

**THE RAJYA SABHA SECRETARIAT
(RECRUITMENT AND CONDITIONS
OF SERVICE) BILL, 1968**

DR. BHAI MAHAVIR (Delhi) : I beg to move :

"That leave be granted to introduce a Bill to regulate the recruitment and conditions of service of Staff in the Rajya Sabha Secretariat."

The question was put and the motion was adopted.

DR. BHAI MAHAVIR) I introduce the Bill.

**THE CODE OF CRIMINAL PROCEDURE
(AMENDMENT) BILL, 1968 (to
amend sections 418 and 421)**

SHRI M. P. BHARGAVA (Uttar Pradesh) : I beg to move :

"That leave be granted to introduce a Bill further to amend the Code of Criminal Procedure, 1898."

The question was put and the motion was adopted.

SHRI M. P. BHARGAVA : I introduce the Bill.

**THE CONSTITUTION (AMENDMENT)
BILL, 1968 (to amend article 326)**

SHRI BANKA BEHARY DAS (Orissa) : I beg to move :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The question was put and the motion was adopted.

SHRI BANKA BEHARY DAS ; I introduce the Bill.

**ANNOUNCEMENT BY CHAIRMAN.
ARREST OF SOME RAJYASABHA
MEMBERS**

MR. CHAIRMAN : I have received a communication at 12.50 from Mr. Tandon, Sub-Divisional Magistrate, as follows :

"I have the honour to inform you that I have found it my duty, in the exercise of my powers under section 64 of the Code of Criminal Procedure, to direct that Sarvashri Raj Narain Singh, Bhupinder Narain Mandal, Gulab Barbora, Balkrishan Gupta and Shrimati Sarla Bhadauria, Members of the Rajya Sabha, be arrested u/s 188 IPC for defiance of the prohibitory order under 144 Criminal Procedure Code in force, for demonstrations and raising slogans in front of the Russian Embassy, Chanakya Puri, within the jurisdiction of Police Station Chanakya Puri, New Delhi, against the entry of Russian Troop into Czechoslovakia."

"Sarvashri Rajnarain Singh, Bhupinder Narain Mandal, Gulab Barbora" Balkishan Gupta and Shm. Sarla Bhadauria, Members of the Rajya Sabha, were accordingly arrested at 11 A. M. on this day, the 22nd August, 1968, and are being produced before the Judicial Magistrate, New Delhi, at Central Jail, Tihar, Delhi"

The House reassembles at 2.30 P.M.

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

The House reassembled after lunch at half-past two of the clock, THE VICE-CHAIRMAN (SHRI M.P. BHARGAVA) in the Chair.

**THE CONSTITUTION (AMENDMENT
BILL, 1964 (to amend article
291)—contd.**

SHRI P. C. MITRA (Bihar) : Mr. Vice-Chairman, Sir, I had no intention to take part in this debate but for certain observations made by some opposition Members who said that it was the patriotic urge of the rulers that made possible the accession of their native States to India.

[Shri P. C. Mitra]

Everybody knows that it is a wrong statement and yet it is being wrongly repeated every day that the native States acceded to India out of a patriotic urge. Everybody must have studied the course of history and how the princes bargained for this and that advantage and how some of them even tried to get an assurance from the British Government to the demand they made of them that they wanted the continuance of direct connection with the British Government. When Lord Mountbatten flatly said to the Chancellor of Princes, then Nawab of Bhopal, that if there were any disturbance the British Government was not going to help them, then only the Nawab of Bhopal who was Chancellor of the Chamber of Princes agreed to accede to India.

