PROF. MADHU DANDAVATE (Rajapur): He referred to priorities.

SHRI YESHWANTRAO CHAVAN: He himself has replied to that. Government has accepted the position that priority would be given to public transport and that certainly is the approach accepted by the Planning Commission. I think this reply is enough. He himself would have replied.

SHRI PILOO MODY. Instead of making baby cars, you should make jumbo buses.

SHRI YESHWANTRAO CHAVAN: These are suggestions in detail which could be considered. As far for the principle, I have already explained the position and I have nothing more to add.

MR CHAIRMAN: The question is:

"That the Bill to authorise payment and appropriation of certain sums from and out of the Consolidated Fund of India for the services of the financial year 1973-74 taken into consideration."

The motion was adopted

MR. CHAIRMAN: The question is:

"That Clauses 2 and 3, the Schedule, clause 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2 and 3, the Schedule. Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI YESHWANTRAO CHAVAN: I move:

"That the Bill be passed."

MR CHAIRMAN: The question is: "That the Bill be passed."

The motion was adopted.

MR. CHAIRMAN-We shall now take up Private Memerbs' Bills and Resolutions.

16.20 hrs.

COMMITTEE ON PRIVATE MEM-BERS' BILLS AND RESOLUTIONS

TWENTY-SIXTH REPORT

SHRI J. MATHA GOWDER (Nilgiris): Sir, I beg to move:

"That this House do agree with the Twenty-sixth Report of Committee on Private Members' Bills and Resolutions presented to the House on the 25th April, 1973."

MR. CHAIRMAN: The question is:

"That this House do agree with the Twenty-sixth Report of Committee on Private Members' Bills and Resolutions presented to the House on the 25th April, 1973."

The motion was adopted.

16.21 hrs

RESOLUTION RE ABOLITION OF RAJYA SABHA-contd.

MR. CHAIRMAN: Now, we shall take up further discussion of the following Resolution moved by Shri Bibhuti Mishra on the 30th March, 1972:-

"This House directs the Government to bring forward a Bill to amend the Constitution to provide for the abolition of Rajya Sabha".

Only 25 minutes remain.

MUKHERJEE SAMAR SHRI (Howrah): If my resolution is allowed to be moved, sometime may have to be given. I shall make my speech later on. I am asking for the time just to move my Resolution.

MR. CHAIRMAN: Shri Samar Mukherjee's Resolution may not come because, there is another Resolution by Shri Chintamani Panigrahi.

SHRI SAMAR MUKHERJEE: I am only asking that I may be simply allowed to move the Resolution.

MR. CHAIRMAN: Unless this discussion is over, that cannot be allowed.

SHRI DINEN BHATTACHARYYA (Serampore): What will happen to the Half-an-Hour discussion?

MR. CHAIRMAN: Shri Goswami.

SHRI DINESH CHANDRA GO-SWAMI (Gauhati): Mr. Chairman, Sir, the Resolution moved by Shri Mishraji has caused some amount of controversy. It appears that this has also hurt the feelings of the members of the other House.

Sir, while we are discussing this Resolution, I should make it clear here that I have no ill-feelings against the Members of the other House nor do I consider that the abolition of Rajya Sabha which we are discussing would give an impression that other House is not at all important or that it is inferior to the Lok Sabha. This is being discussed purely from the accademic point of view. And in the present context of political and constitutional development, the second chamber in our country is necessary or not. That is all. Therefore, if any sentiment was expressed in this House which, in fact, was of such a nature that it had hurt the Members of the other House, then I must dissociate my-elf from it

Now, coming to the Resolution itself. I feel that I am not in a position to support it. Shri Mishraji quioded the speeches of many personalities including that of Shri Mahatma Gandhi and Shri Jawaharlal Nehru to justify his claim that all of them

were against the second chamber under the Indian Constitution. Some Memoers have also expressed that the Rajya Sabha expresses a conservative attitude in this country. I feel that, when the Members expressed this feeling. they did keep in mind the House of Lords of Great Britain. Some Members tried to equate the Rajya Sabha with the House of Lords. They have expressed that at least by implication. That is why the Members wanted to say that the Rajya Sabha expresses its conservative views. Therefore, in sponsoring this Resolution, it was not moved keeping in mind that the Rayya Sabha was not a necessity. I feel that, the constitutional provisions by which the Rajya Sabha has been created in our country, it has nothing to do with the House of Lords or the second chamber of Great Britain. If you look to the second existing in different countries, you will find that this is primarily meant with a view to exercising the legislative check over the other House that it has come into existence.

