजिशनल कम्पेंसेशन देंगे। अगर ईमानदार प्रधान मंत्री हैं तो यहां पर कहें कि हम कम्पेंसेशन नहीं देंगे और यह विधेयक बाद में लाएंगे। इस समय मैं आपसे निवेदन करूंगा कि प्राइम मिनिस्टर से इस कमिटमेंट को कराइए।

SHRI BANKA BEHARY DAS : I agree with my honorable friend that all that glitters is not gold. I agree with my friend on that. But I want to tell him that I am not going to vote with the Prime Minister then. That is why I am appealing to Mr. Rajnarain and I am stressing this point that till the last breath of my life I will say that no compensation should be given to the Princes because not only will that be immoral, but it is not also a property right of the Princes to claim. If ever the Prime Minister comes with a measure for compensation, I will oppose that measure and I will be with Mr. Rajnarain on that issue.

श्री पीताम्बर दास : दिल के बहलाने को गालिब यह खयाल अच्छा है।

MR. CHAIRMAN : Mr. Das, you please continue your speech.

श्री राजनारायण : जब वह डिक्लेयर करती हैं कि मैं उनको ट्रांजिशनल कम्पेंसेशन दूंगी, अगर यह नहीं चाहती तो उनसे कहलाइए।

श्री सभापति : आप बैठिए।

श्री राजनारायण : मुनिए, यह कोई मामूली विधेयक नहीं है और ऐसा कोई प्रश्न नहीं है कि जिसमें आप हर प्वाइंट पर रोक दें।

श्री सभापति : श्रीों को भी बोलना है, वह सब रह जाएंगे।

श्री राजनारायण : बहुत बड़ा भय खड़ा हो रहा है। यह हमारे लिए सिद्धांत का सवाल है। आप कह रहे हैं कि प्रिंसी पर्स भी न हों लेकिन उसके साथ ही सौ करोड़ का मुआवजा दे दिया जाए और 12 करोड़ रुपया सालाना सूद भी दे दें। तो आप रोकें मत, हम तो बोलने के लिए जेल से ही आए हैं। I will have my say. मैं जेल से आया हूँ बोलने के लिए। यह प्राइम मिनिस्टर का फ्राइड हम नहीं चलने देंगे।

Let the

Prime Minister come and declare that she is not going to give compensation. Let her

जी से कहना चाहते हैं कि वह इसको कर दें और हम उनको बोट देने की पूरी तरह तैयार हैं।

SHRI M. M. DHARIA : Mr. Chairman, Sir, let Mr. Rajnarain not confuse the issue. This Bill has been passed by the Lok Sabha and it should be passed as it is by the Rajya Sabha. Otherwise he will be creating further confusion. He should not connect it with these things.

श्री राजनारायण : श्रीमान्, मैं मोहन धारिया जी की बात से कतई इतिफाक करता हूँ। मगर मुनिए। यह हम शुरू से समझ रहे हैं कि अगर वह बिल कब तक नहीं पास होगा तो यह रुक जाएगा, लेकिन यह क्या कि

[श्री राजनारायण]

लोक सभा इस समय स्थगित हो गई है, तो यह कहाँ कानून में लिखा है कि लोक सभा अगर स्थगित हो गई है वह बना न लो जाए, कहाँ लिखा है कि कल वह बुलाई नहीं जा सकती है।

श्री सभापति : अब आप बैठिए। आप बोल चुके।

श्री राजनारायण : देखिए, अध्यक्षार में न चौड़ाए, ईमानदार है तो कहिए कि कम्पेंशन के बिना हम पास करेंगे। अगर लोक सभा स्थगित है तो लोक सभा बुलाई जाए। यह जानने है कि प्रधान मंत्री कम्पेंशन देने जा रही हैं। You cannot act both ways.

SHRI BANKA BEHARY DAS : Mr. Chairman, Sir, I was going to reply to him but Mr. Dharia has already replied to him. Because of the other implications of this Bill at this hour, we cannot completely shut our eyes to this. Even to improve this Bill I am one with Mr. Rajnarain. I am prepared, if he can give a word here that all those Members are going to support us on this question of compensation, and are in favour of his amendment. But can Mr. Mishra assure us, can all the Independent Members assure us?

SOME HON. MEMBERS : Yes.

SHRI BANKA BEHARY DAS : Let there be some kind of an assurance here by all the political parties that they will support this no-compensation idea. When Mrs. Gandhi comes with the measure, we will all together defeat this measure, but let them come forward. As long as they are not prepared to give this assurance, I am not going to fall a prey to the Grand Alliance idea.

SHRI M. S. GURUPADASWAMY (Mysore) : Sir, may I say a word?

MR. CHAIRMAN : Mr. Das, your time is over. There are others.

SHRI BANKA BEHARY DAS : Sir, unless you protect me from interference

you will have to allow me more time. I will finish within two minutes, I can assure you. Sir, that is why I am going to tell that there is a crisis in all those parties who are going to oppose this measure. I saw in today's press, in the Times of India of Ahmedabad, that already most of the prominent members of the Gujarat Congress have tabled a motion that whatever has been done by Mr. Morarji Desai for opposing this Bill should be condemned in the Gujarat Congress also.

श्री राजनारायण : मैं एक निवेदन कर रहा हूँ कि जो हमारा अमेन्डमेंट है, उसके लिए मैं जानना चाहता हूँ कि क्या होना अपोजीशन हमारे अमेन्डमेंट को स्वीकार करने को तैयार है। अगर होना अपोजीशन हमारे अमेन्डमेंट को स्वीकार करने को तैयार है तो हम उनकी बात को मानने को तैयार हैं। श्री भूषेण गुप्त ने कहा है कि हम स्वीकार करेंगे। तो हमारा वह आज ही हो जाए।

SHRI BHUPESH GUPTA : Sir, as far as our own position is concerned, we are opposed to compensation. But I cannot enter into negotiations with those people who have opposed even the abolition. Let Mr. Rajnarain negotiate with them. Let them talk. Let them ask for abolition and also no compensation.

SHRI M. S. GURUPADASWAMY : May I say one thing? He has raised a very important issue. Let me clinch the issue. We are committed to the policy of abolition of privy purses ...

SHRI M. M. DHARIA : Without compensation?

SHRI M. S. GURUPADASWAMY : Yes, I am going to say that...

SHRI M. M. DHARIA : Is it your individual view or the view of the party?

SHRI M. S. GURUPADASWAMY : Let me clinch the issue ...

(Interruptions)

SHRI BHUPESH GUPTA : This is the consideration stage. When the next stage

comes, will you a 1 vote for Shri Rajnarain's amendment? As far as I am...

SHRI M. S. GURUPADASWAMY : May I clinch th. issue? I want to go on record on behalf of my party . . .

SHRI BHUPESH GUPTA : As far as we are concerned, we shall certainly vote for the amendm -ni, if it is pressed. But manoeuvring we shall not do. Now we are discussing t ie consideration motion. Shri Rainarain h, s asked for an alternative Bill. He is going to move an amendment and when that ; mendment comes up are you prepared to support it?

SHRI M. S. GURUPADASWAMY : I think he expt :ts an answer from us. Sir, he is asking for our reaction to the amendment. I vvc ild like to clinch the issue here and now. I would like to commit my parly that il the form of the Bill is changed . . .

SHRI BHUPLSH GUPTA : What form?

SHRI M. S. GURUPADASWAMY : I am explaining my stand. I would like to go on record i iat my party will support ihe abolition of t ie privy purses and at the same time we sha 1 also support the concept of no compen-ation. .. (Interruptions). Let them prove o be socialists. I do not want compensation to be paid. Will they agree to that?

SHRI BHUPE'iH GUPTA : My friend has modified the itand. He is for abolition and no compen ation ...

(In erruptions)

SHRI GODE.' MURAHARI (Uttar Pradesh) : What about the other two parties—the Jan Sangh and the Swatantra parties?

SHRI BHUPE'H GUPTA : What matter is how we <ress the button. Spoken 3—15RSS/70

words are no law. Will you press the button with me when it is put to vote?

(Interruptions)

SHRI M.M. DHARIA : Will the Leader of the Opposition, Shri S. N. Mishra, support Shri Gurupadaswamy"? stand?

SHRI BHUPESH GUPTA : Yes, after all he is the Leader of the Opposition. If the Leader of the Opposition says that he is for the abolition and is against compensation, I am sure that the Prime Minister of the country will take it into consideration seriously. I am sure she will consider it. Will he get up and say so?

SHRI S. N. MISHRA : Yes, I am getting up. The whole point is that we have not thought it fit to support the Bill in the manner in which it has come because the Government is trying to equip itself with all kinds of powers which may be abused by them. The question is whether we can give them this kind of authority which they want to possess. We have found on close examination that this Bill is not at all necessary for the abolition of the privy purses. Please wait.. . (Interruptions) We have found it completely irrelevant for the purpose of abolition of the privy purses and this Government did not lake any steps at all to modify, alter or abolish the agreements or the covenants... (Interruptions). . . Please wait. .. The House demands of me to make a statement and I am doing that.

SOME HON. MEMBERS : Yes.

SHRI S. N. MISHRA : Now, to our mind, all the rights and privileges How from the agreements and covenants. This Bill is not going to abolish those privileges and purses which flow from the agreements and, even so, we are putting up with some kind of irrelevance—this Bill, which, I have said, is an exercise in irrelevance. We are putting up with that. But, our intelligence does not persuade us to believe that this Bill is at

[Shri S. N. Mishra]

all necessary. Even so, if the hon. Members think this is the consensus of this House, for the consensus you require the support of 88 Members of the ruling party and mind you, it is a constitution amendment that will have to be accepted—if the 88 Members on that side, they are not going . . . (Interruptions)... on behalf of the 88 Members whom the Prime Minister represents, if she is not going to give us assurance, where does a statement that we might think of making would lead us to? Where will it lead us to

(Interruptions)

SHRI BHUPESH GUPTA : No, no.

My friend should be clear. The question is not whether the Bill will be passed or not. The Bill has to be passed . . . (Interruptions). We will pass... The Bill has to be passed on the floor of the House...

(Interruptions) SHRI S. N. MISHRA : No, we... (Interruptions) Please wait, We are functioning within a particular constitutional and juridical system and every law will have to conform to the requirements of that juridical and the constitutional system. Now, if, on a close examination, we find that whatever you are going to do may not conform, to the constitutional requirements, then, it does not lead us anywhere. Therefore, what I was stressing yesterday was that this Bill is not going to lead us in that direction. Now, if the hon. Members think that this Bill has to be modified, then, let this modification take place . . . (Interruptions). . . and then let this be brought before this House. We cannot accept this Bill as it has been presented to us. Let there be ...

श्री राजनारायण : श्री मिश्रा जी से हमारा यह निवेदन है कि इतना लम्बा-चौड़ा वक्तव्य देने की कोई आवश्यकता नहीं है। हमारा जो अमेन्डमेंट है, आपकी पार्टी उस अमेन्डमेंट के साथ है या नहीं ?

श्री श्यामनन्दन मिश्र : कन्सीडरेशन स्टेज में क्या होगा ? अगर उनका ईमान साफ है, तो कन्सीडरेशन स्टेज में हमको दिखाई दे ।

श्री राजनारायण : श्री मिश्रा जी, उनका ईमान उनके साथ जाने दीजिए, अभी तो आप अपना ईमान सफाई के साथ लाइये। मैं आपको बतला दूँ कि हमने करीब दो या ढाई घंटे पहले प्रधान मंत्री साहिबा को एक खत लिखा है और उसमें हमने उनसे कहा है कि क्या आपने हमारा संशोधन देख लिया है। अगर देख लिया है तो कृपा करके उसके संबंध में अपनी प्रतिक्रिया बतला दें कि हमारे संशोधन के प्रति आपकी प्रतिक्रिया क्या है। हमारी श्री ओम् मेहता से इस संबंध में बात हुई कि प्रधान मंत्री का लिखित उत्तर तो हमारे पास आए, क्योंकि अभी तक प्रधान मंत्री साहिबा का कोई लिखित उत्तर हमारे पास नहीं आया है। श्री ओम् मेहता ने कहा कि प्रधान मंत्री साहिबा तो लिखित उत्तर नहीं दे रही हैं, बल्कि जब वे जवाब देंगी तो बोलते समय आपके संशोधन के बारे में बोलेंगी। तो मिश्रा जी को हम यह बताना चाहते हैं कि हमने प्रधान मंत्री साहिबा को भी जानने की कोशिश की और उनसे आग्रह किया। आज मैं बहुत ही विनम्रता के साथ, हाथ जोड़ कर सादर, सादर, प्रधान मंत्री साहिबा से कहना चाहता हूँ कि हे प्रधान मंत्री साहिबा ! कम से कम आज तो हम एक जगह हो जाएँ और हमारे संशोधन को माना जाए। आप चाहती हैं कि प्रिवी पर्स समाप्त हो जाए और उनको कोई कम्पेंसेशन न मिले, तो हमारे साधु, नन्हा और छोटा जो संशोधन है, उसको सरकार को मान लेना चाहिए। मैं सादर, सादर सविनय मार्क-जनिक ढंग से प्रधान मंत्री से यह प्रार्थना कर रहा हूँ, फिर भी अगर वे न बोलें तो क्या मैं नेता-विरोधी दल से यह जानने का हक नहीं रखता कि उनकी क्या प्रतिक्रिया है ? वे सफाई के साथ सदन में कहें कि उनका दल बिना कम्पेंसेशन प्रिवी पर्स और विशेषाधिकार समाप्त करने के पक्ष में है। इसमें बहुत लम्बा-चौड़ा वक्तव्य देने की क्या जरूरत है ?