I fully support the underlying object of the Bill moved by the hon. Shri Bhupesh Gupta, but I would request him not to create a division on an issue in which most of the Members of this House or the other House are in agreement. Everybody knows that the All India Congress Committee has adopted a resolution supporting the abolition of privy purses and the special privileges of princes and the Government is negotiating with the princes for a settlement so that there might not be any bitterness left in much the same way as the accession of their native States to India had been done peacefully. In the same way this abolition of privy purses also should be made. I am however of the opinion, Sir, that Government is unnecessarily prolonging these negotiations. So far we have not got any inkling from the princes' side that they are really ready for any negotiations; they are only interested in the pound of flesh. They insist, as if it was their inherent right, that they should continue to enjoy these privileges and also continue to get these privy purses, as if it were their property and they had given it up of their own volition to the Government of India and so should be paid compensation for that property given up. But everybody knows that actually most of the rulers who have been getting these privy purses and who were previously ruling the States were the lackeys of British imperialism and as they always supported British imperialism, they were kept in power, but in reality the British Political Agent was the real ruler and they were guided by him. The British wanted to create a feeling in the public mind that conditions in the native States ruled by the Indian Rulers

were worse than conditions in British India and if the British Government left India and the whole of India came under the rule of Indians, then the fate of the people living in British India would turn from bad to worse as was the case with the people in the native States ruled by the Indian Rulers. Thus they kept the institution of native States alive and it was only for their own purpose. Therefore, there is no justification for the continuance of privy purses and special privileges after the withdrawal of the British from this country. I am of the opinion, Sir, that the Government should give a clear notice to them that either they come and negotiate on such and such terms and within such and such a period the terms and period should be stipulated or else the Government would go in their own way in which event they should be told clearly they would not get anything, that privy purses and special privileges would go. If necessary, we can easily amend the Constitution for the legal quibbling that they are making. We can pass over that situation also by amending the Constitution in this regard. I would only request Shri Bhupesh Gupta not to press his Bill at this stage to a division so that if this Bill is lost in the division the Princes may not get some hope that there is an overwhelming number of members in the Congress Party who are in support of the retention of the privy purses. With these words, I finish.

THE MINISTER OF LAW (SHRI P. GOVINDA MENON) : May I enquire whether it would be possible to take up the discussion on item Nos. 17 and 18 also along with this because they all deal with the same subject of Princes and privy purses. Item No. 17 relates to the deletion of article 363 and No. 18 to the omission of articles 291 and 362.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Now it is too late because this debate has been going on for three days.

SHRI P. GOVINDA MENON: I was enquiring whether it was possible.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : No.

SHRI M. M. DHARIA (Maharashtra): Mr. Vice-Chairman, Sir, I welcome this Bill introduced by my friend, Mr. Bhupesh Gupta and when I welcome this measure I would like to say that it is not out of any animosity towards the Rulers that I support this Bill.

Mr. Vice-Chairman, Sir, immediately after our independence we adopted our own Constitution and at the outset I would like to draw the attention of this House to the Preamble and to some of the provisions in the Constitution. We have stated in the Preamble to the Constitution :

We, the people of India, having solemnly resolved to constitute India into a sovereign democratic Republic and to secure to all its citizens :

JUSTICE, Social, economic and political;

LIBERTY of thought, expression, belief, faith and worship;

EQUALITY of status and of opportunity; and to promote among them all;

FRATERNITY assuring the dignity of the individual and the unity of the Nation;

IN OUR CONSTITUENT ASSEMBLY this twenty-sixth day of November, 1949, do hereby adopt, enact and give to ourselves this Constitution.

This is the Preamble of our Constitution which is absolutely clear. We have pledged in this Constitution that all the citizens in this country, whether they are born in a rich family or poor, whether they are Rulers or not, irrespective of all these castes, creeds and privileged positions, will be given justice, social, economic and political, that liberty of thought, expression, belief, faith and worship is guaranteed to everybody and equality of status and of opportunity is given to all. If this status of equality of opportunity is to be given to all the citizens how can we say that the privileges and the privy purses that are enjoyed by these Princes and ex-Rulers are not coming in the way of implementing whatever we have pledged in our Constitution ?

