

[The Deputy Chairman.]

In order to be able to complete this business the Committee further recommended that the House might curtail its lunch recess by half-an-hour and sit till 6.00 P.M. every day. It was also further recommended that there should be sittings of the House on Saturday, May 11 and Monday, May 13.

SHRI BHUPESH GUPTA (West Bengal): About this suggestion made by the Business Advisory Committee, again it seems that the Government was not clear in its mind as to the nature of the business it might bring. Some of the things are not given sufficient tie, maybe due to the fact that they want to close it by 13th May. When it is a question of choice between extension of the House and doing justice to the subject I think preference should go to the items under discussion rather than restricting the time for their discussion simply to avoid extension. I think the Government should consult with others and find the best way out.

SHRI ARJUN ARORA (Uttar Pradesh) : Madam, some of us have given notice of motions to consider the communal situation in the country. A number of riots have taken place and the situation is even today not satisfactory. I request you to please find some time for consideration of those motions.

THE DEPUTY CHAIRMAN: Anyway, what the Business Advisory Committee has decided I have put before the House.

SHRI BHUPESH GUPTA: The Government should itself initiate a discussion on this. For example, the Government can move a motion that the communal situation in the country be taken into consideration because if it is a Government motion well, it has a different connotation. As far as the Resolution is concerned, our second Resolution is there but I do not know if it will at all come up. I hope it will come up. But apart

from that I think it is time that Parliament gave full thought to the communal problem so that from the discussions here concrete proposals may emerge for facing the situation. Madam, it is not at all a party issue. All of us are concerned, those who believe in secularism, and I think the floor of the House should be utilised for an open exchange of views in order that certain steps may be taken by the Government.

THE DEPUTY CHAIRMAN: Now we get on to Resolution. Mr. Khaitan.

**RESOLUTION RE APPOINTMENT OF
A COMMITTEE TO REVIEW
CONSTITUTIONAL PROVISIONS
RELATING TO FORM OF GOV-
ERNMENT IN STATES**

SHRI R. P. KHAITAN (Bihar): Madam, I move the following Resolution:—

"This House is of opinion that in view of the political developments in some of the States since the last General Elections leading to administrative instability, a Committee of Members of Parliament representing different political parties should be appointed to review the provisions of the Constitution, particularly the provisions relating to the form of Government in the States, and make recommendations for appropriate changes."

SHRI BHUPESH GUPTA (West Bengal): May I make an enquiry for appropriate changes."

THE DEPUTY CHAIRMAN: Let him move it.

SHRI BHUPESH GUPTA: He has moved it.

THE DEPUTY CHAIRMAN: Let him finish his speech; he has not spoken.

SHRI BHUPESH GUPTA: Before he makes his speech I want to enquire. .

THE DEPUTY CHAIRMAN: That is for him. Do you want to finish your remarks first or would you like him to raise his query now?

SHRI R. P. KHAITAN: Let me speak.

THE DEPUTY CHAIRMAN: That is what I thought. Let him speak first.

SHRI BHUPESH GUPTA: What I had to ask would perhaps have helped the discussion. Anyway, it is all right.

SHRI R. P. KHAITAN: Madam, the Fourth General Elections brought within their trail two problems or peculiar features. While the people exercised their franchise fearlessly and freely, they could not at the same time give clear verdict in some of the States at least for any party which could administer their States for the full term of five years. To this was added the grave political problem of defections or floor-crossing or what is now called the politics of Aya Ram and Gaya Ram. The very fabric of parliamentary institutions of some of the States was shaken and men who have the good of the country in their hearts started thinking whether something should not be done to devise a method whereby we can combine responsible and responsive executive with stable and strong administration.

Some of the facts and figures are revealing of the effect defections have caused on the political stability of the major States of India. Since the General Elections in February last thirteen Governments have fallen culminating in three States coming within the President's Rule and the fourth one is also nearing thereto. And two others, namely, Bihar and Punjab, are somehow carrying on. In this process of defections are involved about 10 per cent of the legislators. That is to say, 10 per cent of the members of the State legislatures

have changed their loyalties and are instrumental in shaking and throwing off Governments.

I am not here merely to talk about defections. The vice has been universally condemned. A Committee is going into the whole question and I shall not take more time of the House on this aspect of the matter.

Another phenomenon which the last General Elections gave rise to is about the problems of Centre-State relations. Today the question is increasingly asked as to whether our Constitution can bear the strain of Governments with different political and economic ideologies co-existing within its frame, without impairing national integrity, without disturbing the growth of one nation. The Constituent Assembly had envisaged the possibility of this sort of conflict and had possibly armed the Centre with special powers, such as for instance in article 356 which has been invoked about a dozen times so far. As long as one Party ruled both at the Centre and in the States, there was no difficulty of adjusting the relationship, but in the 1967 elections the one-Party rule was broken. The Congress retained power only at the Centre and in a few States, but with reduced majorities. The Parties in Opposition came together to form 'United Fronts' with the avowed object of keeping the Congress out of power and succeeded in doing it in nine-ten States. And we saw the strange spectacle of Communists joining hands with those they had always considered reactionaries. Soon they realised that they cannot coexist. The internal dissensions and inherent weaknesses soon became evident and came to the surface. While these coalitions of Parties with incompatible political persuasions lacked cohesion and unity of purpose, they were determined to exercise their constitutional rights. They embarked on policies which were not in harmony with those of the Centre. Some were financially improvident and some others even went against national interests.

[Shri R. P. Khaitan.]

The new cult of 'gherao' in West Bengal countenanced by the Government and encouraged by a component of it, unleashed indiscipline and lawlessness. Many industrial establishments closed down, unemployment rose and industrial production declined. Defections and counter-defections in Haryana and some other States affected the stability of governments and paralysed their administrations. But short of imposing the President's Rule, the Centre could do nothing to check these trends. It was neither opportune nor within its resources to attempt to 'discipline' half the country and two-thirds of its population. This had an unstabilising effect on the administration and to save democracy and to pull the States out of the administrative mess, the Centre had to intervene. An unexpected element came into the picture, which further aggravated the situation and instability in the States of West Bengal and Punjab. There the Speakers assumed to themselves the role of Judges to determine about the quality and legality of the Council of Ministers. In fact, by their acts, they precipitated the crisis further and then the question arose about the Speakers' powers. I am happy that the Speaker of the Lok Sabha gave a right guidance in time and showed the Speaker his proper place. I hope that the Committee I propose would go into this aspect of the matter and examine *de novo* the Speakers' powers under our Constitution.

The power given to the President under article 356 is, by its very nature, temporary. About this power, Dr. Kunzru, the then Member of the Constituent Assembly, had said:—

"The Central Government will have the power to intervene to protect the electors against themselves."

This has come true, unfortunately though. As soon as possible the normal machinery of the States has to be

restored. Moreover, it is not a lasting solution or panacea. Even after a mid-term election, what guarantee is there that a stable administration would emerge? I am strongly of opinion that we cannot afford to have the luxury of mid-term elections and waste money just to gratify the people who, by their deeds of defection, have brought about a crisis. To go on holding mid-term elections is to give official recognition to political opportunism. There should, therefore, be no mid-term elections at all and if there are defections and counter-defections, those States should continue to be brought under the President's Rule and those States should go to the polls only along with the rest of the country.

All these problems, therefore, need to be studied. We cannot take that constitutional provisions will, at all times and under all circumstances, be the 'be-all and end-all'. If it is not possible to adjust or agree, the best way would be to devise ways and means in the matter. We shall have to re-examine our Constitution afresh. Hence this Resolution of mine. I am not one of those who indulge in polemics as to whether our Constitution is federal, quasi-federal or unitary. The latest expression to describe our Constitution is 'cooperative federalism'. Whatever may be the theoretical descriptions, the fact remains, as a former Chief Justice has observed:—

"The emphasis hereafter should be more on cooperation than on control, more on patriotism than on authoritarianism, more on healthy competition in the common interest than on regimentation."

I do not want to enter into any controversy as to whether we want a strong Centre or strong States or a healthy Centre and healthy States. What I submit is that we do not want either a strong Centre or a strong State, but we want strong people, healthy people in this country. Make the people strong politically, economi-

cally, socially, educationally and so on. All the other things will follow.

The tendencies which we are witnessing today, fissiparous, communal, provincial and parochial, have to be dealt with. We should examine what is wrong with us. Then only it is possible to supply a long-term remedy. We are here to serve the common weal and common welfare. We are not worried about what form of administration we devise. It is a well-known adage; 'For forms of Government let fools contest; whatever is administered best is best.'

Whether we should have a parliamentary system or the Presidential system, which is now being advocated in some quarters, or whether we should have a combination of both, *i.e.*, parliamentary system at the Centre and the Presidential system at the States—these are matters of detail and should be considered objectively by the Committee, which I have proposed.

SHRI BHUPESH GUPTA: Why not the Birla system at this stage?

SHRI R. P. KHAITAN: That you can explain. There is already a feeling that a unitary form of Government should be adopted in India in the interest of unity, solidarity and stability of the nation. We can . . .

SHRI BHUPESH GUPTA: On a point of order. May I know from you, Madam, whether you have received any letter from the hon. Member, who used to belong to the Congress Party, that he has changed his Party, because what he has been saying goes against the declared policy and programme of the Congress?

THE DEPUTY CHAIRMAN: When you speak, you can say that.

SHRI BHUPESH GUPTA: He is still in the Congress Benches. Has he asked for a change of seat or something like that? He should come to the Swatantra Benches.

THE DEPUTY CHAIRMAN: That is all right.

SHRI R. P. KHAITAN: I am not going to the Swatantra Party.

THE DEPUTY CHAIRMAN: You have nearly finished your time.

SHRI R. P. KHAITAN: We can also see whether there can be polarisation of forces and political alignments, so that we may have a two-Party democracy. There are advantages in that system, inasmuch as it permits a smooth change-over. In India it is not possible to evolve it. Therefore, we must radically alter our Party system, so that defections do not take place and Parties can be depended upon for some stability. The floor crossing is really not a matter of conscience, but a lust for power. I do not want to enter into niceties like carpet crossing, flood crossing, etc. The fact of the matter is that all crossings and countercrossings should be put an end to, if we are serious to work democracy in India. In fact, I am prepared to go to the length of saying that our thinking in the matter need not be inhibited by the types or brands. We should evolve our own pattern which will combine the virtues of both and vices of none and be capable of delivering the goods. Are there any suggestions?" One suggestion thrown is that an abiding solution would be the creation of a large number¹ of units linguistically homogeneous with greater cultural and social affinity, with the authority and functions of local government as in the U.K. but without the unnecessary paraphernalia of Governors, Ministers, States, etc.

Another which comes to mind is following the Swiss pattern. The Swiss Constitution seems to be the most democratic in the world. It has never known the two-party system of ins and outs, but always a

[Shri R. P. Khaitan] coalition of parties, free from party mandates which cramp the freedom of the individual legislators. Prof. Dicey observed that the Swiss Government was a "Board of Directors appointed to manage the concern of the Confederation in accordance with the wishes of the Federal Assembly".

Persons who studied the Swiss Constitution say that it was remarkably free from bitter party rivalry, gave no opportunity for a political party to distribute patronage to keep itself in power, and was free from professionalism and demagoguery in politics and that the administration was highly businesslike and efficient. In fact, it was good government, which any people anywhere want. To the extent that the Indian Constitution approximates to this description, it will approximate to good government.

These are some of the suggestions which readily came to my mind as capable of solving some of the problems facing the State administrations. In the ultimate analysis, however, what is needed is patriotism and national integrity. We have to take people out of the grip of poverty, ignorance and disease. If that wish is there, no form of Constitution can come in our way. But if that desire is not there, then even the best Constitution devised by the best brains cannot help us. About the present Constitution, Dr. Ambedkar had said, "If things go wrong under the new Constitution, the reason will not be that we had a bad Constitution. What we will have to say is that Man was vile". This is true of every Constitution and any Constitution. I therefore earnestly appeal to this House that time has come for giving a serious and sincere thought to this

aspect. Otherwise history will blame us that we did not act when fissiparous and parochial tendencies were making their headway. The Senas which have arisen in some States—whether it be Shiva or Gopal or Lachit, by whatever name it is called—all these should be curbed if necessary by the Sena of our country. The recent troubles about borders, rivers and grains, all these are a pointer to parochialism and we must meet it and evolve a national pattern so that the aspirations of the largest number of people are fulfilled.

The question was proposed.

THE DEPUTY CHAIRMAN: There is an amendment by Shri Pitamber Das.

SHRI PITAMBER DAS (Uttar Pradesh): Madam, I move:

"That after the words "administrative instability" the words "and having regard to the role of the Governors in relation to these developments" be inserted."

The question was proposed.

