

SHORT DURATION DISCUSSION
UNDER RULE 176 REGARDING
ABOLITION OF PRIVY PURSES
ETC. OF RULERS OF FORMER
INDIAN STATES

THE DEPUTY CHAIRMAN: Now, we go on to the short duration discussion On the abolition of the privy purses. Before we begin the discussion, I want to say that there are 18 signatories to this motion out of which seven names come from the Congress Party, to which eight or June more names have been added, which makes it about 15 or 16 names. I do not think the Chair can call every one of them. The Chair will use its own discretion . . .

SHRI LOKANATH MISRA (Orissa): You may kindly adopt the same procedure.

THE DEPUTY CHAIRMAN: I want to say that I want the same procedure adopted by which we will finish it within the limited period of time. The PSP has got four names. Mr. Govinda Reddy, you may decide who will speak.

SHRI MULKA GOVINDA REDDY (Mysore): We have already sent our list.

THE DEPUTY CHAIRMAN: Then, Mr. Banka Behary Das, you will speak. Mr. Murahari will speak for the SSP. And then the problem is the Congress list which is ever so big. Mr. Chatterjee, one name is there from your party. But the Congress list is far big. I hope they will not mind if the Chair uses its discretion and gives a fair distribution. Mr. Tengari your name is there. There is no problem about the Opposition parties at all because you come to a decision of who will speak for the whole party.

Now, I call Mr. Bhupesh Gupta. You will get ten minutes.

SHRI B. K. P. SINHA (Bihar): There are some very eminent parlia-

mentarians sitting here. They do not belong to any party. But their views are very valuable. They should be a chance.

THE DEPUTY CHAIRMAN: I will not overlook that point at all. But the point that we will carry on the discussion up to 6.000 and at 6.00 sharp, the Minister-in-charge will reply.

SHRI BHUPESH GUPTA (West Bengal): Madam Deputy Chairman, I am glad that we have an opportunity to consider this question of the privy purse institution which has got to be abolished and I do hope that by now the Government has made up its mind and that the Home Minister would be in a position to make a categorical statement in this House that the privy purses shall be abolished.

Now, much has been said about the moral sanctity of the privy purse and our beloved Princes, glittering and resplendent, all want to make out as if the heavens will come down and there will be a moral collapse of the society if we were to abolish the blood money that they receive as privy purse. I would like to remind the House straightway that when the Draft Constitution was presented to the Constituent Assembly, there was no provision initially in the Draft Constitution to provide for the privy purses or for the provision of article 291 of the Constitution as it is today. It is only in the course of the discussion that Dr. Ambedkar, the Law Minister, suddenly moved an amendment to the clause which was at that time called 267A to include the provision for privy purses in the Constitution. And that amendment was adopted without discussion. Now, from these two things it is quite clear that the founding fathers of the Constitution, as they are miscalled, thought that there should not be any provision in the Constitution about the privy purses. Secondly, only as an after-thought did the Government decide to provide for the privy purse and the reason for this is quite clear. You will find it in the

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deliberations of the Constituent Assembly and other statements made later on as to what was the ground on which the privy purse was sanctioned later on. Sardar Vallabhbhai Patel, the then powerful Home Minister of the country, Mr. V. P. Menon, his adviser, and some other people like Mr. C. C. Desai, then Secretary of the Home Ministry and now, by the grace of Maharani Gayatri Devi of Jaipur, a member of the Swatantra Party, they all came to the conclusion that the privy purse had to be given and the Constitution must provide for it, and an undertaking had been given to the Princes or the ex-Rulers that that would be kept. Sardar Vallabhbhai Patel was a blunt man in some respect. He said very clearly in one speech why he was giving it. He said and I quote:

"... the capacity for mischief and trouble on the part of the Rulers".

He said:

"Need we cavil then at the small—I purposely use the word small—price we have paid for the bloodless revolution ..."

So, it was the price to be paid for what Sardar Vallabhbhai Patel at that time thought was a bloodless revolution. All the Princes had to be paid for it. After all, how cannot the Princes be paid for such a great thing as the architects of or participants in the bloodless revolution? But the money that was paid was blood money taken out of the hungry people. Generations were sought to be condemned in making this payment. And by now, according to the statement of the Home Minister, Rs. 91 crores have already been paid as privy purse to the ex-Rulers of the Indian States. Well, by now, it is Rs. 100 crores. It is their earlier statement. I took into account up to 1966. Now, it would be Rs. 100 crores (*Interruptions*). I am giving the official figure. Now, this money is not a small sum. Apart from the quantum of money

involved, there is a gigantic moral question involved in it and that is what we must settle. I am glad that the AICC has, at the instance and initiative of my esteemed friend, Mr. Mohan Dharia—he will be remembered, if for nothing else, for the resolution he moved at the AICC—adopted this resolution, with Mr. Chavan, I understand, supporting it. In the morning, I said strong words against him. I will convoy a good word for him. He supported the abolition of the privy purses.

Now, what for were they paid the privy purse? If you go into the covenants and the merger agreements and so on which provided for the privy purse, you will find that it is paid for great purposes. What are the purposes? It is stated here; I will just read out the agreement which has been signed with His Exalted Highness the Nizam of Hyderabad and included in the White Papers:

"His Exalted Highness the Nizam of Hyderabad shall, with effect from such and such date . . ."— The date is given—

"... be entitled to receive annually for his privy purse a sum of Rs. 50 lakhs free of all taxes, for meeting the expenses of His Exalted Highness the Nizam of Hyderabad and his family, including the expenses of his personal staff, maintenance of residences, marriages and other ceremonies."

This is the purpose for which Rs. 50 lakhs had been sanctioned for the great, Exalted Highness the Nizam Of Hyderabad. And in addition, he gets another Rs. 25 lakhs from the Andhra Government on account of certain lands. Well, are we to maintain his harem? Have we built up our democracy to maintain the Nizam's harem? I should like to ask. I do not know how many women are there, whether they are looked after, how they are cared for or attended to, whether they are employed or unemployed. But year after year, I

am made to pay Rs. 50 lakhs to the Nizam of Hyderabad. We are told that it has been reduced now to Rs. 20 lakhs. Now it has been reduced to Rs. 20 lakhs for the young Nizam. Maybe, his harem is still bigger, I do not know, if there is some equation between youth and harem. But anyhow, it is so. Now this new Nizam has been met by another Maharaja in the Cabinet by the grace of Shrimati Indira Gandhi, Dr. Karan Singh. Immediately after he celebrated his accession, the new Nizam of Hyderabad came out with a statement that his privy purse was very small and that it should be increased. Rupees twenty lakhs is not enough. The Princes in the Congress Party and the Princes in the Opposition, after all, it is a bond of blue blood. They are coming up together in order to pressurize the Government of India not to abolish the privy purse. I should like to know whether it is permissible for the Members of the Congress Party, specially the Princes, who occupy the Treasury Benches, to enter into such unholy alliances with others of the same breed in order to maintain the privy purse. Well, that is for Mr. Chavan to say.

SHRI LOKANATH MISRA: Even if that topples the Government, you would not agree.

SHRI BHUPESH GUPTA: I do not believe in getting a government topple with privy purse. I do not want the politics of privy purse, Rajmata or Rajahs or Maharajas. I would like to have a government toppled by the blow of democratic forces.

Now, Madam Deputy Chairman, when the privy purse was initially given, it was seen that about two dozen Princes at the top were receiving over Rs. 2 crores. Out of Rs. 6 crores at that time roughly, they were taking the lion's share. And these very Princes come and tell us that as a result of this the small princelings will be put to difficulty.

Now what is this privy purse? Among them are: The Nizam of Hyde-

abad—Rs. 50 lakhs plus Rs. 25 lakhs from Andhra; Gaikwad of Baroda—Rs. 26 lakhs; Scindia of Gwalior, now Rajmata, his mother—Rs. 25 lakhs; Holkar of Indore—Rs. 15 lakhs; Mysore—Rs. 26 lakhs; Travancore—Rs. 18 lakhs; Patiala—Rs. 17 lakhs; Bikaner—Rs. 17 lakhs; Jodhpur—Rs. 17.50 lakhs; Nawanagar—Rs. 10 lakhs; Bhavnagar—Rs. 10 lakhs; Jammu and Kashmir—Rs. 10 lakhs; Rewa—Rs. 10 lakhs; Udaipur—Rs. 10 lakhs; and Kolhapur—Rs. 10 lakhs, and so many others.

In the covenant you will find that apart from this they had been allowed to retain much of their property, money, gold, foreign exchange, palaces, buildings, horses included because the Princes cannot be thought of without their horses. Here you find that the Maharajah of Jaipur was given so many things, shooting lodge, outhouses and all that, 83 acres of uncultivated land for supply of fodder and 19,000 acres of grass preserves and so on for his horses. There are so many other things. I need not go into that. It is not merely privy purse, much of the other properties were left with them. Now imagine how much one has to earn in order to retain, say, Rs. 15—18 lakhs of rupees; maybe, it is Rs. 25 crores which is impossible for any businessman in the country. If he pays income-tax within a reasonable time, they may not retain this much. But this privy purse is tax-free, besides so many other advantages. Why should they get so much? And yet when the late Prime Minister, Shri Lal Bahadur Shastri, wrote a letter to the Nizam of Hyderabad asking for a little money to the Defence Fund, the Nizam sent Rs. one lakh and said that he was a very poor man and he could not pay any more since he had a number of obligations. And when an appeal was made by late Pandit Jawaharlal Nehru earlier for contributions to the Defence Fund, the response from the Princes was negligible whereas the toiling workers gave out of their sweated money Rs. 20 lakhs to the Defence Fund, and yet the workers are being denied a living

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wage, a decent wage. At the same time these extravagant Princes, the best of human society, the parasitic class who are born in treachery, de-pradation and all kinds of crime are backed by the national exchequer to the tune of crores and crores of rupees year after year. What moral sanction could there be, what more reprehensible thing could there be than this in this free country of ours when millions are starving and suffering, when sentiments are guided by socialist ideas, we pay to this horrid lot of 300 or less Princes a total sum of over Rs- 5 crores annually even at this hour jilus very many properties and so 01 ncluding foreign exchange running inla crores of rupees which these gentlemen hold.

Madam Deputy Chairman, I must tell you thJit not only they maintain their heirlooms at home and abroad which the Home Minister is supposed to be looking after, jewels and other things are being removed and sent outside the country. It is not only a moral question in this matter, it is morally reprehensible if we allow this to continue a moment longer this agreement against our conscience. It is a crime against the basic concept of our civilisation. It is a crime against the memory of our great martyrs who laid down their lives fighting the British while these princes let loose a reign of murder and violence against the people. They ruled with unbridled tyranny. (Time bell rings.) I am finishing Madam Deputy Chairman, therefore, the privy purse has to go and must go here and now. I do not know why this Government is hesitating over this matter. Fortunately now all legal opinions which have come to the Government, make it abundantly clear that the abolition of privy purse does not require even the amendment of the Constitution.

Now it is claimed, how can we do it? It is a crime. What about so many other promises to the people? You

have committed breach of faith with the people and the people are punishing you before our eyes. And why do you talk about this particular Covenant which is not backed by any moral law? Even legally the Government is not bound by it.

Madam Deputy Chairman, agreements are sometimes made by the Government for its Own reasons of public policies but when times change agreements do change; agreements are given up; otherwise one cannot think of social progress. If we go by the past agreements, and if we have to stick to them perpetually, the civilisation would come to a stop. I am not going into the merits or demerits of the agreements but they are to be judged in the light of social values. The situation demands, as far as the Princes are concerned, its abolition and the withdrawal of special privileges.

Now, I would like to invite the attention of the hon. Home Minister— I think he is aware of it—to the judgement in the case of *Sudhansuse-khar vs. the State of Orissa* where the Supreme Court has held that you easily abolish the privy purse and the Princes will not be in a position to question its abolition taking protection under the Chapter on Fundamental Rights.

Therefore, everything is quite clear. The legal position is absolutely clear, so clear that we do not need any m*e clarity at all. Again I thank Mr. Dharia for this. The A.I.C.C. now is on test. The nation will watch whether some people in the administration in the Ministries, are superior or the august body of A.I.C.C., the supreme tribunal of the ruling Congress Party is superior. (*Interruption*). Well, I am npt, blind if the A.I.C.C. does this. It is a matter of public policy. Here is the Congress Party which is ruling the country and the mandate has come from the highest tribune of the Congress Party for the abolition of the privy purses. The prime Minister and the Home Minister, if they are loyal to their organisation, if they

if clear allegiance to the organisation, are bound by the sacred mandate of the A.I.C.C. to take measures for the immediate abolition of the privy-purses . . .

THE DEPUTY CHAIRMAN: Please wind up.

SHRI BHUPESH GUPTA: Madam Deputy Chairman, let us not be afraid of the princes. They might have created some trouble in 1948. There might be some justification for that sort of a shady deal between the Government of India and the former princes at that time, some 20 years ago. But to-day the princes have to put on bush jackets and behave like a common man. Life has changed. The Princes will dare not do anything. Well, the princes cannot do anything. They cannot create any nuisance and if they do so, the people will know how to tackle them. I know the princes are essentially cowardly people. Therefore, I again appeal to the Government that there should not be any delay. There is horse-trading going on between the Government "and some princes so that by some voluntary cut, they can assuage public feeling and escape the abolition of the privy purse. The privy purse which is a crime against the conscience of our society, an evil and a blow to our civilisation and certainly a blackspot in our democratic system, must go here and now there must not be any delay or hesitation in achieving this laudable objective set forth before the nation by the A.I.C.C.

SHRI DAHYABHAI V. PATEL (Gujarat): 'Madam, the House has heard a treatise on Communism and the English language loses much of its significance or acquires a new meaning when words are used by the Communists, whether it is 'immorality', whether it is 'democracy', whether it is 'sanctity'. I hope this House or Parliament, which still calls Mahatma Gandhi the Father of the Nation and not Lenin or Stalin, will remember the truth and stand by it . . .

SHRI BHUPESH GUPTA: The Maharani of Gwalior is the Mother of the Nation according to the Swatantra Party?

THE DEPUTY CHAIRMAN: No interruptions, Mr. Bhupesh Gupta.

SHRI DAHYABHAI V. PATEL: It is known that after the agreement with the princes was arrived at, not only Parliament but even Mahatma Gandhi expressed very clearly that a very small price was being paid for what was achieved towards the unification, towards the integration of this country. For centuries this country was divided into little principalities. I think, according to history, it was the first time after Ashoka that this land was united under a single administration. And what is the price? We have heard a tirade on blood money, election manifesto and so on. I do not know what exactly it is. Was it not blood money when the Constituent Assembly and when Mahatma Gandhi approved of it? Has it become blood money only because Mr. Bhupesh Gupta and his friends—I am sorry that some people inside the Congress also feel that way . . .

SHRI BHUPESH GUPTA: On a point of order. Mahatma Gandhi was assassinated on the 30th January, 1948. Most of the agreements had been signed after that. How could he have endorsed agreements which came afterwards?

SHRI DAHYABHAI V. PATEL: This shows the kind of truth my friend, Mr. Bhupesh Gupta and his friends persist in. The idea was put before Gandhiji and an idea of the amount that was to be paid was also given to Gandhiji. The translation of the agreements into documents took some time, a period of one year only. It was certainly largely the work of Sardar Vallabhbhai Patel, assisted by his very able lieutenant, Mr. V. P. Menon . . .