SHRI PITAMBER DAS : A question has been raised in which I have also been asked to clear the stand of my Party. Two questions have been raised—one, our attitude towards this Bill and two, our attitude

towards compensation. I had made it abundantly clear yesterday that we have never had an/ fascination for the Princely Order. We are not for the retention of the Princes for them. All that we want is to preserve the dignity and trustworthiness of the country. So far as compensation is concerned, we have never stood for compensation. We are not in favour of compensation but we are in favour of adequate rehabilitation to be decided by negotiation and so far as this Bill is concerned because it does not meet these demands, we are against this Bill.

SHRI BAKSHI BEHARY DAS : You have yourself heard the views of the different Parties. Mr. Gurupadaswamy said one thing and he was let down by his leader, Shri Mishra. It is a fact. If there is any intelligence left in me, then I think, Mr. Gurupadaswamy has been let down by his own leader, Shri Mishra. We know also the stand of the Jan Sangh. So I request the people here to understand what is the reaction of the political parties here to the amendment. The Swatantra Party is completely reticent about this matter. So there is no unanimity / at all, I am not interested in Shrimati Indira Gandhi. I am more interested in the amendment of Shri Rajnarain and whether that amendment is going to get the support of my friends on this side. (Interruption .) I am astonished to see that those who want to be his friends are finding themselves poles apart. So I request the House to pass this measure because this House is committed by its resolution of 19th December to pass this measure when it comes in the shape of a Bill. Of course we know it has been brought very late but I cannot think, that the Jan Sangh and the Congress (C) will pass a vote of confidence in themselves by defeating the measure because the Congress (O) are committed to this not only on the floor of this House but in the Ahmedabad Session also. I hope my friends who have been associated

with the nationalist movement of the country will support this measure and will give another blow to the citadel of reaction that is still there in this country after 20 years of independence. I plead with the Prime Minister and give a warning that she should stop having any negotiations with the Princes after this because she will be getting a mandate from this House and she cannot fulfil it by having negotiations with the Princes and giving them compensation because there is no question of property rights. There is no question of making any lump-sum payment to those people who betrayed the cause of this country and who were with the Britishers when our people were rotting in the jails. With these words I support the measure.

श्री गोडे मुराहरि : सभापति महोदय, मैं इस बिल का समर्थन करने के लिए खड़ा हुआ हूँ; क्योंकि जहाँ तक समाजवादी दल का वास्ता रहा है प्रिवी पर्स के बारे में, उसे इतिहास बताएगा। जब कांग्रेस ने महाराजाधिराजों के साथ बातचीत करके कुछ समझौता किया तो उस वक्त भी समाजवादी दल ऐसा था जिसने कहा था कि उनसे कोई बातचीत नहीं होनी चाहिए। तो उनको प्रिवी पर्स देने की बात नहीं उठी और जहाँ तक समाजवादियों की बात है हम कभी प्रिवी पर्स के पक्ष में नहीं रहे हैं, किसी ढंग से हमारा उसमें सहयोग नहीं रहा है। मैं कहना चाहता हूँ कि जिस कांस्टिट्यूट एसेम्बली ने इस संविधान को पास किया उसका भी समाजवादी दल ने बायकाट किया था। तो हमारा कोई हाथ इसमें नहीं है। हमारे दल का दिमाग इस मामले में साफ है। इसलिए प्रिवी पर्स को जहाँ तक खत्म करने का मामला है, उसके बारे में हमारी राय साफ है, लेकिन मुझे कुछ अचरज होता है कांग्रेस अपोजीशन दल के बारे में, क्योंकि हमारा उनके साथ कुछ ताल्लुक रहा है। अपोजीशन में हम साथ बैठने रहे हैं, भेल-जोल भी होता रहा है, कई प्रश्नों में हमने उनका साथ दिया है, लेकिन इस प्रश्न पर उनको हमने यह समझा था कि वे भी हमारे साथ रहेंगे, लेकिन यह दुर्भाग्य है—मैं कहूँगा उनके लिए भी और देश के लिए भी—कि वे इस तरह की नीति अपना रहे हैं। कई दलीले दी जा सकती हैं। एक तरफ हम यह सुनते हैं कि प्रधान मंत्री को अगर किसी

[श्री गोडे मुराहरि]

तर्ह खत्म करना है और इस सरकार को खत्म करना है, तो यही मौका है और इसलिए इस बारे में हमको कोई स्टैंड लेना चाहिए। मैं बहुत अदब के साथ कहना चाहूंगा कि जहां तक संयुक्त सोशलिस्ट पार्टी का सवाल है, वह हमेशा इस सरकार की खिलाफत करती आई है और करेगी भी आएगी। जब तक कि इस सरकार की रूप रेखा और इसकी नीति नहीं बदलेगी, तब तक हम इस सरकार की खिलाफत करते रहेंगे। लेकिन इसका मतलब यह नहीं होता कि किसी और की नाक काटने के लिए हम अपनी ही नाक काट लें। मैं यह भी जानता हूँ कि यह बिल जो हमारे सामने है वह पूरा नहीं है। यह एक अधूरा बिल है, लेकिन मैं यह पूछना चाहूंगा कि क्या वह लोग जो यह कहते हैं कि कम्पेन्सेशन नहीं देना है, इसलिए हम इस बिल का ही विरोध करेंगे, उनसे मैं यह कहना चाहूंगा कि अगर यह बिल पास नहीं होता तो कम्पेन्सेशन की बात कहाँ उठती है।

श्री श्यामनन्दन मिश्र : कोई जरूरी नहीं है।

श्री गोडे मुराहरि : जब कॉस्टीट्यूशन में आप एक गारंटी देते हैं, एक सेफगार्ड देते हैं और उसको खत्म नहीं करते और उसके साथ ही कम्पेन्सेशन की बात करेंगे तो वह सवाल तो पैदा हो नहीं होता, लेकिन मैं चाहता था कि जब सरकार बिल लाती तो साथ-साथ कम्पेन्सेशन के बारे में भी अपना दिमाग साफ करके आती। दिमाग तो साफ है और वह कम्पेन्सेशन देना चाहते हैं। हम इस बिल का समर्थन करते हैं और प्रिवी पर्स को खत्म करना चाहते हैं। लेकिन जब कम्पेन्सेशन की बात आएगी तो हम उसका विरोध करेंगे और मुझे मालूम है कि चायद हमारे कांग्रेस अपोजीशन के लोग भी उसमें हमारा साथ देंगे। लेकिन मैं जानता हूँ कि कई ऐसी पार्टियाँ हैं, जो हमारा साथ नहीं देंगी तो उस समय सभापति महोदय, सबके चेहरे साफ हो जाएंगे। इस मामले में कौन कहाँ है, कौन किस पक्ष में है, कौन जनता के साथ है और कौन प्रिवी पर्स को खत्म करना चाहता है और कौन असल में जनता का हित देख कर अपनी राजनीति चलाता है, यह सब साफ हो जाएगा। इसलिए मुझे इसमें हिचकने की जरूरत नहीं। आज अगर हम इन्दिरा गांधी की सरकार के साथ वोट दे रहे हैं, तो हम सरकार को नहीं बचा रहे हैं, हम तो वोट

इसलिए दे रहे हैं कि हमको प्रिवी पर्स को खत्म करना है। अगर अच्छा काम सरकार करे और वह अधूरा भी रहे तो हम उसका समर्थन करेंगे, लेकिन साथ-साथ हम एक जन आन्दोलन भी इस बारे में चलाएंगे कि इस अधूरी चीज को पूरा किया जाए। कम्पेन्सेशन के बारे में जब मामला आएगा तो उस समय अपना चेहरा भी लोग जनता के सामने दिखलाएंगे। तो इसमें कोई दो राय होनी ही नहीं चाहिए कि हम इस बिल का समर्थन न करें। इस बिल को तो हमारा समर्थन है ही, लेकिन जब कम्पेन्सेशन की बात आएगी तो उस समय हम और हमारे कांग्रेस अपोजीशन के साथ हैं, वे एक साथ वोट दे सकते हैं, लेकिन मुझे पता नहीं ...

श्री श्यामनन्दन मिश्र : आपकी कम्बोनिनेन्स से हम वोट नहीं देंगे, हम देश के हित में वोट देंगे।

श्री गोडे मुराहरि : श्रीमान्, मिश्र जी को देश के हित में मैं कहना चाहता हूँ कि जब यह मौका आया, प्रिवी पर्स को खत्म करने का तो आप देश के हित के लिए उसके खिलाफ वोट देंगे, यह मुझको कुछ समझ में नहीं आया।

तो इसलिए मैं तो उनसे अभी भी अपील करूंगा कि वह इस गफलत में न रहें कि इसमें खिलाफ वोट देने से इन्दिरा गांधी की गवर्नमेंट खत्म हो जाएगी। अगर गवर्नमेंट खत्म होती तो दूसरी बात थी। इसमें कोई गवर्नमेंट खत्म होने वाली नहीं है तो क्यों बेमतलब, गुनाह बेलज्जत होते हैं। इसलिए मैं तो उनसे अभी भी अपील करूंगा कि वह हमारे साथ वोट दें। अभी भी अमेंडमेंट का जब मामला आया तभी हमने पूछा कि आप साथ दीजिएगा तो उनका उत्तर एक माने में ठीक था; क्योंकि गुरुपादस्वामी साहब ने कहा कि हम तो साथ देंगे लेकिन कुछ और पार्टियाँ हैं उनका तो मामला साफ है। कि वह साथ नहीं देंगी। लेकिन जहाँ तक मिश्रा जी का कथन था वह उतना साफ नहीं था जितना कि श्री गुरुपादस्वामी का था और मैं चाहता हूँ कि वह भी वही भाषा बोलते जो कि श्री गुरुपादस्वामी बोलें, तो फिर साफ हो जाता।

श्री श्यामनन्दन मिश्र : जब सामने कोई चीज नहीं है तो फिर कैसे कोई बात कहे।

श्री गोडे मुराहरि : तो मेरे सामने भी सरकार के खत्म करने की कोई चीज है नहीं तो मैं क्या करूँ।

मैं तो प्रिवी पर्स को खत्म करने की चीज देख रहा हूँ और उसके पक्ष में वोट दे रहा हूँ।

और दूसरी चीज यह है कि जो अमेंडमेंट हमने दिया है, हम उसको प्रेस करेंगे, डिबेट करायेंगे, उस पर मत भी होगा। मैं जानता हूँ कि सरकार उसकी मुद्रालिप्त करेगी; क्योंकि वह मामला साफ है कि सरकार कम्पेन्सेशन देना चाहती है। और हमारा एक दूसरा अमेंडमेंट यह भी है कि इस विधेयक को 30 सितम्बर तक लागू होना चाहिए, इसलिए कि प्रिवी पर्स का जो पेमेंट होता है, वह हर क्वार्टर में पेमेंट होता है, तो सितम्बर तक तीन क्वार्टर्स का पेमेंट हो चुकेगा और अगर 15 अक्तूबर तक इसको आप बढ़ाएंगे तो फिर यह होगा कि एक अक्तूबर के बाद जो आखिरी क्वार्टर का पेमेंट है, वह भी उनको दे दिया जाएगा। यह पार्लियामेंट शायद सरकार देना चाहती है राजाओं को। हम यह चाहते हैं कि इस तरह की चालाकी न करके जब खत्म करना है तो तुरन्त उसे खत्म किया जाए। इसलिए हमने एक संशोधन रखा है कि 30 सितम्बर को यह लागू हो जाए। हम समझते हैं कि उसको भी सरकार मान ले तो अच्छा है।

इन शर्तों के साथ, सभापति महोदय, मैं इस विधेयक का समर्थन करता हूँ, यह जानते हुए कि यह बिल अधूरा है और उसके लिए आगे हमको संघर्ष करना पड़ेगा, हो सकता है कि इसके आगे का संघर्ष हमारे लिए मुश्किल हो। मैं यह भी जानता हूँ कि इन वक्त सिम्पल मेजरिटी की बात होगी . . .