श्री देवी सिंह (राजस्थान) : माननीया उपसभापति महोदया, अभी जो प्रस्ताव सदन के सामने रखा गया है मैं उसका स्वागत करता हूँ। वास्तव में बीस साल के शासन में हमारे देश में कांग्रेस पार्टी की तानाशाही सरकार कायम हो गई है। आज इतने लम्बे अरसे तक एक पार्टी के शासन में रहने से वह मदन्य हो गये हैं। वह समझते हैं कि आज वह किसी भी तरह से अपनी सीट छोड़ने के लिए तैयार नहीं हैं। वह फेर और फाउल सब मीन्स काम में लाते हैं और आज देश के सामने यह प्रश्न आ गया है कि आगे देश के लिए सही चीज क्या है और गलत चीज

क्या है। यह मैं आपको निवेदन करूंगा कि यह हमारा सौभाग्य है कि हमारी जुडीशरी सचचाई के साथ और बड़े आनरेबली अपना पार्टी प्ले कर रही है। आज अगर कोई एक भी अच्छी चीज हमारे सामने है तो हमारी जुडीशरी ही है। अगर हमारी जुडीशरी जो पार्टी प्ले कर रही है वह न करे तो मेरा समझ में नहीं आता है कि हमारा देश कहां पहुंच जायेगा। आप देखिये अभी हाल में आंध्र प्रदेश हाई कोर्ट ने केस के ऊपर जो निर्णय किया है वह देश के लिए आँखें खोलने के लिए काफी है कि किस प्रकार से यह सत्तारूढ़ दल भ्रष्टाचार, अनैतिकता, पैसे के लोभ और लालच के द्वारा अपने हाथ में शक्ति और ताकत रखना चाहता है। अगर यही हाल हुआ और इसी रफ्तार से हमारा जो सत्तारूढ़ दल है, वह चलता रहा तो देश का मोरेल, देश का आदर्श, कहां रहे जायेगा। अभी मैं आपको कुछ मिसालें पेश करना चाहता हूँ अभी हाल हमारे राजस्थान में चुनाव हुए हैं, उसके अन्दर कांग्रेस किस प्रकार जीती, उसका नक्शा आपके सामने आए तो आप देखेंगे कि हमारे राजस्थान के अंदर आज बहुत लम्बी चौड़ी कैबिनेट बनी हुई है, उसके मिनिस्टर पन्द्रह रोज तक अपना काम काज छोड़कर इलेक्शन के दौरान गांवों में जाकर बैठ गये थे। अगर मैं गलत नहीं हूँ तो मेरा खयाल है कि कुछ समय पूर्व एक दफा लोक सभा में यह प्रश्न आया था कि मंत्रियों को चुनाव लड़ने के पहले त्याग-पत्र दे देना चाहिये। उस वक्त उसके उत्तर में यह कहा गया था कि अगर कैबिनेट के मंत्री त्याग-पत्र दे देंगे तो देश के सामने डेवलपमेंट के क्वेश्चन हैं, डिफेन्स के क्वेश्चन हैं, इसी तरह से बहुत से ग्रहम मामले हैं, जिनके अन्दर गड़बड़ होने का डर है इसलिए मिनिस्टर्स त्याग-पत्र नहीं दे सकते। तो फिर मैं आपसे निवेदन करना चाहूंगा कि क्या जब मंत्रीगण पन्द्रह पंद्रह दिन अपने दफ्तर में नहीं

जायें, बाहरी इलाकों में जाकर बैठें, उस वक्त यह प्रश्न कहां चला जाता है, वह राजस्थान की पूरी कैबिनेट, उसके मन्त्रिगण, अब हरियाणा के लिए, खाना हुए हैं और जब तक वहाँ चुनाव होंगे तब तक वे वहाँ प्रचार करेंगे। फिर बताइये, राजस्थान के शासन का क्या होगा? इसलिए माननीय सदस्य ने जो प्रस्ताव रखा है उसका मैं समर्थन करता हूँ। वास्तव में आज इस बात की जरूरत है कि प्रान्तों में जो गड़बड़, धांधली और अनैतिकताएं हो रही हैं उनको कम से कम हमारे पार्लियामेंट के सदस्य जाकर देखें तो अच्छा हो।

तो मैं आपको निवेदन कर रहा था कि हमारे चुनाव निष्पक्ष होने चाहिये और यह हमारा विधान भी कहता है। आप देखिये राजस्थान में तो चुनाव के दौरान सरकारी मशीनरी को काम में लाया गया, जिनके अखबारों में भी हालात आए हैं और जो भी बाहर से गये हैं उनके सामने यह नजारा था : एस० डी० ओज०, तहसीलदार, डी० जी० एस० पी०, थानेदार, पटवारी और यहाँ तक कि अर्बन इम्प्रूवमेंट, सबकी मशीनरी, सारी की सारी चुनाव के काम में लगाई गई। तो क्या आप इसको निष्पक्ष चुनाव कहेंगे? आज इस तरह की हालत हो रही है कि जनता के अंदर आतंक फैलाया गया है। उनको डराया गया, धमकाया गया, पैसे का लालच दिया गया और उसके द्वारा उनको अपना निष्पक्ष वोट देने से वंचित रखा गया। इसकी दोषी है हमारी सरकार। तो क्या इसका आप निष्पक्ष चुनाव मानते हैं। हमारी सरकारी मोटरें जो हैं उनके रैड प्लेट को मोड़-मोड़ कर अधाधुन्य काम में लाया गया है। सरकारी पैसा, सरकारी मशीनरी, सरकारी मोटरें एक पार्टी के कैंडिडेट को जितवाने के लिए काम में आए। अगर डेमोक्रेसी की यही

[श्री देवी सिंह]

शकल हुई तो मेरी समझ में नहीं आता है कि हमारा देश कहाँ जायेगा ।

अब मैं दूसरी मिसाल देना चाहता हूँ । वहाँ डाक बंगले जो इलाके में थे उनको, सबको मिनिस्टर्स के नाम से बुक कर दिया गया और मिनिस्टर चाहे वहाँ गये या नहीं गये उन का ताला लगा दिया गया । तो आप देखिये कि जब चुनाव हो रहे हैं तो मिनिस्टर वहाँ मिनिस्टर की हेंसियत से नहीं जा रहे हैं वह पार्टी का प्रचार करने के लिये जा रहे हैं ।

ऐसी हालत में पहला प्रिफरेंस जो उम्मीद 3P.M. वार चुनाव में कैंडीडेट है, उसको मिलना चाहिये । लेकिन जो कैंडीडेट चुनाव लड़ रहा है, उसको डाक बंगला देने से इन्कार किया जाता है । जब अधिकारियों से पूछा गया कि इनको डाक बंगला क्यों नहीं दिया गया तो उनकी ओर से जवाब मिला कि अमुक मिनिस्टर का टेलीफोन आया था, इसलिये उनके वास्ते वह रिजर्व कर दिया गया है । हमने जब उनसे कहा कि आप मिनिस्टर्स के तरीके पर चलते हो या जो इसके सम्बन्ध में कायदे और कानून हैं, उसके मुताबिक चलते हो । जो इंजीनियर इन डाक बंगलों का अधिकारी था, उसके पास कोई जवाब नहीं था यह कहने के सिवाय कि अमुक मिनिस्टर का टेलीफोन और तार आ गया था जिसकी वजह से डाक बंगला उनके लिये रिजर्व कर दिया गया ।

अब आप यह भी देख लीजिये कि यहां के एम० पी० तक को डाक बंगले में रहने के लिये जगह नहीं दी गई है । यह आपके निष्पक्ष चुनाव का नकशा है ।

इसके बाद मैं एक और इन्टरस्टिंग चीज आपके सामने बतलाना चाहता हूँ । चुनाव के दिनों में किसी तरह की कोई गड़बड़ी न हो इसलिये वहाँ पर चार दिन के लिये प्रोहिबिशन लागू कर दिया गया है । यह बड़ी सुन्दर

बात है और यह होना चाहिये ताकि कोई शराब वगैरह का प्रयोग न करे और लड़ाई दंगा न करे तथा झगड़ाबाजी न करे । परन्तु राजस्थान सरकार क्या करती है । प्रोहिबिशन के नाम से एक्साइज डिपार्टमेंट की तमाम मोटरें और जीपें चुनाव के मैदानों में भेजी गईं और एक्साइज डिपार्टमेंट के अधिकारियों ने खुलखुल्ला कांग्रेस का प्रचार किया । शराब की दुकानें बन्द कराने और प्रोहिबिशन लागू करने की कोई बात नहीं की गई । हमारे एक लोक सभा के सदस्य यहां पर मौजूद हैं, आज भी हाउस में थे । वे एक जगह बैठे हुए थे । एक्साइज डिपार्टमेंट के अधिकारी उनके पास पहुंचे और उनको पर्चा दिया कि आपको यह प्रचार करना है । जब बाद को पता चला कि वे एम० पी० थे तो वे लोग वहाँ से घबड़ाकर भागे । यह तो एक मिसाल है, इस तरह की मैं कई मिसालें आपको दे सकता हूँ ।

आपका यह कर्तव्य है कि देश के सामने एक स्वस्थ परम्परा कायम करें । इसके लिये आपका कोई असूल होना चाहिये, कोई नियम होना चाहिये । लेकिन केवल कुर्सी पर चिपके रहने के लिये आप येनकेन-प्रकारेण से चुनाव जीतना चाहते हैं । और आपका यही तरीका रहेगा तो नादिरशाही और कांग्रेसशाही में कोई अन्तर नहीं रह जायेगा ।

हमारे राजस्थान के मंत्रीगण, जैसा कि मैंने अभी निवेदन किया कि 15, 15 दिनों तक गांवों में पड़े रहे । ठीक है, पार्टी के चुनाव का काम करना है और उसके लिये वे जा सकते हैं । परन्तु खूबी यह है कि चीफ मिनिस्टर श्री मोहनलाल सुखाड़िया और होम मिनिस्टर के साथ ट्रकों में भरी पुलिस की गाड़ियां भी साथ साथ चलती हैं । तो मैं यह पूछना चाहता हूँ कि क्या वे कोई सरकारी कार्यक्रम पर जा रहे थे या पार्टी के

चुनाव कार्य के लिये जा रहे थे ? असल चीज यह थी कि वे जनता में रोब डालना चाहते थे और उनको आतंकित करना चाहते थे। वहाँ पर उलटे विरोधी दल के लोगों के ऊपर मुकदमे बनाये गये। श्री सुखाड़िया जी पुलिस का दल लेकर चुनाव प्रचार के कार्यों में जा रहे हैं और इस प्रकार से जो तरीके कांग्रेस सरकार अपना रही है, वह उचित मालूम नहीं देता है। इस तरह की चीजों से देश की आँखें खुलनी चाहिए। अगर ये बातें इसी रफ्तार से देश में चलती रहें तो यह कोई स्वस्थ परम्परा नहीं होगी। आज भ्रष्टाचार, धूसखोरी, पैसा दिया जाना, आतंक और जातिवाद की बीमारी यह कांग्रेस सरकार चला रही है। तो मैं यह पूछना चाहता हूँ कि वह क्या मविष्य के लिये कोई अच्छी परम्परा कायम कर रही है ? हमारे सुखाड़िया साहब एक अमूक जाति के वर्ग के लोगों के पास पहुँचे और उनसे कहा कि अगर तुम्हारा वर्ग कांग्रेस को बोट देगा तो तुम्हारे एम० एल० ए० श्री अम्बीलाल को डिप्टी मिनिस्टर बना दिया जायेगा। अब आप देखिये कि इस तरह की सौदाबाजी, इस तरह का प्रचार और तरह तरह के हथकण्डों के साथ किया जा रहा है जिससे आज कांग्रेस देश को रसातल की ओर ले जा रही है।

इसी तरह से मैं एक बात यह भी निवेदन करना चाहता हूँ कि जैसा आपने कहा कि हमें देश के अन्दर स्वस्थ परम्परा कायम करनी चाहिये। अगर आप करना चाहते हैं, जिस को मैं मानता हूँ, लेकिन मैं यह देखता हूँ कि कांग्रेस तो यह कहती है कि हम स्वस्थ परम्परा कायम करना चाहते हैं मगर जो चीज हमारे सामने कायदे के रूप में आती चाहिये थी वह नहीं आती है बल्कि उल्टी चीज सामने आती है। आप देखेंगे कि गृह मंत्री जी श्री चव्हाण साहब कमेटी बनाने की कोशिश में लगे हुए हैं कि आज एक

पार्टी से लोग दूसरी पार्टी में चले जाते हैं उसको किस तरह से रोका जाय। ठीक है, यह एक उसूल की चीज है। इस तरह की बात जो लोग करते हैं वे गलत काम करते हैं और इस तरह की गलत चीज नहीं होनी चाहिये। परन्तु क्या आप वास्तविकता में यह बात चाहते हैं जब कि खुद कांग्रेस वाले ही असोजी-शन वालों को तोड़कर अपनी पार्टी में शामिल कर लेते हैं। कांग्रेस चाहती है कि इस तरह के चेन्जेज न हों, तो मैं यह कहना चाहता हूँ कि सन् 1962 और 1967 में राजस्थान में क्या हुआ ? क्या वहाँ पर जो कांग्रेस की सरकार बनी थी, उसने असोजीशन के लोगों को तोड़कर अपना बहुमत नहीं बनाया था ? आप तो यह समझते हैं कि यह गलत चीज है, गलत परम्परा है, तो फिर आप खुद इन चीजों को क्यों करते हो, इसको क्यों अमल में लाते हो ? आज कांग्रेस की सरकारें जगह जगह प्रान्तों में फैल होने लगी हैं जिसकी वजह से कांग्रेस पार्टी दूसरी पार्टी के लोगों को तोड़ कर अपनी सत्ता कायम रखने के लिये इस तरह की गलत कार्यवाही कर रही है। जैसा कि होम मिनिस्टर साहब फरमा रहे हैं कि इस तरह के दल बदल की बीमारी को रोका जाय, तो मैं यह कहना चाहता हूँ कि पहले कांग्रेस को ही उन्हें समझाना चाहिये कि वह इस तरीके को न अपनायें क्योंकि वह आज देश में सब से बड़ी पार्टी है और वही इस तरह की खराब परम्परा को कायम कर रही है। इसलिये मेरा निवेदन यह है कि यह कांग्रेस पार्टी की जिम्मेदारी है कि वह इस तरह की दल बदल की नीति को अख्तियार न करे।

मैं एक छोटी सी मिसाल और आपके सामने देना चाहता हूँ। राजस्थान में 1952 से लेकर आज तक स्पीकर ने राज्य सभा के चुनाव में कभी वोट नहीं दिया था क्योंकि स्पीकर के बारे में यह कहा जाता है कि वह सब पार्टियों से ऊपर है। जब किसी एक दल

[श्री देवी सिंह]

की पार्टी का स्पीकर बन जाता है तो फिर वह उस दल का नहीं रहता है बल्कि सब दलों से वह ऊपर होता है। आज तक वहाँ पर यह परम्परा रही कि स्पीकर ने राज्य सभा के चुनाव में वोट नहीं डाला, परन्तु इस दफा स्पीकर ने 20 साल से चली परम्परा को तोड़ दिया और इस तरह से कांग्रेस ने इस परम्परा को खत्म कर दिया।