SHRI BHUPESH GUPTA: Did he not join the Swatantra Party?

SHRI DAHYABHAI V. PATEL: . . . Who had explained the position to

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Gandhiji and obtained his blessings. And it is a historical fact; whether it is convenient to Mr. Bhupesh Gupta or not, it is a fact. Mr. C. C. Desai assisted him sometimes he was not always in the States Ministry, but he did assist him for some time. He joined the Swatantra Party when he found that the Congress Party went wrong . . .

SHRI BHUPESH GUPTA: Because he joined the Birlas.

SHRI DAHYABHAI V. PATEL: No, Madam. I would appeal to him not to interrupt me. I did not interrupt him. Why does he feel hurt so much to recognise fact and truth? After all, I have been persistently telling the Congress Party that they are going on the royal road to Communism. I said it when the Third Plan discussion was going on even to Prime Minister Nehru. I pointed out that Lenin had said the road to Paris is through Shanghai and Calcutta. Well, they have taken Shanghai, no doubt. Where is Calcutta today? Don't we know the state of affairs in Calcutta, in Naxalbari, to-day. For that, whom have we to thank for? That is the state of affairs.

AN HON. MEMBER: Your partner.

SHRI DAHYABHAI V. PATEL: Not my partner, but your friends and part-¹ and you sitting there have been admiring and applauding, all the time. *lie* is your idol. Your first idol was Nehru. The second idol is sitting here. Since the last ten years that I have been here . . .

SHRI BHUPESH GUPTA: If I said that, I am an idol of the Congress Party?

SHRI DAHYABHAI V. PATEL: You; are. I do not know whether the hon. Home Minister feels in the same way as Mr. Bhupesh Gupta feels— whether he feels that a paltry sum of Rs. 30,000 paid for Satara pensions is also blood money. He should know better; he comes from there and he "would be knowing the intimate details of the matter. But I want to know

whether the Congress Party, like the Communist Party, is going to repudiate one by one all the agreements* that it has made, all the covenants that it has entered into. Is there no sanctity, no sense of truth, justice, honesty, left in the Congress Party. I use the word 'honesty' deliberately, Madam. In the last 10 years, repeatedly the Congress Party has brought out measures eroding fundamental rights and property rights, without putting it honestly in their election manifesto. Madam, Article 31 of the Constitution was first amended in 1954, I think. The elections took place in 1952. Did the Congress manifesto show that they were going to do this? No Madam, Jawaharlal Nehru, when we were wanting to win freedom, in the policy resolution at the Karachi Congress—I was present, I know—guaranteed property rights to everyone. That was when we were fighting for freedom. After having got freedom, and after the people who could hold back his Communist views, after Gandhiji died, things seem to change and the first step taken was amending article 31. That was after the 1952 elections. If the Congress was honest, it should have made a clean breast of its intentions in the election manifesto of 1952. The same state of affairs followed in 1957. Again in 1962 when the Seventeenth Amendment was brought before the parliament, when the election had taken place only a year before, did the Congress Party tell the country. *We are going to move an amendment to the Constitution which will affect your property rights to such an extent that even an acre of land would be called an estate?" So that was not honest.

What Congress Party is doing with the Princes is in the same line. Is the Congress Party so annoyed at the reverses in the last elections as evidently my friend Mr. Gupta who is so friendly with the Congress Party is and goes on talking of Jaipur, Jaipur and interrupts me every time by saying Jaipur? Have the reverses in the

elections so injured the Congress Party that they have forgotten all decency, all honesty and the very Constitution by which they stand and swear, the Constitution by which we are here today? If the States had not been integrated, where would we have been? There were 600 States in the country. What a situation would have arisen if all the States had not been persuaded and had not agreed to join the Union? How much headache this one Hyderabad gave us and how much headache is one Kashmir giving us to-day even? If the advice of Sardar Patel had been taken the Kashmir problem would not have existed. Where you did not take his advice and you have gone wrong, we are paying through our nose. If you repudiate the agreement with the Princes, where is your justice before the world bar of public opinion about your stand on Kashmir or Kutch? Do you want to go and face the world, the U.N. and the Hague Court as a Government, as a people, who keep Their word to the people or do you not? if you say that the Privy Purse is nonsense and is not an agreement or covenant, where is your case in the U.N. about Kashmir? I hope the friends who are so hasty about these matters will take a little time to think about it and after all what are we paying today? We are paying some Rs. 5 crores. What is the total expenditure Of the Governmen* of India? What is your Budget?

SHRI OM MEHTA (Jammu and Kashmir): What about the other facilities?

SHRI DAHYABHAI V. PATEL: Other facilities? Why do they worry you so much? Are you so very jealous that somebody is getting a little better position? Why not voluntarily ask them to surrender it? That is a better way to do it. Was it not that the Princes voluntarily gave up their right as the Rulers? In the transfer of power, the British Government declared their all free and sovereign, why did they give up their power? It was done by agreement, by

persuasion. If there is anybody in the Congress who can do it, he is welcome to do it. Why do you not persuade those who are in your Government, in your Cabinet, in your party to do it? Why do you not set an example and let us see? I for one, think that we are being driven the wrong -way. We are going the Russian way, since Prime Minister Nehru took this wrong attitude. Remember what Lenin said in his book on imperialism.

SHRI A. D. MANI (Madhya Pradesh): Have you read it?

SHRI DAHYABHAI V. PATEL: Of course. What he says is, the road to Paris is through Shanghai and Calcutta and recently, last week did you not read what Mao Tse-tung had broadcast—it was in the Indian Express and the Statesman—appealing to the Indians to subvert this Government? I am afraid what my friends here in the Congress and my friend Mr. Gupta and some of his friends here want to do is, they want Mao Tse-tung to come and take over. They are preparing the way for it. It would be a sad day for this country when we fall into that trap.

THE DEPUTY CHAIRMAN: There are quite a number of Members wanting to participate in this discussion. If each takes 10 minutes, many will be left out. If you can restrict yourself to five minutes, many can be accommodated. Mr. Sinha.

SHRI B. K. P. SINHA: Madam, this issue has its constitutional and legal aspect and also its moral aspect. There are people more competent than myself who would address this House on the constitutional and legal aspects of the problem. I would therefore devote very little time to that. I am inclined to share the views of Mr. Gupta that the Constitution and the law as they stand today provide no protection to the Princes because article 131 of the Constitution takes away the original jurisdiction of the Supreme Court in dealing with such disputes which arise out of Covenants and Agreements. Article 363 takes away the jurisdiction of all the courts

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though" according to article 143 the President, which means the Government of India, if he so desires, can refer this matter for advice and opinion of the Supreme Court. There are of course, articles 291 and 362 which give the impression that the agreements on the basis of which these Privy Purses are being given, have a certain sanction but then since these issues have been made non-justiciable by the articles to which I have referred earlier, if the Government to-day even by an executive order, decided to abrogate the Privy Purses, the Princes shall have no remedies and these two articles will remain as constitutional anachronism, as the article on prohibition or the article which prohibited; cow-slaughter remains in the Constitution. I have said this is really a great moral issue. What was India like before the States were integrated? Here is a map which makes it clear that before the States were integrated, India was split up into several parts. From the North West of India to the South East the Indian States ran in a chain excepting for a very thin strip of territory joining U.P. with the then C.P. That was the picture of India. Hyderabad and Mysore also split up India into so many fragments. Then the Native States, because paramountcy had been withdrawn, had become sovereign States and they were free to accede either to the Dominion of India or Pakistan. Mr. Jinnah the architect of Pakistan, was working on the Princes. He approached some of them and told them, giving them his fountain pen and a blank sheet of paper: You write down what you want of me and I will sign blindly on the blank paper'. This is recorded in pages 116 and 117 of the book 'Integration of the Indian States':

"Jinnah, I was told, signed a blank sheet of paper and gave it to Maharajah Hanwant Singh of Jodhpur along with his own fountain pen saying 'You can fill in all your conditions'."

But then the Princes out of a sense of patriotism—I use the word patriotism deliberately—scorned the offer of Jinnah and decided to accede to the Dominion of India.

Not only that, Madam Deputy' Chairman, but the plighted word of our great leaders are there. Sardar Patel made no secret of the fact that the nation through Sardar Patel—it was not Sardar Patel's personal commitment but the nation through Sardar Patel—made certain commitments to the Princes and Sardar Patel said in the Constituent Assembly that the privy purses were a very small price to pay for the integration of India. Then Madam, it is said that the Father " of the Nation was not a party to it; May I refer those hon. Members who say that to page 489 of the same book: 'Integration of the Indian States,' by V. P. Menon—Mr. Menon who helped' Sardar Patel in the integration of the Indian States. There it is stated "Gandhiji appeared quite satisfied with my explanation" The issue of the quantum of the privy-purses of certain Princes arose and somebody gave a wrong impression to Gandhiji and so Sardar Patel sent V. P. Menon to explain everything to Gandhiji and after V. P. Menon explained everything Gandhiji was satisfied that justice had been done to them. I again repeat this line in the book —"Gandhiji appeared quite satisfied with my explanation."

AN HON. MEMBER: He says Gandhiji "appeared" satisfied.

SHRI B. K. P. SINHA: Later, on the same page you find this:

"The formation of the Saurashtra Union and the merger of the Eastern States had, in fact, given Gandhiji great satisfaction. But he was able to see the shape of things to come".

And he was content to leave these things to Sardar Patel. Therefore, the plighted words of these great figures of India are there. It is said that Nehru probably was not a consenting party. But there is no document, no record to substantiate this

statement. Moreover, Nehru is on record as having expressed his satisfaction at the integration of these States. Again I refer to the same book and on page 409 you find this:

"Speaking in September, 1970, Nehru confessed, 'Even I who have been rather intimately connected with the States peoples movement for many years, if I had been asked six months ago what the course of development would be in the next six months I would have hesitated to say that such rapid changes would take place and the historian who looks back will no doubt consider this integration of the States, of India into India as one of the dominant phases of India's history.'"

Therefore, Nehru also approved of this. Then it is asked, what about the other aspects, about the privy-purses and privileges? I would only refer hon. Members to two amendments that were made by virtue of these agreements, to the Civil Procedure Code and the Criminal Procedure Code by two Acts. They are Act II of 1951 in the case of the Civil Procedure Code and Act I of 1951 in the case of the Criminal Procedure Code. These amendments incorporated those provisions of the covenants according to which no Prince could be sued in a civil case and no Prince could be prosecuted criminally, by virtue of these covenants.

SHRI P. N. SAPRU (Uttar Pradesh): "Without the consent of the Union Government.

SHRI B. K. P. SINHA: Yes, without the consent of the Union Government. These amendments were passed in the year 1951, that is to say, after February, 1951. And let me remind this House that Sardar Patel, the so-called conservative, the so-called statesman who leaned towards the Princes, died on 15th December, 1950. These amendments were passed when Nehru reigned supreme in this country. There was nobody to challenge his voice, nobody to challenge his opinion. Therefore, to say that Nehru had

different views is, in my opinion, to falsify history.

THE DEPUTY CHAIRMAN: You have to wind up now.

SHRI B. K. P. SINHA: Madam I have taken less than ten minutes.

THE DEPUTY CHAIRMAN: You have taken ten minutes. If you will spare so much time from the Congress Party I will call only two. There are eighteen names here.

SHRI B. K. P. SINHA: I will finish just now, Madam.

Madam, there are some who want to treat these covenants and these agreements as scraps of paper. Let me remind this House that there have been powerful figures in the world's history who have tried to treat covenants and agreements and treaties as mere scraps of paper. We know of an arrogant monarch who ordered his army to march through a neighbouring territory telling the ruler of that territory that the treaties of neutrality were mere scraps of paper. And we also know the fate that overtook that monarch. It is not only monarchs, Madam Deputy Chairman, who are capable of arrogance. Even democracies are capable of arrogance. May I remind the House of the Athenian democracy which in the faith in the certainty of its own wisdom ordered one of the greatest men that this world had produced Socrates—to drink hemlock, and we know how nemesis overtook that democracy and how it was crushed under the heels of aristocratic Spartans and later on by the Macedonians. Therefore, let us not be too sure of ourselves. Let us keep faith. Let us have faith. Let this nation have some consideration, some respect, for the plighted words of its leaders. Let me remind hon. Members of what Tulsi Das said:

रघुकुल रीति सदा बलि आई

प्राण जाय पर वचन न जाई ।

No State, no nation can function efficiently unless it has certain moral

[Shri B. K. P. Sinha.]

considerations to guide itself. Tulsi Das again has said:

राज नीति बिनु, धन बिनु धर्मो . . .

SHRI BHUPESH GUPTA: Why this outrage of quoting such things?

SHRI B. K. P. SINHA: That is to say, without Neeti, that is to say, without Raja Neeti, a State or the country is bound to perish. With these words, Madam, I end my observations.

SHRI M. C. SETALVAD (Nominated): Madam Deputy Chairman, I am obliged to you for giving me the privilege of presenting a point of view which is not the point of view of any party. This question has many aspects, the constitutional aspect, the legal aspect and the human aspect; and on these I do not propose to speak. On each of these there would perhaps be different views, not all of one way or conclusive. But as to one aspect of it, namely, its moral aspect, I do not think there could be any difference of view whatever. Let us see what these commitments were agreed to for. I cannot do better than state it in the words of Sardar Patel, the then Home Minister who told us why these commitments were being agreed to be made.

"These commitments had to be borne in mind when the States Ministry approached the Rulers for the integration of their States. There was nothing to compel or induce the Rulers to merge the identity of their States. Any use of force would have not only been against our professed principles but would have also caused serious repercussions. If the Rulers had elected to stay out, they would have continued to draw the heavy civil lists which they were drawing before and in a large number of cases they would have continued to enjoy the unrestricted use of the State revenues".

The minimum which we could offer to them as *quid pro quo* for parting with their ruling powers was to

guarantee to them privy purses and certain privileges on a reasonable and denned basis. The privy purse settlements are, therefore, in the nature of consideration for the surrender by the Rulers of their ruling powers and also for the dissolution of their States as separate units, so let us eschew incorrect ideas. It is historically untrue that these are *ex gratia* payments received by many persons. These are solemn commitments made for a consideration and as *quid pro quo* that were given effect to by the solemn assurances signed in the name of the Government of India.

Now, what has happened to make Us forget pur solemn assurances and go behind them? Are we nearing bankruptcy? We are spending hundreds and thousands of crores for various purposes. Is five crores an amount which will bring us to ruin? Even if we are to be bankrupts the honourable course would be to go to our creditor, the man to whom we have plighted our word and ask him to reduce the amount or come to a settlement. That is what every honest bankrupt does. But we are far from bankruptcy as we all know.

SHRI M. M. DHARIA (Maharashtra): Madam, I am very sorry. It is not bankruptcy which demands this; it is democracy, it is socialism that demands this.

SHRI M. C. SETALVAD: Therefore what we have to consider is this. Is the course which has been suggested, the course of making a breach of our solemn assurances and faith, a course which a Party founded by Gandhi, a Party led by Nehru, can ever pursue? Is it a course which a Government which has on its emblem the phrase 'Satyameva Jayathe' can ever follow? Emphatically not.

SHRI BANKA BEHARY DAS (Orissa): Madam Deputy Chairman, the only plausible argument that is being advanced by these persons who are opposing the abolition of privy purses is that they are opposing it on the ground of moral principle. I

would have been very happy if persons like Mr. Setalvad who is a constitutional lawyer had brought to bear his ideas about the constitutional aspect of this problem but if it is a question of moral values then I think everyone is equally competent to remark what moral value is involved in his question.