In the U.K., where the House of Commons came into existence because the people fought for it, there to a great extent the House of Lords did represent the conservative attitude of that country. But at the same time, there are other federal countries where always the second chamber has been considered to be a necessity to represent the interests of the Stotes. In our country also, under article 169 and other articles, the Rajya Sabha has been brought into existence to represent the interests of the States. Lok Sabha represents the interests of the people. Rajya Sabha represents the interests of the States. India be-" 'er ' " ' te or - : 1 10... said. India being a unitary to etnment with a federal bias. Lok Sabhi represents the popular or national principles. But Raivo Sabha represents the same people but in a different context in the sense that it "epresent a group of people, the components which we call the States. I APRIL 27, 1973

[Shri Dinesh Chandra Goswami] feel Lok Sabha today holds the pcople together; Rajya Sabha holds the States together. Lok Sabha attempts at weakening the centrifugal forces or the divisive forces in the country. Rajra Sabha tries to protect the different cultural background of each State No doubt we want to have a country in which the integrating forces do pay a dominant role, but at the same time, we cannot forget that we cannot afford to lose the characterists and the individuality of various States Each State has own individuality and characteristics and there must be some forum where this indiciduality and characteristics should be reflected I would like to read out an observation about the se ond chamber in relation to the American Constitution:

"Let us see what view the architects of the American Constitution held on this point. James Madison while considering the sources from which the ordinary powers of Government are to be derived observed in the Federalist "The House of Representatives will derive its power from the people of America; and the people will be represented the same proportion and on the same principle as they are in the legislature of a particular state far the Government is national, not federal. The Senate on the other hand, will derive its powers from the States as political and coequal societies; and these will be represented on the principle of equality in the Senate as they now are in the existing Congress."

Therefore, I feel I cannot support the view expressed by Bibhuti Mishraji that Rajya Sabha is not necessary. At the same time, I do feel the present composition of Rajya Sabha does not serve the purpose for which it was brought into existence. In the eye of the Constitution, each State is the same. There is no difference. In that context, instead of the Rajya Sabha having representation on the

basis of population of each State, each State should have equal representation, because there are very small States who cannot really express themselves. In a democracy obviously numbers do count. If we want that each State should have the opportunity of expressing its own identity with equal force, Rajya Sabha should be represented in equal number so far as representation from each State is concerned.

Shri Somnath Chatterjee said that there should be direct election to Rajya Sabha. I feel it will not be correct, because in that case Rajya Sabha will also become the House of the People and will have the same characteristics as the Lok Sabha. If the States elect the members of the Rajya Sabha then the composition of the Rajya Sabha will reflect the composition of the members in each State.

With these words, I oppose the recolution moved by Bibhuti Mishraji, subject to my own observations that there is enough scope for changing the composition of the Rajya Sabha.

SHRI P. G MAVALANKAR (Ahmedabad) Mr. Chairman, Sir, I have been listening with great interest this debate on the resolution moved by my esteemed friend, Shri Bibhuti Mishra, on the question of the abolition of Rajya Sabha. While the debate has been very helpful, as the previous speaker has just now said, from the point of view of academic interest, I think it has also some utility in terms of bringing out some of the points of defects and dangers involved in having bicameralism all over the world. All the same, my first point is that this Resolution moved by Shri Bibhuti Mishra is not worth accepting by the House because of the factors that I shall be briefly mentioning.

If in India in the federal set up we try to get rid of the second chamber, we shall have done immeasurable damage to the whole concept of federalism wherein bicameralism is so essential. I would, therefore, request Shri Bibhuti Mishra to withdraw his resolution after this discussion is over, because I feel most of his objectives will have been fulfilled in so far as the discussion has taken place.

This question of unicameralism versus bicameralism has been a long debate. Apart from a debate of great academic interest and value, it has also some practical advantages. Even where unicameralism is accepted theory in many countries of the world. even in those countries where people say that there must be one chamber. when it comes to practice they inevitably go back to having two chambers. I am talking of those countries where bicameralism already Why is it so that in theory unicameransm looks so attractive but in pratice countries want to have bicameralism? I believe the answer is to be found in one simple sentence that bicameralism, with all its defects, is found a very workable political institution, it is found generally statisfactory and it has proved utilitarian and helpful.

Let me first go to the argument for unicameralism and then demolish at. The case of unicameralism, as Shri Bibhuti Mishra and others have pointed out, is no doubt telling and effective. We are told, and rightly that if we have two chambers, it becomes an expensive proposition and for a country like India it is very wrong to spend the limited resources on having two chambers. So, argument is there that bicameralism involves a lot of expenditure. Secondly, the argument goes on, it involves a lot of duplication. There is not only duplication but there is delay in legislation. A further argument is that most of the speeches and comments that are made in one House are more or less repeated in the other House. There is hardly any difference between the content and style of comment of one House and the other, and so this repetition should be avoided. Then there is the argument that the wastage of time should be avoided, particularly the time of the Ministers and Government officials who have to sit in both Houses.

Another argument is that even if we have a second chamber, there is of necessity no guarantee that the second chamber, will improve the legislation as passed by the first chamber. A further argument is that if the second chamber acts as a brake on the first chamber, that brake often leads to deadlocks, and deadlocks are something which no political institution or polity can afford to have. argument in favour of unicameralism and against having two chambers is that if there are going to be two chamhers, there is going to be inevitably and unavoidably a rivalry the two Houses, and if there is rivalry and if the two Houses run parallel to one another then that will also lead to all kinds of political difficulties. There is one more argument in India, particularly m reference to Sabha, that defeated politicians, matter to which party they belong are often brought in and this backdoor entry is not good.

Having said all this, I want to suggest that in spite of all these arguments against bicameralism, the system of two chambers is found in pratice good because, firstly, if you have only one single Assembly, it often becomes despotic because it consults only itself. Secondly, there is no opportunity to rectify the mistakes, if you have only one chamber, but if you have a second chamber, then even when you make a mistake you can still rectify that mistake.