श्री अर्जुन अरोड़ा : आप को कैसे मालूम हुआ कि उन्होंने किस दल को वोट दिया।

श्री देवी सिंह : मैं यह नहीं कहता कि उन्होंने कांग्रेस को वोट दिया, किसी दल के सदस्य को तो वोट दिया होगा। अगर उन्होंने कांग्रेस को वोट नहीं दिया तो यह तो आपको मानना ही होगा कि उन्होंने किसी को वोट दिया है। स्पीकर क्योंकि दल से ऊपर जाते हैं और इस तरह से उन्होंने वोट देकर राजस्थान में 20 साल से जो परम्परा चली आ रही थी उसको तोड़ दिया। तो मैं यह पूछना चाहता हूँ कि इस दफा उनको वोट देने की क्या आवश्यकता पड़ गई थी।

श्री अर्जुन अरोड़ा : हमारे प्रदेश में तो हमेशा देते हैं।

श्री देवी सिंह : आपके प्रदेश में देते होंगे, लेकिन मैं तो यह निवेदन कर रहा हूँ कि राजस्थान में जो एक परम्परा चली आ रही थी, जो एक स्वस्थ परम्परा थी, उसको कांग्रेस ने तोड़ दिया है।

श्री लोकनथ मिश्र : श्री मोहनलाल मुखाड़िया और सी० बी० गुप्ता में बहुत फर्क है।

श्री देवी सिंह : इसलिये मेरा निवेदन है कि जनता में विश्वास लाने के लिये यह जरूरी

है कि जो अवैधानिक तरीके चुनावों में इस्तेमाल किये जाते हैं उन्हें त्याग दिया जाना चाहिये और जो वैधानिक चीज है, विधान के अनुसार है उसको आनर करते हुए हमारी सरकार को चाहिये कि इस चीज को आगे बढ़ावे। सरकार को विधान का ध्यान रखते हुए स्वस्थ परम्पराएं कायम करनी चाहिये और उनको आगे बढ़ाना चाहिये ताकि उससे देश का भला हो। वरना आजादी के 20 साल बाद भी सरकार स्वस्थ परम्परा कायम नहीं करेगी तो यह देश के लिये अच्छा नहीं होगा। आज ठीक है कि आपका अधिकार है, लेकिन आगे आने वाला भविष्य और आगे आने वाली पीढ़ी कांग्रेस को लानत देगी और कहेगी कि कांग्रेस ने जितने सालों देश में हुकूमत की उसके द्वारा उसने देश को खड में गिराया। आज से कई सौ वर्ष पहले कई बड़े बड़े सम्राट और बादशाह हुए थे। उस वक्त उनके खिलाफ कोई उंगली उठाने वाला नहीं था, सही या गलत वह जो कुछ चाहते थे करते थे, लेकिन आज दुनिया जानती है कि उनके कारनामों के कारण देश की क्या हालत हुई थी। वही बात आज से बीस वर्ष बाद कांग्रेस के लिये कही जायगी।

SHRI R. T. PARTHASARATHY (Madras): Madam Deputy Chairman, I rise to support the resolution moved by Shri R. P. Kaitan requesting permission of the House to form a Committee of Members of Parliament so that this Committee could go into the question of reviewing the entire Constitution of India with particular emphasis on the form of Government in the States. Madam Deputy Chairman, I would support this Resolution because of my undying faith in democracy and democratic principles and because I feel that the Constitution and the constitutional provisions should be made to work out their way smoothly in this country.

While I would pay my tribute to the framers of the Constitution of India for giving as such a wonderful Constitution in many respects, still I feel our Constitution has not stood the test of time during the past 18 years and more with reference to its performance in principle as well as achievement. It is my conviction that unless we come forward to make some basic changes in our Constitution, our democratic -machinery will ultimately break down. Particularly those who do not believe in democratic principles will cause our democratic machinery to break down. That is why I said that I would support this Resolution for setting up a high-powered Parliamentary Committee to go into the whole question of the working of our Constitution during the past 18 years and more.

This brings us to face the naked fact whether democracy and democratic institutions have been laid, through our Constitution, on solid foundations and whether the machinery is running on smooth lines.

Madam Deputy Chairman, it appears to me that our democracy hangs in the balance today. The recent general elections have set the ball rolling and very often the democratic ball has run out of court. It is here that the Members of Parliament will have to take stock of the entire situation to save and preserve democracy in this country.

On everybody's lips this question has come very often whether we are fit for Parliamentary democracy. The gross disrespect the legislators have shown particularly after the last general elections to their own parties and to their electorate in general, their chameleon-like behaviour changing their colour every now and then due to thirst for ministerial power and position, their striking political advantage on the one side and political

disadvantage on the other ultimately resulting in political abuse, all these have become contributory factors like a volcano to give a death-blow not only to our Constitution but to our democratic ideal.

Madam Deputy Chairman, with this preface I would ask a question which is on everybody's lips whether we should continue our Parliamentary type of Government or whether we should switch over to the Presidential form of Government. Whatever type we may adopt, ultimately the lessons that we have learnt and we are still learning are to build up a strong and united country capable of defending our frontiers and, secondly, capable of executing the economic laws to bring about a great economic change throughout the length, and breadth of India. The paramount need according to me, Madam Deputy Chairman, is to make the Central Government very strong and powerful. It has become an inescapable necessity. Its achievements, namely the Central Government's activities, should be one centering around enlarged powers. No country can become economically self-sufficient, economically self-reliant and economically strong if it does not have a national economic policy and the power to formulate effectively that national economic policy. I make my statement not on any political grounds but purely and simply "an economic around" which alone can deliver the roads to the people. That is why I say that to achieve that kind of national economic policy a strong and powerful Central Government "should be the fountain source of all trade, commercial and economic laws. A resuscitation of our Constitution to achieve this end thus becomes a vital necessity.

Madam Deputy Chairman, the nation's economic factor occupying the pivotal position, the political setup should be made to function effectively.

[Shri R. T. Parthasarathy]

tively in consonance with the economic ideal. To promote this and to register political stability not only at the Centre but throughout the States of India it appears to me that the Constitution should be revised so as to provide an executive form of government in the various States of India while continuing the Parliamentary form of Government at the Centre. I repeat, Madam, we must have, on the American model, an executive form of Government in the various States of India at the same time retaining the present system of Parliamentary Government at the Centre, and I will emphasise on that the adoption of the executive form of Government at the State level, with an elected Governor, with a single House of Legislature elected as hereunto on adult suffrage but the Government directly responsible to the Centre, will ultimately open the gates to the successful formulation of national, economic, trade and commercial policies, unifying and bettering the whole nation. This should be done, following the success in the U.S.A., and only then I think we can signal the success of our reform, planning and progress.

Madam Deputy Chairman, if we are going to continue the Parliamentary type of Government at the Centre, naturally we should have a second look into our electoral system, that is, the basis on which the various candidates are elected to the two Houses of Parliament. The electoral law with reference to the States can continue as before, namely adult suffrage where any one can become a candidate to the Legislature. But certain minimum qualifications should be fixed for the Members of Parliament. All and sundry, in the name of democracy, cannot enter the Parliament, and if they do they would certainly rebel. What is happening in the various State Legislatures would ultimately destroy the democratic institu-

tion and push the country into the hands of the Communists ultimately. That is my fear. I say that the electoral law with reference to both the Houses of Parliament needs a revision. Therefore, the highest body, the sovereign body, in order to function as a responsible and powerful institution, must prescribe some basic qualification for its membership, may be, on the ground of literacy and or maybe on payment of direct tax or property qualification. It is for the Committee to examine. But I would only say that without such qualifications, the smooth, efficient and progressive functioning of the parliamentary democratic institution will not be feasible. The prescription Madam, of the above minimum qualifications would act as a fertiliser to the growth of parliamentary democracy in India.

SHRI BHUPESH GUPTA: I hope that fertiliser will be imported from America.

SHRI R. T. PARTHASARATHY: Madam Deputy Chairman, I would respectfully, invite your kind attention and, through you, the kind attention of the hon. Members of this House to the remarks of the great statesmen and great thinkers who have very often said that the Indian Constitution needed a revision. Let us take back our minds to one simple sentence of Mahatma Gandhi. Gandhiji said, "Our Constitution should be made to suit the genius of our people." Let us take back our minds to a still earlier period—the days of Bismarck when a great friendship existed between Germany and Britain. When the Germans drafted a Constitution for themselves. Bismarck was asked as to why he did not choose to follow the British type of Parliamentary system in Germany. This is what he said in reply in one very simple sentence, like Mahatma Gandhi later. Bismarck is reported to have

said that the Germans should have a Constitution of their own to suit their genius. And they have given unto themselves such a Constitution which is quite different from that of the British type. What I am saying Madam, is that whatever may be the idea and ideal of our well-meaning Constitution makers, they have done their best for the country—in the working of our Constitution for the last 18 years and more, we have involved ourselves in it, we have derived some experience from it and from 1950 many changes had to be given to the Constitutional structure, and yet we are in a soup to-day. We feel that we may not be able to continue for long with this democratic machinery if we do not make the required changes in the Constitution. That is why thinking of the freedom of our country, thinking of the unity and integrity of our nation and laying great faith in the efficacy of democracy and democratic principles. I say that it is the right time for us to change our Constitutional structure.

Madam Deputy Chairman, I do not want to go into the various details of political defections and the character assassinations that have been done on one side or the other throughout the length and breadth of the country, particularly after the last general elections. But I would say this much, and I would say this in a very confident note, that the survival of our democracy is in the hands of the Members of Parliament and unless we act wisely and swiftly to bring about the necessary changes to our democratic structure on the 'model that I had the honour to place before this House through you. Madam, it would be very difficult to preserve our democracy and I am afraid our democratic structure will not only be rocked and rocketed, but it would ultimately end in a collapse. Basic changes to our Constitution are warranted. And our aim should be to bring them about

with a large measure of agreement. When I say 'a large measure of agreement' I know very well that my esteemed friend on the other side, Mr. Bhupesh Gupta, would never agree with me. But I am prepared to ignore that and go ahead with all my strength with the task of building the country on the basis of a democratic Constitution.

SHRI BHUPESH GUPTA: AU the strength that you have so far displayed in your advocacy is banging of the desk.

SHRI AKBAR ALI KHAN (Andhra Pradesh): What do you mean by property qualifications?

SHRI R. T. PARTHASARATHY: That is left to the Committee. It may be a couple of rupees by way of land tax. But I say that a beggar cannot come to Parliament. That is what I ultimately mean. One should be paying Rs. 5 or Rs. 10 as direct tax. Or he may have a house assessment or a small piece of land assessment. He may be paying one or two rupees. The details have got to be worked out by the Committee and ultimately approved by Parliament. I say that a person who has not got anything should have no business in the House. He may exercise his franchise, but he should not stand for Membership of Parliament. That is what I am saying and I am making a very strong statement to that effect.

I now come to the concluding part of my speech, Madam. This Committee of Parliament should also take counsel from not only eminent constitutional experts in the country but also from the eminent jurists of the nation and be benefited by their wise counsel. With these words I would conclude by saying that if on the lines that I had suggested above a rethinking is done, ultimately we will be saving and safeguarding our democracy in India and we will be making India 'fit and safe' for her people to live in. Thank you.

श्री पीताम्बर दास : आदरणीया उप-सभापति महोदया जी, यह जो खैतान साहव का संकल्प है, इसमें मेरा एक संशोधन है कि जहां "प्रशासनिक अस्थिरता हो गई है" शब्द के बाद में ये शब्द और बढ़ा दिये जायें। "और इन घटनाओं के संबंध में राज्यपालों की भूमिका को देखते हुए" यानी

When we take into consideration the developments in the States, we should also take into consideration the role of the Governors with regard to those developments.

पिछले आम चुनाव में एक विशेष बात देखने में आई और वह यह कि जहां और चुनाव में कांग्रेस, हालांकि धीरे-धीरे अपना परसंटेज आफ वोट्स खोत चली जा रही थी, लेकिन फिर भी बहुमत में आती थी वहां पिछले चुनाव में बहुत से राज्यों में कांग्रेस को बहुमत नहीं मिला। यहां तक कि जो भारत का उत्तरी हिस्सा है, उसमें तो करीब करीब सभी प्रदेशों में कांग्रेस अल्पमत में आई और दक्षिणी हिस्से में भी कई प्रदेशों में अल्पमत में आई। नतीजा यह हुआ कि उन प्रदेशों में गैर कांग्रेसी सरकारें बनीं। कहीं संयुक्त विधायक दल के नाम से बनी और कहीं अन्य साझे के नाम से बनी, परन्तु केन्द्र में कांग्रेस ही बहुमत में आई और केन्द्र की सत्ता कांग्रेस के हाथ में रही। उत्तर प्रदेश में पहले तो कांग्रेस की सरकार बनी, लेकिन करीब 17-18 दिन बाद असेम्बली में उसका बहुमत दिखाई नहीं दिया, तो फिर उसको सरकार छोड़नी पड़ी और संयुक्त विधायक दल की सरकार बनी।

شری اکبر علی خاں : کانگریس کے

ٹکٹ پر جو آئے تھے وہ لوگ چھوڑ کر چلے گئے۔

†[श्री अकबर अली खान : कांग्रेस के टिकट पर जो आये थे वह लोग छोड़ कर चले गये।]

श्री पीताम्बर दास : जी, कांग्रेस के टिकट पर जो लोग जीत कर आये थे उनमें से एक बहुत बड़ा दल कांग्रेस छोड़ कर चला गया। चूंकि माननीय सदस्य ने यह सवाल उठा दिया तो यहीं मैं जरा एक बात को साफ करता चलूँ। मन में एक धारणा या एक सन्देह हो सकता है कि जब चारों तरफ यह शोर मचता है कि डिफेक्शन यानी दल-बदल नहीं होना चाहिए और दल बदल को डिसकरेज करना चाहिये, उसको निरुत्साहित करना चाहिये, तो फिर उत्तर प्रदेश में कांग्रेस से जो यह बहुत बड़ा दल टूट कर गया उस दल बदल की निन्दा क्यों नहीं की गई। यानी जिन लोगों के पक्ष में वह दल बदल हुआ उन्होंने निन्दा क्यों नहीं की। इसलिये, महोदया, मैं उस बात को यहां साफ कर दूँ। दल-बदल बुरा होने के बाद भी कुछ परिस्थिति ऐसा होती है कि उसमें वह जरूरी हो जाता है। मैं उत्तर प्रदेश से आया हूँ और उत्तर प्रदेश में भी लखनऊ से। तो इसलिये मैं वहीं के तरीके से उस बात को कहूँ :