Sir, it is being said that our ex-Rulers are patriotic citizens. With due respect may I submit that in rare cases a very few Princes may be patriotic; otherwise those who know the history of our struggle for independence are well aware that many of these ex-Rulers had joined hands with the then rulers of this country, the British Empire, and their loyalty was to the Crown, to the King or Queen of the British Empire and not to the people of

this country or to this country. How can we forget that many of these ex-Rulers at the time of our struggle for independence not only joined hands with the British imperialists but also tried their level best to see that this struggle for independence was crushed. To say that those who behaved that way are patriotic is absolutely incorrect; I am not prepared to say that. Of course after independence those who stay in the country, those who are the citizens of this country, whether they are ex-servicemen of the Britishers or they are ex-Rulers, they are all India nationals and we must presume that they are patriotic but you cannot say that these people were all patriotic even at the time of the British imperialists. We know that those who tried to be patriots at that time lost their territory and they were no more Rulers. Are we not aware of it? At the time of 1857 rebellion those Rulers who tried to join that rebellion, that revolution for our independence, lost their territory and their privileged position. Therefore with due respect I would like to differ from those who express the view that these ex-Rulers are all patriots. As I said I concede that all the citizens of this country should be presumed to be patriots unless the contrary is proved; that is all and no further can we go. And in this context may I bring to your notice the struggle that was carried on by the Congress and the people who were then within the purview of the Indian Rulers ? Is it not a fact that it was very difficult for those leaders and workers in the territories of these ex-Rulers to carry on the struggle for independence of the country? For what did those people sacrifice their all ? Did they make all those sacrifices for maintaining these privileges and purses of these Rulers ? They did not. The objective of our struggle was very clear. Right from Kanya Kumari to Kashmir and from Calcutta to Rann of Kutch the objective of our struggle was clear beyond any doubt. That struggle was for political independence; that struggle was for our economic independence; that struggle was for social independence. When the objective of that struggle was economic social and political independence how can we allow these disparities to remain? How can we allow such sort of differences to remain ?

Sir, may I also draw the attention of the House to the Directive Principles in our Constitution ? We have stated in article 38 :

[Shri M. M. Dharia]

"The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social economic and political, shall inform, all the institutions of the national life"

Again in article 39 we have stated:

"The State shall, in particular, direct its policy towards securing—

(a) that the citizens, men and women, equally have the right to an adequate means of livelihood;

(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment;

(d) that there is equal pay for equal work for both men and women;

SHRI K. S. CHAVDA (Gujarat) : But the Constitution also contains this Article 291.

SHRI M. M. DHARIA : I am coming to it. Now it goes on to say :

(e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;

(f) that childhood and youth are protected against exploitation and against moral and material abandonment."

There are some other articles too, but I will not take the time of the House. I concede that the constitutional provision is there to protect their privileges and privy purses, but, again, may I bring to the notice of the House the situation that existed then? At the time when independence was to be achieved, the Rulers were there and some way had to be found. The integrity and solidarity of the country was in danger. Naturally, in order to protect our integrity and solidarity, these ex-Rulers had to be assured some privileges and privy purses. That does not mean that it is meant for ever. The Constitution has nowhere said that the privileges and privy purses of these Rulers shall remain for ever. It is not a fact. Now that twenty-one years have elapsed after our

independence, much water has flowed. It was also a part of our struggle and a part of our strategy. When we speak of the assurances given to these Princes and ex-Rulers, what about the assurances given to the common people, what about the assurances given to the common man? How can we forget those assurances as well? If these privileges and privy purses are coming in the way of our implementing those Directive Principles that we have pledged to the people, well a decision shall have to be taken having regard to the test of social equality, having regard to the test of economic equality. From that point of view, have we not accepted the goal that we had then accepted when we became free? The Indian National Congress, to which Party I belong and I am proud of it, which was then in the forefront and vanguard of our struggle for independence had not said anything much regarding socialism. It may be in our resolutions to some extent, but not much. It is after we achieved independence, it is when we started our Plans that the Congress ultimately decided what should be the structure of the whole society in this country. We said the socialistic pattern of society will be our goal. No sooner than we accepted the socialistic pattern of society, I think the decision on the abolition of privileges and privy purses, was a natural corollary, was a natural consequence of that very decision and from that point of view we shall have to look at the constitutional provision.