Thirdly, bicameralism is helpful because it gives some scope for retouching and polishing legislation passed by the first chamber. Because of bicameralism, there is a chance for 359

[Shri P. G. Mavalankar] second-thought. Because you have a second chamber, there is also scope for cooling of the passions.

You Sir, and the House will be interested to know a story that goes in the name of President George Washington of USA. He was sitting with some of his friends and they were discussing whether to have one chamber or two chambers. Then, the tea was being served. The moment some people began to drink tea with cup and saucer and using the saucer, as the story goes, the President said. "Look here. Why are you drinking tea in saucer and not by the cup? Because, if you take tea by cup only, it is often very hot and, if you take it in saucer, you allow it to cool down." In the same way, the President said, "if you have a second chamber, that acts as a kind of cooling effect on the passions of the first chamber."

From all these angles, therefore, I feel that bicameralism is helpful and useful.

There are two more vital points which I want to mention briefly. Firstly, any society is bound to be plural. We have to promote interests of several different individuals and, if you have only one chamber, then some of the interests go unrepresented. If you have a second chamber, then these interests get represented. When the society is plural, then bicameralism is a very convenient and useful institution to provide for representing these interests.

The other vital point to remember is this. In a federation, a second chamber is essential. In the United States of America and in other countries where there is bicameralism and there is a federation, you will find one chamber acts as a body for representation of people on the basis of population and another on the basis of equality of status of the federating State. Therefore, wherever there is a federation, you must have the princi-

ple of bicameralism, because as Abraham Lincoln said, "If you want American federation to prosper and continue, then you must have an indestructible Union comprising indestructible States." If you say, you want to abolish Rajya Sabha, my point is, you are saying, you want to abelish States, and you want to abolish federation of India. You cannot do it. Therefore, I feel, with this kind of a situation and these arguments, we should not go in for abolition of Rajya Sabha.

Lastly, I say, if there is a fear that there is going to be a rivalry, can be checked by some constitutional provisions. In our own Constitution, that has been done in so far as Rajva Sabha has got no financial powers and in other matters also, by the very size of this House, the Lok Sabha, when there is a joint sitting of both the Houses of Parliament, the voice of the elected people shall, of course, prevail. Therefore, I request the House not to view this matter from the doctrinaire point of view or from the point of view of academic interest that unicameralism is good and, therefore, it must be practised. I would rather say that we must have a realistic attitude in the matter and we must accept that bicameralism is found convenient and serviceable and, therefore, I find myself unable to agree to my esteemed friend's resolution

He is right when he says that there are certain maladies and defects in the existing bicameralism system. But it is one thing to say there are certain maladies and defects and it is totally another thing to say, because there are maladies and defects, you destroy the entire institution. You can improve the institution but not get rid of it because that will have been a very bad thing.

Sir, the other day, I was reading a very interesting article in the magazine "The Parliamentarian" which is a journal of the Parliaments of the Commonwealth coming out from London. The latest issue of January. 1973 gives a very interesting article "The Failure and Abolition of New Zealand Legislative Council", by Prof. W. K. Jackson. My hon. friend, Shri Bibhuti Mishra, may find it very useful because it gives certain points in his favour. In 1906, Finland abolished bicameralism. Denmark, Sweden and most recently Sri have done away with their second chambers. But the point to be remembered here is that all the countries where second chamber has been abolished are smaller States and they are unitary States. But in all States with large population and variety and with federalism, bicameralism is found workable. helpful, useful and unavoidable.

In conclusion, I say, from all these practical points and facts, we should stress the continuation of bicameralism in our country and we should not suggest, much less press, for the abolition of Rajya Sabha.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITI-RAJ SINGH CHAUDHARY): Chairman, Sir, I am thankful to the hon. members who have taken part in the debate. Ten hon, members of this House have spoken. Out of the ten, the hon. Mover had a lone supporter in the person of Shri S. M. Ba-The other eight have opposed the Resolution and the points made by the Mover and his lone supporter have been replied to in detail by my eight friends. Therefore, will not go into all the points in detail. I will just refer to certain very salient features to which special attention is necessary.

First, I will refer to the Constitutional provisions. It has been said that Legislative Councils in the States have been abolished, suggesting thereby that when Legislative Councils of States could be abolished, why can the Council of States not be abolished. I would draw the attention of those members to Part VI, Chapter III, of the Constitution—articles 168, 171 and 169. Article 168 deals with the constitution of Legislative Councils; article 171 deals with the composition of the Legislative Councils; and article 169 deals with abolition of Legislative Councils—the power is vested in the Legislative Assemblies of the States, concerned.

Article 169 reads as follows:--

"Notwithstanding anything in article 168, Parliament may by law provide for the abolition of the legislative Council of a State having such a Council or for the creation of such a Council in a State having no such Council, if the Legislative Assembly of the State passes a resolution to that effect by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting."

Article 169(3) reads as follows:-

"No such law as aforesaid shall be deemed to be an amendment of this Constitution for the purposes of article 368".

If we come to the Council of States, then the relevant provisions are contained in articles 79, 80 and 81. Here we do not have any provision—the Constitution does not provide for itby which the Council of States could be abolished. The Council of States has Vice-President of India Chairman. In the case of Legislative Councils there is a provision for removal of Chairman of Legislative Councils. But there is no identical provision so far as Council of States is concerned.