Madam Deputy Chairman, before we go into the various aspects of this problem, I have to remind our friends here under what circumstances these privileges and privy purses were granted. As you know when these merger agreements were signed, the country had already been partitioned. There were so many problems. Mr. Jinnah from across the border was beckoning to these Rajas and Maharajas to revolt and was even prepared to offer various inducements and to compromise with them if they wanted to merge their territories with Pakistan. That was one side of the picture. The Rulers of this country at that time, not out of any sense of moral values but to see that the security of the country is to a certain extent preserved, wanted to arrive at some compromise with these Rulers. I still remember the day December 14, 1947 on which the first merger agreement was signed with the Orissa State Rulers by Sardar Patel in the Raj Bhavan of Cuttack. Some of these Rulers had rushed to New Delhi. There was uprising in their States and they wanted the protection of the Central Government. At that time Sardar Patel rushed to Cuttack on December 14, 1947 and the first merger agreement was signed. Here I also want to refer to the same book which was referred to by Mr. Sinha, "The Integration of the Indian States," to show under what circumstances these agreements were signed. Mr. Menon on page 477 says:

"Apart from the privy purses we permitted them to retain certain private properties and guaranteed them the personal rights, privileges and dignities which they had hitherto been enjoying. We believed that

these concessions would in due course enable the Rulers and their successors to adjust themselves to the new order of things and to fit themselves into the modern social and economic pattern. A discontented group of Rulers with their numerous dependants would have been a serious problem to us."

Naturally to avoid this serious problem these agreements were made under duress. In spite of the fact that many of the political parties were against these merger agreements especially in relation to the provision of privy purses and in spite of the fact that most of the State People's movement people raised their voice against this privy purse these agreements were signed. Not only that; in the course of these agreements, again the Government of India deviated from the very principles that they adumbrated first. Mr. Menon writes about Saurashtra and he says:

"Saurashtra was the only instance in which we departed from the Eastern States formula and gave a higher rate of privy purse. The position before us was either to agree to the increase and thus consolidate Saurashtra or to postpone or perhaps give up altogether the idea of consolidation." So it was a price the then rulers of the country had to pay to these Rulers for the consolidation of the country because after the partition the question of Kashmir, the question of Hyderabad were all still there. So that was the main reason for which they had to compromise.

Madam, I also want to refer to the fact that in this House in December 1953 while Pandit Nehru was replying to the question regarding voluntary cut in privy purses, he had to admit that he wrote to a hundred Princes who were drawing privy purses of Rs. 1 lakh and over for a voluntary cut but the response was not very happy. And in the course of a supplementary answer he says that the agreements were entered into at a time when all kinds of factors had

[Shri Banka Behary Das.]

to be taken into consideration when the Government that was then functioning was facing the changeover. Those who are now talking of....

SHRI N. SRI RAMA REDDY (Mysore): Is it not true that Nehru was for voluntary cuts?

SHRI BANKA BEHARY DAS: Maybe but he categorically stated that they had to do it because of various factors, because of a certain amount of compulsion of circumstances. He also admitted that in spite of the fact that he wrote to a hundred princes for voluntary cuts the response was not encouraging. Those who now talk of voluntary cut and are approaching them for a modification of the agreements should remember that Nehru wrote to these Princes, not to those who were drawing a few thousands of rupees a year but who were drawing one lakh and over.

SHRI N. SRI RAMA REDDY: His method was one of compromise.

SHRI BANKA BEHARY DAS: It was compromise but the method of compromise did not give any results. I do not know if Nehru would have been here what would have been the position today. Here I have to remind my friends who say that only five crores of rupees are involved that if you go deep into the agreements you will see that the privileges and benefits that are being given to these Rulers will amount to much more than these five crores of rupees. I shall enumerate a few instances in the settlement of the Rulers' private properties:—

- (i) Palaces and other residential buildings;
- (ii) Farms and gardens;
- (iii) Grazing areas;
- (iv) Privy purse;
- (v) investment and cash balance
- (vi) Ancestral jewellery and regalia;
- (vii) Civil List Reserve Fund. (This is meant for the marriage

celebrations of their family members);

- (viii) Temples and religious funds;
- (ix) Objects of historical importance like manuscripts, etc. though treated as private property to be preserved in museum by the Ruler.
- (x) Houses in Delhi, which are being utilised by them for their residential purposes.

Besides these, there are other fringe benefits also, which are:—

- (i) Free medical attendance and treatment to the Rulers and their families in all Government hospitals;
- (ii) Provision of armed palace guards at the official residence of the Rulers;
- (iii) Free supply of water and electricity for their private residence in the State up to the present consumption. That means on the day of their merger agreement, whatever be the quantum of consumption of electricity and water, to that extent they will be enjoying it. Till posterity, the exemption from electricity and water charges will be there.

SHRI A. D. MANI: They were having all these privileges when they were the Rulers.

SHRI BANKA BEHARY DAS: They had the privilege also of molesting women in their States. The other fringe benefits are:—

- (iv) Rulers are permitted under the Motor Vehicles Act to have their cars registered and take out driving licence without any payment;
- (v) Baggage of Rulers of Indian States entitled to a salute of ten guns and over is exempt from customs duty.
- (vi) Immunity from prosecution whether civil or criminal without the permission of the Government of India.

Madam Deputy Chairman, here the question of morality is involved. It is not a question of a few crores of rupees. That is also there in this year's Budget, but even Mr. Sinha says that without amending the Constitution this can be done. I do not agree with him. I can quote him to the Famous judgment of the Supreme Court in the case of the family members' allowances of the State Rulers of Orissa. The allowances given to those people were withdrawn. They went to the Supreme Court and they got a decree. As a result, the Orissa Government had to pay all these allowances to the family members of these Rulers. These are not included here. So, I want to say here that unless we amend these three articles of the Constitution, we cannot take away all these privileges and privy purses that have been granted to them. Also, I want to remind those who are now banking too much on moral principles that in the very Constitution of this country, under the Directive Principles of the Constitution you have guaranteed jobs to the people, you have guaranteed social security to the people and you have also guaranteed that there will be free and compulsory primary education for every child born in this country within ten years from the inception of the Constitution. Have you provided all these things to the people of this country. When the question of the people of this country arises, you do not go by these principles, moral principles and moral values, but when you go into the question of a few Princes, hardly 284 of them, you talk of moral principles. Here I can say that 284 Rulers are getting the privy purse and out of them about 99 are getting more than Rs. 25,000/- a year and also all these privileges and immunity from criminal and civil cases. You are creating a type of citizens who are superior to the common people of this country. After all, where is the sovereignty? The sovereignty lies in the people of this country, not even in Parliament. If the sovereignty of the people has to be resected, this

Parliament has to amend the Constitution and it has amended the Constitution so many times.

Here I want to refer to only one point. I have here the merger agreements with me and here I want to remind the Home Minister that out of the four types of merger agreements that were entered into with 500 odd Princes, there are two types of agreements at least where the Government of India was not bound to pay the privy purse. In the case of the Nizam of Hyderabad, I am reading the proviso:—

"Provided that the sum specified above shall be payable only to the present Nizam of Hyderabad for his life-time and not to his successors for whom provision will be made subsequently by the Government of India."

That means, if the Government of India did not want it, they need not have given any privy purse to his successor, but out of love for the Nizam, out of love for those people who were responsible for all such criminal acts in this country to the extent of betrayal of the cause of this country, these people are being appeased. Now, there are forces inside the Congress and I pay my tribute to my friend, Shri Dharia, who is responsible for this amendment. I want to warn him and his friends also, including Mr. Chavan, who personally says that he is in favour of it, that there are forces within his Party, not only Princes, but those persons who have not the courage to see that those moral principles are implemented when the question arises of the people at large. The question of morality arises only when a few persons are involved here. All those forces will be there to subvert it. I would request the hon. Minister-in-charge and also the entire Congress Party to see that if we want to implement it, if we want to see that the wishes of the people who are sovereign prevail in this country, we will have to amend

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the Constitution without any further delay and see that this superior class of citizens are eliminated from this country as a first step towards the goal which we all cherish. Thank you.

KUMARI SHANTA VASISHT (Delhi): Madam Deputy Chairman, I think in the history of India Sardar Patel has done a very great service to the country when he integrated the Princely States with the rest of British India and brought about a peaceful integration of the country and I think the behaviour and conduct of the Princes was very good indeed that they all voluntarily joined with the rest of India which later on came to be known as the Union of India. They did show a good deal of generosity and excellent behaviour and patriotism for the country. They came forward and entered into these agreements and the question of privy purses came in the process. There is much that can be said nice about the Princes and their behaviour and what they did for the country at that time. They showed that unity could be brought about, which is always one of the greatest needs of our country.

Our Opposition friends have said many things bringing in all sorts of questions. I think we have to do away with the privy purse. This is the stand of our Party. I respect and like the principles that my Party follows. I like them and I love them. That is why I feel that now the entire climate of the world has changed. The wind has changed, whether we like it or not. All are crying for social equality. Everyone wants equality, rule of law, etc. which we have also enshrined in our Constitution by which our democracy is guided and at which we are aiming. We are wanting our democracy to be so shaped that it will give equality to everybody, to every citizen, etc. In this context the wind of change is blowing in the whole world. Many things have changed.

The Princes have changed in their behaviour, in their ways and so on. Their attitudes also are changing. I can appreciate it and I can understand it as to how difficult it is to give them up, when they have enjoyed so many privileges, so much of unquestioned authority, and various other advantages. They have had a sort of psychological make-up. It becomes a sort of psychological make-up, the way you are brought up, the way you live, there is the entire background that he is the son of a bureaucrat or the son of a Prince, or whatever you call it. It is also really difficult for them to change that psychology. Yet they are changing. They are becoming a part of this democratic world and particularly this democratic India. Their thinking is changing, their attitude is changing, which is very good, and I appreciate it. I do understand I again emphasize that I understand, the difficulties they face economically. They did not have to earn their living. Gradually they have to think of it. They have to earn a living and therefore they have to have some training. They have to qualify themselves for some sort of thing, and particularly their children have to compete like every other child in this country. These things are coming and they have to come. This is what is happening. Yet the vast masses of the people in our country do want that there should be social justice. I myself personally believe deeply, almost as an article of faith, that there should be equality, that there should not be different behaviour for different people, and so on and so forth.

I may also point out that privy purses are really a very minor matter, Rs. 5 crores this way or that way. That much is wasted in so many things. These are really not material. We cannot make an almost world issue or national issue out of it. It is not good enough to be made into such a big issue, because this money is too small a thing, but ult-

mately some time or other basic equality must be achieved in this country if at all we claim that we want a democratic society. If at all we say that we want social justice then very many things have to change. They may be brought about as peacefully, in a congenial manner, and as pleasantly as they can be brought about, and I do hope and wish that there should not be many other factors coming in or forces coming in which will make the process unpleasant or unpalatable or unhappy for those friends of ours.

Madam, I believe in basic democratic values and I hope my party will fight for them. I hope other parties will also fight for them and try to achieve them. I am very sorry to say that we talk about socialism, but we only give our 'darshan' to the poor people. We talk about socialism and we talk about welfare state. Madam, I also feel that we only talk of socialism and I doubt very much if we believe in it. This has become a talking material; it is just a slogan or it may be opium. Whether it is going to dope us or dope the public at large I do not know. But it does not go far. We do not carry them out in practice. I would further say that since we talk about doing things by the common man and the common man, 'the poor common man is used all the time for all sorts of things, but we never worry about the common man. We do not do him justice and the common man expects a lot from this party, my party, because it has been in power for so long, and he is deeply disappointed when we do not deal with him fairly. Therefore, I feel that we should not only profess certain things but we should do them. But if we cannot do them, then we should not talk about them. Then we should not try to create those forces which create disruption in the party, in the country, which create difficulties and so on. If we want to help the common man and the poor people, we should do so; if we want to bring

about equality or social justice, we should do so. We cannot talk one language and do something else. I think the Government sometimes suffers from a split personality or schizophrenia. They talk something and do something quite different. We talk about socialism. We pass long resolutions. But what do we see on the right hand side and left hand side, both sides? The princes practically rule. They have very great power in not only the Central Government but also in the States. Whether the Opposition forms the Government or our own party, the princes are very much there. Why do we talk about things that we want socialism and so on? We say socialism but we do not do it. That is my main grievance.

THE DEPUTY CHAIRMAN: Please Wind up.

KUMARI SHANTA VASISHT: I have taken less than five minutes. You gave everybody else so much time. Just two minutes.

We talk of morality—'Satyameva Jayate'. It is good to talk about morality. We make promises and even put it in our Constitution that there shall be compulsory education up to the Higher Secondary standard. But we have not even reached the target of primary education. We talk about these things. Then we do not worry about morality. I may point out, Madam, because my friends have quoted many things, that if they even refer back to various incidents in international affairs and look up something about international law; they will find that even England has invariably, so many times, on so many occasions, not paid its debts to various other countries to whom it was supposed to pay. They just did not pay and said, "we are not going to pay; we will not pay". That was all there was to it. 'If you look up the past history of a hundred years, I am sure my friends, Mr. Dahyabhai Patel and many others, will find many such examples. England did not pay its debts and did not bother about it.

[Kumari Shanta Vasisht.]

Would Mr. Patel worry about the morality of the English people whom they call the greatest country in the world, the father of democracies? It is not only England but various other countries have scrapped them like a piece of paper, and that is also part of history which you cannot deny. Therefore, I say if we want to do it, we should do it nicely and properly. If our princes voluntarily do something about it, I shall be very glad about it.

Mr. Dharia, Mr. Chavan's great friend, has brought this amendment in our party. I have great love for many of the principles for which our party stands. But if anybody talks about the common man, that person gets into difficulty. Before the elections our great leader, Mr. Kamaraj, talked about something, I had a feeling in my mind that this person would get into difficulties. I had a hunch, I was sure, "he talks about the common man, he will get into difficulties." Unfortunately, s'-ire as fate, every time, whenever you disturb any vested interests, whether these are capitalists or the industrialists or the great powers or the great press or anybody as big as that, you can be sure that you will be in difficulties. Several of our leaders also including Mr. Chavan talk like that. If he talks about these things, inequality and so on—that is good enough for people like me to talk about.

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): You are wise. Therefore, you are talking about princes.

KUMARI SHANTA VASISHT: Do not be in a hurry. Please wait.

THE DEPUTY CHAIRMAN: There is no time to wait. You have to wind up.

KUMARI SHANTA VASISHT: I am only warning Mr. Chavan. He is a great leader; he has great potential; his rapport with people is good.

But when you tread on such issues, people will attack you and they will inspire attacks against you. Those forces will make you a controversial person so that your chances may become bad and you will get into difficulties. Mr. Chavan, as Home Minister you will get into difficulties, controversies will be raised about you. So many things will happen. This is the reality of life. (Interruption) Mr. Kaul belongs to the section which is very well taken care of. Your experience does not count. It is my experience that counts, because I know better than that. Therefore, I say that equality should be brought about in this country; social justice and social equality should be there. If princes are going to control in so many States, then I say all the princes should "De made Cabinet Ministers. That will solve the problem. They can all become Ministers and their privy purses can be taken care of. Or we should have to bring about the abolition of the privy purses and see that every citizen in this country is an equal citizen. We cannot have people who are thrice born; we cannot have people who are first-class citizens or second-class citizens or third-class citizens. Therefore, I support the policy of my party, and I am proud of it.

