

RAJYA SABHA

*SYNOPSIS OF DEBATE

(Proceedings other than Questions and Answers)

Tuesday, December 17, 2024/ Agrahayana 26, 1946 (Saka)

OBITUARY REFERENCE

MR. CHAIRMAN: Hon'ble Members, I refer with profound grief to the passing away of renowned tabla maestro, Ustad Zakir Hussain, on 15th December, 2024.

Born on 9th March, 1951 in Mumbai, **Ustad Zakir Hussain** transcended the boundaries of art and culture, elevating Indian music to global prominence. As an iconic ambassador of Indian classical music, he bridged cultural divides, bringing the rich traditions of Indian percussion to the global stage. His extraordinary contributions were widely recognized, including through the awards Padma Shri in 1988, Padma Bhushan in 2002 and Padma Vibhushan in 2023. In a historic moment in 2024, he became the first Indian artist to win three Grammy Awards in a single night, cementing his place in the pantheon of global musical greatness. Forever remaining a student of music that is in his own words Ustad Zakir Hussain, is leaving behind a legacy of unmatched artistry and humility. His contributions will continue to inspire future generations of musicians and music lovers alike. With his passing, India has lost a true musical genius, but he will forever be remembered by all who were touched by his enchanting music.

(One Minute's silence was observed as a mark of respect to the memory of the departed.)

WELCOME TO PARLIAMENTARY DELEGATION FROM ARMENIA

MR. DEPUTY CHAIRMAN: Hon'ble Members, on behalf of this august House, I have great pleasure in welcoming H.E. **Mr. Alen Simonyan**, President of the National Assembly of the Republic of Armenia along with the Members of the Parliamentary Delegation who are on a visit to India as our honoured guest. Hon. Members, the Delegation arrived in Delhi from Armenia on Monday, 16th December, 2024. They are now seated in the Special Box. Besides Delhi, they will also visit Jaipur and Agra before their departure from India. We wish them a pleasant and fruitful stay in our country. Through them, we convey our greetings and best wishes to the Members of Parliament of Armenia, the Government and the friendly people of Armenia.

*This Synopsis is not an authoritative record of the proceedings of the Rajya Sabha.

DISCUSSION ON GLORIOUS JOURNEY OF 75 YEARS OF CONSTITUTION OF INDIA (Contd.)....

THE MINISTER OF HEALTH AND FAMILY WELFARE; AND THE MINISTER OF CHEMICALS AND FERTILIZERS AND LEADER OF THE HOUSE (SHRI JAGAT PRAKASH NADDA): In a few days we will see the completion of 75 years of our Republic. This celebration in a way strengthens our dedication to the Constitution, our commitment to the Constitution. We all know that India is the largest democracy, but it is also the mother of all democracies. Democracy includes freedom, acceptance, equality and inclusiveness in the society. This enables the common citizens to live a respectable life. The original copy of the constitution also shows the imprint of the caves of Ajanta and Ellora. We all see the imprint of the lotus in it and the lotus reflects that we are ready to come out of the mud and stand with the new constitution. Our constitution also inspires us through that lotus that despite all the odds, we will leave no stone unturned in strengthening the democracy. In protest against Article 370, the then founder of Jansangh raised his voice and said that two flags, two constitutions and two heads will not work in one country. He sacrificed his life for this. Section 35A was introduced in Article 370 by the Presidential order and Presidential assent to this section was given without any debate in the Parliament. Many laws passed by the Indian Parliament were not applicable in Jammu and Kashmir.

Safai Karmacharis were brought from Punjab and settled in Jammu and Kashmir. They were given citizenship of Jammu and Kashmir but they were only entitled to the job of Safai Karmachari. They could not do anything else. In this way, the law was being violated in independent India. I thank this Parliament that it repealed Article 370 on 5th August 2019 and today Jammu and Kashmir has become an integral part of India. Congress members say that they have apologized for the Emergency, now it should not be discussed. Next year on 25th June, it will be 50 years since the Emergency; we will celebrate 'Anti-Democracy Day'. We call upon the Congress to also join it. Emergency was not imposed because there was any threat to the country but because there was a threat to the power of the ruling party and for this reason, on 25th June 1975, through Presidential Assent, the Fundamental Rights, Article 19 and Article 21 were suspended citing internal disturbance under Article 352 of the Indian Constitution, as the reason. During the Emergency, more than 1 lakh people were imprisoned under MISA and DIR for 22 months. During that crisis, the media stood firmly against the Emergency. Through the 39th Constitutional Amendment, the then Government provided that the election of the President, Vice President, Speaker and Prime Minister would not be challenged. In this way, the ruling party was taking itself out of judicial review and this amendment was to be implemented with retrospective effect. Then came the 42nd Constitutional Amendment Act, 1976. This amendment had such far-reaching effects that it was like rewriting the Constitution. It was like a mini Constitution and it completely changed our Constitution. Today, while discussing the Constitution makers, we should keep in mind that the Congress Government had made a malicious attempt to change the soul of the Constitution in 1976. By this amendment, the judiciary could not review any Constitutional Amendment on any basis. The Preamble was also amended. The words 'socialist' and 'secular' were added to it. But if the then Government had read the Constitution and understood the aspirations of the Constitution makers, they would not have added these. Dr. Ambedkar had written that there was no need to include the term 'secular' as the entire Constitution embodied the concept of a 'Secular State', which meant no discrimination on the grounds of religion and equal rights and status for all citizens. But Congress added this word in the Preamble to appease the minorities. Similarly, Dr. Ambedkar had written about the inclusion of the word 'socialist' that it was against the very grain of the democracy to decide in the Constitution what kind of society the people of India should live in. But Congress added this