.When the Constitution was being framed, Shri Gopalswamy Iyengar

Shri Nitiraj Singh Chaudhary] said. "The need has been felt practically all over the world wherever there are federations of having Second Chamber'. He has further said, 'The most that we expect the Second Chamber to do is, perhaps, to hold dignified debates on important issues and to delay legislation which might be the outcome of passions of moment'. The history of our Council of States goes to show that most of the time-it is true that sometimes there is-repetition—the debate has been very dignified and certain points which are not raised in this House are raised in that House A second chamber serves an important function by enabling full and free discussion of large and important questions when, at times, the lower house is otherwise occupied. Since a defect of the Government does not lead to a fall of the Cabinet, a debate in the second chamber would often oblige the Government to make a statement as to its policy upon some particular matter to defend its action.

I have collected certain information and I would like to share it with the House. During the years 1952-56, 101 bills were introduced in the Rajya Sabha, including the Hindu Code legislation and other legislations of controversial kind, and, I think the work done in the Rajya Sabha would justify that one should not think of its abolition.

The hon. Mover has referred to the expenses part of it. The total revenue expenditure of the Central Government for the year 1973-74 is Rs. 4752 crores out of which the provision for the Rajya Sabha this year is Rs. 1,19,47,000 that is, 0.025 per cent, I am sure Mishraji would agree that it is not very much.

While speaking, Mishraji has referred to Gandhiji and Nehruji. He has been adequately replied to by Shri D. N. Tiwary, Shri Era Sezhiyan and others. So, I will not go in detail,

but I will only say, let us better follow them personally before we preach others.

Therefore, I request Mishraji to press his resolution but withdraw

SHRI A. K. M. ISHAQUE (Basirhat): At present there is unequal representation from the States in the Rajya Sabha and there was a demand that this should be amended. For instance, from UP some 30 to 34 members are elected to Rajya Sabha while from another State only 10 or 15 or 20 are elected. Since the Rajya Sabha must have a definite principle of representing the States, logic demands that the States must have a equal representation. At least a principle must be evolved so that there is equal representation of the States in the Rajya Sabha. What is your opinion in ragard to that?

SHRI NITIRAJ SINGH CHAU-DHARY: I am thankful for the interruption. Mr. Somnath Chatterii and Mr. Goswami raised this point, but it is beside this resolution. This resolution is for complete abolition of the Rajya Sabha. If ever such a motion comes, it will certainly be considered.

SHRI A. K. M. ISHAQUE: But the Government may give its opinion on this point.

SHRI NITIRAJ SINGH CHAU-DHARY: It is beside the point.

श्री विभूति स्थि: (मोतीहारी) चेयरमैन साहब, जिन लोगों ने वहस में भाग लिया, मैं उन का बहुत ग्राभारी हं। यह जरूर है कि मेरे प्रस्ताव को काफी समर्थन नहीं मिला, लेकिन इस उसूल को लोगों ने माना है कि राज्य सभा की जो हालत है, उस से पता चलता है कि उस में सुधार होना चाहिये-जैसा मावलंकर जी ने कहा है

श्रो नीतिराज सिंह चौधरी : ग्रापने ग्रपनी स्पीच में कहा था कि राज्य सभा के मेम्बर्ज स्वतः राज्य सभा की समाप्ति के लिये सहमत होंगे । यदि ऐसी बात हैतो ग्राप ग्रौर हम क्यों इस प्रस्ताव को पास करें, उन्हीं से कहें कि वे ऐसा प्रस्ताव पास करें ।

श्री विभृति मिश्र : मैं ग्रापको बतलाना चाहता हं कि मेरी स्पीच पर राज्य सभा में चर्चा हुई ग्रौर राज्य सभा के लोगों ने ग्रौर उनके चेयरमैन साहब ने, जिनके चुनने में हमारा भी वोट है, वहां की कार्ववाही को हमारे स्पीकर साहब के पास भेज दिया ग्रीर हमारे स्पीकर साहब ग्रौर हमारे सक्रेटेरियट को मेरी स्पीच को पढ़कर ढूंढ़ना पड़ा ग्रौर पता लगाना पड़ा कि मैंने उनके खिलाफ क्यां कहा है । इससे साबित होता है कि राज्य सभा के 10 कदम पर लाइब्रेरी है, वहां से हमारी स्पीच को मंगा कर किसी ने पढ़ने का कष्ट नहीं किया ग्रौर स्नते हैं कि 45 मिनट तक ऐसे ही चलता रहा--यह हालत राज्य सभा की हैं तो स्टेंट की जनता द्वारा चुन कर।

कहा जाता है कि राज्य सभा रिवाइ-जिंग बाडी है--ऐसी हालत में कहां तक रिवाइज करते होंगे, श्राप खुद समझ सकते हैं । 10 कदम पर मेरी स्पीच थी, उसे प्राप्त कर के किसी ने पढ़ने का कष्ट नहीं किया--वही हालत है कि कव्वा कान ले गया, तो कव्वा को खदेडने गये, कान को किसी ने नहीं देखा,

मेरी स्पीच को किसी न नहीं देखा । इससे साबित होता है कि राज्य सभा की जरूरत नहीं है, क्योंकि नजदीक में रहते हुए भी हैंभारी स्पीच को नहीं देखा, तो बिल ग्रौर रेजोल्यशन्ज के साथ तो वे क्या जस्टिस करते होंगे।