In this country of ours we have experience that our democracy is also on trial. There are many dangers to our democracy. I will not enter into all those reasons, but is it not a fact that the concentration of economic power is one of the imminent dangers to our democracy? When we look at the role of the Rulers, do we not find that they have abused these privileges, that they have abused these privy purses and they have added to the confusion in the body politic of this country and when they have been abusing all these privileges and privy purses even for entering into this arena of politics, should we allow them to continue with that sort of interference in our politics? From that point of view also I feel that these privileges and privy purse shall have to go.

I do realise that there are some difficulties in implementing the decision of abolition of privileges and privy purses. Whether a humanitarian view should not be taken is being posed to us. May I make it very clear from my point of view

that in respect of those who have been serving them or those who are the dependants of these ex-Rulers, let the Government try to secure some employment for them? I have no objection whatsoever but to say that they will do nothing, they will simply go on eating and the Government should go on providing it, that cannot be allowed in a socialistic pattern of society. Those who are prepared to work should be assured of their livelihood. They have to be accepted. From that point of view some arrangement has to be made for their employment, for engaging them in some profession. I have no objection to solving that problem from that point of view. So far as the Rulers are concerned, those who are educated, those who are prepared to work, if they are to be provided for somewhere, I have no objection. But again to say that because they are ex-Rulers, they should be allowed some sort of subsistence or maintenance will not be proper. When we have guaranteed in our Constitution that form of equality in the economic, social and political life, why should we maintain the Rulers? Why should we not apply the same principles as for all the citizens? To take much care of the Princes—what will happen to them, what will happen to their families, when these privileges and privy purses are abolished—is not a proper posture. Those who are trying to bring in such sort of reasons are not prepared to understand the reason which has been substantiated in the articles of our Constitution. Therefore, I feel that the privy purses shall have to be abolished without giving any compensation whatsoever to these ex-Rulers.

There is a proposal before the Govern" ment for giving compensation in some form or other. If some ex-Ruler is absolutely disabled, if he cannot work or if he cannot function, I can understand it. If he is old, if he is aged, if he cannot work and if something has to be provided, I can understand it. But then according to the Directive Principles of our Constitution, for such people it is the duty of the State, it is the duty of the Government to provide it and from that point of view let the Government do its duty. But in respect of those who are able-bodied, those who can work, to say that something shall have to be provided for them also, I think, is nothing but a flagrant violation of the Directive Principles that we have enshrined in our Constitution, a violation of the Preamble of our sacred Constitution.

There are, again, some problems regarding the abolition of privileges. My friend, Mr. Bhupesh Gupta, when he introduced his Bill, had stated those privileges. I will not again take the time of the House, but there are agreements with Rulers and this House will be surprised too. When the Maharaja of Travancore and Cochin, entered into an agreement, there is one clause in the agreement whereby forty copies of the "Panchang"—this is the yearly Hindu calendar—are to be given free of charge to the Maharaja under that agreement. It is a privilege. Forty copies of this calendar are to be provided to the Maharaja every year by the Government of India. Is it a privilege? Is it not ridiculing the whole agreement as it stands? There are so many other privileges. I know from my own experience that these Rulers cannot be prosecuted without the permission of the Government. The ordinary people, common citizens, are not aware of this provision. Also, these Rulers are having the name plates of their States attached to their cars. They go to the people in their own States and the poor people are yet under the impression that they are their Rulers. They think that nothing could be done against these Rulers. And several atrocities are being still committed by these ex-Rulers in their own States—not all—but there are many who maintain the tradition which they had when they were under the British rule, under foreign rule. Naturally if we are to maintain these privileges, how can we say that there is equality of opportunity, equality of status in the democratic and socialist country of ours? The adoption of these new objectives demands 3 P. M. that these privileges and privy purses be treated as nothing but a black spot on our Constitution, and they shall have to be abolished at the earliest possible date. Therefore, I feel that the Government should not take more time. We know it is our endeavour to amicably resolve all the disputes and differences. I do agree and I do concede it from that point of view also, but now the Concord or the Union of Princes have resolved to have no more negotiations with the Government. They are out to exploit the political situation. They want to take undue advantage by pressurising the Government, and under those pressures they want to enjoy the privileges and privy purses to the extent possible. The time has come when the Government shall have to say, "It is all right; when you have