श्री राजनारायण : अभी ही कर दें।

श्री गोडे मुत्तहरि : हम तो अपील करेंगे प्राइम मिनिस्टर से कि वह हमारा अमेंडमेंट मान लें तो अच्छा है, फिर सारा मामला अभी हल हो जाएगा, फिर बाद में कम्पेन्सेशन की बात करने की कोई जरूरत नहीं रहेगी। इन शर्तों के साथ मैं इसका समर्थन करता हूँ।

SHRI NIR EN GHOSH (West Bengal) : Sir, as far as the Bill is concerned, it seeks, in my opinion, to do away with the concept of Rulership. As regards the privy purses and privilege, this Bill does not deal with them. In my opinion, the privy purse is being retained in another name, in the form

of transitory allowances and in the form of compensation. So, the name is going, but the money in the privy purse is being retained. We know that. The debate that went on in the House just now, if it proved anything, proved that both wings of the Congress are not ready to accept that no compensation should be given or no transitory allowance should be given. Both wings have shown that they are ready to give transitory allowance and compensation and it has been shown in the course of the passage at arms that took place. That is where the matter lies.

Now, Sir, we want the concept of Rulership to go. Our Party will lend its unqualified support to that extent., No doubt about it, but I should say that this Bill has not been brought forward with grace. It does not reflect any credit on the Government or on the leadership of the ruling party. Why? In 1967, under pressure of circumstances, the AICC passed the resolution, despite their leadership. For three years it hanged fire. When our House took up the non-official Resolution, attempts were made to stall that and to see that no vote was taken on that Resolution. A direction was given to the Government to do away with the privy purses and privileges and no compensation, and to do it before the Budget session opened. That directive of our House has been disobeyed by the Government, and despite that directive they went on negotiating with the Princes as regards the amount of compensation and transitory allowances and all that. That is there. When pressure of circumstances and of public opinion of the country came to such a pass, the Government had no other go but to come forward with this Bill. If it reflects any credit, it reflects credit on the radical section of the Congress, Mr. Mohan Dharia and others, who fought for it inside the House and outside. I give them credit for that, but not to the leadership, not to the ruling Congress Party,

[Shri Niren Ghosh]

not to the Government itself. They say that history is made. I would only say that the Congress Party has always tried to preserve the reactionary forces. Sardar Patel also did the same thing. Hundreds of covenants and agreements were made. History would have consigned them to oblivion, to dustbin, they would have been shown as museum pieces. The people's voice would have asserted itself. When it was on the point of asserting itself, the Government and Sardar Patel came forward in order to save the Princes and entered into covenants and agreements. That is a painful chapter in our history. In this very way they always tried to preserve the reactionary forces. They never tried to sweep them clean so that the people can rise. In this also the same process is being exhibited. On one issue I would join issue with Mr. Mohan Dharia. He has said that peacefully and democratically a class is going to be abolished by this Bill. If I have heard him aright, that is what he said. I am not so sure. If it can be done, I would be happy. Nobody wants unpeaceful and violent changes if it can be done peacefully and democratically, but in order to do away with a class, not only this Bill, but you have to do away with all privileges and privy purses, no compensation, no transitory allowance; and we have also to take away from them the vast property. They should earn their living by work like all other citizens. If you can do that, only then that class is abolished. Otherwise, in some form or another you are preserving that class. I am not so sure that his party and his Government are going to do that. There is no evidence whatsoever so far as we see. Even now they are not prepared to go to that extent. So, if that is done, I would be happy but I have my grave doubts on that score.

I would also like to quote on this question of compensation a single paragraph from Mr. Arora's letter to the Prime Minister.

I think it should be recorded. I will not read the whole letter. It is significant that it comes from a member of the ruling party. I know there are other Members also there to support it. I quote :

"History will judge us harshly if the next Parliament finds itself faced with immoral commitments to collect huge amounts as taxes from the poor people to pay to the ex-rulers on the plea that this was the price of abolition of privy purses."

I think that is how the country would judge it.

श्री राजनारायण : श्री नीरेन घोष यह लेटर तुमको किसने दिया ? क्या झर्जुन झरोड़ा ने दिया ?

SHRI NIREN GHOSH : They say that it would be a feather in the cap of the Government. I am going to put it on record that this is not going to be a feather in the cap of the Government. This measure has come despite the Government by virtue of a section of their party and other Opposition parties combining together, the people outside combining. Despite that it has come. And that is how the ruling party leadership has to be judged. I find that the Congress Organisation finds itself in an unenviable position. If they were in a position to enter into an arrangement with the Princes about compensation or transitory allowance, it would have been all right. But since they are not in a position, and since the ruling party is in that position, the entire weather has become bad.

Now I would touch upon only one point.

MR. CHAIRMAN : You should finish now.

SHRI NIREN GHOSH : If my friend, Mr. Murahari, is correct that the last quarter of the privy purse is going to be paid in October, it is precisely for that reason that the date for the coming into

force of the Act has been fixed as the 15th of October. Then it is a very, very bad thing. Seriously draw the attention of the entire House to this aspect. Therefore, the amendment of Mr. Goddy Murahari is quite correct in that the date should be 30th September. What prevents the Government from accepting this amendment and dispelling our doubt on this score? Now it is clear that they want to pay them the last quarter of the privy purse. Otherwise, history will judge them harshly and the House will go on record that even at this stage the Government and the ruling party is contemplating giving them the last quarter as far as it lies in their power.

MR. CHAIRMAN : Please finish now. Your time is up.

SHRI NIREN GHOSH : With that observation, I support the Bill. We will support the Bill as far as it goes with the jobscourantist, reactionary, feudal concept will try to drag the history of India as far back as possible.

MR. CHAIRMAN : Mr. Chandra-shekhar.

SHRI MAHAVIR TYAGI : Before you put the Bill for final decision of this House, I would like to have a legal clarification from you because you are the best judge on these affairs. It has been said that the Bill is for abolition of the privy purses or it is not for abolition of the privy purses. They only want to delete article 291. As a layman, as I understand this article, it only says :

"Where under any covenant or agreement entered into by the Ruler of any Indian State before the commencement of this Constitution, the payment of any sums, free of tax, has been guaranteed or assured by the Government of the Dominion of India to any Ruler of such State

SHRI BAHARUL ISLAM (Assam) : Sir, on a point of order on Mr. Tyagi's point of order.

SHRI BHUPESH GUPTA : Why are you obstructing ?

SHRI BAHARUL ISLAM : My point of order is that his point of order is too late in the day.

SHRI BHUPESH GUPTA : We are interested in hearing his point of order.

MR. CHAIRMAN : It is not for me to interpret the Bill.

SHRI MAHAVIR TYAGI : Before I vote for a measure, I have a right to understand the background of the measure so that I can exercise my vote properly. It says :

"Where under any covenant or agreement entered into by the Ruler of any Indian State before the commencement of this Constitution, the payment of any sums, free of tax, has been guaranteed or assured by the Government of the Dominion of India to any Ruler of such State as privy purse—

- (a) such sums shall be charged on, and paid out of: the Consolidated Fund of India; and
- (b) the sums so paid to any Ruler shall be exempt from all taxes on income."

The operative part is :

"such sums shall be charged on, and paid out of, the Consolidated Fund of India."

So, If that article is deleted, then the compulsion on the Government to charge it on, and pay it out of, the Consolidated Fund of India goes, but the privy purse, in my opinion, does not go.

MR. CHAIRMAN : All right. The House will take note of your view. It is not for the Chair to explain.

SHRI MAHAVIR TYAGI : It is my right to understand what the amendment is and if I have not followed it, I have a right to say . . .

MR. CHAIRMAN : When your turn came, probably you had spoken ...

SHRI MAHAVIR TYAGI : I have not yet finished. (Interruptions). I am sorry, Sir; I know my constitutional right; I can seek from the Chair clarifications on this amendment. You can stop me, but I know my privilege. So, if this article is deleted . . .

MR. CHAIRMAN : I have ruled that it is not for me to interpret the Bill. I am Chairman, not a legal adviser.

SHRI MAHAVIR TYAGI : I only want clarification so that I can understand it.

MR. CHAIRMAN : I cannot give clarifications.

SHRI BHUPESH GUPTA : Sir, the constitutionality or otherwise of a Bill before us is not for the House or the Chair to consider. It is for the courts to consider it. The ruling is there in this House and in the other House. The Chairman or the Speaker does not consider it. All the same, my friend is making ...

SHRI MAHAVIR TYAGI : I have been in Parliament. I know parliamentary practice.

MR. CHAIRMAN : I could have called some hon. Members to speak.

SHRI MAHAVIR TYAGI : Sir, this is not the way. (Interruptions). I am sorry, you can turn me out. I can seek guidance. The operative part says :

such sums shall be charged on, and paid out of, the Consolidated Fund of India. The other sub-clause says :

"the sums so paid to any Ruler shall be exempt from all taxes on income."

Those are the two things which are incumbent on the Government. If, (his article is deleted, the privy purses, etc., may or may not be charged on the Consolidated Fund. Only the restriction on the Government is being withdrawn. That is how I understand it. So it is not abolition. Will you please give me guidance?

MR. CHAIRMAN : Mr. Chandra Shekhar. You can make a short speech.

श्री चन्द्रशेखर (उत्तर प्रदेश) : यह संविधान संशोधन विधेयक जो आया है उस पर . . .

SHRI S. N. MISHRA : Sir, we have to go by the time that you have indicated. I would like to hear my hon. friend, Mr. Chandra Shekhar. It is not because of him that I am saying this. But the time has been fixed by you, that at 3 O'clock, the Prime Minister will reply.

MR. CHAIRMAN : If the House ...

SHRI SYED HUSSAIN (Jammu and Kashmir) : Sir, I want to speak. We have also a right to speak.

MR. CHAIRMAN : Please sit down. I had fixed 3 O'clock »for the reply of the Prime Minister. In case the House wants to take 15 or 20 minutes more...

SOME HON. MEMBERS : No.

MR. CHAIRMAN : All right. Mr. Chandra Shekhar.

(Interruptions) SHRI LAL K. ADVANI (Delhi) : Sir, on a point of order.

SHRI BHUPESH GUPTA : Sir, I want to hear Mr. Lokanath Misra. He cannot get away without making a speech here.

3 P. M.

SHRI LAL K. ADVANI : Sir, I am on a point of order. Rule 37 very clearly says :

i "No variation in the Allocation of

Time Order shall be made except by the

Chairman, who may make such variation if.

There is only one circumstance under which the information can be made by you and that is

if he is satisfied after taking the sense of the Council that there is a general agreement for such variation."

But not by majority. This variation cannot be done by Majority. My humble submission to you is that we have been waiting since morning for the Prime Minister to reply. If simply because their plane is late and some Members who were absent in the morning have come now, you allow this delay, we cannot allow that. We cannot allow any change in the time allocation. It is entirely within your discretion, it is in your prerogative, it is your judgment, but this judgment is not to be influenced by a majority. I, therefore, request you to ask the Prime Minister to reply to the debate.

SHRI BHUPESH GUPTA : I rise to contest his point. Mr. Chairman, will you kindly listen to me? There is no question of allocation of time. It is a question of variation in the allocation of time. It is a question of choosing and calling speakers. It is not a question of allocation of time. How does it come here? Here is a question open to you. You can call every Member of the House. The House is sovereign. This clause does not say that selection of speaker cannot be without the consent of the House or the agreement of the House. If that is so, everybody will have to support Mr. Chandra Shekhar and I will support Mr. Lokesh Misra also if he wants to speak. There is no point of order at all in what he said,

श्री सुन्दर सिंह भंडारी : आप यह पहले निश्चय कर लीजिए कि आपने यह स्पष्ट सूचना सदन को दी थी या नहीं कि 3 बजे प्रधान मंत्री महोदय बोलने के लिए बड़ी होगी। अगर इस बात का आप बदनना

चाहते हैं तो एक बात उसमें यह है कि आपको उसमें सदन की राय लेनी चाहिए और उसका मतलब यह हुआ कि कोई सीमा नहीं रहेगी और कोई समय हम नहीं तय कर पाएंगे।

MR. CHAIRMAN : Let me speak now. So far as I am concerned, it is correct that I fixed 3 P.M. for the reply of the Prime Minister and I will not change it unless the House changes it.

SHRI BHUPESH GUPTA : About the general agreement, it is all right. But what is the Rule? What does it say?

(Interruptions)

SHRI CHANDRA SHEKHAR : Sir, I was called actually ten minutes back and after that these points of order were raised. That means these ten minutes were wasted in points of order. When I was called and when I was on my legs, I was interrupted by points of order. So I deserve and I am entitled to get ten minutes. The honourable Member opposite barred my speech and raised points of order and other things. I am not very eager to speak, but it should be a precedent for all the time, whether a speaker, after having been called if he is interrupted by points of order and other things, should be denied his chance. And this precedent should be followed for all times to come. Sir, kindly consider it.