हमारे मंत्री जी ने कहा कि राज्या सभा पर एक करोड़ से ज्यादा खर्च होता है-कोई बड़ी बात नहीं है। ठीक है, हमारा 35 ग्ररब का बजट है---एक करोड़ क्या होता है ? ग्रापको एक करोड़ से कोई मुहब्बत नहीं है, एक करोड़ रूं से वराज बनता है, छोटी छोटी नदियों को बांध कर 25 सालों में 25 करोड़ रुपये से कितना काम हो सकता है, ग्राप उसका ग्रन्दाजा लगा सकते हैं । जिस मोहनदास कर्मच द गांधी का नाम लिया है--यह जरूर है कि मेरे इस प्रस्ताव को समर्थन नहीं भिला है, लेकिन यह उस की ग्रात्मा की ग्रावाज है, मैं उसका नाम हमेशा लेता रहंगा, चाहे ग्राप इस प्रस्ताव को पास करें या न करें। वह एक महात्मा थे, जिन की वजह से हमको स्वाधीनता मिली । जवाहरलाल जी की जिन्दंगी में हमने स्वाधीनता ली, लेकिन यह स्वाधीनता कम्प्रोसाइज के आधार पर थी और वह ऐसे लोगों से घिरे हए थे कि उसमें जवाहरलाल जी की चल नहीं पाई ।

मुझे अपने कुछ साथियों के बारे में भी कहना है--हमारे साथी जिन्होंने विरोध किया है, वे बुढ़े हो चुहे हैं, उन [श्रीविमृति म्श्रि]

की रेवोल्युशनरी स्प्रिट खत्म हो चुकी है, समाजवाद री भावना न्तके मन मे से खत्म हो गई है, बुढापे की वजह से ऐमा होता है। पिकन जो नौजवान है, उनवे ऊपर भी दया गाती है इनकी रेवोल्यशनरी स्प्रिट गन्म हा गई है। चैयरमैन साहब, में बतनाता ह कि सैकण्ड वर्ल्ड बार के बाद यह देण्ड हो गया था भि दुनिया मे सैकण्ड चॅम्बर की जरूरत नहीं हे---

Unicameial national legislative rodies were set up in Bulgaria, both Chinas, (zechoslovakia Denmark, Finland, Greece Hungary New Zealand, Spain, Turkey several Latin American countries In England where the I ords had been weakened and in France where the Council of the Republic (renamed Senate m 1958) was practically impotent the Govcrnment operated in effect on the Unicameral principles"

यह कामज मुझको लाइब्रेरी मे मिला है।

श्री पी० जी० मावलकर (ग्रहमदा-बाद) इन में से फैंडरल स्टेट्स कितनी 흏 ?

श्री विभृति मिश्रः सैकण्ड वर्ल्ड वार के बाद सैकण्ड चैम्बर कारखना **ख**त्म हो गया, लोग महमूस करने लगे कि इस की जरूरत नहीं है, लेकिन हमारे लोग श्रभी भी उसको चाहते हैं।

हमारे मत्नी जी और दूसरे भाइयो ने कहा कि टेस्ट में नाम नही होना चाहिये । म पूछा। ह -- 25 वर्षो मे

कौन सा काम हमा, एक स्पीच नक तो किसी ने देखी [नही । इसमे मालूम होता है कि राज्य सभा की जरूरत नही है ।

कहा जाता है कि राज्य सभा एक एसी बाडी है, जिसमे सवाल, रवोल्यु-शन्ज, मोशन्ज, मब कुछ श्रात है। लेकिन वास्तविवत यह है कि मित्रयो का दिमाग बटा रहता है, राज्य सभा मे देखो-- नया होता है, इस सभा मे देखो--क्या होता है, इधर जाते है, उधर जाते हैं। कुछ भाई लोगो ने कहा है कि यह स्टेटस की रिप्रेजेन्टेटिव बाडी हैं। मैं पूछना चाहता हू---पियुपिल्ज रिप्रे-जेन्टेटिव हम लोग हैं, पियुपिल्ज रिप्रेजेन्टे-टिव स्टेट की झसेम्बली है तो फिर यह दूसरी स्टेट कहा से आ गई कि उसके प्रतिनिधि राज्य सभा मे भाए । जिस मे सैकण्ड चैम्बर नही है, वहा कैसे काम चलता है ? ये स्टेट के रिप्रेजेन्टेटिव किसके प्रति जवाबदेह हैं, ये राज्य सभा के मैम्बर किसके जवाबदेह हैं ? ग्रगर स्टेट के रिप्रेजेन्टेटिंब हैं तो स्टेट की जनता द्वारा चुन कर नहीं माते हैं, स्टेट के रिप्रेजेन्टेटिव हैं तो ग्रसेम्बली के प्रति जवाबदेह हो, लेकिन वहा भी जवाबदेह नहीं हैं तो किसके प्रति जवाबदेह है [?] ग्राप यह भी जानते हैं कि राज्य सभा के मैम्बर स्टेट भ्रसेम्बली मे पार्टी बेसिज पर चुने जाते हैं, अपनी तादाद के भ्रनुसार पार्टिया भ्रपने कैण्डी-डेट्स नीमिनेट करती है श्रीर बोट दिलाती