[Shri M. M. Dharia] taken that decision to have no negotiations, we shall not invite you; we shall go ahead". If the Government guarantees to this House that the Government will bring in its own Bill in the House, I am prepared to request Shri Bhupesh Gupta that he should withdraw his Bill, because if the whole aspect is to be examined by the Law Ministry, if this Bill is not in proper form, if there are some irregularities, if there are some deficiencies and if they are to be cured and if the Government gives an assurance, I am here requesting Mr. Bhupesh Gupta that he should kindly withdraw his Bill because the discussion has taken place and the introduction of the Bill has served its purpose.

So, I would like to request the Home Minister to assure this House on this occasion that if the Princes have taken their decision, the Government is also quite determined. Ultimately it is not merely the Government, it is the people, it is the desire of the people that counts. When this country is passing through a transitional phase of history, the time has come to create a new history and for that new social reform, for that new social revolution we shall have to go ahead with all guts and courage. If they are threatening with such sort of Concords and associations, they shall have to be told that it is not the Princes who are going to rule this country. It is the people who shall rule the country. It is the people who are supreme. We shall have to respect the wishes of the people. I have no doubt whatsoever that the desire of the people is to abolish the privileges and privy purses. They do not want such sort of second class or subsidiary citizenship in this country. They want to be great citizens, whether one is born in rural families or whether one is born in a rich family, wherever he might have been born. Birth should not be the criterion, but as a citizen of this country his economic life with all rights and privileges and equality in this country is more material. From that point of view I am here to urge on the Government that the Government should take a prompt decision. The matter has lingered for so long for some reason or other, but the Government should not wait any more. The Government should go ahead. The Government should come before this Parliament with a firm decision and I have no doubt that the whole House will stand by the Government.

SHRIMATI LALITHA (RAJAGOPALAN)
(Madras) : Mr. Vice-Chairman,

the Rulers or Rajahs or Maharajahs, as they were called in the olden days, established their paramountcy, supremacy and strength by their theory that might is right. Later on these Rulers after annexing the territories to a certain extent looked after the welfare of the subjects, and one cannot forget history when one speaks on the Bill that some of the rulers in the past were magnificent and efficient administrators. But again history repeats itself and one cannot forget the fact that during the British regime some of the rulers joined hands with the British against our own country during the freedom struggle. But the late Sardar Vallabhbhai Patel, the iron man as he was called in those days, found that solidarity and integration was only possible when these States were integrated. It was a tremendous task of great magnitude and but for the calibre of Sardar Patel the integration of States would not have taken shape.

When the rulers gave up paramountcy, the various States came under one rule, that is the rule of the Central Government. The rulers in turn got some remuneration in the form of privy purse, and this Bill introduced by Shri Bhupesh Gupta seeks to scrap the privy purse. I appreciate the arguments placed by Shri Dharia that equality of citizens must be there and that we should set up a socialist pattern of society. I also wholeheartedly support the abolition of the privy purse, but at the same time I would like to put a question to the Government. Just by scrapping the privy purse are they going to set up a socialist pattern of society. I think Government should in every matter introduce such a measure as we would bring about a change in the social structure, and that will really bring about a socialist pattern of society. This comprises all measures which the Government is to introduce in the future.