Thank you very much.

श्री गोड्डे मुराहरी (उत्तर प्रदेश) :
मैं बम्बई डिपुटी चेयरमैन महोदया, यह प्रिवी
पर्स का मतला ए० आई० सी० सी० की मीटिंग
में जब आया तो उसी वक्त मझे ऐसा लगा
कि एक और मतला ए० आई० सी० सी० में
आया था कोअपरेटिव फार्मिंग के बारे में
और उस वक्त भी बहुत जोर शोरों से इसका
प्रचार किया गया कि कांग्रेस समाजवाद
लाने के लिये कोअपरेटिव फार्मिंग चलाने
वाली है। उसी ढंग से मुझे यह लगा कि
आजकल कांग्रेस का समाजवादी नारा प्रिवी
पर्स के अबालिशन का है। तो मैं इसको

ज्यादा महत्व नहीं देता क्योंकि ए० आई० सी० सी० का जो प्रस्ताव होता है, जब तक वह सरकारी बिल बन कर हमारे सामने नहीं आता तब तक उसकी बोनाफायडे में शक होता है और उसको ज्यादा महत्व नहीं देते लेकिन जो मसला हमारे सामने है प्रिवी पर्स के बारे में, जब कुछ भाषण मैंने सुने तो मुझे याद आया चार्ल्स दी फर्स्ट, जो इंग्लैंड में अपना डिवाइन राइट आफ किंगशिप चलाना चाहता था। तो हिन्दुस्तान में भी कुछ राजे थे, कुछ अपना डिवाइन राइट चलाते थे, सुविधाएं उनको बहुत थीं, कुछ अंग्रेजों की मदद से राजे बन गये, कुछ परम्परागत राजा थे। तो जो कुछ भी प्रिविलेज उनका रहा हो, आज 1967 में कोई सदस्य यहां आकर कहे कि उनको कायम रखा जाय या उन प्रिविलेज के साथ उत्तम हुए जो प्रिवी पर्सज हैं उनको चालू रखा जाय तो मुझे आश्चर्य होता है।

एक तरफ तो दुनिया जा रही है सोशलिज्म की ओर, एक तरफ तो दुनिया जा रही है लोगों की बराबरी की ओर और उसी दुनिया में कुछ सदस्य यहां पर आकर कहते हैं कि प्रिवी पर्स को रहना चाहिये। तो मैं यह कहना चाहता हूं कि जो यह कहते हैं कि 'गिवन वार्ड्स' की कीमत होनी चाहिए, उनको भालूम होना चाहिये कि हिन्दुस्तान की जनता को इस सरकार ने पिछले 20 सालों से कितने ही 'गिवन वार्ड्स' दिये और उन सब आश्वासनों को मिटाकर इन 20 सालों में इस कांग्रेस की सरकार ने इस देश को बरबाद कर दिया और इस दिशा में वह उसको अब भी ले जा रही है। मैं यह पूछना चाहता हूं कि इन 20 सालों में कांग्रेस सरकार ने यहां की जनता को कितने आश्वासन दिये और कितनों को उसने पूरा किया। तो यह जो मोरल आश्वासन की बात कही गई है, उस पर मुझे हंसी आती है। इस तरह के आश्वासनों की

बात को हमें अब छोड़ देना चाहिये। आज असल सवाल तो यह है कि...

SHRI R. T. PARTHASARATHY

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tutional agreement, at that time, of a sovereign ruler with sovereign India?

(Interruptions)

THE DEPUTY CHAIRMAN: Order, order, please. Mr. Parthasarathy, please take your seat.

श्री गोडे मुराहरि : इस तरह के कई एग्रीमेंट और ट्रीटीज हुई हैं और जब वक्त का तकाजा आता है तो ट्रीटीज और एग्रीमेंट तोड़ दिये जाते हैं और उन्हें गढ़े में फेंक दिया जाता है। इसलिए एग्रीमेंट और ट्रीटीज की बात यहां पर नहीं कहनी चाहिये। जब अपनी सुविधा की बात या अपनी बात होती है तो तब आप यह आश्वासन और ट्रीटीज की बात करने लगते हैं। लेकिन जब जनता की भलाई की बात आती है तो उस समय इस तरह के एग्रीमेंट और ट्रीटीज की बात भूल जाते हैं और उनका पता नहीं रहता है। इसलिए यह जो दो जीवों का जानवर है, वह बहुत खतरनाक होता है। दो जीवों का जानवर कौन सी चीज होती है, क्या आप जानते हो? वह सांप होता है। इसलिए आप सांप की तरह बात मत करो।

हिन्दुस्तान का जो कांस्टीट्यूशन आपने माना है उसमें यह बात है कि हिन्दुस्तान के लोग सब बराबर रहेंगे, तो इसके साथ ही साथ जो भी एग्रीमेंट हुए हैं, सरदार पटेल ने जो भी आश्वासन दिये हैं, और भी किसी को दिये हैं, उन्हें अब रद्द कर दिया जाना चाहिये। मैं कहता हूं कि जिस दिन हमने कांस्टीट्यूशन एडाप्ट किया था, उस दिन

[श्री गोडे मुराहरि]

जितने एग्जीमेंट और आश्वासन दिये गये थे, वे सब रद्द हो जाने चाहिये थे। हमारे डायरेक्टिव प्रिंसिपल के अनुसार कांस्टीट्यूशन हमें जो इशारा करता है वह यह है कि इस तरह का कोई उसमें आश्वासन नहीं दिया गया है, इस तरह की कोई गारन्टी नहीं दी गई है। कांस्टीट्यूशन में सिर्फ यह कहा गया है कि अगर उन्हें प्रिवी पर्स दिया जाता है तो कहां से पैसा आयेगा, इसके बारे में जिक्र है और इसके बारे में जो चीज फोलो होती है वह आर्टिकल 362 और 363 से होती है। यही चीज उसको गवर्न करती है कि अगर प्रिवी पर्स दिया जाता है तो कहां से पैसा आयेगा और ला कोर्ट्स में इसके बारे में किस तरह से तहकीकात की जायेगी। इन चीजों के बारे में हमारे कांस्टीट्यूशन में कहा गया है, लेकिन उसमें इस बारे में कोई गारन्टी उन्हें नहीं दी गई है कि प्रिवी पर्स कायम रहेंगे। इस तरह की कोई चीज हमारे कांस्टीट्यूशन में नहीं है। कांस्टीट्यूशन में तो सिर्फ यह है कि जो जनता होगी यह बराबर होगी और सब के अधिकार बराबर होंगे। लेकिन आज 1967 में यह कहा जा रहा है कि उनको जो आश्वासन दिये गये थे उन्हें कायम रखा जाना चाहिये।

हमारे राजा महाराजाओं को कई तरह की सुविधायें आज भी मिली हुई हैं। उन्हें इन्कम टैक्स में एक्जेंम्पशन मिला हुआ है, वैल्यू टैक्स, इस्टेट ड्यूटी, एक्साइज ड्यूटी, कस्टम ड्यूटी, लोकल टैक्सेशन में भी एक्जेंम्पशन मिला हुआ है और स्टेट्स को हिदायत है कि वे इन सब चीजों में उन्हें बरी कर दें। इसके साथ प्रापर्टी रिक्वेजिशन में उनको एक्जेंम्पशन मिला हुआ है। पोस्टल और टैलीग्राफ का प्रिविलेज मिला हुआ है। जब कोई राजा या महाराजा मर जाता है तो उस स्टेट में पब्लिक हालीडे मनाई जाती है, इस तरह का प्रिविलेज भी उन्हें मिला हुआ है। उन्हें मिलिटरी आनर दिया जाता है, उन्हें फ्री ड्राइविंग लाइसेंस

दिया जाता है। उनकी कारों के लिए अलग नम्बर प्लेट्स होती हैं और उन्हें शूटिंग तथा फिशिंग के राइट्स की गारन्टी दी जाती है। उन्हें फ्री मेडिकल अटेंडेन्ट्स मिलता है, आर्म्ड गार्ड का प्रिविलेज मिलता है, परसनल एसकोर्ट का प्रिविलेज मिलता है और इसके साथ ही साथ उनका एक अलग झंडा होता है। मुझे हंसी आती है कि हिन्दुस्तान में अब भी कुछ लोग अलग से झंडा बनाये हुये हैं चाहे वे राष्ट्रपति हों, चाहे राजा या महाराजा हों। हमारे देश का एक ही झंडा है और उसी झंडे को सबको लगाना चाहिये। हमारे देश से अंग्रेज निकल गये हैं लेकिन अब भी हमारे यहां लोग अलग-अलग झंडा लगाये रहते हैं जिस को अब बन्द होना चाहिये। इस तरह से जो उनको अलग-अलग झंडे दिये गये हैं, यह बात मेरी समझ में नहीं आती है।

हम अपने कांस्टीट्यूशन में एक तरफ तो इक्वेलिटी की बात करते हैं और दूसरी तरफ हम अपने ही देश में कुछ लोगों को इस तरह का नागरिक बनाकर रखते हैं जो हिन्दुस्तान के लोगों के साथ कोई ताल्लुक नहीं रखते हैं और जो अपना एक अलग-सा क्लास बनाये हुये हैं। जब तक हम इस क्लास को खत्म नहीं करते हैं तब तक हम हिन्दुस्तान में बराबरी नहीं ला सकते हैं। इसलिये जो सबसे पहला काम होना चाहिये वह यह कि जिन लोगों को प्रिवी पर्स दिया जाता है उसको बन्द किया जाना चाहिये। सरदार पटेल ने जो आश्वासन इन लोगों को दिये थे उनको खत्म करने के बारे में आपको 20 साल के बाद ख्याल आया और बुद्धि आई। मुझे खुशी है कि श्री मोहन धारिया इस तरह का प्रस्ताव लाये, लेकिन मुझे शंका है कि इस प्रस्ताव से कुछ होने वाला नहीं है। इसलिये मैं चाहूंगा कि सेशन खत्म होने से पहले इस तरह का कोई बिल आ जाना चाहिये जिसमें प्रिवी पर्स खत्म करने की बात हो। अगर इस तरह का कोई प्रस्ताव आता है तो फिर मैं समझूंगा कि सरकार इस

बारे में कुछ दृढ़ निश्चय है वरना यह एक नारा ही रहेगा और उससे कोई नतीजा निकलने वाला नहीं है। मैं तो यह कहना चाहूंगा कि तब तक हिन्दुस्तान के लोग बराबर नहीं होंगे जब तक यह प्रिन्सों पर दिया जाता रहेगा। इन लोगों का एक अलग क्लास जब तक बना रहेगा तब तक हम हिन्दुस्तान के लोगों को बराबरी का दर्जा नहीं दिला सकते हैं।

मैं यह भी कहना चाहता हूँ कि जब आप यह प्रिन्सों पर खत्म करना चाहते हैं तो उसके साथ ही साथ मंत्रिगण आज राजा बने हुये हैं, उन्हें जो सुविधायें मिली हुई हैं, उन्हें भी खत्म कीजिये और सबको बराबरी में लाइये तब ही देश का कल्याण होगा। अगर आप इस तरह की बात करेंगे तब ही मैं समझता हूँ कि यह चीज हल हो सकती है। लेकिन कहने को तो आप . . .

श्री सी० डी० पांडे (उत्तर प्रदेश) :
आपके राजा राम मनोहर हैं तथा उनके अनुयायी . . .

श्री गोडे मुराहरि : मैं जानता हूँ कि आप राजा (Interruptions.)

श्री सी० डी० पांडे : आपने मुझे गलत समझा, मैं आपकी पार्टी के मिनिस्ट्रों की बात कह रहा था।

श्री गोडे मुराहरि : मैं तो इन सब चीजों के बारे में यह कहना चाहता हूँ कि जब कांग्रेस के पास कोई आरम्पूमेंट नहीं होता है तो वहां पर वह इस तरह की बातें करने लगती है। आज कांग्रेस में क्या राजा महाराजा नहीं हैं जो अपने अधिकारों से प्रिन्सों पर लेते हैं। आज वे लोग अपने अधिकारों को बजह से राजा बने हुए हैं। आज कांग्रेस में जो लोग गद्दी पर बैठकर अपने भ्रष्टाचार के जरिये, अपनी सुविधाओं के जरिये हिन्दुस्तान का धन बरबाद कर रहे हैं क्या वे राजा महाराजाओं से कम हैं ?

इसलिए मैं चाहूंगा कि अगर आपको जनता के कल्याण की बात सोचनी है तो इन दोनों किस्म के राजाओं की सुविधाओं को खत्म करना होगा और तबही जाकर हिन्दुस्तान का भला हो सकता है।

COL. B. H. ZAIDI (Uttar Pradesh):
Madam Deputy Chairman, according to the Independence of India Act, the Princes were given back complete sovereignty and paramountcy was terminated. As a result of this, although their number was very few indeed, a few princes who were ambitious and talented started dreaming dreams and thinking of developments which would have been very injurious to the best interests of our country. Various schemes were being considered by the Princes as well as by the rest of India and by our leaders. But so far as I can remember, in those early days the idea of total integration, which was later on brought about, nobody thought of. It must be said to the eternal credit of that great statesman and patriot, Sardar Vallabhbhai Patel, that with bigness of heart, with bigness of imagination and with the gift of vision, he thought of offering a very generous deal to the Princes, which satisfied the Princes on the one hand and ensured the wonderful, unprecedented integration and unity of our country on the other hand. One or two friends have said that the arrangements then made between the Government of India and the Princes were the result of the pressure of circumstances. Perfectly true. The circumstances created a situation and the statesmanship of Sardar Patel found a solution.

Friend Bhupesh Gupta said, "Do not be afraid of Princes", I noted down his words, that "Princes cannot do anything". It is perfectly true that the Princes today are helpless. They had depended on the pledged word of the Government of India, the pledged word of India, the pledged word of the great Sardar Patel whose

[Col. B. H. Zaidi.]

memory we relish, whom we admire, whose lessons we have taken to heart.

This reminds me of the story of Indo-Chinese relations. So long as the question of Tibet was pending, there was the "Hindi-Chini Bhai Bhai" and we were on the best of terms. *But* when Tibet was swallowed up and when the Aksai Chin road had been completed we saw the development of 19C2. This sort of morality we of the Congress Party cannot subscribe to. India's word was pledged and bilateral arrangements were arrived at. Now morality and good conscience demand that we must honour these pledges.

Now before I go further, I should like to point out that the Princes not only parted with their rulership and their political power, they parted with a good deal of their assets also. I am not talking of the railways or the places, the buildings or the lands, but even with all their cash and investments which amounted to nearly Rs. 80 crores. At today's rate of interest that Rs. 80 crores would at least yield Rs. 5 crores that you are giving to the Princes. But leave it aside. I agree, Madam, that nothing is permanent. The only thing which appeals to me so far as the views of some of my friends are concerned is that nothing is to continue in perpetuity. I agree with that. But the arrangements with the Princes were arrived at due to the statesmanship of Sardar Patel on the one side and the good sense and patriotism of the Princes on the other. And I have every reason to believe that if our leaders would talk to the Princes, if the two parties get together, the same good sense and patriotism will find a solution. Who says that things cannot change. But do we believe in evolution and gradual peaceful progress or do we believe in revolution? Some of our friends believe in revolution. But if we do not want these privileges and these privy purses to continue in perpetuity, then they can

be gradually eroded. They can be eroded as a result of mutual discussion as a result of agreed arrangements that we can come to. But let us not be in a hurry and talk as if our pledged word means nothing.'