हैं---यह एक खुली हुई बात है। इस लिये यह कहना कि स्टेट के रिप्रेजेन्टेटिव हैं, ये किसी के रिप्रेजेन्टेटिव नही हैं।

हमारे सविधान श्रीर इंग्लैंग्ड के संविधान मे फर्क है। यहा पर जो हाउस भाफ लार्ड स के मैम्बर होते है, वे कामन्ज मे नही ब्राते है ब्रौर कामन्ज के मैम्बर हाउस ग्राफ लार्ड्स मे नही जाते है। लेकिन हमारे यहा ज्यादा वेटेज राज्य सभा को दिया गया है, लोक सभा के मुकाबले राज्य सभा के ज्यादा मिनिस्टर हैं।

हमारे मत्नी जी ने कास्टीचूशन का हवाला दिया । मैने उसी दिन कहा था कि जो हमारा कास्टीचुमन बनाने वाले थे वे हिन्दुस्नान की श्राम जनता के चुने हुए प्रादमी नहीं थे, एडल्ट फीचइज के भाधार पर कास्टीच्एन्ट भ्रसेम्बली नही बनी थी-इसका जवाब उन्होने छोड दिया । कास्टीचुएन्ट ग्रसेम्बली थोडे से सरमायेदारों के बोट से चून कर ग्राई थी-इसलिये मैं उसको मान्यता नहीं देता। श्रव जो लोक सभा है उसको कास्टीच्एन्ट घसेम्बली में कन्वटं कर दिया जाय, तो मैं मान्यता दे सकता ह ।

17.00 hrs.

दूसरी बात बाप कहते है सविधान नहीं बदलेगा । 31वी बार ग्राप सविधान को बदलने जा रहे है इसलिए यह कौनसी बडी भारी बात है जो ग्रापने दिखलाई । किसी दिन भी ग्राप नाहें तो नदल सकते है। श्रापने मौलिक श्रधिकारों में संगोधन किया, प्रीवी पर्स को समाप्त किया, बिहार मे जमीदारी को समाप्त किया इसनिए राज्य रामा को भी यदि भ्राप हटाना चाहे तो उसमे काई म्रिक्ल नही है। भ्रापने कहा राजी नही होगे मै व हना हु मरकार धाने दिल को टटोले कि वह राजी है या नहीं। ग्राप कहते है कि निर्फ एक वरोड रपरे की बात है वह काई ज्यादा नहीं है चेबिन गाबी जी कागज म बेल का काटा लगाते थ, पिन तक नहीं लगाने थे इस तरह बचत करते थ।

एक बान में स्रोर बनाना चाहना ह कि ग्राज सै केण्ड चेम्बर दुनिया मे डेक्लाइन पर है।

decline of bicameralism was a worldwide phenomenon, but most of the modern constitutional states still retained two chambers"

जिनने एयारिटेरियन कल से लडकर माथे उन्होने सँक्चड चेम्बर रखा है लकिन ग्राज उसकी दुनिया में कोई कीमत नहीं है। ग्राज दुनिया का जो ट्रेन्ड है वह यही है कि दूसरे हाउस को न रखा जाये । यहा पर श्री गोपाल स्वामी भ्रायगर का नाम लिया गया लेकिन हमारे मत्नी जी ने, म्रायगर ने सविधान सभा मे जो भाषण दिया या उसको छोड दिया कि बहुत से लोग पालिटिक्स मे इन्ट्रेस्ट लेना चाहते है इसलिए सैकन्ड चैम्बर को जरूरत है। पालिटिक्स मे लोगो का इन्ट्रेस्ट होता है इसलिए राज्य सभा की बुनियाद रखी गई लेकिन ग्राज 25 साल देखने के बाद राज्य सभा की जो हालत है, मुझे कहता पड़ता है कि इस सभाकी कोई जरुरत नहीं है।

[भी विन्ति मिन्न]

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मागे मैं यह बनाना चाहता हुं कि डिमो-केसी से इमका कोई मेल नहीं बैठता है। डिमो-केसी मेना जनता के चुने हुए लोग होते हैं। इमको देखते हुए भी मैं रन्ट चेम्बर को हटाने की जरूरत है। मैं बन्हं चेम्बर के लोग किमको रेप्रेजेट करना है वह पना नहीं। आयगर ने सविधान मभा में कहा था अपने भाषण में कि कुछ पानिटिशियन्स पालि-टिक्स में इन्ट्रेंट्ट इसने हैं तो मैं कहना हू उसके लिए कोई दूसरा इनजाम कोजिए।

भी डो एन० तिवारी (गोपाल गज) भाष ए० म्राई० सी० सी० मे इनडायरेक्टची चुनकर कैमे म्राने है उसका जवाब दोजिए ।

श्री विभूति मिश्र . इसका जवाब वही पर दूगा, यहा पर नहीं ! श्राप बुढे हो गबे हैं इसलिए समाजवादी मावना समाप्त हो रही हैं।

द्सरो बात यह है कि जो हमारे वोटर है वह हम लोगो को देखते हैं कि लोक सभा मेहमक्याकाम करते है लेकिन राज्य सभा मे कौब बाच करेगा?