MR. CHAIRMAN : In view of the fact that...

SHRI PITAMBER DAS : Just one word. If only the question of calling Mr. Chandra Shekhar gets in the way of taking a decision, then I suggest that you allow Mr. Chandra Shekhar to speak, but it should not be taken as an estoppel or consent of the House for increasing the time. You may allow him as a special case because you have already called him. But immediately after that we want to hear the reply of the Prime Minister. No more delaying.

SHRI BHUPESH GUPTA : I contest it. Here is a rule. You are dealing with law. What is the rule? (Interruptions) My friends should note it, it begins with Rule 30...

SHRI S. N. MISHRA : Let me make it quite clear ... (Interruptions)

SHRI BHUPESH GUPTA : The Business Advisory Committee allocates time on the basis of the Government business. And you have to go according to the time allocated by the committee. That time you cannot change except in the manner provided for under rule 37. Here there is no question of any Business Advisory Committee. We are not dealing with any report of that committee...

MR. CHAIRMAN : Please hear me. In my opinion rule 37 has no application and I ask Shri Chandra Shekhar to speak for ten minutes. After that, I will call upon the Prime Minister to reply.

SHRI SUNDAR SINGH BHANDARI : Why that way?

SHRI BHUPESH GUPTA : Sir, you can do that, but not under this rule...

(Interruptions)

MR. CHAIRMAN : The point raised by Shri Tyagi did not relate to any point of order and if that point had not been made, Shri Chandra Shekhar would have finished his speech.

SHRI SYED HUSAIN : If the opposition parties have some regard for Jammu and Kashmir, I would request for five or ten minutes.

MR. CHAIRMAN : No, no. Shri Chandra Shekhar.

श्री चन्द्र शेखर : सभापति महोदय, यह संविधान संशोधन विधेयक जो आया है इसका हम स्वागत करते हैं। हमारे माननीय मित्र पीताम्बर दास जी ने कल एक अच्छी बात कही। उन्होंने कहा इतिहास इस देश

में एक अनोखे ढंग से करबट नेता है। उन्होंने उस समय जिक्र किया कि 1947 ई० में जब हम स्वतंत्र हुए, तो नेताओं की सहमति से इस देश का बंटवारा हुआ। पीताम्बर दास जी को इस बात से क्लेश है, देश के बंटवारे से हम सब दुःखी हैं, लेकिन पीताम्बर दास जी ने दूसरी घटना को भुला दिया कि यह राजा जो थे, ये सामन्तशाही के अवशेष जो थे, वह खंडित भारत में एक बाधा उपस्थित कर रहे थे और उस समय के राजपुरुष, उस समय के राजनेता सरदार वल्लभ भाई पटेल ने यह सोचा कि विवशता में इनके साथ यह समझौता करना है। वह देश के गौरव की बात नहीं थी। देश के राजनीतिक नेताओं की कुशलता थी, मैं मानता हूँ, लेकिन 1947 ई० से 1970 ई० का भारत दूसरा भारत है। 1970 ई० में एक प्रभुत्व भारत, जायत भारत है, जिसमें 500 राजा नहीं बल्कि 52 करोड़, 55 करोड़ जनता है, जो जनता सचेत है, जाग्रत है और आज वह अपने अधिकारों के लिए मांग कर रही है।

सभापति महोदय, जब कल यहाँ भाषण हो रहा था और आज भी हुआ तो मेरा तिर शर्म से झुक जाता था। दुनिया की कोई संसद् या कोई विधान सभा आप बता दीजिए, महोदय, जहाँ पर शान्तियों के बाद, आजादी के बाद, जो शोषक हों, जिन्होंने दमन किया हो, जिन्होंने आजादी के साथ खिलवाड़ किया हो, उनकी प्रशस्ति के गीत गाए गए हों, जिन्होंने दमन किया, शोषण किया उनकी तारीफ की गई हो। फ्रेंच रेवोल्यूशन हुआ, रूस का रेवोल्यूशन हुआ, दुनिया की दूसरी शान्तियाँ हुईं, रेवोल्यूशन्स हुए, उनके सारे विवरण में तो मैं नहीं जाऊँगा। हमारे दो-तीन मित्र यहाँ पर विद्यमान हैं, वह आने वाले भारत के प्रतीक हैं, ये राजाओं के जो वंशज हैं वह प्रतीक नहीं, ये राजा कितने देश भक्त थे, यह श्रीमान, पंजहजारी जी से पूछिए। क्या यह सही नहीं है कि 1930 ई० में महाराजा पटियाला का चरण न छूने के अपराध में मार पड़ी सो तो पड़ी ही, दो वर्षों तक जेल में बिना किसी मुकदमे के उनको रखा गया? हमारे मित्र कुम्भाराम आर्य जी यहाँ पर हैं, हमारे यहाँ के बाबा साहेब सावनेकर होंगे, हमारे यहाँ स्वामी रामानन्द तीर्थ होंगे, कम-से-कम सैकड़ों-हजारों बे विधवा माएँ-बहिन होंगी, जिनके बाप ने, बेटे ने, पति ने, भाई ने इन देशी रियासतों को मुक्त कराने के लिए अपने प्राणों की आहुती दी। मुझे अफसोस है, हमारे मित्र जो शान्ति-

कारी भांडोलन को मानते आ रहे हैं, जिन्होंने देश की आजादी में हिस्सा लिया, क्या उनको कभी उनके वंशजों की याद नहीं आई ? एक नहीं, दो नहीं, सारी रियासतों में, अगर मैं कहूँ तो उनमें कितना दमन, शोषण और उत्पीड़न हुआ। गंगाशरण सिंह जी यहां विद्यमान हैं, मैं उनसे जानना चाहता हूँ, क्या यह सही नहीं है ब्रिटिश इंडिया में जो कुछ हुआ उसके मुकाबले में उनमें कम हुआ। लेकिन मैं उसके पीछे नहीं जाऊंगा।

मैं माननीय पौताम्बर दास जी से कहता हूँ। भारत एक सभ्यता और संस्कृति का पुराना देश है। हमारे एक नए राजा जो सदस्य हैं, उन्होंने भी कहा है। लेकिन वह परम्परा इन 500 देसी रियासतों की नहीं है, वह भारत की सभ्यता और संस्कृति की परम्परा है, जहां मित्रांशु एक गरीब को दुखित देख कर राजगद्दी छोड़ कर जंगल में चला जाता है। भारत की परम्परा का प्रतीक शुद्धोधन के पुत्र सिद्धार्थ हैं, जो सारी दुनिया को एक नया जीवन, एक नई मंजिल, एक नया संदेश देते हैं। लेकिन ये 500 राजे जो उत्पीड़न और शोषण के प्रतीक हैं, मुझे अफसोस है उनके वंशज हैं राजकुमार और राजकुमारी, उनसे हमें कोई विद्वेष नहीं, लेकिन उन्होंने शुद्धोधन के पुत्र मित्रांशु की परम्परा अपने लिए सही नहीं समझी, जो लिप्ता से और जो यह पूजा है, साल्व है, उससे चिपटे रहे। यह और कुछ हो सकता है, लेकिन भारतीय संस्कृति का अर्थ नहीं हो सकता। इसलिए सभापति महोदय, मैं यह कहना चाहता हूँ कि आज जब यह विधेयक आया है, तो हमें राजाघातों की याद नहीं करना है, हमें उन शहीदों की याद करना है, जिन्होंने राजाघातों से युद्ध करने के लिए अपनी बलि चढ़ाई।

सभापति महोदय, मैं दूसरी एक बात और कहना चाहता हूँ। इस देश में बार-बार चर्चा होती है कि बादाखिलाफी की गई। बादाखिलाफी कोई प्रतिज्ञा की नहीं हुई। आज के राजाघातों का कर्त्तव्य है कि 52 करोड़ लोगों की भावनाओं को व्यक्त करने वाला यह जो विधेयक है, इसको पारित करें। आज देश 500 लोगों का नहीं है, 52 करोड़ देशवासियों का है। सभापति महोदय, दुनिया के और देशों में क्रांतियों में बहुत-से राजमुकुट भूमिगत हुए हैं, उन देशों में राजकुमारियां और राजकुमार सड़कों पर बिलबूते हुए बेचे गए हैं। हम नहीं चाहते हैं भारत देश में ऐसा हो। हमारे मित्र

सरदेसाई ने यह बात यहां पर कही। इसीलिए यह जरूरी है कि इस संसद् के जरिये हम परिवर्तन करें। जो लोग इस परिवर्तन के मार्ग में अवरोध लाना चाहते हैं, वह राजकुमारों और राजकुमारियों के मित्र नहीं हैं। हम चाहते हैं उनके चेहरे पर भद्रहास ब हो, बल्कि उनके चेहरे पर एक मुस्कान हो, जो मुस्कान शहीदों के चेहरे पर मुस्कान के समान हो, यह गरीब देश भारत के चेहरे की मुस्कान हो और उनको भोग, विलास और ऐश्वर्य के जगत से दूर करे।

मैं एक बात और कहना चाहता हूँ। मुझे आज सबसे अधिक वेदना इस बात से हुई जब अपने सहयोगी को, अपने सहकर्मी को आत्महत्या करते हुए देखा है। उससे अधिक अफसोस किसी बात से नहीं होता। हमारे मित्र श्याम नन्दन मिश्र ने और हमारे मित्र गुल्पादस्वामी ने, जिनके साथ काम करने का हमें गौरव रहा है, आज वह अपनी राजनैतिक हत्या करने के लिए उतारू हैं। तो उससे मुझे अफसोस होता है। जन संघ और स्वतंत्र पार्टी के मित्रों से मुझे कुछ नहीं कहना है। लेकिन जिन्होंने आजादी के लिए शहादत को देखा है, जिनका शहीदों के प्रति सम्मान था, ऐसे लोगों के लिए मैं कहूंगा अच्छा होता यह उन्हीं तक सीमित रह जाता, लेकिन वह आग फैलेगी, उसका बिखराव होगा और उससे उन सिद्धांतों की वह हत्या करते हैं, जिससे कब का भारत बनने वाला है।

महोदय, अंत में मैं यह कहूंगा मुझे कुछ भाषा की किरण दिखाई पड़ती है। शायद श्रीमती इन्दिरा गांधी ने कहा कि श्रीमान मोरारजी देसाई भीष्म पितामह हैं और उन्होंने कई दफा अनुशासन की बात की है। मैं पूछना चाहता हूँ गुजरात के उन नौजवानों के विरुद्ध जो उनकी पार्टी के हैं, उनके खिलाफ उन्होंने अनुशासन की कार्यवाही की है ? अखिल भारतीय कांग्रेस कमेटी के निर्णय को जो उनकी कांग्रेस कमेटी है श्री मोरारजी देसाई और श्री निजलिगप्पा ने बैठ कर उस फैसले को उलट दिया और माननीय मिश्रा जी और दूसरे मित्रों ने भी उसका समर्थन किया। कम से कम मुझे इसकी भाषा नहीं थी; क्योंकि अभी इन सारी बातों के बावजूद उनमें विवेक और बुद्धि...

श्री श्यामनन्दन मिश्र : आप लोगों के ऊपर भी अनुशासन की कार्यवाही की घमकी आपकी एजीक्यूटिव

[श्री प्रतापनन्दन मिश्र]

की ओर से है और उसमें भी हम आपको सहायता देने।

श्री चन्द्र शेखर : उनकी विवेक और बुद्धि में आज भी विश्वास है और मैं इसके बारे में श्री मिश्र जी को विश्वास दिलाता हूँ। मैं अपने कर्तव्य से च्युत हूँगा, अगर मैं अपने मित्र श्री मोहन घारिया को अखिल भारतीय कांग्रेस कमेटी में और अपने मित्र श्री बांक बिहारी दास जी को जो इस सदन के सामने इस प्रस्ताव को लाए थे, बधाई न दूँ। उनकी इस कार्यवाही से न केवल यह सदन और अखिल भारतीय कांग्रेस कमेटी गौरवान्वित हुई, बल्कि भारत के लिए एक नया मार्ग प्रशस्त हुआ। ये छोटे-छोटे दिये जो जल रहे हैं और उनसे जो रोशनी निकलती है, वह काल के अन्धेरे भारत की रोशनी है। श्री मिश्रा जी और उनके जैसे लोग प्रयास करते रहेंगे, अगर जो प्रवाह है वह चलता रहेगा सफलता की ओर, मंजिल की ओर और मुझे विश्वास है कि आज जो कदम उठाया जा रहा है, वह उस प्रवाह को गतिमान बनाएगा।

SHRI LOKANATH MISRA : Sir, I would like to record my protest against the way the time has been allotted to the different Parties. I do not want to speak even if the Chairman allows me the time but I want to strongly protest. I do not want to take a favour from the Chair but I want to strongly record my protest against the way the time has been allotted to the different Parties and I hope it has not been on the advice of the Minister for Parliamentary Affairs.

