

the hon. Minister has said, in a lighter vein, whether the regulatory body is required or not. If that is the case, we had the Controller of the Capital Issues in the past. Why have we brought the SEBI? I am definitely satisfied with the Minister's reply that they have already started bringing forward certain amendments. The whole idea of bringing this point is to sensitise the hon. Members of this House on the media issue. In any case, I withdraw my Resolution.

The Resolution, by leave, was withdrawn.

THE VICE-CHAIRMAN (SHRI TIRUCHI SIVA): Shri K.N. Balagopal, not present. Next Shri Rangasayee Ramakrishna to move the Resolution.

Upper House for all States and empowering Panchayati Raj Institutions

SHRI RANGASAYEE RAMAKRISHNA (Karnataka): I move the following Resolution:

“Having regard to the fact that—

- (i) from times immemorial, self governance by the institution of Panchayats was prevalent in the village-society;
- (ii) even the British respected this institution which catered to the basic needs of the society in which influential and wise men were nominated at the local level who had an affluent background;
- (iii) post independence, in the formative years of the Republic, the office bearers in these institutions were sought to be elected and the caste panchayats were replaced by elected panchayats;
- (iv) based on the Balwant Rai Mehta Committee report, Prime Minister Shri Jawaharlal Nehru launched Panchayati Raj in Nagaur district in Rajasthan in 1959;
- (v) in the states such as Rajasthan, which adopted this model, the CD Block budgets comprising Public Works Department, public health, primary and secondary education, agriculture, animal husbandry, irrigation, etc. were transferred to Panchayati Raj institutions for being administered not by government officials but by elected Panchayati Raj

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representatives and the budgets were themselves created out of felt demands for the people and administered by the elected representatives of Panchayati Raj bodies;

- (vi) had this system been allowed to take roots and continue for a longer time, the nation would have reaped the benefits of a truly decentralized democracy but unfortunately this experiment was short lived;
- (vii) however, Panchayati Raj institutions could have been saved by taking one more logical step in their path of evolution, viz., integrating directly elected people's representative into the scheme of Panchayati Raj hierarchy itself and one more alternative which could have been seriously considered was to make the Panchayati Raj functionaries to elect MLAs;
- (viii) Panchayati Raj continued on paper and *Sarpanches* got elected without any attendant charter of responsibilities and the financial powers that could have rendered their duties effective and meaningful;
- (ix) despite the detailed enumeration of allocable functions to Panchayats in Eleventh Schedule (article 243 G) of the Constitution, the non devolution of financial powers to make these enumerated functions meaningful and the non vacation of administrative space by concerned government departments, has resulted in rendering the Panchayati Raj a boneless wonder;
- (x) in the entire chronology of the framing of the Indian Constitution, the segment that betrays a half hearted approach and the absence of consensus happens to be that concerning bicameral legislatures in the States;
- (xi) in the backdrop of diametrically opposed views on the need for a second chamber, more opposed and less favourably inclined, Dr. Ambedkar moved a compromise resolution proposing second chamber, purely as an experimental measure and article 169 of the Constitution resulted, which confined the bicameral set up only to states which already had a second house in the Government of India Act, 1935;

- (xii) functional representation, originally an Irish model, is indeed the genesis of an idea, which if properly understood in the right perspective, provides for strengthening Panchayati Raj institutions by integrating them into the framework of the Upper House;
- (xiii) the practice of MLAs constituting an electoral college for the Second House can be abandoned in favour of local bodies, both in rural and urban areas, *viz.*, Panchayati Raj institutions and Municipalities to form an electoral college to send their representatives to the Upper House; and
- (xiv) simultaneously, the restriction of the facility of bicameral legislature only to Government of India Act, 1935 provinces can also be abandoned in favour of a uniform policy for all states to have a Legislative Council, not dependent on an enabling resolution of the concerned assemblies, this House urges upon the Government to—
 - (a) initiate an amendment to article 169 of the Constitution such as to provide uniformly for an Upper House in all the States, to be composed of representatives to be elected by all Panchayati Raj institutions in rural areas and all municipalities and corporations in urban areas replacing the present system of substantial representation to the MLAs, and the teachers/graduate constituencies; and
 - (b) amend Part IX of the Constitution such as to provide for transfer of certain departments such as agriculture, animal husbandry, irrigation, public health, Public Works, primary and secondary education to appropriate echelons of Panchayati Raj along with the concurrent transfer of the concerned budgetary outlays and real transfer of such areas to the Panchayati Raj institutions which will be possible only if the corresponding space is vacated by the concerned Government departments.”

Sir, I want to recollect that as far back as 1959, the Indian Government had initiated the first step towards Panchayati Raj. In a meeting held in Nagore, the former Prime Minister, Pandit Jawaharlal Nehru came and inaugurated Panchayati

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Raj in a proper framework. At that time, we envisaged a three-tier set up — Panchayats at the village level, Panchayat Unions or Panchayat Samithis at the taluk level or at the Tehsil level; and Zilla Parishad or District Board at the district level.

THE VICE-CHAIRMAN (SHRI TIRUCHI SIVA): Mr. Rangasayee, you have moved the Resolution. Your speech remains unfinished. You may continue your speech on the next day allotted for Private Members' Resolutions, that is 26th April, 2013.

SPECIAL MENTIONS

THE VICE-CHAIRMAN (SHRI TIRUCHI SIVA): Now we take up Special Mentions. Dr. Prabha Thakur. Please lay it on the Table.

Demand to make autonomous bodies responsible to the concerned Ministries

डा. प्रभा ठाकुर (राजस्थान): संभवतया सरकार के काम-काज में अधिक पारदर्शिता लाने के लिए स्वायत्तशासी संस्थान विभिन्न मंत्रालयों में स्थापित किए गए, जो हर निर्णय लेने में आत्मनिर्भर एवं सशक्त हैं। किन्तु, मुझे सदन में यह कहते हुए खेद है कि ऐसे कुछ सरकारी संस्थान अपनी शक्तियों एवं स्वतंत्रता का दुरुपयोग भी करते हैं। कई बार तो ऐसे संस्थान संबंधित संसदीय समिति के निर्देशों एवं निर्णयों को भी महत्व नहीं देते, जबकि उनके कार्यकरण से जनता में सरकार के प्रति असंतोष उत्पन्न होता है।

मेरा सुझाव है कि इन संस्थानों को संबंधित मंत्रालयों के प्रति पूर्ण जवाबदेह बनाने की आवश्यकता है, ताकि हर प्रक्रिया में पारदर्शिता के लिए मनमानी न हो तथा नीतियों में पूरी स्पष्टता रहे।

Demand to take steps for uniform use of National Emblem by various organisations of Central and State Governments

SHRI AMBETH RAJAN (Uttar Pradesh): Mr. Vice-Chairman, Sir, National Emblem of a country symbolizes its history, tradition, culture, pride and honour of a nation. National Emblem is an adoption of Sarnath Lion Capital of Asoka. National Emblem with Ashoka Chakra teaches truth, love and sacrifice to the whole nation and its citizen.