I also agree with Mr. Dharia that disparity should be removed at all levels. As far as this privy purse is concerned, it is learnt that about Rs. 18 lakhs to Rs. 20 lakhs per annum are enjoyed by about a dozen rulers, and what the rest are getting is a meagre one. At the same time if we go into the statistics, it comes to an enormous amount. As far as I could see, there is no legal basis in this matter for the rulers to go to the Supreme Court or anything like that. But at the same time as we have come to an agreement with the rulers regarding the privy purse, it would be a very wise measure if both the Government and the Princes meet together and

discuss about it and come to an agreement themselves and see how they could scrap the privy purse. As suggested by Mr. Dharia, if the privy purses are scrapped, these rulers who are educated and well versed in other subjects should be given opportunity to occupy positions which they deserve. The question of privy purse has been discussed in the Congress Working Committee as well as at the Cabinet level, but as far as we see from the newspapers there has been a divided opinion regarding the abolition of the privy purse. I do not understand why the Government should take such a hesitating move when there is such an urge from the country as a whole that there should be a socialist pattern of society, that the society itself should be changed. In this regard if the Government is not able to take any decision on this on its own as Mr. Dharia has suggested, I suggest to the Government that it should conduct an opinion poll in the entire country and get the public opinion about scrapping the privy purse, and I am sure that the public will definitely come to the conclusion that the privy purse should go. I am sure if the Government can only do this, that itself will be a significant indication that the Government is moving towards a socialist pattern of society. I also assure you that if the Government really takes this step, the Government will not be losers but will be gaining the confidence and support of 50 crores and odd people of India. Thank you.

SHRI ARJUN ARORA (Uttar Pradesh): Mr. Vice-Chairman, Sir, I rise to support this Bill and I fail to understand why this Bill has led to a lengthy debate without an early intervention on behalf of the Government. The Bill seeks to abolish the privy purses. The abolition of the privy purses is one of the objectives accepted by the party which mans the Government. The AICC in June, 1967 accepted an amendment moved by our colleague, Mr. Mohan Dharia, which urged upon the Government to abolish the privy purses. The Bill, though it has been discussed at length, came before the House much after June, 1967, after the adoption of Mr. Mohan Dharia's resolution by the AICC. If the Bill was in any way legally defective, it was the duty of the Law Minister to help the House save its time on the opening day of this debate and give an assurance that the the Government would bring forward a comprehensive and legally safe Bill to abolish the privy purses. By his failure to give that assurance on the opening day of this debate itself, the Law 5—29 R.S./68

Minister appears to have ignored the resolution of the highest body of the party to which both the Law Minister and I have the privilege to belong. It is not that the Government has not made up its mind. At least the Home Minister has repeatedly come before this House and has made repeated commitments that the Government will take action in furtherance of the resolution of the AICC for abolishing the privy purses. So the Government has not changed its mind but the Government appears to have become incapable of swift action. That does not do much credit to the Government.

Some people go about saying that this Bill of Mr. Bhupesh Gupta and the demand that the privy purses of the former Princes should be abolished is against the promises given to the then ruling Princes by the then leaders of the Government. These people who seem to remember the promises made to the Princes in 1947-48 seem to be utterly callous and they forget the promises which every Congressman, every fighter for freedom and the Father of the Nation repeatedly made to the people. The promises were that we will establish *Ram Raj*, that we will give the poor, toiling people of this country a better life. All our resources should be utilised to redeem the commitments made to millions and millions of our people rather than waste Rs. 5 crores in feeding the luxurious lives of a few individuals who are socially of no use. I am sure, if Sardar Vallabhbhai Patel were alive today, if we were lucky and he were alive today, he would have been the first to say that the situation in the country has changed. The privy purses were introduced 20 years ago; these former Princes ceased to be rulers 20 years ago. If they are worth their salt, if they have any ability, they should have been able—and many of them have been able—to rehabilitate themselves in social life and be able to earn their own living. It is not that all of them depend upon privy purses. Many of them have big treasures, big properties, big shareholdings. Many of them control business. Many of them have many other means of living. And their living is much above the average living of an Indian. It is much above; it is more luxurious than even the living of our Ministers. Even many industrialists cannot live the life that our former Princes live.