“इन्सान ने ही की है नबूबत कभी-कभी।
जब फर्ज नगई है बगावत कभी-कभी”

इसलिये, इस तरह के जो डिफेक्शन्स हुए हैं आज तक, और आगे भी होंगे, उन्हें हम साधारण तौर पर नहीं देख सकते। वे परिस्थितियां असाधारण होती हैं।

شری اکبر علی خاں : منسٹری کی

خاطر نہیں ہو سکتا ہے - بے شک ایمانداری کی خاطر ہو سکتا ہے -

†[श्री अकबर अली खान : मिनिस्टरी की खातिर नहीं हो सकता है। बेशक ईमानदारी की खातिर हो सकता है।]

श्री पीताम्बर दास : बिल्कुल ठीक है, किसी भी स्वार्थ से नहीं होना चाहिये। “इट मस्ट बी ग्रान अकाउन्ट आफ सम आनेस्ट कन्विक्शन”, यह बात ठीक है।

मैं यह बतला रहा था कि जिन प्रदेशों में गैर-कांग्रेसी सरकारें बनीं, उनमें गैर-कांग्रेसी सरकारों को चलने नहीं दिया गया। मिली-जुली सरकारों की कुछ इन्हेस्टेड डिफिकल्टीज होती हैं यानी उनकी कुछ स्वाभाविक कठिनाइयाँ होती हैं। एक समय के बाद ऐसी सरकारें “अंडर दी बेट आफ देयर ओन प्रेशर” ब्रेक करने लगती हैं। इतना सब होने के बावजूद कांग्रेस के लोगों की ओर से यानी जो लोग केन्द्र में बैठे हुए हैं कई स्थानों पर, उनकी ओर से यह प्रयत्न दिखाई दिया कि इन गैर-कांग्रेसी सरकारों को न चलने दिया जाये।

अब नतीजा यह हुआ कि इन सरकारों का पतन एक साल के अन्दर होना शुरू हो गया। महोदया, आप देख रही हैं कि बंगाल में मध्यावधि चुनाव की स्थिति आ गई है। उत्तर प्रदेश में भी होने वाला है। हरियाणा में आजकल हो रहा है। बिहार और पंजाब की हालत भी तसल्लीबख्श नहीं है। इस सारे वातावरण में, जो राज्यपाल महोदय की भूमिका रही, यानी “दि रोल दैट वे वर एक्स-पेक्टेड टु प्ले” वह बहुत ही महत्वपूर्ण थी। यह हमारा दुर्भाग्य रहा कि वह रोल केवल अप्रजा-तांत्रिक ही नहीं रहा वरन् संविधान की मन्शा के खिलाफ भी रहा है। मैं उदाहरण के लिये बंगाल को लेता हूँ। बंगाल में 2 नवम्बर को डा० पा० सी० धोष ने अपने मंत्री पद से त्याग पत्र देकर 17 लोगों के साथ पार्टी को छोड़ दिया और गवर्नर साहब को भी इस

बात की सूचना दे दी कि हमने इस पार्टी को छोड़ दिया। गवर्नर साहब ने मुख्य मंत्री को कहा कि विधान सभा की बैठक जल्दी से बुलाओ और वहाँ यदि बहुमत में आप होंगे, तो सरकार बनी रहेगी। आप अल्पमत में होंगे तो सरकार छोड़ेंगे। मुख्य मंत्री महोदय ने कहा कि १८ दिसम्बर को हम विधान सभा बुलाये लेते हैं। गवर्नर महोदय ने जरा जल्दी चाहा कि इससे पहले बुलाओ, तो मुख्य मंत्री महोदय ने अपनी विवशता प्रकट की कि उससे पहले नहीं बुलाया जा सकता। नाराज होकर राज्यपाल महोदय ने यह किया कि 21 नवम्बर को मंत्रिमण्डल भंग कर दिया। केवल इतना ही नहीं कि मंत्रिमण्डल भंग किया स्पीकर के पद को भी समाप्त कर दिया यद्यपि संविधान के अनुच्छेद 179 के दूसरे प्राविर्जों के हिसाब से डिसोल्यूशन आफ दी असेम्बली में स्पीकर का चला जाना आवश्यक नहीं होता, क्योंकि उसको सदन की अध्यक्षता के अतिरिक्त और भी काम करने होते हैं। उसका सेक्रेटेरिएट होता है, उसको सारी व्यवस्था देखनी होती है। इसीलिये संविधान का प्राविधान यह है कि डिसोल्यूशन होने के बाद भी स्पीकर तब तक रहता है, जब तक दूसरा हाउस फार्म नहीं हो जाता। परन्तु इस केस में वह प्राविधान भी समाप्त कर दिया गया।

महोदया, इस परिस्थिति से तीन प्रश्न उठते हैं। पहला प्रश्न तो यह उठता है कि जो विधान सभा को बुलाने का अधिकार है वह चीफ मिनिस्टर को है या गवर्नर को है। दूसरा प्रश्न यह उठता है कि अगर राज्यपाल को यह सन्देह हो जाये कि सरकार बहुमत में नहीं है तो उसका निपटारा सदन में होगा या राज भवन में होगा? और तीसरा प्रश्न यह उठता है कि स्पीकर के पद को समाप्ति संविधान की मन्शा के अनुकूल है या प्रतिकूल है। इस संबंध में जो स्पीकर्स

†[] Hindi translation.

[श्री पीताम्बर दास]

कांफ्रेंस हुई थी 6 अप्रैल को उसमें हमारी लोक सभा के जो अध्यक्ष महोदय का अभि-
भाषण हुआ है, जिसमें उन्होंने इस प्रश्न को
और संकेत किया है। उन्होंने कहा है :

"The question whether a Chief Minister has lost majority in the Assembly or not should at all times be decided by the Assembly. In no circumstances should it be left to the Governor to determine whether a Chief Minister continues to enjoy the support of the majority of members or not, even if the members make their opinion known to the Governor on this issue."

तब महोदय, जहां ऐसी सूरत आ जाये तो उसका निपटारा राजभवन में नहीं सदन में होना चाहिये। विधान सभा को बुलाने के संबंध में भी 6 अप्रैल वाली स्पर्स कांफ्रेंस में अध्यक्ष महोदय ने संकेत किया है कि :

"If it becomes absolutely necessary, even the Constitution may be amended suitably. I am, however, clear that a situation in which the Governor is allowed to override the advice of the Chief Minister in this respect should be avoided."

जो मुख्य मंत्री का परामर्श है, उसी के हिसाब से काम होना चाहिये। किसी भी राज्यपाल को यह अधिकार नहीं दिया जाना चाहिये कि वह मुख्य मंत्री की सिफारिश को टाल कर दूसरे किसी तरीके से व्यवहार करे। जहां तक स्पर्स के पद की समाप्ति का प्रश्न है, मैंने उसके लिये 179 आर्टिकल के प्रविजो दो का हवाला दिया है कि कांस्टीट्यूशन बनाने वालों की मन्शा बराबर यही थी कि यदि असेम्बली डिज़ाल्व भी हो जाये तो भी स्पीकर बना रहना चाहिये, क्योंकि उसको सेक्रेटरीएट के प्रशासनिक कार्य करने होते हैं। लेजिस्लेचर्स के सेक्रेटरीएट, एक्जीक्यूटिव और जूडिशियरी जो दो एजेन्सीज़ हैं, उनसे

बिल्कुल प्रथक होते हैं यह कांस्टीट्यूशन के आर्टिकल 187 में मान लिया गया है, जिससे वे बिल्कुल स्वतन्त्र रूप से कार्य कर सकें।

मैं दूसरा उदाहरण आपके सामने उत्तर प्रदेश का रखना चाहता हूँ। उत्तर प्रदेश में यह हुआ कि जब संविद की सरकार थी, उसके मुख्य मंत्री ने 17 फरवरी को त्यागपत्र दे दिया, तो संविद ने अपना दूसरा नेता चुन लिया और कायदे के हिसाब से, क्योंकि इस्तीफे के समय तक संविद की सरकार बहुमत में थी, इसलिये राज्यपाल को चाहिये था कि संविद ने जो दूसरा नेता चुन लिया था उस नेता को सरकार बनाने के लिये बुलाना चाहिए था . . .

श्री अर्जुन शरोड़ा (उत्तर प्रदेश) :
पर एस० एस० पी० उसको नेता नहीं मानती थी।

श्री पीताम्बर दास : जो पहली बार नेता चुने गये थे रामचन्द्र विकल उनके बारे में एस० एस० पी० ने जरूर यह बात कही थी कि हम उनको नेता नहीं मानते लेकिन जिस समय हरीशचन्द्र सिंह चुने गये उस समय एस० एस० पी० ने कहा कि हम नेता के चुनाव के झगड़े में पड़ना नहीं चाहते, जो व्यक्ति सारे दलों को स्वीकार है वह हमें भी स्वीकार है यह बयान प्रेस में आ चुका है। थोड़ी देर को यह मानकर भी चले कि राज्यपाल समझते थे कि नेता ठीक नहीं चुने गये तो विरोधी दल के नेता को सरकार बनाने का निमन्त्रण दे देते। यदि विरोधी दल था, यानी काँग्रेस, वह मजारिटी में थी, तो उसकी सरकार बन जाती; क्योंकि राज्यपाल महोदय को कुछ लोगों ने यह लिख कर दिया था कि हम संविद छोड़ चुके हैं और काँग्रेस में शामिल हो चुके हैं हालाँकि उन्होंने उनका नाम बताने से इनकार किया है . . .

شی اکر علی خان : لیکن انہیں

ذرا سا بھی اطمینان نہیں ہوا -

†[**श्री अकबर अली खान** : लेकिन उन्हें
जरा सा भी इत्मीनान नहीं हुआ]

श्री पीताम्बर दास : मैं यह बात कह रहा हूँ इत्मीनान नहीं हुआ तो इत्मीनान कर लेना चाहिये था। इसी बात पर मैं आ रहा हूँ। मेम्बरों ने जब लिख कर दे दिया तो इत्मीनान की दो सुरत हो सकती थीं। या तो हो सकता था कि जो उन्होंने लिख कर दिया उसी का विश्वास कर लो या उसका फिजिकल वेरिफिकेशन कर लो। फिजिकल वेरिफिकेशन राजस्थान में पहले हुआ भी था। कोई नयी बात नहीं थी। मगर राज्यपाल ने क्या किया उत्तर प्रदेश में? न तो फिजिकल वेरिफिकेशन कराया न उनकी बात को ठीक माना। मुझको कोई शिकायत न होती अगर वह यह समझ कर कि संविद बहुमत में नहीं है, विपक्षी दल के नेता को सरकार बनाने के लिये बुला लेते। बाद में हम हाउस में तय कर लेते कौन बहुमत में है कौन नहीं। डेफिनिटली मेरा मुझाव यह है कि उस समय राज्यपाल, जिसको भी वह समझते थे कि बहुमत में है, उसको ही सरकार बना लेने देते, जल्दी से जल्दी हाउस को बुलवा लेते। हाउस में ट्रायल आफ स्ट्रुक्चर हो जाता, उत्तर प्रदेश में जन प्रिय सरकार बन जाती। लेकिन राज्यपाल ने न इनको बुलवाया, न उनको बुलाया। उन्होंने मध्यावधि चुनावों के लिये रिकमण्ड कर दिया। उत्तर प्रदेश में लोगों का विश्वास है कि एक और संविद के नेता को बुलाना गवर्नर को गवारा नहीं था और काँग्रेस लेजिस्लेचर पार्टी का जो नेता था, उनके नेतृत्व में सरकार बनवाना केन्द्र के नेताओं को वर्दीष्ट नहीं था, इसलिये यह मध्यावधि चुनाव का

†[] Hindi transliteration.

रास्ता निकाला गया। यह उत्तर प्रदेश में धारणा है।

श्री अर्जुन अरोड़ा : यह गलत धारणा है।

श्री पीताम्बर दास : यदि गलत है तो ऐसी धारणा लोगों के मन से निकालनी होगी। मैं पूछना चाहता हूँ कि अगर यह गलत धारणा बनी रही, तो यह प्रदेश के लिए और देश के लिए क्या खतरनाक सिद्ध नहीं होगी? If it is not correct, it has to be removed from the minds of the people.

यह धारणा वहाँ है और इस धारणा के पीछे तथ्य है। यह बात मैंने खुद मख्वाह नहीं की

I This can be supported by many things—taking into consideration that 2 plus 2 will always make four.

भगवान को किसी ने नहीं देखा है, लेकिन तर्क के आधार पर पता चलता है कि भगवान जैसी कोई शक्ति है, यद्यपि इसका विरोध भी होता है, मैं अपने उन मित्रों से पूछना चाहता हूँ, जिनको मेरी इस बात में संदेह है कि अगर यह बात नहीं थी तो उत्तर प्रदेश की जनता को मध्यावधि चुनाव की आग में क्यों झोका गया? विशेष रूप से जबकि मध्यावधि चुनाव का खर्चा करोड़ों में जाता है। उत्तर प्रदेश में आज कल हालत ऐसी है कि वह एक ज्वाला मुखी के मुँह पर बैठा हुआ है। आपको मालूम है कि उत्तर प्रदेश में कितने दंगे हो गये हैं। आपको मालूम होना चाहिये कि आपसी संबंधों में इलैक्शन से कितनी पेचीदीगियाँ आ जाती हैं और हम वहाँ पर मिड टर्म इलैक्शन करने जा रहे हैं। चुनाव में साधारण तौर से भी आपसी नुकता-चीनी सुरुत और ताल्लूकात खराब होते हैं, काफी ज्यादा खर्चा होता है। फिर भी

[श्री पीताम्बर दास]

आप उत्तर प्रदेश की जनता को मध्यावधि चुनाव की आग में झोंक रहे हो। मैं इसका कारण जानना चाहता हूँ। मेरे खयाल में तो केन्द्र में बैठे हुए नेताओं का रुख यह था :

“गैर को आने न दूँ,
तुझ को वहाँ जाने न दूँ ।
मुझ को गर मिल जाय दरबानी,
तेरे दरबार की।”

केन्द्र को वह दरबानों हमने दी भी यकीनन। इसलिए उत्तर प्रदेश की जनता को आज मध्यावधि चुनाव की आग में झोंक दिया गया है जिसको वह नहीं चाहती थी।

THE DEPUTY CHAIRMAN: You get only 15 minutes under the Rules of Procedure. You have another 2 or 3 minutes.