THE PRIME MINISTER (SHRIMATI INDIRA GANDHI) : Mr. Chairman, Sir, my reply should have been an opportunity to answer the major arguments raised in this debate but in spite of what my hon. friend opposite, Shri S. N. Mishra, has so graciously, described as my minute observation, I was not able to discern any such major argument put forward against this Bill. We found the venerable Member, Shri Ruthnaswamy, of the Swatantra Party teaching us what socialism is. We found Shri Babubhai Chinai trying to interpret my

own father to me. I think hon. Members here and the people of Bombay know how ardent a follower he was of my father and my father's policies. {Interruptions}'

When one takes Shri Mishra's wayward rhetoric seriously, what his Party said to-day is such a clear and blatant repudiation of what they have so openly professed only yesterday that I wonder whether they have elevated pointlessness into a programme. We have heard long quotations from Sardar Vallabhai Patel. Those who have quoted them, could have used the same quotations a little earlier, perhaps in the AICC meeting. It is quite some time since this resolution^a was passed in Delhi. It is true that when it was passed, I was not present. It is true that I was a little disturbed at its passing, not because I was against the resolution but, as Mr. Mishra would say, at the manner of its passing.

SHRI S. N. MISHRA : I did not say that.

SHRI PITAMBER DAS : Can we take it then that- the Prime Minister concedes that the manner of a thing makes a difference?

SHRIMATI INDIRA GANDHI : Those who have since opposed it, they had many an opportunity to reopen the issue in the Working Committee and in many subsequent Sessions of the AICC or the plenary Sessions of the Congress. But it was not brought before these bodies for a very good reason, because they knew that, if they brought it back, it would be passed again and over again. So now, just because there is a division in the party, to go back on their own commitments—may be somebody's version of honesty or integrity but I do not think that is the way the world or the people of India will look at this matter. Now somebody else also said that the wisdom of the Agreements was not questioned at that time. My hon. friend, I think it was Goswamiji, he said that he himself ques-

tioned it. I certainly know that I questioned it, and the States' Peoples' Conference in every State had questioned these Agreements. I know that in every province there were many who questioned the wisdom of these Agreements and I can say that I was amongst those who questioned these Agreements. And most of the Youth Congress at that time had questioned this as indeed we questioned many other things that happened I had also questioned the manner in which we kept the administrative system as I do question it even now.

श्री राजनारायण : उस समय यूथ कांग्रेस नहीं थी, स्टूडेंट फेडरेशन और स्टूडेंट कांग्रेस थी ।

SHRIMATI INDIRA GANDHI : There was a body of the Congress Youth of which I was a member. Now, whether we had one name or they had something else added to the name, I do not know. But we certainly regarded ourselves as Congress youths. Whether there was a registered name or not is not the point here. The point is that the younger people of the Congress did exist, that they did meet in a separate body, apart from the AICC and other Congress bodies, and that I was a member of those groups. Surely I know of the meetings I attended.

श्री राजनारायण : कोई वानर सेना रही होगी ।

SHRIMATI INDIRA GANDHI : So these things were questioned then, but now we know that many more people question them, as we can see; at that moment we also wondered that perhaps this is the right way, we might think differently, the leaders are proposing something. They now better. They have more experience. They think this is the right thing to do.

Having once expressed our views, we did not make an issue of it, or even broadcast it. But now that we look back at it, what is the view, what is the view not only of those of us who were involved then but

of the many people who were not asked for their opinion or who were not involved in these questions then? This is the question before us today, and it concerns the nation. Well it is the nation's desire that as things have changed we must change with the times. My hon. friend, Shri Rajnarain, never loses an opportunity to snipe at me,...

SHRI RAJNARAIN : No, no.

SHRIMATI INDIRA GANDHI:... but this time I will say that there is some truth in what he said. And it is not he who is saying it; I have said it from the public platform on almost every occasion in every public meeting since our Bangalore Session. I have said that it is not I who am showing a new light to the people it is the people who are showing a new light to us. I have said on countless occasions that the time has come when we must follow the people's light. But why is it that we have this great division in our party? Sir, I think everybody knows why it really happened. Everybody knows that the seeds of it were there from the time of these Agreements and before. Everybody knows that there was a division in the thinking of the party. There was one section which wanted socialism, which wanted major changes, and there was another section which thought that independent India could grow and prosper within the old structure. There was that division and it does not matter who gets up and says that it was not there. They cannot change the fact. This is what came to the fore in our party, in our times. It does not mean that we can do some magic or that by using the word 'socialism' we think we can change everything. We know we cannot and we have said so, but we do know that we have made a beginning. We do know that we have taken steps which will make it difficult for anybody to reverse the trend, no matter who runs the Government tomorrow and that is my concern. It is not my concern that I

[Shrimati Indira Gandhi] shall stay in power or be the Prime Minister. Had that been my concern, I would not have taken the number of risks which I have taken. But why am I taking these risks? It is because I know that each one of these steps, once taken, will be irreversible, no matter what happens and that is the important fact. Nobody is going to change what we do here.

श्री राजनारायण : शान्ति से बोलिए, शान्ति से आप यह अनावश्यक एनर्जी क्यों खर्च कर रही हैं ?

SHRIMATI INDIRA GANDHI : I was saying that these steps have taken the country in a particular direction and this direction cannot now be reversed. I will give one small example of this. Our hon. Member from the Jan Sangh, even he, who is opposed to the whole idea behind the things which we want to do, the direction in which we want to take the country, had to say here ; We have no fascination for the princely order. He could not get up here and say : I support the princely order. Our good friends, the syndicate group, could not, whether they are supporting the abolition or not, get up and say : We will oppose the Bill because we are opposed to the concept of the Bill. They do not have that courage. I would have admired them if, wanting to go back on their policy, they had got up and said : We oppose this Bill. But 'No'. They want to please the Princes and they want to please the people. You can fool some people for some time but not all the people all the time,

SHRI SUNDAR SINGH BHANDARI: That applies to you also.

SHRIMATI INDIRA GANDHI : As far as I am concerned, I have only one reply, that I am prepared for the people to judge all these years. When the people say 'we do not want you,' I will very gladly resign. I do not believe in the methods used by the Jan Sangh. I do not believe

in rioting to win a free election. That is not the way....

SHRI SUNDAR SINGH BHANDARI: Who has done that ? Establish it.

(Interruptions)

MR. CHAIRMAN : Please sit down.

SHRI SUNDAR SINGH BHANDARI: Your own machinery. You are using this forum for maligning us ____

DR. BHAI MAHAVIR (Delhi) : People are creating communal trouble in this country. (Interruptions)

MR. CHAIRMAN ; Silence please.

SHRIMATI INDIRA GANDHI : We are prepared to stand in front of the people with all our programmes, all our deeds. My friend, Shri Niren Ghosh, said, as if he was discovering some great dark buried secret, that transitional allowances are being made. Did not the President make this announcement in his opening Address to Parliament? Did I not write openly to the Princes? Did I not say it in the other-House

SHRI NIREN GHOSH : I said this House passed a Resolution barring that.

SHRIMATI INDIRA GANDHI : Mr. Niren Ghosh, I was listening very carefully. You said you were uncovering secrets and all sorts of things. That is why I am saying that we have done nothing in secret. We have done nothing in such a manner. Everything we have done and everything we stand for is out in the open before the people of India and before this House. In this connection, I would also like to say that again my friend, Shri Mishra, said : What was the necessity of bringing this to the House? The Government could have done it on its own. Certainly the Government could and the Government still can do it on their own. There is nothing to stop it. Why? Because we think in

a democracy it is better to bring this to Parliament. We think that it is better to see that the majority is behind us. This we have now proved to the country. Some people, I do not remember whether it is Shri Tyagi . . .

SHRI DAHYABHAI V. PATEL (Gujarat) : She is throwing everything under Russian domination.

SHRI BHUPESH GUPTA : I am not losing my temper, but I think that remark should not have been made. My only request is that on the threshold of victory the victors must not lose their temper.

SHRIMATI INDIRA GANDHI : I will assure Mr. Bhupesh Gupta that if he is referring to me, I have not lost my temper now for many many years, and I have no intention of losing it again. Certainly the sort of remarks that were made from that side are not worth anybody's losing his temper.

Now the question was what would happen if the Princes had not signed the agreements. Mr. Chairman, is there any doubt about it as to what would have happened? In free India if they had not signed the agreement, would not the Government have used all its strength to do something about it, and would not all the people have risen to do something about it? Certainly there would have been bloodshed, certainly there would have been disturbance. But nobody can say that the Princely States would have continued as they were continuing. I was surprised to hear the use of the word 'sovereignty' in this connection. What does it mean? Can anybody in this House say that they were sovereign under the British? What right did they assert except the right of making money? Did one of them go against the British Government in the smallest possible thing? How can they use this word in this connection and demean this word 'sovereignty'? Let us see

the reality of the situation. Are we living in 1970 or are we living in 1870? Some things have happened in the world, not only in our country but all over the world. I am not concerned with the quality of the Princes. I know that like all men some were good, some indifferent, some have even been bad, some have neglected their people, some have done good work for their States like education, health measures, roads, parks, and so on. I am not against the Princes at all. I want to assure the hon. House that this Bill is not directed against the Princes individually or even as a group. This Bill is against a system. We are against the feudal system. It is not just something that has come to our heads today. This was the whole point of the freedom struggle. The question was not merely that we drive out the foreign Government. It was that within the country all such feudal structures should be changed. If we have not been able to change them, I certainly say it was our mistake. I have no doubt about it. It was our mistake that for so many years we have not been able to change the feudal structure. It is not only a question of Princes. That happens very much lower down the line also. That is why there is that treatment of the Harijans. It is the same attitude of mind, that one man is superior to another man. Why? Because he has money, he has rank. Do we subscribe to this theory?

AN HON. MEMBER : What about the ICS?

SHRIMATI INDIRA GANDHI : The ICS people will also be dealt with. It does not mean that if you have not dealt with all you cannot deal with one thing. This is a new argument that we have heard today from some of the gentlemen opposite. If you cannot do the journey in one leap, then you cannot do the first phase also. Therefore, before there was the aeroplane nobody would have gone to any place. As I was saying, I hold no animus at a inst

[Shrimati Indira Gandhi] the Princes. That is why we tried to talk to them. As I made it clear in my opening remarks, I was not going against our commitment to this House or our commit- I ment to our party. But we did feel that if we could come to some agreement, it would smoothen the path, it would make the change easier. Perhaps they , thought that by prolonging the agony of negotiations, the Bill would be postponed, although all along I had said that I wanted to talk, but we were committed to bringing the Bill in this session. This was not kept in doubt at any meeting, in any session. I have no hesitation in saying that if this matter has come in this way, it is because of those amongst the Princes who ate known as the hardliners, those who wanted to hang on more tightly to whatever they had. Had those who were willing to talk been given their way, some understanding could have been reached in a much more graceful manner. This is not a new thing.

Sir, everywhere when something new happens, the people concerned try to hang on to the old. But nowhere have they been able to resist the new. The Princes are very high-up people. The motor car came in England. Perhaps you all remember that those people who were concerned with horses and horse carriages and everything that had to do with them, they said that the motor car should not be allowed; they were in danger. Many people helped them; the British M.P.s helped them. But the wise amongst those people said, "No. This thing is here. We cannot stop the car. Let us learn something about it. Let us become mechanics. Let us become drivers". They took that path and they suddenly got new opportunities, new jobs and they became high in the new hierarchy. And those who said they will have only the horse-carriages, they were, little by little, made jobless and finished off. This is the way of the world. It is not the way that I am advocating. It is

the way of the world since time immemorial. The old has to give way to the new. And only those amongst the old who adapt themselves can find a place amongst them.

It is not I or any group who is removing them. These are the forces of history that march and make these changes . . .

श्री राजनारायण : अब बस कीजिए ।

श्रीमती इन्दिरा गांधी : अभी तो आपके प्वाइन्ट्स रह गये हैं महाशय जी ।

SHRI BHUPESH GUPTA : My friend, Mr. Rajnarain, is in good humour.

SHRIMATI INDIRA GANDHI : Push-pabenji, in her usual quiet and effective manner, suggested that there should not be only one-sided criticism, that there should be a balanced appraisal. How I wish that she could have given that advice to some of her party Members who were speaking about us.

Incidentally, Sir, I was deeply shocked to hear from opposite—I do not remember which party—that the Princes are being brought down to the level of "ordinary citizens". Sir, I might say that nobody should use a phrase like this. What can be better than being a citizen of this great country of India? Does a person become greater because he is called His Highness? This is the mentality that we are fighting and which we will continue to fight while it exists in any corner of India. And this is what we endeavoured to fight during the freedom struggle.