Madam, it has been said what will a person gain if he gets the whole world but loses his own soul. What will India gain if we can save these Rs. 5 crores but break our pledged word? The pledged word of India is far more valuable to us than this Rs. 5 crores. There should not be a betrayal of trust and a breach of faith. Let us talk to the Princes again so that something equitable, something reasonable is thought of which will bring about the desired change gradually over the years.

Now, friend Bhupesh Gupta made a reference to the Nizam getting Rs. 50 lakhs. May I tell my friend Mr. Bhupesh, that knowing the late Nizam as I did, I can tell him that his total expenses on his own personal account amounted to less than what Mr. Bhupesh Gupta spends for himself every month? The Nizam was maintaining 12,000 people out of his own purse. I can say from my personal knowledge that he was running in deficit every year.

SHRI A. M. TARIQ (Jammu and Kashmir): He was maintaining Razakars.

COL. B. H. ZAIDI: Leave out the Nizam. No one can deny the fact that thousands of people depend on these princes. They have employees. There are thousands of people who will lose their jobs if you abolish the privy purse.

It is said that the continuation of the privy purse goes against democracy, that it is against the wishes of the people. Would we consult the people of the States? I challenge any one in this House. Go to the people of any State and say that you want to put an end to the privy purse of their ex-rulers, and then see what they have to say. See the writing on

the wall. These Princes whom we damn day in and day out somehow seem to be growing in popularity. (*Interruption*) Looking to that situation, I am sure, you would not think about the termination of the privy purse. The people in the States do not want it. If you do not think it is so, go to the States and see for yourself.

Lastly, Madam, if the privy purses have to be put an end to, let that not happen in the time when the Congress is in power. The leaders of the Congress and the Father of the Nation approved this arrangement. A day will come when this thing will be stopped. There will be revolutionary movements and forces which will not tolerate the continuation of the privy purses. Why should my party, which Drought about the integration of India and came to a peaceful settlement with the States, be blamed for breaking its word? Let Mr. Bhupesh Gupta and his friends, when they come to power, do so or not we.

श्री राजनारायण (उत्तर प्रदेश)
माननीया, मैं . . .

THE DEPUTY CHAIRMAN: Mr. Rajnarain, there are many speakers who are to participate.

श्री राजनारायण : माननीया, नियम 267 के मुताबिक मैं आपसे एक निवेदन कर रहा हूँ। नियम 267 पढ़ा जाय जिसमें हमको यह हक्क हासिल है कि हम आपको इजाजत से इस समय यह अर्ज करें कि यह जो प्रस्ताव आया है नियम 176 के मुताबिक उस नियम को हटा दिया जाय, वरना सदन केवल एक टाकिंग शाप के रूप में बन जायगा। अब वह समय आ गया है जब सदन का हर सम्मानित सदस्य अपने दृष्टिकोण का पूरा-पूरा परिचय देगा। इस लिये मैं आपसे निवेदन करता हूँ कि उस नियम 176 को सस्पेंड किया जाय।
नियम 267 में यह दिया है :

Any member may, with the consent of the Chairman, move that any rule may be suspended in its application to a particular motion ..."

THE DEPUTY CHAIRMAN: I know the Rule, Mr. Rajnarain. Let us continue the discussion. Mr. Thengari.

श्री राजनारायण : माननीया, जरा एक मिनट सुन लिया जाय। आपने पहले घोषणा कर दी है कि आप ठीक 6 बजे मिनिसटर को बुला लेंगे। इस समय 5 बजे कर 40 मिनट होने जा रहे हैं। फिर आप कहेंगी कि आप पहले क्यों नहीं उठे। इस लिये आप इस पर अपनी व्यवस्था दे दें, वरना हमें यहां पर रहने की कोई जरूरत नहीं है। यह लेक्चर कौन सुने? नियम 267 के तहत मेरी आप से प्रार्थना है कि आप

THE DEPUTY CHAIRMAN: I have given my ruling.

SHRI B. K. P. SINHA: You are a cousin of the Maharaja of Banaras.

श्री राजनारायण : यानी हमारा निवेदन नहीं माना जायगा और हमको यहां रहने की कोई जरूरत नहीं है? हम बहुत लेक्चर सुन चुके हैं। (*Interruption*) गांधी जी ने कहा था जमादारों को बिना मुआविजा दिये किसान जमीन पर कब्जा कर लेगा।

SHRI D. THENGARI (Uttar Pradesh): Madam Deputy Chairman, a couple of days back the hon. Minister had stated on the floor of this House that the entire issue was under examination. I do not know what progress has been made so far in the process of examination. But to our mind certain aspects of the problem are very clear.

Firstly, I am convinced that this problem or issue of abolition of *piivy* purses has no international aspect or implications. Kashmir and Kutch ace

[Shri D. Thengari.] entirely our domestic problems and therefore, they cannot be described as having any international implication. So far as the legal and constitutional position about the abolition of privy purses is concerned it appeared in the press to-day that the Law Department has given a certain opinion which says that there would be no legal or constitutional difficulty in the abolition of privy purses. I do not know how far the report is correct. The decision of the Supreme Court in the case of family allowance of the ex-rulers of Orissa has also been cited. Personally I am not a constitutional pundit. But I know that pundits of Constitution will certainly interpret the various relevant provisions in different ways. But I doubt very much whether that sanctity is attached to Constitution by the ruling Party also, in view of the fact that the number of amendments to the Constitution is greater than the number of years that have rolled on since the adoption of the Constitution.

The moral aspect has also been referred to. There is some substance in it, but I must also say that this status of super-citizenship that has been accorded under the law, under the Constitution, is at least unmoral if not immoral. The human aspect of the problem has also to be considered. But there is only one human aspect of the problem; that is, if the privy purse is abolished, how to rehabilitate the princes who will have no other means of livelihood. That has to be considered compassionately. But this problem has some other important aspects that must be taken into consideration.

Firstly, I am astonished why the ruling Party has chosen this particular moment for passing this resolution. I have great admiration for my friend, Mr. Dharia, and between myself and Mr. Dharia the area of agreement is much wider than the area of this agreement. But we are not discussing individuals. We are

considering the functioning of the collective mind of a particular Party. Therefore, I really fail to understand what was particularly auspicious about this *muhurtham* because the Congress has been wedded to a socialist pattern of society or socialism right from its Avadi session. How is it that the *muhurtham* was chosen only after the General Elections of 1967? I am really inclined to agree with the remark passed by Mr. D. P. Mishra—though we disagree everywhere else—that there may be some element of anger in the A.I.C.C. decision to abolish privy purses because certain Princes had gone against the Congress. It appears as if so long as the Princes invariably sided with the Congress, the socialist Congress did not find it necessary to pass any resolution and now that the pro-Congress attitude of the Princes is undergoing a certain change, in order to pressurise them, this resolution is being brought. Therefore, the political motive of the ruling Congress Party has also to be taken into consideration. There is one more aspect to the problem. So far as the ex-rulers are concerned, we do think and we do believe that these privy purses should be abolished. There is no doubt about that. But there is another aspect to it. Shall we allow the Party, the ruling Party, to create a bad precedent on the strength of which they can go back upon their earlier assurances given to other sections of the population? For, there are commitments not only to the Princes but to other sections—the middle classes and even to the working classes regarding living wage. Now there has been breach of trust. They have not kept their word and we have condemned them for that. Wherever there has been breach of trust, we have condemned it. Now, if we endorse or sanction this breach of trust, will they not be emboldened to go back upon their commitments in other cases? Therefore, it is necessary, according to me, to find out a way whereby such a precedent will not be created but the purpose of

abolition of the privy purse also will be achieved. Therefore, a new approach is required and here I am reminded of the procedure followed by Sardar Vallabhai Patel. We know that before the provision was incorporated into the Constitution, Sardar Vallabhbhai Patel had negotiations with the Princes—he was an iron man and indeed, he proved his mettle—and brought round all the Princes to his way of thinking which was difficult and only after the matters were settled, it was incorporated in the Constitution. I think that if we follow this procedure then without bringing in any legal sanction or legislative sanction, it should be possible for us to do it. The hon. Home Minister is a statesman and I think this is a challenge to his statesmanship, to bring round the Princes even at this stage. Sardar Patel was called upon to deal with real living tigers. Now they have become paper tigers. Is our Home Minister not capable of dealing with these paper tigers? So we should like that the procedure followed by Sardar Vallabhbhai Patel should be followed by our hon. Home Minister also now. And while the examination of the issue is going on, I should like to know from him whether he is also simultaneously conducting negotiations on this problem with the Princes, because the entire environment is such that public opinion has been mobilised to such an extent that even the Princes will have to come down and in this way, if matters are settled, then we will not be sanctioning or endorsing another breach of assurance by the Government so that their assurances to every section of the population also remains inviolable.

Thank you.

श्री राजनारायण : माननीया, प्रधान मंत्री जी आ गई, आप हमारी प्रार्थना मान लीजिये। मैं आपके जरिये प्रधान मंत्री जी से निवेदन करता हूँ कि इस विषय पर आज यहाँ वोट हो जाय; क्योंकि मैं

एवालीशन के हक में हूँ (*Interruption*)। अगर प्रधान मंत्री इस राय की हो जाय, तो वे चेयर में रिक्वेस्ट कर दें कि इस पर वोट हो जाय; क्योंकि एक मिनट के लिये भी प्रिन्स पर्स का रहना या राजाओं के लिये विशेष सुख-सुविधाओं का रहना जनतंत्र के साथ अन्याय है।

SHRI BHUPESH GUPTA: As head of the Government, the Prime Minister should speak on this subject.

SHRI BABUBHAI M. CHINAI (Maharashtra): This is a Calling Attention Motion and according to the rules there cannot be any voting on it.

THE DEPUTY CHAIRMAN: Mr. Rajnarain, I have already stated in this House that this subject is going to be treated as discussion of short duration and I am not going to change my mind or apply any other rule this evening. That should be final. Mr. Chatterjee.

श्री राजनारायण : मैं आपकी व्यवस्था के विरोध में सदन का त्याग करता हूँ।

(Shri Rajnarain then left the House)

SHRI A. P. CHATTERJEE: (West Bengal): As far as the question of privy purse is concerned, I find from the various utterances made by the protagonists of the princes that now the legal and Constitutional grounds have receded to the background and very immorally, I should say and very suspiciously too, the moral ground has come into the forefront. I should say before you, Madam Deputy Chairman, that if Princes or their representatives talk of morals, then beware of them. If persons who kept harems, who had the first night of every wedded girl and who kept slaves in their mansions and palaces, if they or representatives of them talk of morals, well, then we can only raised our eye-brows and say "O temporal O Morest "Ohe times, O the manners."—that we have to

[Shri A. P. Chatterjee.]

listen to morality from the princes and from representatives of such princes. Madam, I do not know why this talk of sanctity of the agreement between the Princes and the Government of India or the morality of the agreement between the Princes and the people of India is being so much talked about. We know—even if we do not know, history will make us know; some people may try to forget history, but history is very persistent and insistent in its teaching—and history tells us that a little before we achieved our independence in 1947 and also after that, there was an engulfing people's struggle throughout the princely States in Hyderabad, in Baroda, in Rajkot, in Rajasthan; everywhere there was a movement started by the people of those States and that movement was so menacing that it threatened to topple the princely rulers in those different kingdoms. Who does not know of the famous Telangana movement of Hyderabad? That Telangana movement was almost on the point of engulfing Hyderabad and the Nizam of Hyderabad was shaking like an aspen leaf in the face of that struggle. What did the Dominion Government of India do at that time? They started police action. The police action was started not so much to support the people but to save the Nizam of Hyderabad from the Telangana struggle.

SOME HON. MEMBERS: No.

SHRI A. P. CHATTERJEE: Everywhere it has been shown that the States' people's struggle was taking on such ominous proportion that the Princes would have toppled down. Those heads would have rolled down. It was the Congress Government, the Dominion Government which sent the police and the military to support the toppling heads of those States and the Dominion Government shook hands with those bloodthirsty Princes over the dead bodies of the peasants and the dead bodies of the patriots in those States. While they shook

hands with those States the Dominion Government greased their palms by putting into their pockets these lakhs of rupees as privy purse. Is it a moral agreement? It is an agreement of treachery, it is a treachery against the people, a treachery to which the Princes and the Dominion Government were collusive parties secret parties. Therefore, to talk of morality is nothing but hypocrisy—hypocrisy rank, hypocrisy perverted and hypocrisy rotten. I will also say before you that those who talk of morality, have they ever known that the agreement, was between the Dominion Government and the Princes? That was before 1950. But on the 26th January 1950, the people of India took, over the rule of India. It is from the people that Parliament derives its rights. It is from the people that this Government derives its power and derives its privileges. These people who have come into their own after the 26th January 1950, these people, who are striding on towards democracy and socialism, on these people by what standards of morality can you force these treaties and the Covenants by which you are putting these lakhs of rupees into the pockets of those petty Princes, those pampered jades of India, pampered hirelings of British Imperialism? You talk of morality, when the person who fought for independence of Kashmir from British Rule, that person is behind the bar and we find the person who tolerated British Imperialism, who was almost a lackey of the British Imperialism, in the Cabinet. This is the morality we are now talking about. Therefore, there is no morality in it, there is no legality in it, there is no constitutionality in it. I congratulate Mr. Dharia on his bold resolution that he put before the A.I.C.C. I see that in the Congress ranks there are people who even now can see more than some of the leaders of the Congress, can see beyond their nose. Mr. Dharia is one such person and I congratulate him and I am quite sure that people like him, with the people also in the Opposition parties,

with the good and mighty support of the people of India, will ultimately see that the privy purses, these privileges, these amenities which are still being given to the hired lackeys of British Imperialism are abrogated in no time.

THE DEPUTY CHAIRMAN; Mr. Tariq. Be brief. I am extending the time a little more but even so I will not be able to accommodate everybody.