श्री पीताम्बर दास : मैं वाइन्ड अप कर रहा हूँ। तो उत्तर प्रदेश में भी प्रश्न आकर खड़ा हुआ कि बहुमत का निर्णय सदन में हो या राजभवन में हो। वहाँ स्पीकर के बारे में एक दूसरी बात हुई है जो कहीं नहीं की गई। वहाँ स्पीकर को रखा गया यानी 179 के प्रोविजन दो को डिलीट नहीं किया गया। लेकिन आर्टिकल 187 (3) की पावर्स नहीं रही। मैं इसके बारे में आज चर्चा नहीं करता हूँ। जब इस बारे में आर्डिनेंस आयेगा तब विस्तार के साथ चर्चा करूंगा।

अब महोदया, हमारे सामने एक उदाहरण रह गया है और वह हरियाणा के बारे में है। मैं इस बारे में डिटेल्स में नहीं जाऊंगा। हरियाणा के राज्यपाल ने केवल यह कह कर कि दल बदल हो रहा है,

वहाँ की विधान सभा को भंग कर दिया। हमारे सामने इस समय तीन राज्यपालों के तीन रुख हैं। बंगाल वाले साहब ने कहा कि आप बहुमत में हो या अल्पमत में हो, इसका फैसला असेम्बली में होगा। असेम्बली जल्दी से बुलवाओ। उत्तर प्रदेश में यद्यपि संबिद ने कहा कि हमारी सरकार बनवाओ और हम जल्द से जल्द असेम्बली बुलाने के लिए तैयार हैं। लेकिन वहाँ राज्यपाल कहते हैं कि असेम्बली में फैसला नहीं होगा, इसका राजभवन में फैसला होगा। हरियाणा के राज्यपाल का कहना था कि चूंकि वहाँ दल बदल हो रहा है, इसीलिए हमने विधान सभा को भंग कर दिया। राज्यपालों के व्यवहार में जो यह अनिश्चितता है, वह साफ होनी चाहिये। अगर इस संबंध में कांस्टीट्यूशन को अमेन्ड भी करना पड़े, तो क्या हर्ज है? हमें उसके लिए तैयार रहना चाहिये।

महोदया, प्रजातंत्र के लिए प्रजातांत्रिक फिज़ा होना जरूरी है, केवल कांस्टीट्यूशन को डेमोक्रेटिक बनाने से डेमोक्रेसी नहीं आती है। हमारे व्यवहार भी इसी प्रकार के होने चाहियें और हमारे चारों तरफ की फिज़ा भी इसी तरह की होनी चाहिये। आज ऐसा दिखलाई दे रहा है कि इस तरह की फिज़ा नहीं है पिछले एक साल के अनुभव के आधार पर इसके लिए संविधान में संशोधन करने की जरूरत है। आज केवल यह कह देने से काम नहीं चल सकता है कि चूंकि प्रदेश में सरकार अच्छी तरह से यानी कान्सटीट्यूशनली नहीं चल रही थी, इसलिए प्रेज़ीडेंट के हाथ में वहाँ का शासन दे दिया गया है।

अभी हमारे एक माननीय सदस्य ने एक बात यह कही कि अगर प्रदेशों में ठीक से सरकारें नहीं चलेंगी, तो हम केन्द्र द्वारा

ठीक प्रकार से चलायेंगे। मैं याद दिलाना चाहता हूँ। A good Government is never a substitute for self-government. We must have self-Government in the State, not good Government of their liking.

SHRI C. D. PANDE (Uttar Pradesh):
Also a good Government.

श्री पीतम्बर दास : पिछले आम चुनावों के परिणामस्वरूप कांग्रेस के हाथ से सत्ता दूसरे पार्टियों के हाथ में जा रही है। इस समय ट्रान्जिशनल पीरियड है। रात के बाद दिन तो आता है। पर एक दम नहीं आता है। बीच में ट्वाइलाइट पीरियड यानी संधिकाल या उषाकाल रहता है जिसमें आदमी बेचैनी महसूस करता है वह न सो सकता है और न जाग सकता है। राजनीति में आजकल यह हमारा ट्वाइलाइट पीरियड है, यह एज आफ कोलीशन है, जिसको समझ कर पार करना होगा।
In the interest of democracy we have to work with patience. We have to be tolerant and we have to act strictly according to the Constitution and change the Constitution if need be.

इन शब्दों के साथ मैं आपने संशोधन सहित प्रस्ताव का समर्थन करता हूँ।

SHRI M. M. DHARIA (Maharashtra) : Madam, it is true that the events that have taken place during the last 10 months in our country have disturbed and created uneasiness in the minds of every citizen. However, I do not feel that it gives any ground for us to have any constitutional change. I am here to oppose the Resolution moved by my friend Mr. Khaitan and supported by my friend, Shri Parthasarathy, and also other members from the Opposition. We are all aware under what circumst-

ances our Constitution was drafted, how the various constitutions in the world were studied conscientiously, how the mind was applied by this country in adopting the Constitutions of the day and I believe that ours perhaps is the best possible Constitution in the world. I feel that every citizen should be proud of our Constitution. It is a unique Constitution. The change required is not in the Constitution. The change required is in our behaviour. The change required is in the behaviour of the political parties. I am not here to participate in the debate to-day because I belong to a particular party. The time has come in our history for every person to rise to the occasion and to see whether our political parties have been behaving according to the need of the day.

SHRI CHITTA BASU (West Bengal):
Including your party.

SHRI M. M. DHARIA: Including my party. 'Mr. Basu should be aware of it. On the contrary I feel, we being in power at the Centre and in some States, are responsible perhaps more than the Opposition parties. My head bows with shame when I look at the various incidents that have taken place whether at the instance of my party or other parties.

[THE VICE-CHAIRMAN (SHRI AKBAL ALI KHAN) in the Chair.]

I am worried when I see that Mr. Charan Singh, a defector, howsoever great he may be, becomes a hero, a defector who was elected on a political party ticket and in spite of the fact that he defects from the party, he does not resign but he joins other parties, and he is given the assurance of being the Chief Minister. It is being done by the Opposition Parties who criticise the Congress. When I look at these, my head bows down

[Shri M. M. Dharia]

with shame. I am not blaming here this side or that side. I feel that the time has come when we should search ourselves to see in what direction we are going. It has been preached from several quarters, particularly by the leaders of the Swatantra Party and the big capitalists like the Tatas or the Birlas that this country requires a Presidential type of Constitution. I am opposing them. May I bring to the notice of this House and may I warn this House to-day that if we are to adopt the American pattern of Constitution, the Presidential system as it works in America, it will not be possible for any common citizen in this country to contest the elections. It will become the monopoly of monopolists. It is only the rich people who will be always in a position to be in power. The levers will be operated by those who are monopolists, and the poor citizens in this country, the common citizens in this country, will have no chance whatsoever to govern this country. If we want to go ahead with the democracy that we have, if we want to go ahead with the spirit in our Constitution and behind our Constitution, I feel that the present system is the best possible system. We should not invite this trouble. If any efforts are made, all possible strength shall have to be mobilised to see that these efforts are properly turned down.

Mr. Vice-Chairman, Sir,^x I feel that in this country of ours, the leaders from my party, my party leaders and the other party leaders, those who believe in this country, those who believe in democracy should come round and sit together in a calm and patient atmosphere. Sir, I have nothing to say about those who have no love for this country or who open their umbrellas here in Delhi if it rains in Moscow or Peking. I have nothing to say about them. But for

those who believe in this country, those who are patriots and democrats, I think the time has come in this country of ours to sit together and ponder over whatever has happened in this country. I would like to say to my Government also that any measures for toppling down any Government will not topple down any Government at the State level. But it has toppled down democracy itself if they are not constitutionally used. I have no doubt that my Government has tried to use its discretion, to the extent possible, in a constitutional way. But at the same time the time has come for us to see what should be the powers of the Governors, how they should be exercised, how the institution of Speakers should function, how the political parties should behave, what should be the mode of their behaviour. And in this context, Sir, may I suggest that today, so far as the appointment of Governors is concerned, we shall have to change the previous mode?" Sir, I do feel that the post of a Governor is not the place to accommodate any I.C.S., retired officer or any retired politician or any retired diplomat. Sir, I feel that the post of a Governor has become all the more important because of the various changes, political and social changes, that are taking place in our country. Therefore, I feel Sir, that a Governor should necessarily be a person who is a non-partisan person, who will have no partisan leanings whatsoever. Secondly, he should be in a position to understand what our Constitution is, what the spirit behind our Constitution is and how this Constitution is to be implemented. Thirdly, Sir, while making his appointment to a State, the Chief Minister of that State belonging the ruling party in that State should necessarily be consulted.

SHRI ARJUN ARORA: He is consulted.

SHRI M. M. DHARIA: This approach should become absolutely necessary. Now, if after the appointment of the Governor, if some other party comes to power and if they have any objection to that Governor then, Sir, I feel that the views of the Chief Minister should be properly respected, because we are in an altogether different atmosphere.

PANDIT S. S- N. TANKHA (Uttar Pradesh): Do you mean to say that the Governor should be removed?

SHRI M. M. DHARIA: I do not say that he should be removed. If the Chief Minister says, "I do not approve of this Governor", naturally his views should be respected. But I say that if he is a person belonging to no party, if he is a non-partisan person having complete faith and understanding of the Constitution, the Chief Minister will not necessarily advise the Central Government that he should be removed. But I do feel that there should be good co-ordination in between the Governor and the Chief Minister so far as the bona fides of the Governor are concerned, the Chief Minister should have complete faith in the bona fides of the Governor. I have no doubt about it.

So far as the Speakers are concerned, I do believe that the rights, as have been exercised by the Speakers in some States, they have gone out of their domain, out of their jurisdiction. Speakers are there to preside over the deliberations, but it is not the Speakers who should take the law in their own hands and should do the functions of the Governor. They should know their own limitations. And in that respect I would like to draw the attention of this House to the resolutions passed in the Speakers' Conference. The Speakers should have that feeling to respect the decisions that are taken in the Speakers' Conference.

Sir, so far as political parties are concerned, I do feel that no change in the Constitution but a change in the election law has become absolutely necessary. A person who is elected on the ticket of a political party, if he wants to cross the floor, there should be a compulsion on that person to resign not only from his party but also, along with his resignation from the party, he should resign from the House to which he belongs, whether it is Rajya Sabha or Lok Sabha, or whether it is Vidhan Parishad or Vidhan Sabha whenever he crosses the floor. He may be belonging even to a municipal corporation or a Zila parishad but if he is elected on his party ticket and he afterwards crosses the floor, he should, along with his resignation from the party, tender his resignation from the democratic institution to which he was elected and of which he was a member. And if he does not tender his resignation, he should be treated to be disqualified from sitting in the particular House or other body. Now that sort of a change has become absolutely necessary. At the same time, the political parties should resolve among themselves that these defectors, that any defector will not be allowed in their political parties. Those individuals, who have auctioned their liberty, who have auctioned democratic values, should not be made to enjoy the positions of Chief Ministers or Ministers anywhere. They become defectors aspiring for such positions and higher offices with the support of the party to which they had transferred their allegiance, from the one to which they owed allegiance before. Such persons, who have no regard whatsoever for principles, for democratic values, should never be enabled to enjoy power again. Political parties should have a convention that defectors will not be allowed in their parties unless they have resigned the membership of the House or body to

[Shri M. M. Dharia.] which they were elected on the ticket of some other party. And if after their resignation they are allowed into their parties, even then there should be some restrictions on such defectors as well.

At the same time, Sir, I feel that the number of Ministers should also be necessarily restricted. I feel that the number of Ministers should never exceed 10 per cent of the Members of Lok Sabha or Vidhan Sabha.

SHRI ARJUN ARORA: It should be 5 per cent.

SHRI M. M. DHARIA: I say 10 per cent, it may be even less than 10 per cent.

SHRI ARJUN ARORA: If you have 10 per cent, at the Centre we will have 75 Ministers.

SHRI M. M. DHARIA: In the Lok Sabha the number of Members is 520 and so it cannot exceed 52.

SHRI ARJUN ARORA: What about this House?

SHRI M. M. DHARIA: This House is out of my consideration. My submission is that the number of Ministers should not exceed 10 per cent of the Members of the Lower House. The strength of the Upper Houses should not be taken into consideration.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): It may be less than 10 per cent; it may be even 5 per cent.

SHRI M. M. DHARIA: I am making this suggestion, Sir, because I have functioned in an organisation. I know the claims of various regions. I know the claims of various districts. I know the claims of backward areas.

I know the claims of the scheduled Castes and Scheduled Tribes. I know the claims of minority communities, of women, and all that, and on this background I am giving that much latitude.

SHRI ARJUN ARORA: But those claims are ignored everywhere.

THE VICE-CHAIRMAN: Women are not in a minority.