Now I come to Shri Rajnarain's amendment, the S.S.P. amendment. Several other Members have also urged that no compensation should be paid to the Princes on the abolition of their privy purses. Now, it is our opinion and the legal opinion also that the privy purse is not a property and thus there is no question whatsoever of paying any compensation. However, there is the human aspect. I do not think it would be fair to put an abrupt end to the

payment of the privy purses without providing some means for the families and the dependents of these former Rulers to adjust to this new situation. And it is in that light that the transitional allowances should be viewed. The same holds good for the date, i.e. the 1st October, when it comes into effect.

Now, Sir, as I said earlier, this Bill is not in any way against the Princes. On the other hand, I would very humbly suggest that I think it is in their interest because in a free country I think it is the due of every boy and every girl, of every man and every woman, to stand on his or her feet, by his own or her own merit. This is the great opportunity which we are giving to them. They are not poor people, nor do we wish to make them poor. They have great advantage of having had the We want that education to be used for the welfare of their own people and their own country. I think, Sir, as I have said on an earlier occasion, that there can be no greater gift to anybody than this, that they use their energy, their wealth, (their talents) for the good of the nation. This is our intention in this Bill. So, I hope that those hon. Members who are making an issue merely because they do not like the manner of it, therefore, they would rather defeat and wipe off the whole Bill, will reconsider the matter and will vote at least on this first phase. About what they do in the next phase, of course, it will be debated over again. Now, one point which was constantly made was that we have delayed bringing the question of allowances here merely because we want to do something underhand. Sir, this is very unworthy of the Members who have made such a remark, because whatever allowances are made, the matter will come before the House and again it will be before the hon. Members to accept or to reject, and there will no doubt be a full and frank debate. I hope that the hon.

Members from the S.S.P. will, therefore, withdraw their amendments, since I have made it clear that it is not compensation which we are giving. Now, Sir, it was understandable that so many of the speeches should be concerned with the past. But, Sir, this Bill is opening one of the gates towards a more egalitarian future for our people. Sir, I move that the Bill be taken into consideration.

SHRI GODEY MURAHARI : Sir, I want to ask for a clarification.

SHRI LOKANATH MISRA : Not at this stage.

MR. CHAIRMAN : She has already replied.

SHRI GODEY MURAHARI : She has asked us to withdraw the amendment. I would like to know from her...

(Interruptions)

SHRI SUNDAR SINGH BHANDARI : Sir, now the Lok Sabha Members may be asked to go away.

MR. CHAIRMAN : I would request honourable Ministers from the Lok Sabha excepting the Prime Minister who are Members of the Lok Sabha not to occupy seats. They may remain in the House standing somewhere, but they should not occupy seats.

Now I put the motion before the House.

The question is :

"That the Bill further to amend the Constitution of India, as passed by the Lok Sabha, be taken into consideration."

SHRI S. N. MISHRA : Sir, I have to make one submission that in view of the bitter experience in the other House, it would perhaps be necessary to make a count of all the Members present in the beginning so that there is no difficulty in tally-

[Shri S. N. Mishra] ing the figures later. So please take a count of the totality of the Members present.

SHRI BHUPESH GUPTA : That would be acknowledging and binding ourselves by what happened or is alleged to have happened in the Lok Sabha. We take no cognizance of what happened there. We should proceed according to our Rules.

SHRI S. N. MISHRA : We have to go by the experience there.

SHRI A. G. KULKARNI (Maharashtra) : We are not going to deviate from our procedure.

SHRI PITAMBER DAS : I would make a small submission. A very innocent request has been made to note the total number of Men-bars present in the House and voting. From the very fact that there is an objection to this innocent request makes me apprehensive.

SHRI MAHAVIR TYAGI : Mr. Chairman, you have called a division, but still the doors are kept open.

MR. CHAIRMAN : I have called a division and the bells are ringing.

The House divided.

THE LEADER OF THE HOUSE (SHRI K. K. SHAH) : I want the vote to be recorded in the Lobby.

(Interruptions)

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA) : We want to go to the Lobby and vote.

SHRI K. CHANDRASEKHARAN : This is absolutely wrong. We should go to the Lobby. It is provided for under rule 254. This is absolutely wrong.

SHRI MAHITOSH PURKAYASTHA (Assam) : On a point of order...

SHRI RAJNARAIN : Announce the result of the Division first.

SHRI LOKANATH MISRA : Why do you take so long?

SHRI MAHITOSH PURKAYASTHA : On a point of order...

MR. CHAIRMAN : No point of order after voting.

SHRI K. K. SHAH : The Division is so close that we want to go to the Lobby.

(Interruptions)

SHRI A. G. KULKARNI : I want voting in the Lobby...

SHRI GODEY MURAHARI : Whatever may be the result, please announce it.

SHRI RAJNARAIN : Why are you delaying?

MR. CHAIRMAN : I will tell you my difficulty.

HON. MEMBERS : No, no.

MR. CHAIRMAN : Now I am announcing the votes. The difficulty is about the calculations. I will point out my difficulty to you and I will solve it in a few moments. Now I am announcing the votes. There may be difficulty about calculation of fractions. But I am announcing the votes so that this difficulty may be overcome.

(Interruptions)

SOME HON. MEMBERS : You please announce the votes immediately.

MR. CHAIRMAN : Ayes : 149 ; Noes : 75

AYES—149

Ahmad, Shri Syed. Ahmad,
Dr. Z. A. Alva, Shri Joachim.
Amla, Shri Tirath Ram.
Anandam, Shri M. Ansari,
Shri Abdul Qaiyum. Ansari,
Shri Hayatullah. Appan,
Shri G. A.

Arora, Sh i Arjun.
 Bachchan, Dr. H. R.
 Baharul Is am, Shri
 Barbora, ! hri Golap.
 Basu, Shr Chitta.
 Bhadram, iliri M. V.
 Bhatt, Shr Nand Kishore.
 Bobedy, SkI S. B.
 Brar, Sard ir Narindar Singh.
 Chandra .hekhar, Shri
 Chandrase .haran, Shri K.
 Chattopadiiyaya, Dr. Debiprasad.
 Choudhur, Shri Suhrid Mullick.
 Das, Shri Balram.
 Das, Shri Janka Behary.
 Das, Shri Biptnpal.
 Dass, Shri Mahabir.
 Deshmukh Shri T. G.
 Dharia, S ri M. M.
 Dikshit, S iri Umashankar.
 Ganguly, ' hri Salil Kumar.
 Gautam, ! hri Mohan Lal.
 Ghosh, Sh i Niren.
 Goray, Shri N. G.
 Goswami, Shri Sriman Prafulla.
 Gowda, S iri U. K. Lakshmana.
 Gujral, SI ri I. K.
 Gupta, S; ri Balkrishna.
 Gupta, SI ri Bhupesh.
 Hasan, Pj if. Saiyid Nurul.
 Hussain, Shri Syed.
 Jain, Shri A. P.
 Jain, Shri Dharam Chand.
 Jairamdas Daulatram, Shri.
 Jha, Shri Rudra Narain.
 Joshi Shri Umashanker.
 Kalyan C hand, Shri.
 Ranchi F alyanasundaram, Shri.
 Kaul, Shri M. N.
 Khaitan, Shri R. P.
 Khan, SI ri Akbar Ali.
 Khan, Pr >f Rasheeduddin.
 Khobragade, Shri B. D.
 Kollur, Siiri M. L.
 Koya, Shi B. V. Abdulla.
 Krishan <ant, Shri
 Kulkarni, Shri A. G.

Kulkarni, Shri B. T.
 Kumaran, Shri S.
 Kurup, Shri G. Sankara.
 Madani, Shri M. Asad.
 Mandal, Shri B. N
 Mangladevi Talwar, Dr. (Mrs.).
 Mani, Shri A. D.
 Maragatham Chandrasekhar, Shrimati.
 Mathew Kurian, Dr. K.
 Mehta, Shri Om.
 Menon, Shri Balachandra.
 Menon, Shri K. P Subramania.
 Mirdha, Shri Ram Niwas
 Mishra, Shri L. N.
 Mitra, Shri P. C.
 Mohamod Usman, Shri.
 Mohideen, Shri S. A. Khaja.
 Mukherjee, Shri Pranab Kumar.
 Murahari, Shri Godey.
 Nagpure, Shri V. T.
 Nair, Shri G. Gopinathan.
 Nandini Satpathy, Shrimati.
 Narayani Devi Manaklal, Shrimati.
 Neki Ram, Shri.
 Panda, Shri Brahmananda.
 Panjhazari, Sardar Raghbir Singh. Patil,
 Shri G. R. Patil, Shri P. S. i Prasad.
 Shri Bhola.
 Punnaiah. Shri Kota.
 Purabi Mukhopadhyay, Shrimati.
 Purakayastha, Shri Mahitosh.
 Puri, Shri Dev Datt.
 Rajnarain, Shri.
 Raju, Shri V. B.
 Ramaswamy, Shri K. S.
 Ramiah, Dr. K.
 Rao, Shri Katragadda Srinivas.
 Reddy, Shri Gaddam Narayana.
 Reddy, Shri K. V. Raghunatha.
 Reddy, Shri M. Srinivasa.
 Reddy, Shri Mulka Govinda.
 Roshan Lal, Shri.
 Roy, Shri Biren.
 Roy, Shri Kalyan.
 Roy, Shri Monoranjana.
 Saha, Shri Surajmal.

Salig Ram, Dr.
 Samuel, Shri M. H.
 Sangma, Shri E. M.
 Sanjivayya, Shri D.
 Sanyal, Shri Sasankasekhar.
 Sardesai, Shri S. G.
 Sarojini Krishnarao Babar, Dr. Kumari.
 Satyavati Dang, Shrimati.
 Savnekar, Shri B. S.
 Schamnad, Shri Hamid Ali.
 Sen, Dr. Triguna.
 Shah, Shri K. K.
 Shahi, Shri Nagesawar Prasad.
 Sharma, Shri Anant Prasad.
 Shervani, Shri M. R.
 Shishir Kumar, Shri.
 Shukla, Shri Chakrapani.
 Shukla, Shri M. P.
 Shyamkumari Devi. Shrimati.
 Singh, Shri Bhupinder.
 Singh, Shri Dalpat.
 Singh, Shri Inder.
 Singh, Shri Jogendra.
 Singh. Shri Phool.
 Singh, Shri S. K.
 Singh, Shri Sultan.
 Singh, Shri Triloki
 Sinha, Shri Awadheswar Prasad.
 Sinha, Shri Ganga Sharan.
 Sinha, Shri Rajendra Pratap.
 Sisodia, Shri Swaisingh.
 Sivaprakasam, Shri S.
 Srinivasan, Shri T. K.
 Sukhdev Prasad, Shri
 Suraj Prasad, Shri.
 Tilak, Shri J. S.
 Tiwary, Pt. Bhawaniprasad.
 Tohra, Sardar Gurcharan Singh.
 Untoo. Shri Gulam Nabi.
 Usha Barthaktir, Shrimati.
 Venigalla Satyanarayana, Shri.
 Venkataraman, Shri M. R.
 Vero, Shri M
 Vidyawati Chaturvedi, Shrimati.
 Villaian,- Shri Thillai. Vima! Punjab
 Deshmukh, Shrimati. Yajee, Shri Sheel
 Bhadra.

NOES—75 Advani,

Shri Lal K Alva, Dr. K. Nagappa.
 Anandan, Shri T. V. Angre, Shri S. C.
 Antani, Dr. B. N. Arya, Shri Kumbha
 Ram. Bhagwat Dayal, Shri.
 Bhandari, Shri Sundar Singh
 Bindumati Devi, Shrimati. Chagla,
 Shri M. C. Chaudhary, Shri Ganeshi
 Lal. Chavda,
 Shri K. S. Chengalvaroyan,
 Shri T. Chinai,
 Shri Babubhai M. Deo,
 Shri Bira Kesari. Desai,
 Shri Suresh J. Doogar,
 Shri R. S. Gowda.
 Shri K. S. Malic. Gurupadaswamy,
 Shri M. S. Hathi,
 Shri Jaisukhlal. Jagarlamudi.
 Shri Chandramouli. Jain.
 Shri Rattan Lal. Kaul,
 Shri B. K. Kemparaj,
 Shri B. T. Mahanti,
 Shri B. K. Mahavir, Dr. Bhai.
 Mallikarjunudu,
 Shri K. P. Mariswamy,
 Shri S. S. Mathur,
 Shri Jagdish Prasad. Mishra,
 Shri S. N. Mishra,
 Shri Sri Kant. Misra,
 Shri Lokanath. Misra,
 Shri S. D. Mohammad. Chaudhari A.
 Mohla. Shri M. K. Muniswamy,
 Shri N. R. Murthy,
 Shri B. P. Nagaraja. Narayan,
 Shri M. D. Narayanappa,
 Shri Sanda. Nawal Kishore,
 Shri. Panda, Shri K. C. Pande,
 Shri C. D. Parthasarathy,
 Shri R. T. Patel,
 Shri Dahyabhai V. Patel,
 Shri Devdatt Kumar Kikabhai. Patel,
 Shri Sundar Mani. Patel,
 Shri T. K.