श्री क्षी० एन० तिवारी ग्रमेम्बली।

श्रीविमूर्तिमिश्र यह हमका एन्ट्रप्ट नक्रे।

काई भा लाफ सभा का सदस्य है उसके पाम राज दम पाच लोग ग्राट दम पाच चिट्टिया ग्राता है, लेकिन राज्य समा में जो माननाय सदस्य रे, जो हमसे योग्य है उनके सम्बन्ध में हमं कुछ नहों कहना है लेकिन मैं यह बात जानना चाहना ह कि उनके पास कौनसे बोटर्स भाते हैं असेम्बली से। असेम्बली केजो मालिक है वह आते हैं लेकिन वह किसके पास ज'ते है। (अध्यक्षान)

भी रह प्रताप सिंह (बाराबकी) माननीय मदस्य जवानी ग्रार बुढापे पर टीका टिप्पणी कर रहे हैं, यह ग्रममदीय है।

श्री विभ्ित मिश्च वह जवान है, मैं बुढा हो गया हु यह कहना किस तरह से ग्रमसदोय है।

फिर यह कहा गया किला बनाने मे कोई गलतो न रह जाये इसके लिए भी राज्य सभाकी जरुरत होती है। मै वहता ह किला बन ने के लिए पहले श्राप कमेटी बनाने है, उस पर कान्फरन्स होता है। उपको भ्राप लोग सभा मे रिखए श्रीर पाम कोजिए इसमे राज्य सभा की कोई जरुरत नही है। इसके भ्रलावा कैंबिने को भी ग्राने काम मे दिक्कत ग्राती है। कैबिनेट को दो मास्टर्म की सर्विस करनी पहली है। कैविनिट के मिनिस्टर कभी भागे हए यहा पर बाते है और कभी भागे हुए वहा पर जाते है हालाकि उनकी रेस्पासिविलिटि हमारे प्रति ही है इसके बावजूद मिनिस्टर का मन राज्य सभा की उप्त भी लगा रहता है। दामास्टर्म के बीच मे इनकी मुसीबत होती है। एर दिय हाक्र यह काम नहीं मरपाने है।

इसके साथ यह भी वता जाता है कि लेजिस्लेशन की क्वालिटा बढ़नी है लेकिन मैं द्यापको पढ़कर सुनाता हू

"The maintenance of the quality of legislation depends primarily on the procedure of work and technique used in law-making.". इसमें जो टेकनीक होती है या बनाने की उमपर ही उसकी क्वालीटी ज्यादा डिगैन्ड करती है। सरकार की जो लामिनिस्टी होती है उसके ऊपर यह ज्यादा डिपैन्ड करता है। जो रूल्म एण्ड रेगनेगनम है उन गर ज्यादा डिगैन्ड करता है। इसके बार में आप देखें

"The advocates of unicameral legislature contend that the singlechamber body is more effective and deterrent to the growth of power of the chief executive than a two-House 'egislature"

मै स्रापमे पूछता चाहता ह कि राज्य सभा के जो मैम्बर हैं उनकी हमारे प्रति क्या जबाबदेही है ? जो हमारे हाऊस के मैम्बर है उनकी जवाबदेही है। जनता से चन कर जो भाते है भ्रोर जो मिनिस्टर बनते है उनको भी देखना पड़ना है कि जनता को क्या तकलीफें है। लेकिन जो मैम्बर उस हाउस मे इनडायरैक्टलो चुन कर भ्राने है उनको कोई फिक्र किसी किस्म की नही रहती है-यह ह्यूमन नेचर है इसमे धाप क्या कर सकते है।

इमके ग्रागे मै ग्राप को बताना चाहता ह कि बाईकैमरल सिस्टम एथोरिटेरियन रूल से माया । इगलैंड में भीर फास मे रेवोत्यणन ह्या ग्रमरीका में जो गये वह भी इन्ही के बाल बच्चे थे। मारतकर जी यहापर बाते उनके पिताजी य निए हमें साथे सकी शदारे। भ वनः ।। वार्ताह कि जेकाः न वाणिगटन ने पृष्ठाथा ता यागिष्ट, ने कहा था कि चार में कुछ ठड़ा दिया जाता है ता ठाक रहना है लेकिन जेकरी ने कहा कि 10-15 मान मे कान्ति होना चाहिए ताकि ठाक ठीक समाज चने । सो बाइ हैमर र भिस्टम इस रैंड ग्रीर फा 🗧

से चला। प्रयोजों वे इसको चलाया। लेकिन हमारे गाधीजी भीर जवाहरलाल जी रेवोत्युग नरी थे। जवाहरलाल जी ने बहुत मजबूरी में इसका माना, दिल से उन्होने नहीं माना क्योंकि वह परे रेबोल्यणनरी थे।