SHRI M. M. DHARIA: Sir, now I would like to come to the part being played by huge funds in our elections. Sir, I do believe that this is one of the major causes and major dangers to our democracy, and from that point of view I feel that the Government itself should accept the responsibility of spending for the particular candidates approved by the political parties whose nominations have been accepted, whose nominations have been held to be valid. Sir, all possible efforts should be made and that much expenditure should be incurred by the Government itself. There is nothing wrong. Mr. Vice-Chairman, Sir, but these political donations by businessmen should not be allowed, and the banning of the donations being given to political parties should take place immediately; it shall have to be done. At the same time, money coming from foreign countries shall have to be restricted, shall have to be curbed. Along with that the princely privileges and the privy purses should also have to be abolished because these also to a great extent ruin the democratic spirit and traditions in several parts of the country. I feel that in our country the material changes that are required, as I said in the very beginning, are in our own behaviour. The political parties who believe in democracy, should they not see what is stated in the Preamble to our Constitution? Our Constitution clearly^

states in the Preamble:

"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." Can we say sincerely that we have adopted the Constitution in that spirit? Why not we examine ourselves and see if we have failed or not? If we have failed, can we not be prepared to cure ourselves? It is not a Presidential type of government that is going to give us the remedy to the present malady. The remedy lies in ourselves. It is for all the political parties to consider this. And this proposal to have Presidential type of government will have to be turned down and we shall have to see that this Constitution which we have enshrined ourselves is properly respected and we shall all have to pledge ourselves that we shall see with all possible sincerity, dignity, integrity and honesty, that we implement this Constitution. The changes required are in some of the election laws, in some of the procedures for the Assemblies and Councils and not in the Constitution which is a great and unique Constitution, a Constitution of which we are all very proud and we shall see that it is properly respected and that it is properly implemented and unlike as happened in other countries nearby which have toppled down, in this great democracy of India, democracy shall never topple down and we can create that sort

of an atmosphere. So let us all resolve to do that.

श्री रेवती कान्त सिंह (बिहार) : उप-सभाध्यक्ष महोदय, यह जो प्रस्ताव आया है, इस प्रस्ताव की आज जरूरत क्यों, पड़ी, इस पर हमें ध्यान देना होगा। यह कांग्रेस का सौभाग्य था कि पिछले बीस वर्षों तक उसको बहुमत के आधार पर और आजादी की लड़ाई में 1947 ई० के पहले जो उसका स्वरूप था, उस स्वरूप के नाम पर हिन्दुस्तान की राजनीति में, हिन्दुस्तान के प्रशासन में हिन्दुस्तान में केन्द्र में और राज्यों में सरकार चलाने का मौका उसको मिला। 1947 ई० से, बल्कि 1947 न कह कर मैं 1946 कहूँ तो गलत नहीं होगा क्योंकि 1946 में 1935 के इंडिया एक्ट के मुताबिक राज्यों में विधान सभाओं का चुनाव हुआ था और राज्यों में कांग्रेस की सरकारें बनी थीं और इसके बाद फिर 1946 में ही केन्द्र में अंतरिम सरकार भी बनी थी तो इस तरह से 1946 ई० से ही कांग्रेस की हुकूमत केन्द्र में और राज्यों में रही। जिस समय कांग्रेस की हुकूमत बनी थी तब ऐसा लगा था कि हिन्दुस्तान की आजादी की लड़ाई में जो नेता तपे तपाये थे और शुद्ध स्वर्ण की तरह चमक रहे थे उनके हाथ में देश का शासन आया है तो देश का भाग्य बदलेगा, देश का कायाकल्प होगा लेकिन मुझको बहुत अफसोस के साथ कहना पड़ता है कि जिन लोगों के हाथ में देश का शासन आया उन्होंने बीस वर्षों में जो चरित्र दिखलाया उससे ऊपर की सोने की पालिश जो उनकी थी वह चिस गई और अन्दर जो उनकी खोटी धातु थी वह देश के सामने आई। बीस वर्षों तक भारत के संविधान की तरह तरह से अवहेलना होती रही और बहुमत के आधार पर जैसे आज केन्द्र की सरकार अवहेलना करती है उसी तरह से राज्यों में भी अवहेलना होती रही। यह संविधान क्या है। मैं ऐसा मानता हूँ कि जनतंत्र में देश का एक एक नागरिक बराबर है, हर नागरिक को बराबरी का अधिक-

[श्री रेवती कान्त सिंह]
कार है और इस देश के तमाम नागरिकों ने आपसी समझौते से अपने अधिकारों पर कुछ बंधन लगाई हैं और वह जो आपसी समझौते का दस्तावेज है वही दस्तावेज हमारा संविधान है। अगर वह समझौता कहीं भी थोड़ा भी टूटेगा तो फिर सारी व्यवस्था छिन्न-भिन्न हो जायेगी, विश्रुबल हो जायेगी। 20 वर्षों तक कांग्रेस की सरकारें जो कुछ करती रही, मैं उनके आर्थिक प्रोग्राम के ऊपर कुछ कहना नहीं चाहता, यह मौका उसके लिये मौजू नहीं।

श्री अर्जुन अरोड़ा : कह डालिये।

श्री रेवती कान्त सिंह : कई बार कह चुका हूं अरोड़ा जी, एक साल से मैं कह रहा हूं और आगे भी कहता रहूंगा।

तो देश की जनता 1967 के आम चुनाव में जो कि पिछले बीस वर्षों के कांग्रेस शासन से, कांग्रेस की सरकार की नीतियों से, ऊब चुकी थी वह एक बदलाव चाहती थी। यह इस देश का एक दुर्भाग्य था कि कांग्रेस के मुकाबिले में कोई एक पार्टी इतनी ताकतवर नहीं बन पाई थी कि जो अकेले शासन का भार अपने ऊपर ले सके। मुझको फ्रॉड है संयुक्त सोशलिस्ट पार्टी पर और स्वर्गीय डा० राम मनोहर लोहिया पर जिन्होंने 1967 के आम चुनाव के बहुत पहले इस बात को कहा था कि 1967 के चुनाव में गैर-कांग्रेसी सरकारें बनने की संभावना है और तमाम कांग्रेस विरोधी दलों को न्योता दिया था कि अपने अपने विद्वानों की रक्षा करते हुए भी हम कांग्रेस के मुकाबिले आपसी समझौते से हर क्षेत्र में एक उम्मीदवार ही खड़ा करें जिसे कि कांग्रेस को शिकस्त दी जा सके और सभी पार्टियों को मिला कर संयुक्त फ्रंट बना कर सरकारें चलाई जाय, गैर-कांग्रेसी हुकूमत बनाई जाय। मुझको अफसोस है इस देश में और पार्टियों ने इस पर बहुत ज्यादा ध्यान नहीं दिया। 1967 के चुनाव के पहले बिहार

में जो संयुक्त मोर्चा बन रहा था उससे मैं बहुत ज्यादा सम्बन्धित था। मुझको अफसोस है कि उसमें मैं देखता था कि जनसंघ के भाई कहते थे कि चूंकि तुम्हारे संयुक्त मोर्चे में कम्युनिस्ट शामिल हैं इसलिये हम इस मोर्चे में नहीं आयेंगे क्योंकि कम्युनिस्ट देशद्रोही हैं, इनको देश से प्रेम और ममत्व नहीं है। दूसरी ओर कम्युनिस्ट पार्टी के भाई कहते थे कि अगर तुम अपने मोर्चे से जासंधियों को बुलाओगे तो हम इस मोर्चे से बाहर चले जायेंगे, हम इस मोर्चे में शामिल नहीं होंगे चूंकि जनसंघी साम्प्रदायिक है। हमारा जवाब होता था उस समय, और वह जवाब आज भी है, कि जनसंघ जितना साम्प्रदायिक है उससे ज्यादा साम्प्रदायिक तो कांग्रेस की पार्टी रही है। श्रीमान् मैं बिहार के गांवों से आता हूं, बिहार के क्षेत्र में मैंने देखा है कि हर चुनाव के मौके पर, 1952 के मौके पर देखा, 1957 के मौके पर देखा, 1962 के मौके पर देखा कि अल्पसंख्यक वर्ग के मुसलमानों को कांग्रेस की ओर से यह कहा जाता था कि तुम्हारा रक्षक एक मात्र जवाहरलाल नेहरू और आम तौर पर कांग्रेस पार्टी है, अगर तुम कांग्रेस को वोट नहीं करोगे, दूसरी पार्टियां अगर ताकत में आ जायेंगी तो तुमको पाकिस्तान भेज देंगे। यह साम्प्रदायिकता का जहर बीस वर्षों तक कांग्रेस ने बोया है। जहां तक एन्टीनेशनल का सवाल है, जो जन संघ के भाईयों का कहना था कि कम्युनिस्ट एन्टी-नेशनल हैं, उनको देश से मोहब्बत नहीं है तो उनके लिये हमारा जवाब होता था कि कम्युनिस्टों से भी ज्यादा एन्टीनेशनल कांग्रेस है क्योंकि पिछले 20 वर्षों तक कांग्रेस का हुकूमत रही है और कांग्रेस की हुकूमत के दमियान हमारी हजारों हजार वर्ग मील जमीन चीन के कब्जे में चली गई है।

SHRI BHUPESH GUPTA: You will not call us anti-national after what you have said.

श्री रेवती कान्त सिंह : मैं सपोज कर रहा हूँ। (Interruption) I was clarifying.

وانس چتران (شری اکبر علی

خان) : یعنی آپ نہیں مانتے ہیں بلکہ جن سنگو کہتا ہے -

† [उपसभाध्यक्ष (श्री अकबर अली खान) यानी आप नहीं मानते हैं बल्कि जन संघ कहता है।]

श्री रेवती कान्त सिंह : हां मेरे कहने का मतलब यही है। अगर वह सपोज कर लिया जाय तो उससे भी बड़ी एन्टीनेशनल कांग्रेस है क्योंकि पिछले बीस वर्षों में जब से उनकी हुकुमत है उनकी हुकूमत के दमियान हमारी हजारों हजार वर्गमील जमीन चीन ने कब्जे में किया है, पाकिस्तान ने कब्जे में किया है। हमने अपने देश की जमीन संभझौता करके बर्मा को दे दी। सीलोन हमारे टापू पर कब्जा करने का दावा करता है। हमारी सरहद जो 15 अगस्त 1947 को थी वह सरहद रोज सिकुड़ती जा रही है। इससे ज्यादा अराष्ट्रीय काम क्या हो सकता है? इसलिये हमने कहा, कभी-कभी राक्षस को मारने के लिये शैतान से हाथ मिलाना पड़ता है इसलिये कांग्रेस को गिराने के लिये आओ और मिलो। परन्तु मुझे अफसोस है कि इन पार्टियों ने सुना नहीं और आम चुनावों में कांग्रेस केन्द्र की सरकार में आ गई फिर भी जनता ने अपना फर्ज पूरा किया, एक अच्छा काम किया जनता ने गैर-कांग्रेसी दलों को कई राज्यों में बहुमत में जिताय़ा और कांग्रेस फी अल्पमत में डाल दिया। गैर-कांग्रेसी हुकूमतें बनीं। यह बात सही है जैसा अभी माननीय सदस्य पीताम्बर दास जी कह रहे थे कि संविद की जो सरकारें बनीं उनमें इन्हें रेंट बीकनेस थी कि वह सरकारें एक पार्टी की सरकार की तरह से नहीं चल सकती थीं लेकिन उन सर-

कारों को भी चलने का मौका नहीं दिया गया। हमने हरियाणा में देखा, पंजाब में देखा, बंगाल में देखा, उत्तर प्रदेश में देखा, बिहार में देखा कि किस तरह से वहां की सरकारों को चलने नहीं दिया गया और उन सरकारों को गिराने में गवर्नर के पद का उपयोग किया गया। इन सारी बातों की नज़ीर हमने दी। उन पर हम पिछले समय कई बार, भूत काल में, बहस कर चुके हैं। मैं उसकी तफ़सील में इस समय जाना नहीं चाहता (Time bell rings.) लेकिन यह सारी कार्यवाहियां, जो होती रहीं, केन्द्र की सरकार की ओर से, कांग्रेस पार्टी की ओर से उसके पीछे एक ही मूल लक्ष्य रहता था कि किसी भी तरह से कांग्रेस ताकत में बनी रहे। जो बिहार में बी० पी० मंडल की कठपुतली सरकार बनी तब भी पीछे से वह वायर पुलिंग करते रहे।

श्री अर्जुन अरोड़ा : जो भोला पासवान की है वह भी करती है।

श्री रेवती कान्त सिंह : उसको कांग्रेस का समर्थन प्राप्त नहीं है और अगर डिफ़ेक्शन कराएंगे तो हम भी कराएंगे ही। क्यों नहीं कराएंगे? हम तो चाहते हैं केन्द्र में भी डिफ़ेक्शन हो और अर्जुन अरोड़ा भी इस तरफ चले आयें।

उपसभाध्यक्ष (श्री अकबर अली खान) : अब आपका वक्त हो रहा है।

श्री रेवती कान्त सिंह : मैं खत्म कर रहा हूँ। तो इस तरह से उन सरकारों को नहीं चलने दिया गया। अब जब संविद की सरकारों को गिराने के लिए डिफ़ेक्शन कराये गये उस समय तो बड़ी-अच्छी बातें थीं, लेकिन अब उसका उल्टा भी हो रहा है और कांग्रेस की ओर से भी डिफ़ेक्शन होते हैं और जब कांग्रेस की ओर से डिफ़ेक्शन हो रहे हैं, जैसा कि एक

† [] Hindi transliteration.