Pattanayak, Shri B. C.
 Pitamner Dis, Shri.
 Poddar, Shri R. K.
 Prem Manelkar, Shri.
 Prithwi Nathi, Shri.
 Pushpaben J. Nardandrai Mehta, Shrimati.
 Puttappa, Shri Patil.
 Reddy, Shri N. Shri Rama.
 Reddy Shri I. E. Nagi.
 Ruthnaswamy, Shri M.
 Sahai, Shri Ram.
 Shah, Shri Manubhai.
 Shanta Vasanth, Kumari.
 Sharan, Shri Vijay Bhushan Deo.
 Shejwalkar, Shri N. K.
 Sherkhan, Shri.
 Singh, Shri Shankar Pratap.
 Singh, Shri T. N.
 Sundaram, Shri K.
 Thengari, Shri D.
 Tripathi, Shri H. V.
 Tyagi, Shri Mahavir.
 Vanna, Shri Man Singh.
 Varma, Shri Niranjan.
 Vasavada, Shri S. R.
 Yadav, Shri J. P.
 Yadav, Shri Shyam Lal.
 Yashoda F. Eddy, Shrimati.

MR. CHAIRMAN : The manner in which the voting has been done is in accordance with the constitutional provision. (after consultation) Now, I think that the motion has not satisfied the requisite majority under article 368.

SHRI BHUPESH GUPTA : I challenge that.

(Interruptions)

SHRI J. N. MISHRA : Here is the authority of the Rajya Sabha. We have to adjourn now.

(Interruptions)

SHRI ANANT PRASAD SHARMA (Bihar) : I am challenging it. I am challenging it under rule 254...

SOME HON. MEMBERS : No, no.

SHRI S. N. MISHRA : What are we doing?

MR. CHAIRMAN : Please, that the motion is lost I have already announced, but he wants to say something.

STFI ANANT PRASAD SHARMA : Please read rule 254. It says :

"(I), If the opinion declared under clause (b) of sub-rule (4) of rule 252 is challenged and the Chairman decides that the votes shall be recorded by the members going into the Lobbies, he shall direct the "Ayes" to go into the Right Lobby and the "Noes" into the Left Lobby. In the "Ayes" or "Noes" Lobby, as the case may be, each member shall call out his Division Number and the Division Clerk, while marking off his number on the Division List, shall simultaneously call out the name of the member."

Sir, I challenge under this rule your decision just now and I would request you to direct the Members to go to the Right Lobby and the Left Lobby to clearly vote for "Ayes" and "Noes".

SHRI BHUPESH GUPTA : Will you kindly hear me? You have announced the result. Ultimately what you say is going to prevail.

SHRI N. K. SHEJWALKAR (Madhya Pradesh) : On a point of order...

SHRI BHUPESH GUPTA : Ultimately what you are to say is going to prevail, because you have said it and I heard it. That is what I am challenging. It was clear from the entire modus operandi from the time of voting until the time of this announcement that you were in certain difficulties in coming to a conclusion with regard to whether the constitutional requirement had been met or not.

SHRI M. S. GURUPADASWAMY
There was no difficulty.

SHRI BHUPESH GUPTA : Why are you getting angry ? My friends almost in a battalion went to you and naturally they were disturbing you. It has been pointed out even before the announcement that some Members who were physically present here... (Interruptions)

SOME HON. MEMBERS : Adjourn the House. Adjourn the House.

(Interruptions)

SHRI DAHYABHAI V. PATEL : I propose the House be adjourned.

SHRI S.D. MISRA : The House should be adjourned.

MR. CHAIRMAN : I overrule that point of order because after the announcement of the result this cannot be taken into consideration.

SHRI MANUBHAI SHAH (Gujarat) : Thank you.

SHRI SUNDAR SINGH BHANDARI : It is five o'clock.

श्री राजनारायण : देखिये, मैं आपके द्वारा प्रधान मंत्री साहिब को यह सुझाव देना चाहता हूँ कि वह ज्वान्ट सेशन बुला कर तत्काल फैसला ले लें। देखिये संसोध हो एक पार्टी है, जिसने अपने सदस्यों को इधर उधर से बुलाया। मैं भी जेल से चला आ रहा हूँ। हमने इस मामले में सरकार को पूरा सहयोग दिया, फिर भी शेम है इस क्लिंग पार्टी को।

SHRI BHUPESH GUPTA : I have a submission to make. The Constitution provides for a joint session. It is a matter of constitutional amendment. Now, Sir, when the Bill is passed by one House and it is not passed by another House what is the procedure ?

(Interruptions)

[MR. DEPUTY CHAIRMAN in the Chair]

MR. DEPUTY CHAIRMAN : May I appeal to the hon. Members to keep silent ? Please.

SHRI BHUPESH GUPTA : I was on my legs.

(Interruptions)

MR. DEPUTY CHAIRMAN : Order, order. May I appeal to the hon. Members to keep silent ?

SHRI BHUPESH GUPTA : I demand an emergency joint session.

MR. DEPUTY CHAIRMAN : Please sit down. The existing matter is over. Let him finish. Then we have to pass on to the next business.

SHRI GODEY MURAHARI : Before you pass on to the next business, I want to make a submission.

SHRI S. N. MISHRA : Let us adjourn now.

MR. DEPUTY CHAIRMAN : The House sits up to 6 o'clock normally. We have got still one hour five minutes. We sit up to 6 o'clock.

SOME HON. MEMBERS : No, no.

श्री राजनारायण : श्रीमन्, अगर आप इस सदन का कार्यकाल बढ़ाना ही चाहते हैं, तो कृपा करके हमारा एक मोशन है। यह सदन सरकार की भत्सना करती है कि इस सरकार ने अपने पक्ष को सच्चाई के साथ मोबिलाइज नहीं किया और ठीक ढंग से वोटिंग न करा के राजा महाराजाओं का विधेयक नाकाम हो गया संसोध की कोशिश के बावजूद भी और इस तरह से हमारा जेल से आना बेकार हो गया।

SHRI S. N. MISHRA : I have also to make one submission.

MR. DEPUTY CHAIRMAN : Order, order, please. I have called Mr. Murahari. He is on a point of order.

SHRI N. K. SHEJWALKAR : I have been standing for a long time.

SHRI GODI Y MURAHARI : I want to make a sui mission, Sir. The motion that was just dropped was dropped because we could not get the requisite number according to the Constitution. Sir, it is a very important measure and I would say it is the failure of the Government that it was not able to get it through in this House. Nevertheless, I would request the Prime Minister to call a joint session of the Rajya Sabha and the Lok Sabha ____

SOME HON. MEMBERS : No, no.

SHRI BANKA BEHARY DAS and get it passed.

SHRI RAJNARAIN : Either there must be a joint session or the Prime Minister should resign.

हमारा प्रधान मंत्री से यह निवेदन है कि वे संयुक्त अधिवेशन बुलाएँ या फिर प्रायश्चित्त के रूप में इस्तीफा दे दें।

SHRI N. K. SHEJWALKAR : I think, Sir, there are two ways. Either we decide to continue our Agenda and go on to the next item. Report of the Commissioner for Scheduled Castes and Scheduled Tribes. That is very important.

MR. DEPUTY CHAIRMAN : That is what I have said. Let us take up the next item.

SHRI N. K. SHEJWALKAR : ... Or, if the House is not interested and is not in a mood to discuss it with all seriousness, my respectful submission would be to adjourn the House till 1 a.m. on Monday.

MR. DEPUTY CHAIRMAN : All right. Your point is clear. Mr. Banka Behary Das. (Interruptions)

SHRI BANKA BEHARY DAS : Sir, I want the House to hear me. I want a

definite ruling from the Chair. I expect the Chair, in these circumstances, will not avoid giving a ruling. I am not going to the question of the rules ... (Interruptions)

MR. DEPUTY CHAIRMAN : Mr. Niranjana Varma, let him make out his point. (Interruptions) Order, order, please. Let him make his point.

(Interruptions) 5

P.M.

SHRI BANKA BEHARY DAS : Mr. Deputy Chairman, if they want to contest my point, they are free to contest it. I am raising a point of order and it is for you to give a ruling.

MR. DEPUTY CHAIRMAN : All right, you make your point.

SHRI BANKA BEHARY DAS : Sir, article 368 of the Constitution says :

"An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in either House of Parliament, and when the Bill is passed in each House by a majority of the total membership of that House and by a majority of not less than two-thirds of the members of that House present and voting, it shall be presented to the President for his assent..." etc. etc. This has been raised outside in other connections also. Therefore, I want a ruling from you.

SHRI SUNDAR SINGH BHANDARI : Let the Government take a decision.

(Interruptions)

SHRI BANKA BEHARY DAS : Mr. Madhu Limaye raised this question outside also in a different connection. Sir, this article 368 says ...

MR. DEPUTY CHAIRMAN : You have read it already. You need not read it again.

SHRI BANKA BEHARY DAS : I am going to explain. The Bill may not have got two-third majority at the consideration stage. The Bill may not get two-thirds majority at the stage of amendments. But the constitutional provision clearly says that it should be "passed" with two-thirds majority.

You know, Sir, as Deputy Chairman of this House that the question "That the Bill be passed" is put at the last stage only.

(Interruptions)

MR. DEPUTY CHAIRMAN : Order, please.

SHRI BANKA BEHARY DAS : Sir, whatever may be their opinion, it is for you to give a ruling. At the consideration stage, you only move that the Bill may be taken into consideration. My proposition is that a simple majority is enough at that time. Even at the amendment stage, a simple majority is enough.

SOME HON. MEMBERS : No, no.

SHRI BANKA BEHARY DAS : Please hear me. I request you, Sir, to give your ruling whether it requires two-thirds majority at every stage. I say very strongly and emphatically that only at the stage when you put the motion that the Bill be passed, two-thirds majority is required. At the other stages, two-thirds majority is not at all required. A simple majority is enough. I want a ruling from you.

SHRI RAJ NARAIN : On a point of order.

MR. DEPUTY CHAIRMAN : Mr. Bhupesh Gupta.

SHRI BHUPESH GUPTA : Sir, my submission is, the point raised is a serious point; it should be considered. Now this point has been debated outside also. Apart from that, I should like to make a submission to the Government in the light of the

developments that one thing is quite clear; that is, here is a challenge which has got to be accepted by the Nation and on behalf of the nation by the overwhelming majority in Parliament. That majority has been demonstrated even here, although we have not got . . . (Interruptions) Let me finish. I should like to know what the line of the Government is.

(Interruptions) AN HON.

MEMBER : Adjourn now.

SHRI LOKANATH MISRA : Sir, if you allow two Members, then you will have to allow every Member.

श्री राजनारायण : श्रीमन्, मुनिये । मैं जब प्वाइंट ऑफ आर्डर पर उठा था तो आपने भूपेश गुप्त जी को बुला लिया और मैं जब बोलने उठता हूँ तो आप दूसरों को बुला लेते हैं ।

MR. DEPUTY CHAIRMAN : Mr. Mishra.

SHRI BHUPESH GUPTA : I have not even finished.

MR. DEPUTY CHAIRMAN : Because you sat down . . .

SHRI BHUPESH GUPTA : No, I sat down because my friend wanted to speak. I did not want to disturb him. I share the interpretation of Mr. Das. This is a matter to be considered. Apart from that, I am certainly entitled to know, as a supporter of the Bill, what the line of the Government is going to be. This is very important; it is a matter of public importance and national importance.

(Interruptions)

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

SHRI S. N. MISHRA : Sir, some post-defeat speeches have been made. In fact

they are objects of sympathy . . . (Interruptions) I mu t congratulate this honourable House on th s historic victory today. The Rajya Sabha ;oes up in public estimation ...

SHRI CH, vNDRA SHEKHAR : You sit down.

SHRI SHEEL BHADRA YAJEE (Bihar) : Mr Mishra, you sit down.

SHRI CH vNDRA SHEKHAR : I shall not allow M . Mishra to speak. I shall see ihat Mr. P- ishra does not speak. Mr. Dsputy Cha rman, is it the responsibility of only Mei ibers on this side to maintain the decorum of the House ?

MR. DEPUTY CHAIRMAN : It is the responsibiiiit; of al! Members, not of any particular ss tion,

SHRI Ct ANDRA SHEKHAR : Who are Mr. M thra and others to teach us about the de torum of the House ?

SHRI S. IS. MISHRA : I am not teaching you anythin .