जो प्रस्ताव मैंने रखा है उसमे एक बात थार देत्रे । इ. लीउ मे जो हाउम ग्राफ लांड्स है उसमें जो छाने है उनको नाम मात्र का भाड़ा मिलता है ग्रोर उनको कोई सैलरी नहीं मिलनी ह। उनकी कोई रेगुनर तनख्वाह नहीं है। लेकिन यहां पर जो से हेन्ड चैम्बर है उसमे प्राखर्ची करना पडता है। हाउस आफ लाडमें में हफ्ते में तीन दिन बहस करते है श्रीर वह थोडी देर के लिए होती है। हाउम आफ लार्डम मे जो बिद्धान स्रोर पहित है। है उन्हों-ने अपना व्याख्यान दे दिया लेकिन यहा पर एक मबाल में हो सारा दिन गुजर जाता है। इस लिए वहा से इसका मिलान करना ठीक नहीं है। वहा पर कोई ग्रधिक खर्चा नहीं है। टमको पढ़े मत्री जी कि हाउम ग्राफ लार्डम्की क्या हालत है। फाम मे तो सेकेन्ड चॅमवर इयो-टेट हा गया है, उमकी कोई की मन नहीं है। उपनैड में भी कोई कीमत नहीं है ग्रागे ग्रोर मी कामन गिर रही है। डायरेक्ट जनता मे सम्बन्ध हाता जा रहा है।

दूसरी भार भार यह देवे कि आज जा ममाजना । वह बाई कैमरल विस्टम को दुनिया म पना नहीं करते है क्योंकि उसमे ममाजवाद के ब्राने में रुकावट पड़नी है। मान निजिए एक बिल यहा मे पाम हम्रा तो वह छारा खाने मे जाता है, रातारात वहा में छाता है स्रोर दूसरे हाउस में भेजा जाता है 375

[श्री विभूति मिश्र]

क्यों कि जब तक राज्य मना की मोहर उम पर न लगे वह कानून नहीं बन सकता है। उससे काम में देरी होती है, ममाजवाद को लाने से भी देरी होती है। इसलिए मैं ममझना हू आज मेकेन्ड चैम्बर की कोई जरूरत नहीं है।

Modern convention requires that the Prime Minister and the majority of his colleagues be from the House of Commons.

यह इगलैंड में हालत है। लेकिन धाप देखिए कि हमारे हाउस में किनने लोक सभा के मत्री है घीर किनने राज्य सभा के? किमो मिनिस्टर के बारे में पुत्र कुछ नहीं कहना है, लेकिन लोक सभा के हक के बारे में जरूर कहना है कि हम जनता से चुने हुए हैं, घीर हमारे घिषकार ज्यादा हैं। सभागति जी, जो एम्जोक्यूटिंव होती है वह चाहती है कि दूसरे हाउस से घिषक में घिषक घादमियों को लें जो हमारे प्रति घोवलाइ ज्यादा हैं। इसलिए ऐम्जीक्यूटिंव चाहती है कि सेकेन्ड चैम्बर रहे।

राज्य सभा के बारे मे एक बात भीर कहनी है कि वहा पर श्री शिक्वन लाल सक्सेना भीर बिहार के हमारे ताहिर साहब भीर मिश्रा जो ने एक प्रस्ताव रखा था कि सेकेण्ड चैम्बर नही रखनी चाहिए। लेकिन गोपाल स्वामी भायगर ने कहा कि कुछ लोग डर से पोलिटिक्स मे नही भाना चाहते, इसलिए ऐसे लोगो के लिए सेकेन्ड चैम्बर रखते है। लेकिन भभी जो उनके पुत्र हैं जो राज्य सभा मे है, उनसे इन के पिता ज्यादा रिवोल्यूशनरी थे। उन्होंने कहा है कि सेकेन्ड चैम्बर नही रखी जाये। लेकिन जो परिस्थित थी, क्योंकि हमने वन्त्रप्रोमाइज कर के राज्य लिया

भौर उसो के बाधार पर जो लोग कास्टीट्रट एसेम्बली मे भामे थे उन्ही का दबाव था जिस के कारण हमारे नेताओं ने सेकेन्ड चैम्बर को रखा, भीर भाज जो परिस्थिति है हिन्दुस्तान टाइम्स मे एक निकला है कि जो भ्राज की वस्तु स्थिति है राज्य सभा की उसमे राज्य सभा में काफी सुधार होनी चाहिए । जैसे माननीय माबलकर जो ने कहा सुधार के बारे मे, इन से ज्यादा जा कर हिन्द्स्तान टाइम्स जो एक निबरल प्रखबार है, उसने भी करा है कि इसमे काफी सूबार की जरूरत है। जो स्नाज राज्य सभा का रूप देखा उसके ग्राधार पर उम ग्रखबार का कहना है कि राज्य समा मे सुवार होता चाहिए ।

चेयरमैन साहब, आज कोई माने या न माने, मैंने आज के लिए नही कहा क्योंकि हम लोग तो उसी जमाबे के है जो वृढे हो गए तो रिएक्शनरी होते जा रहे है, लेकिन जो जवान हैं बह भी हमारे सम्मकं में है वह भी खोडी बहुत हमारी ही नकल करते हैं, लेकिन मैं तो आने बाली सतान के लिए कहना चाहता हू कि सेकेन्ड चैम्बर की कोई जरूरत नहीं है। और चूकि मैं पार्टी का डिसिपिलिन्ड वकर हू और हमारे व्हिप साहब और मत्री जी कहते हैं उस हालत में तो मुझे अपना प्रस्ताव वापस लेना ही है।

I beg leave of the House to withdraw the Resolution

MR CHAIRMAN Has the hon.
Member the leave of the House to
withdraw his Resolution?

SEVERAL HON MEMBERS Ves.

The Resolution was, by leave, with-drawn.