[श्री रेवती कान्त सिंह]

स्टैटिस्टिक्स अखबार में निकला था, मैं उसको ला नहीं सका, मैंने देखा उसमें जो परसेन्टेज निकला था उसके अनुसार सबसे ज्यादा डिफेक्शन कांग्रेस में हुआ है और इसलिये आ ज्यादा बिन्ता हो रही है कि इसको कैसे रोका जाय।

श्री अर्जुन अरोड़ा : अब तो एस० एस० पी० में भी शुरू हो गया है।

श्री रेवती कान्त सिंह : ठीक है वह तो होगा ही, आपकी बगल में बैठेंगे तो आयेगा ही, टोकरी में एक फल सड़ता है तो सारे फल सड़ने लगते हैं।

अब सवाल यह उठता है कि बड़ी चिंता व्यक्त की जा रही है कि इसको रोका जाय। रोकने के लिये कमेटी बनायी जाय। कमेटी जांच करे। रोकने के लिये कानून बनाया जाय कानून बनाने से, कमेटी बनाने से वह रोकने वाला नहीं है। इसको रोकने के लिये हमको अपने चरित्र को बदलना होगा। इसको रोकने के लिये, बिना कानून बनाये, भारत का जो मौजूदा-संविधान है उस संविधान की धाराओं का ईमानदारी के साथ अगर हम पालन करते रहें, हर राज्य में अलग अलग स्टेट्स ने एंटी-कॉर्प्टेशन नहीं हो, बंगाल में कुछ हो, पंजाब में कुछ हो इन्टरप्रिटेसन, उत्तर प्रदेश में कुछ और बिहार में कुछ हो—अगर ऐसा होता रहेगा तो कानून बनाने के बाद भी कानूनों का उल्लंघन होता रहेगा और जो संविधान अभी मौजूद है उसको अगर सही ढंग से हम इन्टरप्रेट करेंगे तो हमें अलग से कानून बनाने की जरूरत नहीं पड़ेगी। (Time bell rings.) मैं दो मिनट में समाप्त करता हूं। कहा यह गया प्रस्ताव पेश करते वक्त, कि हिन्दुस्तान में टू पार्टी सिस्टम नहीं है जैसा इंग्लैंड में है हालांकि इंग्लैंड में भी "टू पार्टी" सिस्टम नहीं है। वहां भी लिबरल कंजर-

वेटिव, लेबर और कम्युनिस्ट पार्टियां हैं। लेकिन टू पार्टी सिस्टम का यह स्लोगन मैं जहां तक समझ पाया हूं वह एक पूंजीवादी नारा है क्योंकि आप देख रहे हैं, हिन्दुस्तान की राजनीति में जिस तरह से पूंजीपतियों का पैसा खर्च किया जाता है, डिफेक्शन कराने के लिये रुपये खर्च किये जाते हैं, चुनाव में उम्मीदवारों को जिताते के लिये राजनैतिक पार्टियों को चन्दे दिये जाते हैं तो यह जो पैसे खर्च होते हैं अगर मल्टीपार्टी सिस्टम रहेगा तब कई पार्टियों को देना पड़ेगा जो कि उनके लिये एक खतरा है। इसलिये यह स्लोगन पूंजीपतियों का स्लोगन है कि अगर दो ही पार्टियां रहेंगी तो दो ही को देना पड़ेगा, कभी किसी को बैठायेंगे, कभी किसी को बैठायेंगे अगर हम जनतंत्र में विश्वास करते हैं तो हर आदमी के विश्वास के मुताबिक, फेस के मुताबिक हम संगठन बना सकते हैं तो फिर यह दो पार्टी सिस्टम की बात करना उसके अधिकारों को कस्ट्रेंट करना होगा, उन पर रोक लगाना होगा। इसलिये यह जो दो पार्टी सिस्टम है बिल्कुल कैपिलिस्टिक थ्योरी है, कैपिलिस्टिक स्लोगन है। इसलिये अंतिम सेन्टेंस मैं कह रहा हूं। यह जो कहा गया है कि बड़ी गड़बड़ी हो गई, उथल-पुथल हो गई, तो रोमो रोला ने कहा है एक जगह पर :

"If order is injustice, disorder is the beginning of justice."

पिछले 20 वर्षों से जो अन्यायपूर्ण अव्यवस्था इस देश में रही है और अब जो व्यवस्था आ रही है वह आने वाले न्यायपूर्ण व्यवस्था की शुरुआत है। पिछले 20 वर्षों से कांग्रेस सरकारों ने राज्यों में तथा देश में जो अन्यायपूर्ण अव्यवस्था फैला रखी थी उसको संविद की सरकारें खत्म करने जा रही हैं। रात्री के बाद सुबह आती है फिर दिन आता है और इस तरह से कांग्रेस की सरकारें रात की सरकारें थीं, संविद की सरकारें भोर

की सरकारें हैं। अगले चुनाव के बाद दिन की सरकारें आयेंगी और पोलिटिकल पोला-राइजेशन होगा ही, उसके लिए कोई चिन्ता करने की जरूरत नहीं है, कमेटी बिठलाने

"Out of chaos, a dancing star of revolution will come."

SHRI ARJUN ARORA: Mr. Vice-Chairman, I rise to oppose this Resolution. The Mover, my friend, Shri Khaitan, is worried about what he calls administrative instability in some of the States after the elections. This sort of instability was bound to come one day or the other. So far, we had the fortune that one Party had its Government in almost all parts of the country, with the exception and repeated exception of Kerala and once or twice of Orissa. The system of one Party having its Government at the Centre and in all the States was bound to be a temporary phenomenon and because of various political, economic and social factors, a sort of mosaic had to emerge. That should not mean any instability and that should not cause concern to anybody. The process of change had to take place and I welcome the process of change. But I do not welcome the fact that in many States, with the notable exception of Madras, the change has come about because of opportunistic alliances between incompatible Parties and as a result of unprincipled combinations, leading to Samyukta Vidhayat Dal Governments in several States. If there is any instability, it is due to the fact that some of the political Parties, from which better was expected, accepted Dr. Lohia's philosophy of non-Congressism. On that negative basis they formed alliances which were, to say the least, unprincipled and opportunistic. They could not be stable and the people in the country have seen that they were not stable . . .

श्री सूरज प्रसाद (बिहार) : संविद किसी नेगिटिव आधार पर बनी है।

श्री अर्जुन अरोड़ा : किसी ने भी प्रोग्राम को फालों नहीं किया। अफसोस है कि प्रोग्राम रखा ही रह गया है।

These alliances had to break and they have broken. The people at large have learnt that the non-Congressism of Dr. Lohia and anti-communism of Mr. Abid Ali, and in fact any negative philosophy, is not good for the country. This lesson had to be learnt by our people. If our people have learnt it in one year or less than one year, we should congratulate our people because it is a sign of the political maturity of the Indian people. In any other country perhaps this process would have been longer. These alliances had to fail and they have failed.

What we need today is not a change in our Constitution. What we need today is not a change in our system of Government. What we need today is not a parliamentary committee or a committee of experts to go into the revision of our Constitution. What we need today is that some political Parties should learn the lesson the normal lesson, that opportunistic alliances are not in the interests of our country. Each political party should try to convince the people on the basis of its own programme and till it has not convinced a sufficiently large number of people so as to come to power, it should rest content with being in the Opposition. The process will, of course, have to be long. Defections have been mentioned by a number of speakers...

श्री रेवती कान्त सिन्हा : श्री निजलिगप्पा साहब ने भी कोलेशन की बात कही है।

श्री अर्जुन अरोड़ा : मैं निजलिगप्पा साहब का पैरोकार नहीं हूँ, यह आप जानते होंगे।

[Shri Arjun Arora.]

Some Members have mentioned defections and I am glad they have done so. But for one or two people who have tried to glorify defections this afternoon, the people at large in the country do not like defections, do not like defectors and they consider defectors, particularly by those defectors who became Ministers and Chief Ministers after defection, as immoral people. I do not think it is necessary to make a law against defection. There is, in fact, a considerable amount of legal, constitutional and procedural difficulty in enacting a law against defection. It may be struck down by the Supreme Court, but even if it was constitutionally and legally possible, I will not be in favour of it. A democratic system of Government thrives on the basis of the consciousness of the people. Let us create consciousness amongst the Indian people against defectors. Let us create public opinion which will force people to resign from the Legislature, in case they resign from the Party, on whose ticket they were elected. Democracy should rely less on laws and stringent laws and more on public opinion. Let us create that. The Indian National Congress, in setting up candidates in Haryana, has given a very good example for others to follow. No defectors were given the Congress ticket for contesting Assembly seats in Haryana..

श्री डाह्याभाई व० पटेल (गुजरात):
सौ चूहे मार बिल्ली हज गई।

श्री अर्जुन अरोड़ा : कुछ ऐसे हैं जो सौ
चूहे मारने के बाद 101 के पीछे दौड़ते रहते
हैं।

I urge upon all the political parties to follow the example of the Congress in the matter of the mid-term election in Haryana and if all political Parties declare that they will not give their tickets to defectors for at least six years..

श्री सुरज प्रसाद : श्री बनारसी दास जो
पांच बार अपनी पार्टी बदल चुके हैं।

श्री अर्जुन अरोड़ा : कौन है ये बनारसी
दास, मैं उसको नहीं जानता हूँ। आपके कोई
भाईवन्द होंगे।

श्री सुरज प्रसाद : हमारे नहीं आपके
भाईवन्द हैं। भिवानी से खड़े हैं।

SHRI ARJUN ARORA: Let all political Parties decide that they will not give their tickets, their Party banner, for exploitation, to any defectors for six years and the political climate in the country will improve. There is a suggestion, rather panicky suggestion that because there have been some defections we should do away with the State Assemblies. Then there is the panicky suggestion that instead of the parliamentary system of Government the Cabinet system of Government, we should take to the American or the Presidential system of Government. I personally feel that the present system of Cabinet responsibility to Parliament and Legislature is the most democratic system, and the Founding Fathers of our Constitution were right in adopting it. Let us not give up that system merely because 1967 has been a bad year for the country. Let us persist with the system which we have so wisely adopted. There are many dangers in the Presidential system too which people do not realise. A Cabinet system of Government is much more responsive to people than a Presidential system can be.

My friend, Mr. Parthasarathy, is very anxious for a strong Centre. I personally feel that this talk of a strong Centre will only make the Centre weaker. State Governments are anxious for greater autonomy. If friends like Mr. Parthasarathy repeatedly talk of a strong Centre, they

will only encourage various parties which are only State parties, and which do not expect to become all-India parties, to clamour for greater and greater autonomy. This talk of a stronger Centre is most inopportune and unwise.

Another alarming thing which Mr. Parthasarathy said and with which I strongly disagree is his suggestion that there should be qualifications for franchise. Mr. Parthasarathy pleaded for certain qualifications for being a Member of Parliament—and to my greatest alarm—he mentioned property qualifications. He is wedded to democracy more than I am. He at least shouts more for democracy than I do. But today he was advocating, what in political terms is called, plutocracy. Adult franchise implies the right of every voter beyond a certain age to contest in Parliament and State Legislature. This is a democratic right which nobody should try to take away. There can of course be no justification for limiting the franchise or limiting the membership of Parliament to those possessing property qualification.

SHRI BALACHANDRA MENON
(Kerala): For those who have too
much property it must be the other
way.

SHRI ARJUN ARORA: I stand between Mr. Balachandra Menon and Mr. Parthasarathy. Even in the case of people having too much property I would encourage them to spend some of their property in seeking elections so that there may be better distribution of wealth or at least some circulation of money.

Mr. Devi Singh is extremely nervous because his party has lost two seats in what was considered a strong hold of the Swatantra Party. He was imputing all sorts of motives and telling us all sorts of stories about what Mr. Sukhadia did or did not do. There is another version to what has

happened in Rajasthan. The Swatantra Maharani has lost much other glamour. That is why her party has lost in Rajasthan.

My friend, Mr. Pitamber Das, was alarmed at mid-term elections in U.P. and one of the rather funny reasons of his was that expenditure was involved and, particularly in the case of U.P., large-scale expenditure would be involved because more than 4 crore voters would have to go to polls. I personally feel mid-term elections are a panacea against political opportunism. Mid-term elections are the way out of political instability which seems to cause all of us some worry. Mid-term elections give the people, the voter, an opportunity to have a say in our affairs. It gives the people an opportunity again and again to save the destiny of the country and give a stable Government. Mid-term elections should be persisted with till we have stable Governments in various States.

With these words I oppose the resolution.

SHRI BHUPESH GUPTA: Mr. Vice Chairman, I naturally rise to oppose this preposterous resolution brought before the House by the Calcutta millionaire and esteemed friend, Mr. Khaitan. I was wondering what was the inspiration for this kind of a resolution which seeks to substitute the present parliamentary system by the Presidential system. It is not also accidental that this suggestion has found immediate response, positive response from the Swatantra Party. Now I would invite your attention to a speech made by Shri J. R. D. Tata to the 60th Annual General Meeting of the Indian Merchants Chamber, Bombay on February 20th this year, and if you go through the speech you will find that Mr. J. R. D. Tata does not confine himself to only the economics of a particular concern or economics generally but deals with some

[Shri Bhupesh Gupta.] very fundamental, basic political questions. This is what he said—I must say that he was referring to the situation after the Fourth General Election—he says:

"Can we afford such a risk and what will be the fate of our hundreds of millions of hungry and by then angry people if we do and the gamble fails? Is that not the very situation that our Communist friends are planning and working for and which will create for them the opportunity to realise their dream of capturing power by force?

What then is the alternative? Might it not be a Presidential system of federal Government in which a Chief Executive at the Centre and executive Governors in the States are elected for a term of years during which they are irremovable and free to govern through Cabinets of experts appointed by them and who may but need not include professional politicians? There can be many variations of such a system, many ways of electing President and Governors, but its main characteristics, however, are stability on the one hand and expert management of affairs on the other. The executives of such Government will not as in the British system be directly responsible to Parliament in their day-to-day management of a country's affairs and constantly vulnerable to political skulduggery but would be subject to constant and vigilant scrutiny by Parliament which of course must remain the only body entrusted with law-making."

*Then he went on:

"What in practice should we do? I suggest that the first step should be the appointment by Parliament of a high power Commission to undertake a comprehensive study of

the problem and to recommend such revision of our Constitution as will ensure the attainment of the desired objective. The Commission should consist of outstanding experts in the fields of politics, law, education, science and other professions."

Here is the echo of Mr. J. R. D. Tata in the shape of a Resolution brought before this House by one of his blood-brothers and a multi-millionaire from Calcutta. No one . . .

SHRI ARJUN ARORA: No, no, he is not so rich. I think.