SHRI CHANDRA SHEKHAR: I know you are a .trong reactionary.

SHRI S. M. MISHRA : Why did you interrupt mt ? t

DR. QHfi I MAHAVIR : I would request Mr. Mishra not to make any speech now.

SHRI S. I. MISHRA : I am only asking for the adj mrnment of the House which is not only in the threshold of victory on which 'my lonourable friend . . . (Interruptions) . . . S iri Bhupesh Gupta wanted the Prime Mini ter to stand, on the threshold of victory . . . (Interruptions) Now the Rajya Sabhi is in full blaze of victory, and we are goirg now.

MR. DEI'UTY CHAIRMAN : Now Mr. Rajnarain. Mr. Dharia, please wait a minute. > pu will speak after Mr. Rajnarain.

श्री राजनारायण : श्रीमन्, अब मैं अपनी बात कहूंगा ही, सब की भी कोई हद होती है। श्रीमन्, मैं आपसे विनम्रता के साथ निवेदन कर रहा हूँ कि श्री बंका बिहारी दाम जी ने जो एक प्वाइंट उठाया है वह एक महत्वपूर्ण प्वाइंट है। ऐसा नहीं है कि वह यों ही उठाया गया हों बल्कि जब मिनिस्टर सचिव के बारे में, आई० सी० एस० के बारे में श्री मधु लिमये का प्रस्ताव लोक सभा में था उस समय भी श्री मधु लिमये ने यही प्वाइंट उठाया था।

श्रीमन्, जरा सुन लीजिये। श्री बंका बिहारी दाम जी ने आपका ध्यान आकर्षित किया है एक प्वाइंट पर और मैं आपकी दिक्कत को समझता हूँ कि इस पर अभी आप व्यवस्था नहीं दे पायेंगे लेकिन किसी समय इस पर विचार होना चाहिये और उसको समझना चाहिये। मैं एक बात सफाई से बना दूँ और मैं निवेदन करूंगा कि दूसरे माननीय सदस्य भी इसको सोचें कि पार्लियामेंट ऑफ इंडिया के तीन स्टेज होना हैं, प्रथम द्वितीय और तृतीय, is it divisible or is it not divisible इसको आपको वाक्यांश सम्भारता के साथ सोचना पड़ेगा।

लेकिन, श्रीमन्, हमारा एक अपना प्वाइंट है, सोमवार के दिन सुप्रीम कोर्ट ने यहाँ आने की आज्ञा नहीं दी है।

MR. DEPUTY CHAIRMAN : Why do you want to say this ?

श्री राजनारायण : जरा सुनिये।

श्री उपसभापति : पहले इस प्वाइंट को तो हो जाने दीजिये उसके बाद कहियेगा।

श्री राजनारायण : आपसे मैं यह कहना चाहता हूँ कि गेड्यूल्ड कास्ट पर डिमकशन सोमवार के लिये टाला जायेगा तो मैं तो बोलने से वंचित रह जाऊंगा इसलिये उस पर हमारी राय सुन लें। शायद संसद् सदस्यों में से मैं ही एक सदस्य हूँ जो कि शुरु से हरिजनों के मन्दिर प्रवेश को ले कर के डहे खाये हैं।

श्री सुन्दर सिंह भंडारी : उसके लिये सुप्रीम कोर्ट से हम प्रार्थना कर सकते हैं कि आपको यहाँ उसके लिये आने दें।

श्री राजनारायण : तो यह सदन प्रस्ताव करे कि सोमवार का अन्तिम दिन है और सुप्रीम कोर्ट हम को आने दे क्योंकि ग्रेड्युएट कास्ट कमिशन की रिपोर्ट पर बहस हो और उस पर हम न बोलें यह हमारे लिये बड़े दुख की बात है ।

श्री उपसभापति : सभी आप बैठिये, जो प्वाइंट आफ आर्डर हुआ है उसके बारे में जरा हम और सुन लें ।

SHRI M. M. DHARIA : Mr. Deputy Chairman, Sir, I rise to support the point of order raised by my colleague Shri Banka Behary Das. Under article 368 of the Constitution, it is at the stage of passing the Bill that two-thirds majority is required and not at the beginning stage or the introductory stage . . .

SHRI SUNDAR SINGH BHANDARI : You are going back.

SHRI M. M. DHARIA : The honourable Chairman has erred in interpreting this Constitutional provision. This is a matter for this House to discuss and not for the honourable Chairman to decide. My friend Shri Mishra is happy, but today is the darkest day for the Rajya Sabha. Mr. Deputy Chairman, I would like to urge upon this House to remember that from the point of view of the Constitution and its interpretation, every Member shall have the right to have his own view and it likely that we may differ on the interpretation. But there is no doubt whatsoever that these points shall have to be interpreted once for all. The language in article 368 of the Constitution is very clear and it is at the time of passing the Bill that this provision applies. I feel that the ruling given by the Chair is wrong.

SHRI CHANDRA SHEKHAR : I support the point of order raised by Shri Banka Behary Das. I do not feel depressed or dejected. My honourable friends on the other side are feeling happy. I would

say that there is still time for the Government to de-recognise the rulers forthwith without any delay. The Government can pass an order tomorrow . . . (Interruptions) This is my humble submission to the Government of India that they should immediately de-recognise those rulers. It has been upheld..

SHRI SUNDAR SINGH BHANDARI : Is it a point of order ?

SHRI CHANDRA SHEKHAR : The President has this power and this right of the President has been recognised by the honourable Supreme Court in a judgment . . .

AN HON. MEMBER : Which judgment ?

SHRI CHANDRA SHEKHAR : I shall give the judgment, if you so wish. The Government of India should recommend to the President and urge upon him to take this political decision, as has been suggested by the honourable Supreme Court. There should not be any delay for this. This is one point. The other point is that the work of this House should continue.

I think Mr. Mishra and Mr. Bhandari in their enthusiasm of getting victory . . .

SHRI SUNDAR SINGH BHANDARI : Sir, ...

MR. DEPUTY CHAIRMAN : Please, Mr. Bhandari . . .

(Interruptions)

SHRI CHANDRA SHEKHAR : They should not feel that the work of this House is over; they should not feel that the work of this House is over and as Mr. Rajnarain has said, the Reports of the Commissioner for Scheduled Castes and Scheduled Tribes should be discussed and the point raised by...

(Interruptions)

MR. DEPUTY CHAIRMAN : Order, please.

SHRI CHAN)RA SHEKHAR : The point raised by Shri Banka Behary Das should be discussed on Monday . . .

(// eruptions)

MR. DEPUTY CHAIRMAN : Mr. Akbar Ali Khan; n. I have called Shri Akbar Ali Khan . . . (Interruptions). I have called Shri Akbar Ali Khan.

SHRI MULKA GOVINDA REDDY : Sir, . . .

(// eruptions)

MR. DEPUTY CHAIRMAN: Please ____

(// eruptions)

SHRI MULKA GOVINDA REDDY ; Mr. Deputy Chairman, Sir . . .

SHRI AKBAR ALI KHAN : Mr. Rajnarain, I will not take more than two minutes.

श्री राजनारायण : देखिये मैं चन्द्र शेखर जी से सवाल पूछ रहा हूँ . . .

श्री उपसभापति : मैंने अकबर अली खान साहब को बुला लिया है। 10 बार आप खड़े हो गये हैं।

श्री राजनारायण : आप बिलकुल डिक्टर की तरह करने लग गये हैं। संसदीय सभ्यता यह है कि जब कोई माननीय सदस्य खड़ा होता है तो दूसरा बैठ जाता है। मैं एक बात श्री चन्द्र शेखर से जानना चाहता हूँ: प्रधान मंत्री ने खुद यह कहा था गवर्नमेंट के लिये कोई प्रतिबन्ध नहीं है प्रिवी पर्स को खत्म करने में। मैं चाहता हूँ कि प्रधान मंत्री अपनी उस बात पर अटल रहें। इस सदन में मिश्र जी ने कहा वह प्रिवी पर्स की समाप्ति के पक्ष में है, ट्रेजरी बेंच की तरफ से भी यह बात आई है, जन संघ ने भी कहा है प्रिवी पर्स के हम विरुद्ध हैं। और हम तो सर्वोच्च विरुद्ध हैं ही। तो प्रधान मंत्री को इस हाऊस का सेंस लेना चाहिये और उनको समझ लेना चाहिये कि अगर लीगल टेक्निकलिटी में कोई चीज बन्ध गई तो बंध गई लेकिन अगर सरकार की और दूसरे लोगों की सम्पूर्ण राय है कि राजाओं का प्रिवी पर्स खत्म करें तो उनको एक पैसे का मुद्राबजा न दें इस निश्चय के कृताबिक प्रधान मंत्री आगे बढ़ें।

श्री चन्द्र शेखर : मैं चाहता हूँ सरकार राजनारायणजी के मुझाव पर अविलम्ब कदम उठाए।

MR. DEPUTY CHAIRMAN : Mr. Akbar Ali Khan.

(Interruptions)

SHRI S.N. MISHRA : Every one is being asked to speak . . .

{(Interruptions)}

SHRI MULKA GOVINDA REDDY : Mr. Deputy Chairman, Sir . . .

MR. DEPUTY CHAIRMAN : Mr. Akbar Ali Khan.

(Interruptions)

SHRI AKBAR ALI KHAN : You have called me, Sir.

MR. DEPUTY CHAIRMAN : Yes.

(Interruptions)

SHRI AKBAR ALI KHAN : Sir, I think when a legal or a constitutional point is placed before the House, then it is up to the House. But we should consider it. You may reject it, you may accept it or you may modify it. But the point that has been raised in the House . . . Interruptions' } I will not take more than five minutes. My submission is, regarding this voting, that we are governed by the provisions of Article 368.

(Interruptions)

SHRI S.N. MISHRA : Sir, either the House should adjourn . . . (Interruptions) We will not allow . . . (Interruptions) I will make a request . . . Please adjourn the House.

MR. DEPUTY CHAIRMAN : May I make one point clear ? May I make one point clear, please ? . . . (Interruptions) We are not discussing the ruling . . . Just a minute. We are not discussing the ruling given by the Chairman.

SHRI SUNDAR SINGH BHANDARI : Sir, when there is a formal motion to discuss the interpretation of an Article of the Constitution approved by the Chairman, no discussion or debate can start on that . . .

(Interruptions)

SHRI S. N. MISHRA : It is an aspersion on the Chair. You are establishing a wrong precedent

(Interruptions)

MR. DEPUTY CHAIRMAN : Let there be no discussion. I have understood the point of order . . . (Interruptions) Let there be no discussion. I have understood the point . . . (Interruptions) Let there be no discussion now. I have understood the point . . . (Interruptions) Let there be no discussion now. I have understood the point. Let me speak first.

SOME HON. MEMBERS : Yes

SHRI AKBAR ALI KHAN : All right.

MR. DEPUTY CHAIRMAN : I am not giving any ruling. I am only saying that at this moment, the point raised by Shri Banka Behary Das is not relevant... (Interruptions) If they want to discuss and debate—perhaps, the interpretation of Article 368 might be a debatable point—but this is not the time . . . (interruptions) Please . . . This is not the time to debate the point and the question of my giving any ruling does not arise. If the House wants, we can continue with the next item of our business.

SOME HON. MEMBERS : Yes . . .

(Interruptions)

SHRI OM MEHTA : No other item . . . (Interruptions) In the Business Advisory Committee, it was decided that after this Bill, these Reports should be taken up. I request the House to take up the discussion on Report ...

(Interruptions)

SHRI SUNDAR SINGH BHANDARI : Let the Minister initiate the discussion.

SHRI MULKA GOVINDA REDDY : Mr. Deputy Chairman, Sir . . .

(Interruptions)

MR. DEPUTY CHAIRMAN : We are not discussing it now. At the appropriate time we may discuss it in the House . . . (Interruptions) Let us proceed with the next item now.

SHRI AKBAR ALI KHAN : Sir, let the point raised by . . .

(Interruptions)

MR. DEPUTY CHAIRMAN : Let him initiate the discussion.

SHRI GODEY MURAHARI : Sir, I have a submission to make. Shri Rajnarain wants to take part in the discussion. He has been allowed by the Supreme Court to attend the House only for two days and he will not be able to come . . . (Interruptions) So, I would request you to make a request to the Supreme Court that Shri? Rajnarain be allowed to come and sit in the House.

SOME HON. MEMBERS : Yes.

SHRI MULKA GOVINDA REDDY : We also support it.

MR. DEPUTY CHAIRMAN : Let the hon. Minister begin and immediately after that, we can call Shri Rajnarain to speak. He can finish his speech.

SHRI MULKA GOVINDA REDDY : Sir, Mr. Goray has something to say.

SHRI N. G. GORAY (Maharashtra) : Have you disposed it of?

MR. DEPUTY CHAIRMAN : This is not relevant now.