The fact that apart from the privy purses, they enjoy many privileges which are incongruous in a democracy, cannot be lost sight of. Mr. Bhupesh Gupta's Bill

[Shri Arjun Arora] which I support is rather incomplete because it only seeks to abolish the privy purses and not the privileges which are even more dangerous than the payment of the privy purses. Of course, as far as the privy purses are concerned, the Government has to choose whether it will honour the June, 1967 resolution of the AICC or it will succumb to the pressure and blackmail of the Princes who have organised themselves into a Concord. I am sorry to point out, Sir, that the Concord is headed by a Congress Minister of Gujarat. I am sorry to point out, Sir, that when the Concord meets, at least one Deputy Minister of the Union Government is always seen round the place where the j Coac.jrd meets. That is something of which the Prime Minister and the Con- | gress President must take serious notice.

The commitment to the people is that some sort of equality will be ensured in this country. The privileges that the Princes enjoy and the payment of privy purses which they get—which they now seem to believe, wrongly, though, is the right of the Princes—are against the very concept of equality. Some Members in this House have talked of socialism. Abolition of privy purses is not a part of the socialistic programme; it is only a part of the democratic programme. Princely privileges and privy purses are inconsistent with democracy. Democratic life is ensured only when all the citizens have an equal opportunity. The fact that some people are born in certain families and enjoy privileges which are denied to the rest of the countrymen is against the very concept of democracy. So, when we ask the Government to take early steps to abolish the privy purses and the princely privileges, we are not asking the Government to become communist, socialist or any other thing; we only urge upon the Government to take a democratic action. Democracy is enshrined in our Constitution. But this country is yet to become a fully democratic State. And we cannot say that we are a ciemocractic Society as long as a few families are able to get huge unearned incomes and enjoy privileges which are denied to even the present day rulers. It is a very funny and ridiculous state of affairs that some people, merely because of the accident of their I birth, enjoy privileges. These former rulers enjoy privileges which even the pre- J sent rulers do not enjoy. If the present rulers have to go out of the country they | have to obtain, for example, a 'P' form which the former rulers do not require

that. There are many other privileges which are obnoxious and incongruous in a democratic society. So it is irrelevant to import the name of socialism in this debate. It is irrelevant to import the name of a welfare State in this debate. The plain and simple question is whether we are a democratic society or not and whether we accept the fact that in a democracy all citizens have equal opportunity or not. The accident of birth should not entitle a few people to have unearned incomes and privileges which are not at all avail* able to other citizens.

Sir, Mr. Mohan Dharia correctly pointed out that the former Princes use the fact of their privileges for political purposes. The very fact that a former ruler enjoys the facility of getting petrol at a cheaper cost, for example, enables him to conduct an election campaign in which the other candidate finds himself unequal. The very fact that the former rulers are able to fly their own flag which an ordinary citizen cannot unables the former ruler to go about in his constituency and create an impression . . .

SHRI S. D. MISRA (Uttar Pradesh) : Let individuals have their own flags. Who will object to it?

SHRI ARJUN ARORA : Every one will object. Mr. S. D. Misra, now that he has ceased to be a Minister, cannot even fly the national flag.

SHRI S. D. MISRA : I am saying we can have our own flags.