شری اے - ایم - طارق : میری قیادت چھرمیں - میں اس بحث کی پوری تائید کرتا ہوں جس کا اظہار اس اس ریزولیشن میں کیا گیا ہے جس کے معنی مختصر لفظوں میں یہ ہیں کہ ہندوستان کے راجاؤں اور مہاراجاؤں کو آزادی کے بعد جو رعایتیں اور خاص وظائف دیئے گئے ہیں ان کو فوری طور پر ملتوی کیا جائے۔

میں سمجھتا ہوں کہ یہ ملک کی ازحد ضرورت ہے اور سرکار کو فوری طور پر پریویس ہوس اور دوسری رعایتیں واپس لینا چاہئے - جہاں تک اس چیز کا تعلق ہے جس کا تذکرہ میرے دوست دھیا بھائی پتھل نے کیا کہ اس میں پارلٹی کا سوال ہے میں اس کو کچھ نہیں سمجھتا ہوں - ہندوستان کے آئین نے اور کانگریس نے سوشلزم کا نعرہ لگا کر یہاں کے لاکھوں اور کروڑوں انسانوں کو جو وعدے دیئے ہیں ان کا تذکرہ تو کوئی نہیں کرتا لیکن چند راجاؤں اور مہاراجاؤں کو جو وعدے ایک

خاص وقت ایک خاص ضرورت کے تحت ہم نے دیئے تھے ان کا کرتے ہیں - اب اس کی ضرورت نہیں ہے - جہاں تک سردار پتھل یا اس وقت کے وزیر اعظم پتھل جواہر لال نہرو کانگریس ورکنگ کمیٹی اور ان کی دانشمندی کا تعلق ہے یہ کسی فرد کا کام نہیں تھا ساری جماعت کا کام تھا صحیح فیصلہ تھا اگر اس وقت یہ صحیح فیصلہ نہیں لیا جاتا تو ممکن ہے کسی حد تک ہندوستان کسی سہول وار کا شکار ہو جاتا ہندوستان کے راجاؤں اور مہاراجاؤں کے پاس ہتھیار تھے دولت تھی کچھ تھوڑی تھوڑی فوج تھی اور دوسری طرف ہمیں اس بات کا اندازہ ہو چکا تھا کہ ہماری سرحدوں کے پار ہمارا ایک دوست ملک شاید ہندوستان پر کسی وقت حملہ کر دے جو کہ ہو چکا تھا - ان حالات کے پیش نظر اگر ہم نے اس وقت ایک تاریخی اور معاشی ضرورت کے پیش نظر راجاؤں اور مہاراجاؤں کو کچھ رعایتیں دی تھیں تو دیکھنا یہ ہے کہ کیا آج ان کی ضرورت ہے - میں یہ سمجھتا ہوں کہ آج ان کی ضرورت نہیں ہے اور ہم اس بات کے قہدار نہیں ہیں - ایک صاحب نے یہ کہا مجھے انتہائی افسوس ہے کرنل زیدی صاحب نے نظام حیدرآباد کا ذکر کیا مرحوم نظام حیدرآباد اچھے آدمی تھے اس

[شری اے۔ ایم۔ طارق]

لحاط سے بڑے اچھے تھے کہ انتہائی
کلچوس تھے اگر ان کا خرچہ تھائی
آنے تھا، تھیں آنے تھا۔ . . .

श्री नेकीराम (हरियाणा) : मैं यह
जानना चाहता हूँ कि क्या हैदराबाद के निजाम
का प्रिन्सी पर्स का पैसा पाकिस्तान में खर्च
हुआ है या नहीं ?

SHRI BHUPESH GUPTA: If he
gives you a biscuit, it is the height
of generosity.

THE DEPUTY CHAIRMAN: Mr.
Gupta, we are running against time.

شری اے۔ ایم۔ طارق : تشریف

دکھئے۔ وہ انتہائی کلچوس تھے۔
ہمیں یہ بھی دیکھنا ہے کہ اپنے
کلچوس ہونے کی وجہ سے وہ دولت
جو کہ ان کے پاس تھی جو انتہائی
دولت تھی وہ اگر قوم کے حوالے کرتے
تو کوئی بات تھی۔ ان کے یہاں
کروڑوں روپے کی دولت سی۔ انہوں
نے ایسا نہیں کیا۔ تو یہ ایک طرف
کارروائی نہیں ہے۔ اتر راجہ اور
مہاراجہ اس ملک کو اپنا وطن
سمجھتے ہیں ہندوستان کی دولت کو
اپنی دولت سمجھتے ہیں ہندوستان
کی آبادی کو اپنی آبادی سمجھتے
ہیں اور خدا نہ خواستہ ہندوستان کی
بربادی کو اپنی بربادی سمجھتے ہیں
تو ان کو بھی ہندوستان کے حالات
کے ساتھ اپنے کو ملانا چاہیئے اس کا
مشاہدہ کرنا چاہیئے خود سامنے آنا

چاہئے۔ یہ ہم کوئی اس لئے نہیں
کہتے ہیں ہندوستان ایک بڑا ملک
ہے اور پانچ کروڑ روپے سے ہم بہت
دولت مند ہو جائیں گے لیکن سوال یہ
ہے کہ ہندوستان کی جلتا کا حرجان
ان چند افراد کے خلاف ہو گیا ہے۔
اس کا فیصلہ کوئی ایک الیکشن
نہیں کرتا ہے کوئی دو الیکشن نہیں
کرتے ہیں۔ کنٹرول زبیدی نے یہ کہا ہے
کہ ہندوستان کی جلتا سے یہ پوچھا
جائے، ریاستی جلتا سے یہ پوچھا
جائے کہ راجاؤں اور نوابوں کو پریوی
پرس دیا جائے یا نہیں؟ میں آپ
سے اس بات کا دعویٰ کرتا ہوں،
چھانچ کرتا ہوں کہ ہر شخص یہ
کہتا ہے کہ پریوی پرس فوراً بند کیا جائے
یہ اور بات ہے کہ وہ کسی اور سیاسی
جماعت سے ناراض ہو سکتے ہیں،
وہ کانگریس سے ناراض ہوں، لیکن
کانگریس سے ناراضگی کے معنی یہ
نہیں ہیں کہ وہ چند افراد کو چند
رعایتیں دیں گے اور رعایتیں بھی ایسی
جو کہ شرم ناک حد تک ہیں۔
کسی راجہ کو تو اتنی رعایتیں دی
گئی ہیں کہ کچھ پوچھنا نہیں۔
مہاراجہ جے پور کو ان کی بھل گڑیوں
کے بھلوں کے لئے، خچروں کے لئے،
گھوڑوں کے لئے گھاس تک کی رعایت
ہے اور کئی سال تک ان تمام
رعایتوں کو دیا جاتا رہا ہے۔ سوشلسٹ
کھلانے والے، سوشلزم میں یقین کرنے

والے اس ملک میں جو ہمیں اور چوہان صاحب کو، مسز اندرا گاندھی کو اور دوسرے لوگوں کو فیصلہ کرنا ہوگا کہ شرافت کے معنی کیا ہیں۔ ہندوستان کے چالیس کروڑ انسانوں کے ساتھ جو وعدے ہیں، ہندوستان کے اکثر لوگوں کے رجحانات کا ہمیں احترام کرنا ہے یا چند راجاؤں مہاراجاؤں کا۔ یہ بھی حقیقت ہے کہ ہندوستان کی آزادی کی جد و جہد میں چند راجاؤں مہاراجاؤں کا رول ٹھیک نہیں رہا۔ آزادی کے بعد کچھ نوابوں کا، کچھ راجاؤں کا صحیح رول نہیں رہا۔ چاہے نظام حیدرآباد ہو۔ چاہے کوالیار ہاؤس ہو۔ گاندھی جی کے قتل کے بارے میں کوئی اس بات سے انکار نہیں کر سکتا ہے کہ

اس میں راجاؤں مہاراجاؤں کا . . .
(The Prime Minister left the House)

SHRI BHUPESH GUPTA: Madam, you should ask the Prime Minister to make a statement. Why is she going? Madam, in such matters the Head of the Government must make a statement. Mr. Chavan has said what he said was his personal view, that the privy purses should go; that is a good view. But it is time that we know what the Head of the Government has to say on the question, what the entire Government has to say.

THE DEPUTY CHAIRMAN: That is all right, Mr. Gupta, please sit down. Let Mr. Tariq go on.

شری اے۔ ایم۔ طارق: تو میں

یہ سمجھتا ہوں کہ ہم کو ان باتوں کا پورا جائزہ لینا ہے۔ الیکشن کے دنوں میں کیا کیا بادشاہی دولت

کا استعمال کیا گیا۔ سوشلزم کی بلیک ہلانے کے لئے کیا کیا نہیں کیا گیا۔ میں اس بات کا اعتراف کرتا ہوں۔ چاہے کوئی درست مجھ سے ناراض ہوں یہ حقیقت ہے کہ حیدر آباد کے رضاکار مہم میں وہاں کے بڑے بڑے جاگیرداروں کا ہاتھ تھا۔ اس بات سے آپ انکار نہیں کرتے ہیں؟ ظالم قوم کو معصوم بنا کر اس ہاؤس کے سامنے رکھتے ہیں اور ہندوستان کو دھکا دیتے ہیں۔ اس بات سے کون انکار کر سکتا ہے کہ گاندھی جی کے قتل میں بڑے بڑے راجاؤں کا نام تھا۔

شری شہر خان (مہسور): کشمیر کا بھی نام کیوں نہیں لیتے ہیں؟

شری اے۔ ایم۔ طارق: کشمیر

ہو، حیدرآباد ہو، ہندو ہو، مسلمان

ہو، سکھ ہو، عیسائی ہو، اس سے کوئی تعلق نہیں ہے۔ راجاؤں کی نسل ایک سی ہے، ان سب نے مل کر ہندوستان کی جنگ آزادی میں ہندوستان کو نقصان پہنچایا ہے۔ اور ہندوستان کی جنگ آزادی کے بعد وہ سب مل کر ہندوستان میں سماج واد کی بلیک ہلانہ چاہتے ہیں تو چوہان صاحب اور اس ایوان سے ہمیں یہ درخواست ہے کہ حتمی جلد ہو سہ راجاؤں مہاراجاؤں کے جو رعایتیں دی ہیں ان کو دوری طور پر منسوخ کیا جائے۔

श्री ए० एम० तारिक़: मैडम डिप्टी चेयरमैन, मैं इस बहस की पूरी ताईद करता हूँ जिसका इजहार इस रेजूलूशन में किया गया है, जिसके मायने मुहत्तर लफ्जों में ये हैं कि हिन्दुस्तान के राजाओं और महाराजाओं को आज्ञादी के बाद जो रियायतें और खास वजायफ दिए गए हैं, उनको फौरी तौर पर मुलतवी किया जाए।

मैं समझता हूँ कि यह मुल्क की अज़हद जरूरत है और सरकार को फौरी तौर पर प्रिवी पर्स और दूसरी रियायत को वापस ले लेना चाहिये। जहां तक इस चीज़ का ताल्लुक है, जिसका तज़करा मेरे दोस्त डा. ह्याभाई पटेल ने किया कि इसमें मोरेलिटी का सवाल है, मैं इसको कुछ नहीं समझता हूँ। हिन्दुस्तान के आईन ने और कांग्रेस ने सोशलिज्म का नारा लगा कर यहां के लाखों और करोड़ों इन्सानों को जो वायदे दिये हैं, उनका तज़करा तो कोई नहीं करता, लेकिन चन्द राजाओं महाराजाओं को जो वायदे एक खास वक्त और खास जरूरत के तहत हमने दिये थे, उनका करते हैं। अब इसकी जरूरत नहीं है। जहाँ तक सरदार पटेल या उस वक्त के बज़ारे आजम पंडित जवाहर लाल नेहरू कांग्रेस वर्किंग कमेटी और उनका दानिशमंदी का ताल्लुक है, ये किसी फर्द का काम नहीं था, सारी जमायत का काम था। सहो फैसला था, अगर उस वक्त यह सही फैसला नहीं लिया जाता, तो मुनकिन है किसी हद तक हिन्दुस्तान किसी सिविल बार का शिकार हो जाता। हिन्दुस्तान के राजाओं और महाराजाओं के पास हथियार थे, दौलत थी, कुछ थोड़ी थोड़ी फौज थी और दूसरी तरफ हमें इस बात का अन्दाजा हो चुका था कि हमारी सरहदों के पार हमारा एक ग़ैर मुल्क शायद हिन्दुस्तान पर किसी वक्त हमला कर दे जो कि हो

चुका था। इन हालात के पेशेनजर अगर हमने इस वक्त एक तारीखी और मुआशी जरूरत के पेशेनजर राजाओं और महाराजाओं को कुछ रियायतें दी थीं, तो देखना यह है कि क्या आज उनकी जरूरत है। मैं यह समझता हूँ कि आज उनकी जरूरत नहीं है और हम इस बात के जिम्मेदार नहीं हैं। एक साहब ने यह कहा मुझे इन्तहाई अफसोस है, कर्नल जैदी साहब के निज़ाम हैदराबाद का जिक्र किया। मरहूम निज़ाम हैदराबाद अच्छे आदमी थे, इस लिहाज़ से बड़े अच्छे थे कि इन्तहाई कन्जूस थे, अगर उनका खर्चा ढाई आने था, तीन आने था

श्री नेकी राम (हरियाणा) : मैं यह जानना चाहता हूँ कि क्या हैदराबाद के निज़ाम के प्रिवी पर्स का पैसा पाकिस्तान में खर्च हुआ है या नहीं?

SHRI BHUPESH GUPTA: If he gives you a biscuit, it is the height of generosity.

THE DEPUTY CHAIRMAN: Mr. Gupta, we are running against time.

श्री ए० एम० तारिक़: तशरोफ़ रखिये वह इन्तहाई कन्जूस थे। हमें यह भी देखना है कि अपने कन्जूस होने की वजह से वह दौलत जो कि उनके पास थी, जो इन्तहाई दौलत थी वह अगर कौम के हक़ले करते तो कोई बात थी। उनके यहां करोड़ों रुपये की दौलत थी। उन्होंने ऐसा नहीं किया। तो यह एक तरफ़ा कार्रवाई नहीं है। अगर राजा और महाराजा इस मुल्क को अपना वतन समझते हैं, हिन्दुस्तान की दौलत को अपनी दौलत समझते हैं, हिन्दुस्तान की आबादी को अपनी आबादी समझते हैं और खुदान खास्ता हिन्दुस्तान की बर्बादी

को अपनी बर्बादी समझते हैं, तो उनको भी हिन्दुस्तान के हालात के साथ अपने को मिलाना चाहिये, इसका मुशाहदा करना चाहिए, खुद सामने आना चाहिए । यह हम कोई इसलिये नहीं कहते हैं, हिन्दुस्तान एक बड़ा मुल्क है और पांच करोड़ रुपये से हम बहुत दौलतमन्द हो जाएंगे, लेकिन सवाल यह है कि हिन्दुस्तान की जनता का रहजान इन चन्द अफराद के खिलाफ हो गया है, इसका फैसला कोई एक इलेक्शन नहीं करता है, कोई दो इलेक्शन नहीं करते हैं । कर्नल जेदो ने यह कहा है कि हिन्दुस्तान की जनता से यह पूछा जाए, रियासती जनता से यह पूछा जाए कि राजाओं और नवाबों को प्रिवी पर्स दिया जाए या नहीं ? मैं आपसे इस बात का दावा करता हूँ, चेलिज करता हूँ कि हर शख्स यह कहेगा कि प्रिवी पर्स फौरन बन्द किया जाए । यह और बात है कि वह और किसी सियासी जमायत से नाराज हो सकते हैं, वह कांग्रेस से नाराज हों, लेकिन कांग्रेस से नाराजगी के मायने यह नहीं है कि वह चन्द अफराद को चन्द रियायतें देंगे और रियायतें भी ऐसी जो कि शर्मनाक हद तक हैं । किसी राजा को तो इतनी रियायतें दी गई हैं कि कुछ पूछना नहीं । महाराजा जयपुर को उनकी बैलगाड़ियों के बैलों के लिए, खच्चरों के लिए, घोड़ों के लिए घास तक की रियायत है और कई कई साल तक इन तमाम रियायतों को दिया जाता रहा है । सोशलिस्ट कहलाने वाले, सोशलिज्म में यकीन करने वाले इस मुल्क में जो हैं और चव्हाण साहब को, मिसिज इन्दिरा गांधी को और दूसरे लोगों को फैसला करना होगा कि शराफत के मायने क्या हैं । हिन्दुस्तान के चालीस करोड़ इन्सानों के साथ जो वायदे हैं, हिन्दुस्तान के अकसर लोगों के रोहजाना का हमें एहताराम करना है या चन्द राजाओं महाराजाओं का । यह भी हकीकत है कि हिन्दुस्तान की आजादी की जद्दीजहद में चन्द राजाओं महाराजाओं का राल ठीक नहीं रहा । आजादी के बाद कुछ नवाबों का, कुछ पाजाओं का सही

रोल नहीं रहा, चाहे निजाम हैदराबाद हो, चाहे खालियर हाउस हो, गांधी जी के कत्ल के बारे में कोई इस बात से इनकार नहीं कर सकता है कि इसमें राजाओं महाराजाओं का . . .