SHRI BHUPESH GUPTA: I do not know. The speech he read out, I do not know who prepared that. Now, let us deal with . . .

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): The presumption is that the Member has himself prepared it.

SHRI BHUPESH GUPTA: Presumption is nothing. The presumption is that Mr. Tata's secretary may have written it also.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): No, no.

SHRI BHUPESH GUPTA: Presumption depends upon the individual. I may not do, you may not do. But we are not concerned with the presumption for the moment.

-Now, here, Mr. Vice-Chairman, I would have ignored this thing were it not for the fact that the reactionary Press in the country, some multimillionaires like Mr. Tata and some politicians have begun to raise very serious questions about the utility of the parliamentary system. Ever since the Fourth General Election, they have been demanding that there should be a change in the system and that we should go in for the Presidential system. There is a campaign.

going pri. The more the parliamentary system is put to disrepute by the ruling Congress Party here by corruption, by black money, by bribery and by the subversion of the Constitution, by those whose job is to defend the Constitution, the greater is the demand not for remedies in a democratic direction but for the annulment of the system and its replacement by a Presidential system. Reaction aims its strategy against the people, against democracy, for establishing a full-fledged rule of the monopolists. It is significant that this kind of demand is being sympathetically viewed in the United States of America because some of their papers have also suggested that India is not suitable for the parliamentary system, that something like the Presidential system should replace the present system.

Now, I give the genesis of this Resolution in order to understand its true character. I am all the more worried because I know it for a fact that Mr. J. R. D. Tata and Mr. Birla have made it known privately to their close friends that if they want to bring about defections from the left parties or anybody else in the Opposition, they would be prepared to finance such defections. They have made it also known that in order to keep the left and democratic forces at bay or at least to prevent them from going ahead, they would be prepared to support coalition governments which would exclude such parties as are dedicated to the cause of the working people. In this connection, naturally, they raise the bogey of anti-Communism in order to divide the Communists from other non-Communist democrats so that they are in a better position, namely the monopolists and their friends, because they know that once they can disrupt the unity between the Communists and other democrats, those democrats who are non-Communists would be much more vulnerable to the pressure of the monopolists and

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the reactionaries as indeed it has been the experience of many countries.

Therefore, in the final analysis, it is an attempt, a manoeuvre directed against the country's entire democratic movement and certainly it is not one which is directed against the Communists alone. That one must remember.

Now, instability has arisen. Why this instability has arisen, let us be clear about it. The monolith of Congress power has collapsed morally, it has lost its base. Politically, it has been divided into a number of States. An attempt was made by the Congress rulers to revive their government, to restore the Congress rule, by methods of engineered defections, defections by inducement of all kinds, by corruption and other methods. In West Bengal, it has been tried. In Bihar, it has been tried. In U.P. it was attempted at. In Punjab, it is in progress. What has happened? Now, nobody bothers much about the Hyderabad Resolution even in the ruling party because even though they feel that they may succeed for the time being in toppling the non-Congress popular Governments by corrupt practices and above all by the abuse of constitutional power and authority by applying the office of the Governor to serve their partisan ends and by flouting constitutional principles and so on, they realise that even so, it is not possible to come back to power again either directly or by putting up puppets in order "to rule by proxy or through their puppets. In West Bengal, that experiment has failed; in Bihar that experiment has not only failed but prominent and top-ranking Congressmen like Shri Binodanand Jha and Shri Bhola Paswan Shastri have come out of the Congress. One of them, Shri Bhola Paswan Shastri, is leading a non-Congress popular Government in the State. Now, what remains in the Congress today is the carcass of the old Congress; it

[Shri Bhupesh Gupta.]

has been despised by the people, despised all along. In UP, an attempt was made to give a little time to Shri C. B. Gupta by suspending the Assembly so that he could utilise the opportunity to win over some people or buy some votes and do other things. When he went to deliver the goods, the Presidential Proclamation became promulgated, as we know. In Punjab, the experiment is going on. But there also, you see the Congress is losing face every day; internal quarrels of the Congress are growing. Recently, elections took place to the Punjab Vidhan Parishad from the teachers' constituency, the graduates' constituency, the local self-government, the local bodies', constituency. Out of the seven seats, the Congress won only one seat and in the graduates' constituency which is supposed to be very enlightened and which should be qualified for voting more than the others, according to Shri Parthasarathy, the Congress candidate got only 55 votes. Therefore, this experiment has failed. (*Interruptions*) Now, I agree that there is still no stability. The reason for this is that an alternative to the Congress at the national level has not yet emerged. I frankly admit this thing. At the State level it has emerged in some States. But at the national, all-India level, it has not emerged. The alternative to the Congress at the national level, in our view, is not merely a collection of a number of non-Congress parties; the alternative to the Congress at the national level, in our view, must be a united front of the left and democratic parties. We want a left and democratic alternative to the Congress, not any alternative to the Congress. Although it is a historic necessity, the Congress must be pushed out of power for the sake of the country, and I entirely agree with the quotation that was referred to by my friend of the Socialist Party that in some cases disorder is the beginning of order. I say that

disorder is welcome inasmuch as it pulls down all that is corrupt, all that is rotten, all that is decrepit and all that is anti-national and anti-democratic. And it is encouraging that it promotes other causes. I would, therefore, like that alternative to be created.

The question has been raised as to why we are in the coalition Governments in the various States with the Swatantra Party and the Jana Sangh. I make it abundantly clear on behalf of my party that as far as the Centre is concerned, we do not envisage a coalition Government consisting of the Communists on the one hand and the Swatantra Party or the Jana Sangh on the other. We will have nothing to do with a coalition of that type here because big policy issues will be involved, foreign and national, very fundamental issues will be involved. Obviously, we cannot foresee or envisage a situation when these parties, undoubtedly incompatible—we are proud of their incompatibility—can go together in a coalition Government. Therefore, we agree with our S.S.P. friends because they think that all of us can get together. Here I say it is not possible at the Centre. You may do it in municipalities. You may do it at the State level also. But here at the Centre it is not a question of administrative power, it is a question of keeping hold of the State power when we shall be called upon to do so many things and to meet so many situations with conflicting demands ...

. SHRI K. S. CHAVDA (Gujarat): What about municipal elections in Kerala?

SHRI BHUPESH GUPTA: . . . Naturally class battles will develop between the forces of progress and the forces of reaction, between the working people on the one hand and the exploiting classes on the other, especially the monopolists, big landlords. Naturally, the Central Gov-

ernment will depend upon the States to utilise the State power, to exercise the State power with a view to strengthening the democratic position of the masses, weakening the position of the imperialists and monopolists in this country as well, as other parasites like big landlords. Here, therefore, there is no meeting ground whatsoever; there is a conflict between the parties of the right and the left parties on the other. (*Time bell rings*) No, no. Not yet.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Fifteen minutes each and you have already taken 17 minutes.

SHRI BHUPESH GUPTA: I am finishing. Therefore, it is not enough to say that we want a programme-orientated Government, not power-orientated, as Mr. Madhu Limaye said. We want "power as well as programme. But in order to get at the power at the Centre we need a programme. We require mass movement, mass struggle in the country, workers struggle, general strikes. Unless we do these things it is not easy to capture power at the Centre. For them it is a battle of survival. If we develop such mass united action with leftist parties alone, can it be possible for us to bring about an internal crisis within their party here so that defections may also take place? This will be a secondary factor. But Mr. Vice-Chairman, we want to come to power, not by gaining the possible defections, but by united mass action all over the country leading to political action of the working people all over the land.

Many other things have been said. I think the Constitution should be amended -to give more power to the States and make the Parliamentary system valid there because that is the source of power and the Centre should be a real federal Centre, not a unitary centre, in fact federal and not federal in pretension.

There should be abolition of all the Upper Houses. I think they are * Parliamentary anachronism. I know I shall be abolishing myself and I am ready to be abolished. I do not think that the Upper Houses should continue. They have become a living example of corruption and other things. People spend millions of rupees to get into the Upper Houses.

SHRI K. S. CHAVDA: Do you include Rajya Sabha also?

SHRI BHUPESH GUPTA: Yes. I include myself also here. I will abolish myself along with you. It is not a question of you and I. We shall be passing away. We are not immortals but India will live, institutions will live. I, therefore, think that Upper Houses have become utterly useless. I demand that they be abolished because people come here without any party support with the Congress selling seats to millionaires and Multi-millionaires.

Besides, Upper Houses are an anachronism. In a democratic system of that kind you can have a House of nationalities and linguistic groups. I can understand that. But these upper Houses should go.

SHRI ARJUN ARORA: You should set an example by resigning your seat if you think that this House is not useful and is not in the interest of the country. He may set an example by resigning his seat.

SHRI BHUPESH GUPTA: Since you are there, Mr. Arjun Arora, why should I resign? If they go to hell I will go there too. I am a policeman here to arrest, shall I say—well, I would not say anything now.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): We do not want any policeman in Assemblies.

SHRI BHUPESH GUPTA: Political policemen. (*Time bell rings*) Mr. Vice-Chairman, I shall charge them everywhere. I want to get my country and my people rid of these People as for as Upper Houses are concerned.

I accept defections. Whether it is right or wrong is debatable. I think defections are good in some cases or *vice-versa*. Let there be a provision that after a defection if 30 per cent, of the electorate of that constituency demands that there should be recall, there should be recall proceedings. Opinion should be taken of the entire constituency as to whether the man should vacate his seat or not. (*Time bell rings*) I am finishing.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): There are some new Members also.

SHRI BHUPESH GUPTA: I am very quickly finishing. As far as the size of the Council of Ministers is concerned, you should restrict it so that they are not more than 10 per cent. The Council of Ministers should not include more than 10 per cent, of the Members of Lok Sabha or the Assemblies, subject to the maximum of 30. In no case it should be more than 30. Ten percent, or 30, whichever is less should be there. Then Parliamentary Secretaries, because they draw emoluments, should be counted within that category of 30. Mr. Vice-Chairman, that restriction we can put very easily.

As far as big money is concerned, I think we should take certain steps to prevent big money from trespassing into politics in a big way.

SHRI K. S. CHAVDA: You are a socialist. Give time to some new Members also.

SHRI BHUPESH GUPTA: Do not appeal in the name of new Members, Do not embarrass me.

We have suggested before the so-called Committee on defections that steps along these lines could be taken. And, finally before I sit down . . .

SHRI ARJUN ARORA: You continue for two more minutes.

SHRI BHUPESH GUPTA: I am finishing. We want a strong democracy. Now there is the slogan for a strong Centre for usurping more autocratic powers. The Centre can only be worth if it is based on foundations of democracy which means the States should have larger autonomy, politically and economically, in every sphere. The Centre should have very restricted power concerning the national policy.

The institution of Governor should be abolished. The President should be made clearly a Constitutional, ceremonial head. Bureaucracy at the Centre should be disorganised. I think we should free our country from the octopus grip of the I.C.S. and I.A.S., ridden bureaucracy which is incompetent, which is corrupt, which has no imagination, no sympathy for the masses. Therefore, I think what we need is a process of democratisation.

We should need amendment of our Constitution with a view to strengthening democracy, giving more rights to our people, curtailing the powers of the autocratic elements at the Centre and also bridling the present bureaucracy and generally setting our institutions on well-defined democratic foundation in which the masses and the people will take part.

Finally, Mr. Vice-Chairman, Sir, Mr. Khaitan has done a good job, I believe, from the point of view of Tata. Since he belongs to the Congress Party he would be well-advised to withdraw this Resolution because the Congress so far as we know, has not come to the conclusion that what Mr. Tata says is the Party line.

Mr. Parthasarathy, I am told, is being named for admission into the Government. But one thing is clear. What Mr. Parthasarathy has said, after that he should never be included in the Council of Ministers.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): No_w there are two Messages. And there are some new Member_s anxious to speak. If the House can sit for half an hour, because Mr. Bhupesh Gupta has taken mor_e time, they can also take part. I am in the hands of the House. What is th_e opinion of the House? Shall we continue?

(No hon. Member dissented.)

5P.M.

MESSAGES FROM THE LOK SABHA

I. THE PUBLIC PROVIDENT FUND BILL, 1968.

II. APPOINTMENT OF A MEMBER TO THE JOINT COMMITTEE ON THE SCHEDULED CASTES AND SCHEDULED TRIBES ORDERS (AMENDMENT) BILL, 1967

SECRETARY: Sir I have to report to th_e House the following messages received from the Lok Sabha, signed by the Secretary of the Lok Sabha: —

(I)

"In accordance with the provisions of Rule 96 of the Rule_s of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith the Public Provident Fund Bill, 1968, a_s passed by Lok Sabha at its sitting held on the 2nd May, 1968."

Sir, I lay the Bill on the Table.

(II)

"I am directed to inform Rajya Sabha that Lok Sabha, at its sitting held on Friday, the 3rd May, 1968, adopted th_e following motion in regard t_o th_e Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill, 1967: —

"That this House do recommend to Rajya Sabha that Rajya Sabha do appoint a member of Rajya Sabha to the Joint Committee on the Bill to provide for the inclusion in, and the exclusion from, th_e lists of Scheduled Castes and Scheduled Tribes, of certain castes and tribes, for the readjustment of representation, and redelimitation of parliamentary and assembly constituencies in so far as such readjustment and redelimitation are necessitated by such inclusion or exclusion and for matters connected there with, in the vacancy caused by the "re" signation of Shri D. Sanjivayya from the membership of the said Joint Committee and do communicate to this House the name of the member so appointed by Rajya Sabha to the Joint Committee."

I am to request that the concurrence of Rajya Sabha in the said motion, and also the nam_e of the member of Rajya Sabha appointed to the Joint Committee, may be communicated to this House."

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Now there are seven members. I would request them to confine themselves to five minutes.

DESOLUTION REGARDING APPOINTMENT OF A COMMITTEE TO REVIEW CONSTITUTIONAL PROVISIONS RELATING TO FORM OF GOVERNMENT IN STATED—continued.

شری سید حسین (جموں و
کشمیر) : جناب - جو تجویز ہاؤس کے