SHRI ARJUN ARORA : Do not try to raise your own flag because if you do so the Home Minister will crush the rebellion. The very fact that these people enter politics with princely privileges behind them creates an unequal situation and perpetuates the remnants of feudal elements. The British retained these Princes and gave them privileges. They were not rulers even during the British days. Even during the British days they were subordinates to the Viceroy. They were subordinates to the Residents. They were,] as a matter of fact, subordinates to every white in the country. Even a tommy, a British soldier, was superior to these so-called Indian Princes. But the British retained them to keep this country perpetually backward, to perpetuate feudal conditions in many parts of the country. Our Government, by refusing to abolish privy purses and princely privileges enjoyed by people who are no more Princes is only perpetuating backwardness in some areas.

With these words, Sir, I support this Bill and urge upon the Law Minister to take courage in both his hands and stand up like a good democrat and accept this Bill.

ENQUIRY RE ANSWER TO UNSTARRED QUESTION NO. 1170

SHRI BANKA BEHARY DAS (Orissa) : Mr. Vice-Chairman, I have a very serious matter to draw your attention to just now because it affects my privileges and rights also, in the list of unstarred questions today. I tabled question No. 1170 which is regarding the issue of passports to persons who accompanied the Congress President during his visit to Japan...

THE VICE-CHAIRMAN (SHRI M.P. BHARGAVA) : Where does it come here? Not at this moment.

SHRI BANKA BEHARY DAS : What happened to it? The reply to this question has not been received. It is a serious thing.

THE VICE-CHAIRMAN (SHRI M.P. BHARGAVA) : You have to obtain the Chairman's permission in the Chamber before you can mention anything not on the Agenda paper. You cannot rise like this and raise anything.

SHRI BANKA BEHARY DAS : But, Mr. Vice-Chairman . . .

THE VICE-CHAIRMAN (SHRI M.P. BHARGAVA) : You ought to have come to me earlier.

SHRI CHANDRA SHEKHAR (Uttar Pradesh) : Mr. Vice-Chairman, on a point of order. It is not proper for Mr. Banka Behary Das to read the question. The point under discussion is as Mr. Banka Behary Das has informed me, that he ...

THE VICE-CHAIRMAN (SHRI M.P. BHARGAVA) : No. He may have asked a question ...

SHRI CHANDRA SHEKHAR : Mr. Vice-Chairman, will you not hear me ?

THE VICE CHAIRMAN (SHRI M.P. BHARGAVA) : I shall certainly hear.

SHRICHANDRASHEKHAR : If any written reply is required during the Question Hour and if the Ministry fails to provide the reply, is it not a breach of the privilege of the House? This is what it comes to. It is clearly a breach of privilege and impropriety because the Ministry cannot deny a reply to the House to a question put in the Order Paper during the Question Hour without informing the House and without giving any explanation. As the reply to this particular question was not submitted to the House during the Question Hour, it is a matter to be investigated. It is a clear breach of privilege and impropriety. Mr. Vice-Chairman, I shall request you not to take this matter lightly. You should order an enquiry into the matter to find out who is guilty for not supplying the reply to the particular written question.

THE VICE-CHAIRMAN (SHRI M.P. BHARGAVA) : You cannot . . .

SHRI BANKA BEHARY DAS : You just hear me for one minute and you will know the seriousness of my point.

THE VICE-CHAIRMAN (SHRI M.P. BHARGAVA) : I can realise the seriousness but there is a procedure for doing things.

SHRI BANKA BEHARY DAS : This is an unstarred Question. I will draw your attention to this . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Will you take your seat. If you have any complaint about any answer to a Question not being given you should bring it in writing to the notice of the Chair and the Chair will take necessary steps in the matter. Any Member is not free to get up at any time and raise any point whether it is in the Order Paper or not.

SHRI CHANDRA SHEKHAR : Mr. Vice-Chairman, I very humbly disagree with your ruling. No sooner a matter of breach of privilege is raised at the point when a Member comes to know . . .

THE VICE CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Chandra Shekhar, you should know the rules of procedure regarding breach of privilege. It is to be given in writing and the chair's permission has to be obtained before it can be raised here.