(The Prime Minister left the House)

SHRI BHUPESH GUPTA: Madam, you should ask the Prime Minister to make a statement. Why is she going Madam, in such matters the Head of the Government must make a statement. Mr. Chavan has said what he said was his personal view, that the privy parses should go; that is a good view. But it is time that we know what the Head of the Government has to say on the question, what the entire Government has to say.

THE DEPUTY CHAIRMAN: That is all right, Mr. Gupta, please sit down. Let Mr. Tariq go on.

श्री ए० एम० तारिक : तो मैं यह समझता हूँ कि हमको इन बातों का पूरा जायजा लेना है । इलेक्शन के दिनों में क्या क्या बादशाही दौलत का इस्तेमाल किया गया । सोशलिज्म की बुनियाद हिलाने के लिए क्या क्या नहीं किया गया । मैं इस बात का एतराफ करता हूँ, चाहे कोई दोस्त मुझ से नाराज हों यह हकीकत है कि हैदराबाद के रजाकार मूवमेंट में वहाँ के बड़े बड़े जागीरदारों का हाथ था । इस बात से आप इन्कार क्यों करते हैं ? जालिम कौम को मासूम बना कर इस हाउस के सामने रखते हैं और हिन्दुस्तान को धोखा देते हैं । इस बात से कौन इनकार कर सकता है कि गांधी जी के कत्ल में बड़े बड़े राजाओं का नाम था ?

श्री शेरखां (सुमैर) : काश्मीर का भी नाम क्यों नहीं लेते हैं ?

श्री ए० एम० तारिक : काश्मीर हो, हैदराबाद हो, हिन्दू हो, मुसलमान हो, सिक्ख हो, ईसाई हो, इससे कोई ताल्लुक नहीं है । राजाओं की नस्ल एक सी है, इन सबने

[श्री ए० एम० तारिक]

मिल कर हिन्दुस्तान की जंग-आजादी में हिन्दुस्तान को नुकसान पहुंचाया है। हिन्दुस्तान की जंग आजादी के बाद वह सब मिलकर हिन्दुस्तान में समाजवाद की बुनियाद डिलाना चाहते हैं, तो चव्हाण साहब से और इस एवान से मैं यह दरखवास्त करता हूँ कि जितनी जल्द हो सके, राजाओं और महाराजाओं को ये जो रियायतें दी हैं, उनको फौरी तौर पर मनसूख किया जाए ।]

THE DEPUTY CHAIRMAN: Mr. Kaul, please be very brief.

SHRI M. N. KAUL (Nominated): I shall be very brief and place only a few points for the consideration of the House. Madam, the whole concept of the privy purses, I think, has been misunderstood. The position before independence was that the freedom struggle had not penetrated deep enough in the Indian States. If the freedom struggle had penetrated deep enough, then there would have been representative governments in those States and the privy purses would have been fixed on the same basis as the President's emoluments are fixed. This did not happen for various reasons and the Princes were in an advantageous position because they were mixing up their privy purses and the general revenues. That consideration should be borne in mind. The second difficulty which Sardar Patel encountered was that the British Government had declared that paramountcy had lapsed. If you read his speech as a whole you will see that it is a political speech. He made it quite clear that the circumstances were not propitious and time was running out. He had to settle with the Princes. The paramount intention in his mind at that time was the integration of India. The payment of money was a secondary consideration. Even then he had based his calculation on a rough estimate made at that time. Taking all the Princes together, it was found that they were having more than Rs. 20 crores from

the revenues of their States and he settled the figure at Rs. 5 crores. That was the best that he could do in the circumstances. A sentence is being cited to show that privy-purses were a kind of quid pro quo for the Princes surrendering their sovereignty. But I say that, in a political speech it was put in that way as Sardar Patel was describing the political realities at the time, if the provisions that Sardar Patel put in the constitution are read as a whole and if the judgments of the Supreme Court that I will refer to are taken into consideration, it will be quite clear that Sardar Patel did not bind the hands of future Parliaments or State Legislatures; I will refer to three judgments of the Supreme Court.

One case that went up to the Supreme Court was in relation to a suit against a 'Ruler' which was filed without the sanction of the Central Government. There the Supreme Court was compelled to give a verdict in favour of the Ruler because the Court said that this provision had been put in Sec 87B, Civil Procedure Code, with a view to implement the agreements with the Rulers which were at that time in the general interest of the unity of the country as a whole. At the same time the Court made an observation which has profound significance. They said that with the passage of time the validity of the historical conditions on which section 87B of the Civil Procedure Code is founded will wear out and the continuance of the said section in the Code of Civil Procedure may later be open to serious challenge. That is a very vital judicial pronouncement and it should be borne in mind.

The second case that came to the Supreme Court was with regard to the income that the Ruler derived from his agricultural lands. The Supreme Court held that the taxation was valid. They interpreted article 362 of the Constitution in a very progressive manner. The contention

before them was that Parliament or a State Legislature was enjoined to make laws with due regard to the guarantee and assurances given in covenants with the Rulers. The argument on behalf of the Ruler was that in view of the words "due regard shall be had to the guarantee or assurance given under any such covenant or agreement" in article 362, the guarantees and assurances in the covenants and agreements should be deemed to be incorporated in the relevant law. The Supreme Court rejected that contention and laid down a very important doctrine. The Court said that article 362 is a recommendation to Parliament or a State Legislature. You can see the wisdom of Sardar Patel. Article 362 according to the Supreme Court is a recommendation to Parliament or a State Legislature. It is open to Parliament or a State Legislature in the general interest and in its wisdom to disregard that recommendation. I can confidently say that Sardar Patel put in this elastic provision because he did not want to bind future Parliaments.

In another case which went up to the Supreme Court, that Court held that "personal privilege" meant purely personal privilege and it did not imply guarantee in relation to any personal property of the Rulers.

So it is quite clear that the Supreme Court in these three judgments that I have cited, has taken a progressive view in the matter, that is to say, they have taken the view that with the march of time and with the development of democratic traditions in the country, some changes will be necessary and the necessary power is effectively vested in Parliament or a State Legislature and there is no power in the Courts to interfere in such matters. The Constitution-makers also envisaged that with the passage of time changes would be quite legitimate and fair.

Now I come to the crucial article, article 291 of the Constitution. Arti-

cle 291 says that privy purses shall be charged on and paid out of the Consolidated Fund of India. We know what that means. Privy purse sums are not presented to Parliament in the shape of estimates and Parliament does not vote them. That is the constitutional provision. It is further provided in this article that "the sums so paid to any Ruler shall be exempt from all taxes on income." That is a very vital provision. This is an exemption which the Princes enjoy in an exclusive manner. I will just give an illustration to show how large is this exemption. There are other wealthy persons, but amongst the fraternity of the wealthy the Princes with a Privy purse of over one lakh enjoy a pre-eminent position. I have made a rough calculation. Suppose the privy purse is Rs. 20 lakhs. A wealthy person in India must make a gross income of between one crore and two crores before he can retain a net income of Rs. 20 lakhs for himself. That aspect, the taxation aspect of the matter is very important. Let the privy purse remain as privy purse, but let this tax exemption go. If this exemption of taxation provision goes, then the burden on the exchequer due to the privy purses is considerably lightened. It could never have been the intention of the framers of the Constitution that this should be a perpetual concession. Their intention is also clear from articles 362 and 363.

These political settlements were not subject to judicial review. Taking all these sections together and also the interpretation of the Supreme Court, it is quite clear that what was done in 1950 and in the earlier years was in the nature of political settlements and the intention even at that time, as is apparent from the provisions of the constitution, was that with the passage of time and the formation of public opinion these settlements could be varied. They contain exceptional privileges which are quite contrary, as the Supreme Court has said in its judgments, to

[Shri M. N. Kaul.]

the fundamental right of equality before law.

Madam, I am one of those who believe that in the first instance there should be negotiations with the Princes. But if negotiations fail then I suggest that this provision giving exemption from taxation should be taken out from the Constitution.

THE DEPUTY CHAIRMAN: Mr. Bhargava, try to be brief please.

SHRI M. P. BHARGAVA (Uttar Pradesh): Madam Deputy Chairman, I rise to wholeheartedly support the abolition of privy purses and certain other privileges and amenities enjoyed by the Rulers of the former Indian States. I must congratulate my friend, Shri Mohan Dharia, for precipitating matters in the meeting or the All India Congress Committee and bringing this subject to the light and making it possible for our countrymen to consider this question. And I want also to congratulate the Home Minister for the quick steps he has taken in the matter. The first step, as is well known, in all these matters is to consult the Law Ministry and the Home Minister lost no time in consulting the Law Ministry. As hon. Members would have seen in the papers this morning, what is the Law Ministry's opinion? The Law Ministry has informed the Home Ministry that there is no legal or constitutional bar to the abolition or reduction of privy purses and the privileges of the former Rulers.

SHRI LOKANATH MISRA: But he is also a disciplined soldier of the AICC, you must remember.

SHRI M. P. BHARGAVA: Some doubts have been raised in this House during the debate that the Government may not be serious and that they may not accept it and that is why I have quoted the opinion of the -Law Ministry. After the receipt or

the opinion of the Law Ministry it is for the Cabinet to consider this question in all its details and come to a decision quickly.

SHRI BHUPESH GUPTA: No detail is needed.

SHRI M. P. BHARGAVA: And I have no doubt that before long the Cabinet decision will be available and the Government will have to bow to the wishes of the countrymen. We have to decide whether what we have been saying about bringing a socialistic society is to be implemented or whether it is to remain a promise on paper. If it is to be a mere promise on paper then we can afford to be not serious about taking any steps but the time has come when the country will not tolerate any more any promise on paper. The country wants to see the promise to be implemented and put into practice and if that is to be done, one of the steps—and a necessary step—is to abolish this special class of people. The Princes should have decided long ago whether they would like to enjoy the special privileges or would like to make their presence felt in the country's politics. They cannot have it both ways, enjoy special privileges and yet make their presence felt in the country's politics. And that is exactly what they have been doing; whether in the Opposition or in the ruling party they have been trying to make their presence felt. If they want that their presence should be felt I have no objection to their coming forward and making their presence felt but if they take that decision they have to take the other decision too so that they would forego the special privileges which they enjoy. It cannot be both ways, that you go on enjoying special privileges and at the same time go on making your presence felt. That is the aspect which I wanted to place before the House and I have no doubt that before long a Bill will be forthcoming for amending the Constitution

and it will be possible for us to end this.

SHRI BHUPESH GUPTA: That is already there; my Constitution (Amendment) Bill on the subject is pending before the House.

SHRI M. P. BHARGAVA: I have Tio doubt that before long those of us who want to see the Resolution of the All India Congress Committee implemented in right earnest will see 'that the abolition of the privy purse takes place and after that other steps in that direction will be forthcoming before long.

THE DEPUTY CHAIRMAN: Mr. Jagat Narain, just three or four minuses.

श्री जगत नारायण (हरियाणा) : मैडम डिप्टी चेयरमैन, मैंने आज इस हाउस में लीगल ल्युमिनेरिज्म के और दूसरे नेतागणों के ख्यालात सुनें और दोनों ने अपने अपने ख्यालात का इजहार किया। मैं आपके थ्रू बड़े अदब के साथ दरखास्त करना चाहता हूँ होम मिनिस्टर साहब से कि जहाँ तक यह प्रिवी पर्स बंद करने का सवाल है, उसके बारे में जिस तरह की कोशिश चल रही है, जिस ढंग से चल रही है, वह एक गलत रास्ता है। यह गलत रास्ता क्यों है? क्योंकि जब हमारी स्टेटों का इन्टिग्रेशन हुआ था, तो मैं उस वक्त पंजाब से ए० आई० सी० सी० का मेम्बर था। मुझे पता है कि उस वक्त जब ये स्टेट्स इन्टिग्रेट हुई थीं, तो यह कहा गया था कि सरदार पटेल ने एक मोड़जजा कर दिया है। जिस तरह से महात्मा गांधी जी ने नान वायलेंस के जरिये एक मोड़जजा आजादी दिलाने के लिए किया, उसी तरह से स्टेटों को हिन्दुस्तान में मिलाने के लिए एक मोड़जजा सरदार पटेल ने किया था, जो कि कभी नहीं हो सकता था। बरतानिया के लोग भी यह समझते थे कि हिन्दुस्तान के स्टेट्स हिन्दुस्तान में कभी भी नहीं मिलेंगे। लेकिन जिस तरीके से सरदार पटेल ने यह काम किया, वह काबिले तारीफ था। इसलिए

मैं कहना चाहता हूँ कि चाहे कितने ही लोग इसके बारे में मोराल वैल्यू की बात कहें, यानी सरदार पटेल ने जो मोड़जजा किया, उसको किस तरह से और ग्रेसफुली खत्म किया जा सकता है, यह बात हम सब लोगों को समझनी चाहिये। हमें राजा महाराजाओं को बुलाकर इस बारे में कोई बात तय कर लेनी चाहिये। मेरी किसी राजा महाराजा से वाकफियत नहीं है, मैं स्वतंत्र पार्टी में भी नहीं हूँ, लेकिन मैं इतना कहना चाहता हूँ कि मिलजुल कर और बैठकर यह काम किया जाना चाहिये। यहाँ पर बड़ी सोशलिज्म की बातें की जा रही है। लेकिन मैं यह पूछना चाहता हूँ कि सोशलिज्म यहाँ कहाँ पर है? जो फुल मिनिस्टर है, उसको ज्यादा अमेनिटीज मिली हुई है, जो स्टेट मिनिस्टर है, उसको कम मिली हुई है और जो डिप्टी मिनिस्टर है उसको और कम मिली हुई है। लेकिन जो डिप्टी मिनिस्टर है वह एक ही महीने के अन्दर स्टेट मिनिस्टर बन जाता है। इसलिए मैं अदब के साथ चव्हाण साहब से दरखास्त करूँगा कि इस चीज को ग्रेसफुली खत्म करने की कोशिश की जानी चाहिये। हमें राजा महाराजाओं को बुला कर और उनके साथ बैठकर, उनसे बात करके कोई फैसला इस बारे में कर लेना चाहिये।

THE DEPUTY CHAIRMAN: Mr. Chitta Basu, just a few questions if you want to ask. There is no time for all.

SHRI CHITA BASU (West Bengal): Madam, I will take five minutes.

The privy purses and the special rights and privileges" enjoyed by the ex-Rulers are an anachronism in our society. It is incongruous with the present set-up of the society we are living in. Not only that but it is a blot on our Republican Constitution under which we are working today. Therefore, there cannot be any question as to why we should not immediately go in for the abolition of the

[Shri Chitta Basu.] privy purses and these particular rights and privileges enjoyed by the ex-Rulers.

Certain questions have been raised with regard to the morality and patriotism of these ex-Rulers. History has shown that there has been mighty liberation movement, freedom movement, in the States. There has been the States Peoples Conference . . .

THE DEPUTY CHAIRMAN: Just give your points. There is no time for a speech.

SHRI CHITTA BASU: Some questions have been raised by some of our friends which have to be contracted. Some of our friends Tiave said that there was no movement for freedom within the States. History has it that there were powerful movements under the leadership of the States Peoples Conference, the leaders of which were men like Pandit Jawa-harlal Nehru and other Congress leaders. On the question of patriotism if you go through the speeches of Sardar Vallabhbhai Patel you will come to conclude that these special concessions and privy purses were wrested under duress.

THE DEPUTY CHAIRMAN; That will do, Mr. Chitta Basu.

SHRI CHITTA BASU: I will quote Just one thing. He said that the situation was fraught with immeasurable potentialities of disruption for some of the Rulers did insist on the exercise of their technical right to declare independence and then to join the neighbouring Dominion. That means the situation was such that under the threat of declaring independence and joining the neighbouring Dominion they wrested concessions in the form of privy purses and in the form of special rights and privileges. Therefore, nt> question of patriotism comes in and no question of morality comes in. Rather it would be immoral if we allow these things to perpetuate.

THE DEPUTY CHAIRMAN: That •will do. Mr. Sri Rama Reddy. You

should finish in three minutes. I wish the Congress Party had selected their speakers. It is a long list and the Chair cannot accommodate everybody. Therefore, I would request you, as the Opposition have done, to select your speakers.

THE MINISTER OF STATE IN THE DEPARTMENTS OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (SHRI T.-K. GUJRAL): We have given only a few names from the Congress Party. We did not anticipate this list_____

THE DEPUTY CHAIRMAN: Even then the Opposition Members have been co-operating in this and they only put up one speaker out of five. I would like the same co-operation to be extended by the ruling Party. I want that you give three or four names. Otherwise I cannot accommodate everyone.

SHRI I. K. GUJRAL; We assure-you of full co-operation.

SHRI BHUPESH GUPTA: On a point of order. You gave the ruling based on which the Parties were called upon to give the names. We gave . . .

THE DEPUTY CHAIRMAN: I did not give any ruling. I requested. There is no time now.

SHRI BHUPESH GUPTA: No, no. it is a very important matter anS others from here should be allowed to speak, because you" said something about the Congress Party. First or all, if you say that the Congress Party ...

THE DEPUTY CHAIRMAN: I am not calling all the Members of the Congress Party. I am using my own discretion.

SHRI BHUPESH GUPTA: You said Parties will give their views through one man, but the Swatantra Party can claim two.

THE DEPUTY CHAIRMAN: Mr. Bhupesh Gupta, please take your seat. From the Swatantra Party two have not spoken.

SHRI BHUPESH GUPTA: Then, you should not have said what you said . . .

KUMARI SHANTA VASISHT: You cannot object.

SHRI BHUPESH GUPTA: I do not object . . .

THE DEPUTY CHAIRMAN: I am requesting the House on all sides to co-operate with the Chair, because I would like every Member to be called. Therefore, I requested Party-wise to give their names, so that we could have the discussion within the given period of time. The Minister-in-charge has also got other work and, therefore, I *am* seeking your co-operation.

SHRI BHUPESH GUPTA: But do you not think that we are handicapped? You say from the Opposition one ^man from each Party, but it means the Congress can put up a large number of people to speak again and create the impression in the country as if this House is not for the abolition of the privy purse. That should not be the case.

THE DEPUTY CHAIRMAN: Numerically they have not taken so much time, nor so many speakers have spoken. Now, I do not want any more on this Mr. Shri Rama Reddy.

SHRI N. SRI RAMA REDDY: Madam, let me quote Sardar Vallabhbhai Patel's speech . . .

SHRI BHUPESH GUPTA: Mr. Bhargava has spoken admirably the point of view of the AICC. What else do you want?

SHRI N. SRI RAMA REDDY: Madam Deputy Chairman, with your permission, I would like to quote the speech which Sardar Vallabhabhi Patel made before the Congress . . .

THE DEPUTY CHAIRMAN: You have no time to quote.

SHRI N. SRI RAMA REDDY: "Human memory is proverbially short. In October, 1949 we are apt to forget the magnitude of the problem which confronted us in August, 1947." If this was the impression of Sardar Vallabhbhai Patel in the year 1949, two years after independence, our memory is certain to be shorter now. Probably it is on account of the short memory that we are having of the great events that took place in 1947, that we are talking in a way as if we have the right to decry all the agreements that we have entered into. . .

SHRI BHUPESH GUPTA: Has he defected from the Congress Party?

SHRI N. SRI RAMA REDDY: It is only Rs. 5 crores . . .

THE DEPUTY CHAIRMAN: You need not repeat it.

SHRI N. SRI RAMA REDDY: It is a very small matter. We are having terrific problems like China, Pakistan, Naxalbari, etc...

SHRI BHUPESH GUPTA: We would like to know whether he has defected.

SHRI N. SRI RAMA REDDY: Before the founding fathers of Indian freedom got independence for India in 1947 they had to fight for several years, probably for fifty, sixty or seventy years. Let us keep the word which our leaders had given to the nation, to the Princes. It is a very small price. Let us not break it.

THE DEPUTY CHAIRMAN: That will do.

SHRI N. SRI RAMA REDDY: Therefore, I commend the compromise made.

SHRI BHUPESH GUPTA: You have allowed two Swatantra speakers, one here and another there.

THE DEPUTY CHAIRMAN: Mr. Sapru, only questions. No speech.

SHRI P. N. SAPRU: I shall be very brief.

Madam Deputy Chairman, I do not believe in the institution of inheritance. I do not believe in the institution of property. Property is not sacred with me and I do not believe in the divine right of kings. I believe in the theory of equality, but I cannot forget the years between 1347 and 1951. They were critical years and I must pay my tribute to Sardar Vallabhbhai Patel who achieved the most wonderful achievement that any statesman has ever achieved in the history of the world, where the Britishers presented us with the problem of Integrating 562 States. They were expecting police action in 562 States. They were expecting complaints before the United Nations by those States. Sardar Vallabhbhai Patel by his statesmanship showed wisdom such as no statesman in the 20th, 19th, 18th or 17th century has shown. It was a small price to pay. Of course, things change. Life changes. While honouring our commitments, we also should reason with our Princes who are as much Indians as we are. Therefore, I would say that we should in this matter take a view which is based upon certain principles of morality. I am not a complete Marxist. I cannot, therefore, say that morality has no place in life.

SHRI N. SRI RAMA REDDY: Have communists any morality?

SHRI P. N. SAPRU: Therefore, I would say let us do everything that we can, but let our action be such as can be justified on principles of justice.

SHRI Y. B. CHAVAN: Madam Deputy Chairman, this matter is being discussed for the last two and a half hours and I must say that I am greatly profited by the discussion. Naturally in the last few months this question, has been very excitedly debated in the country, both on the platform and in the Press. Naturally it is only in the fitness of things that this House also takes up this question and discusses it in the manner in which it did. As far as I am concern-

ed, I have expressed my views in this matter, not in my personal capacity but as representing the Government. There are two aspects of the problem. I must say that the All India Congress Committee has passed a resolution, which I consider to be a very important resolution, an epoch-making resolution because it has started some new direction of thinking in this matter. As a Congressman I entirely stated by that resolution. At the same time, Government has undertaken examination of all the aspects of the problem and after examining them the Government as such will take certain decisions or adopt its line of approach to the problem. Naturally then the Government will have to come before this House to seek its sanction or approval. So, this is the basic thing that I must place before this hon. House. At the same time I must explain why the All India Congress Committee also decided in the way it did. It was not in any spirit of vindictiveness, because somebody said that we are trying to change our word to the princes. That is not so. Princes are on the other side. Princes are on our side. Princes are loyal to this party or to the other party. Naturally as citizens of India they have a right to hold their views, about political matters. This resolution has nothing to do with the thinking of the princes or group of Princes. But certainly the thinking in the last twenty years has shown certain directions, and this resolution is a result of those directions. Some people have tried to confuse this idea with socialism. The abolition of privy purses has nothing to do with socialism. It has nothing to do with socialism really speaking. It is very much a democratic approach. These are some of the basic things.

Some people have raised the question of morality. Naturally life cannot be devoid of morality. Considerations of morality have to be taken into account. But what morality is most important? We have to think about the fundamental morality of the republic. When we say we are a

democratic Republic, we say that there is equality of opportunity; we say that there is equality of status before the law. Can we in terms of these privy purses say that there is equality of citizenship? Here is a person who gets Rs. 10 lakhs or Rs. 20 lakhs without any personal income-tax; he is also an Indian citizen. Here is another person who gets Rs. 150 including dearness allowance* he is also an Indian citizen. How can you say that this is consistent with any democratic concept? That is the fundamental morality. If at all any morality has to be considered or personal morality -as to be considered, the commitment to the nation has to be considered. But when the question of morality is introduced, I also believe in it; I believe in morality. But this basic morality has to be taken into account. Commitments are also made to the millions of the people in this country. What about those commitments? The Constitution provides for those commitments. The Directive Principles of the Constitution speak of employment, of education, of many other opportunities in life. What about those commitments? What about those moralities? I know what I am talking about. Kumari Vasisht reminded me of the f. ns of life. She warned me that I should be careful about what I am saying. I can thank her for that. I can tell her that I have come up in political life the very hard way. I have identified myself with the lot of the common people and I will remain in politics only with this identification. The moment that identification is not there, I do not care whether I am a Minister or not, whether I am in difficulties or not. I have lived in political life full of political difficulties, and I have seen that if one is loyal to the cause of the common man in the country, there will be no difficulty for him. Apart from that, if one has to face trials and difficulties, one should not hesitate. This is about my person.

Another thing. I was rather very intrigued about some Members; I expected some Members to make

some very profound constitutional and legal arguments, and I was disappointed because they gave us some moral sermons. Some Members from whom I expected moral sermons gave us some good lectures on law. This is rather an irony of our life. I was reminded of a very interesting remark once an America Presidential candidate made to a 'fiose friend—I do not want to mention names; it was recent; it is a matter of forties or fifties. After the defeat of that Presidential candidate he was asked by his friend, "How do you explain your failure?" He said: "In my election campaign I had a team consisting of intellectuals and politicians and I expected them to play their respective roles. What happened ultimately was that the intellectuals behaved as politicians, and the politicians behaved like intellectuals. That made a whole mess of my election campaign". I saw something of that here. Whatever the constitutional position is, it is always my stand that it is being examined; it is being examined, it will be examined. To the Law Ministry's opinion some Members made a reference; it is well known. But I have no doubt in my mind that this step in the form of a Congress resolution is taken and it has to proceed in that direction. What exact form it will take I cannot say now because everyone has to wait for the examination of those problems. But history has taken a step, and I do not think, when once history has taken a step, anybody can retrace the step backwards. It is not like that. When I say history, it means history in all sense. I think I have said what I wanted to say on this particular matter.

I am one of those who not merely admire but adore the role and the contribution of Sardar Patel in Our h'tory. The hon. Member, Shri B. K. P. Sinha, made quotations about it. There is no doubt that the contribution of integration of the States in India was perhaps the most important historical achievement in the country in the last so many centuries, if I may say so; there is no doubt about it. He

[Shri Y. B. Chavan.] said Pandit Nehru had never said about this or that. He had to take a view of Gandhiji in an indirect manner on what some senior civil servants discussed with him. Regarding Gandhiji's life and philosophy, he has talked about many things and written about many things; they have to be interpreted in the light of those writings and the principles which he believed in. It is not enough that we should go back always to the great men of the past. We have to look to our present and our future and decide the issues on the merits of these problems—whether this is not inconsistent, this question that somebody is completely exempt from taxes, that somebody has even exemption from appearing before the civil courts or criminal courts for all his defaults of a civil nature or criminal nature. There are my friends sitting on this side, I am not against them. I can assure them. They are Members of this House. They are as representative as I am of the people, and I would make an appeal to the Princes: Let them not think in the way some people are thinking and are trying to make them think about it. They are citizens of India; they are patriots and they claim to be patriots; we concede them that claim. Let us be equals. Let us have the right to share in the political life, economic life and social life of this country. There is no question of anybody trying to destroy anybody. It is a question of taking the Republic of India in the right direction, on the onward march. That is, really speaking, the main question . . .

SHRI BHUPESH GUPTA: What is the position with regard to the simple proposition of abolition? How far : have you progressed? Have you decided in principle that privy purses should be abolished? Following the principle, do I understand that you are considering the legal and other aspects of it? That should be made clear.

SHRI Y. B. CHAVAN: I think I have made myself clear in my statement.

If I have not made myself clear, even if I say a hundred words or a hundred sentences, it would not make it clear I said I stand by the Congress resolution.

SHRI BHUPESH GUPTA: Here you are speaking as the Home Minister. Do you say as Home Minister . . .

SHRI Y. B. CHAVAN: I have said it the other day which I repeat. When I said that this matter is being examined it is being examined with a view to implementing that decision. It is not my personal view or anybody's personal view. When the Government is examining, the cause for examination arose only after that august body passed that resolution.

SHRI BHUPESH GUPTA: No, Madam Deputy Chairman. We know, Mr. Chavan even before you spoke that you are in favour of the abolition of the privy purses by reading all the proceedings of the AICC meeting. For that, we need not have a discussion here. We want to know from you, as a member in-charge of the Government whether you recognise that privy purse should be abolished and that everything is being done with a view to expeditiously examining that decision of the Government.

SHRI Y. B. CHAVAN: Expenditure examination is what I am aiming at. But when I am saying that the matter is being examined, what form the result will take. I cannot say just now. You are not functioning in the Government and therefore you do not know the difficulty.

SHRI BHUPESH GUPTA: I can tell you. If I had been functioning in the Government . . .

THE DEPUTY CHAIRMAN: No more. You have said many points.

SHRI Y. B. CHAVAN: Mr. Bhupesh Gupta, I will not be able to tell you more than this even if you ask me one hundred questions on this.

THE DEPUTY CHAIRMAN; He was very clear.

SHRI Y. B. CHAVAN: This is not something new for the Congress also because it is, really speaking, what is being talked and talked and discussed and discussed. Even our Prime Minister, long before she became Prime Minister, I think in the Congress Working Committee, agitated for the abolition of the privy purse.. (*Interruptions*). But you see hat the Government has to think and act collectively. We are taking advantage of the discussions in Parliament, in the Rajya Sabha and in the Lok Sabha. You are not, really speaking, identifying yourself. You believe in democracy but you are not identifying yourself with the process of democracy. That is my main difficulty.

SHRI BHUPESH GUPTA; It is between you and the Prime Minister.

SHRI Y. B. CHAVAN: We have to proceed in this way . . . (*Interruptions*) . Quite right. If possible, we have also to talk with the Princes. There is nothing wrong in that. It is not something that we are fighting with them. They are our friends. Certainly, if necessary, we will have to talk with them also. There is nothing wrong fl a tbav

SHRI A. P. CHATTERJEE: You will take the Princes along with you?

SHRI Y. B. CHAVAN: We will talk with you also, if necessary. That is what I am saying. When I am talking here, I am talking with you, it is a dialogue between the Opposition Members and us and it is something very useful. This is also a part of the examination.

So, the di.cc'iri is laid down, the approach is laid down, the action is initiated. N. w, we must show patience and have faith in the Government (*Interruptions*). They must show some patience and faith in the Government

SHRI BHUPESH GUPTA: How long?

SHRI Y. B. CHAVAN; Well. I cannot say how long; I can tell you that it will not be unduly long.

THE DEPUTY CHAIRMAN: The House stands adjourned till 11.00 A.M. tomorrow.

The House then adjourned at fortythree minutes past six of the clock till eleven of the clock on Tuesday, the 1st August, 1968.