term in the Preamble to show itself as progressive. In the majority decision in the Kesavananda Bharati vs State of Kerala dispute, the basic structure of the Constitution was defined and it was said that the supremacy of the Constitution, the rule of law, the separation of powers and the independence of the judiciary and the fundamental rights are included in the basic structure of the Constitution. These cannot be tampered with. But the judges who gave this decision were superseded and others were made the Chief Justice. Now I will talk about the 44th Constitutional Amendment. In it, the reasons for emergency were redefined and the words 'armed rebellion' were included in place of 'internal disturbance'. In the same way, we also said that for imposing emergency, there should be consent of the cabinet as well as the Parliament and this consent should be obtained within a month. Now you can understand the difference between good and bad laws. Today, a bill has to be brought in the country regarding one nation, one election because the Congress Governments misused Article 356 and dismissed the elected Governments of many states many times, due to which the tenure of the assemblies in all the states became different. Otherwise, till 1967, all the elections were held simultaneously. I also want to talk about minority appeasement. Rajiv Gandhi ji was called progressive. But for minority appeasement, he brought an Amendment in the Parliament to overturn the decision given by the Supreme Court in the Shah Bano case. The Supreme Court had said many times that triple talaq should be abolished. But the Congress Governments did not do anything in this direction, whereas even in many Islamic countries there is no triple talaq. Due to the farsightedness and firm resolve of Prime Minister Narendra Modi, triple talaq was abolished and Muslim sisters were brought into the folds of mainstream. I would also like to discuss some of the 'boundary' issues from the point of view of the Constitution. In reference to ceding of territories, the Congress Party has neither been protecting India's sovereignty and territorial integrity, nor combating efforts to reduce India's influence in our neighborhood. In 1949, although our valiant military had achieved success on the battlefield, a ceasefire was accepted by Pandit Nehru. That is why even today, we have Pakistan-occupied-Kashmir. The House is also aware that China had occupied 38,000 square kilometres of Indian territory and received through an illegal transfer of another 5,180 square kilometres from Pakistan. China could do this because Jawaharlal Nehru neglected defence preparations, including the border infrastructure and was diplomatically naive. We all know that this occupation has been consistently underplayed by Congress to protect their leader's image. So far as Myanmar is concerned the circumstances regarding the transfer of our control on Coco Islands in 1950s remains unclear even today. We have also seen a record of negligence regarding developments that affected our national security between 2008 and 2010. We stood by silently as China built the Hambantota Port in Sri Lanka. In Maldives, an anti-Indian movement in 2012 led to the exit of Indian investment in key sectors. This too was always not countered by the Congress. There is an island-Katchatheevu which was under the jurisdiction of Tamil Nadu before it was ceded to Sri Lanka in 1974. Then Prime Minister Mrs. Gandhi gave it unilaterally to Sri Lanka. And the transfer was executed without amending the Constitution of India, raising significant constitutional and legal questions. Article 1 of the Constitution clearly mentions the requirement of a constitutional amendment under Article 368 when transferring of any part of the Indian territory to another country as it results in altering the territory of India. However, no such amendment was made for the transfer of Katchatheevu. Similarly, the India-Bangladesh Land Boundary Agreement was signed on 16th May, 1974 between the two countries to resolve the long-standing border issues and it needed ratification. From 1974 till 2015, there was no ratification. It was in 2015 that the Government finalized the agreement and the International Agreement of Territorial Changes was agreed upon and ratified by the Parliament. Modi Government has respect for federalism, that's why the Central Government had consultations with Tripura, Assam, Meghalaya, and West Bengal and after taking consent

from each one of them, the Land Boundary Agreement was made and approximately 111 Indian enclaves in Bangladesh and 51 Bangladeshi enclaves in India were resettled and a population of 50,000 was brought under the agreement.

I would like to discuss reservation. Reservation for backward classes is one thing and reservation for religious minorities is another thing. Along with this, there is also reservation for Scheduled Castes. We all know how you treated Baba Saheb Ambedkar. You repeatedly tried to defeat him in elections. Ambedkar ji said that both merit and deprived communities should be kept in mind. There should be a balance between the two and reservation should be implemented. You people should know what were the feelings of those who were in the Constituent Assembly and those who later ruled the country towards reservation. The Constitution very clearly differentiates between Scheduled Castes and Backward Classes. Why did our Constitution makers make this distinction? They had something in their minds. Why have we lost that distinction today? I agree with you; the reality is that caste counts significantly in this country. I don't disagree with that. If our goal is a casteless society, every major step you take, must be such that you move towards a casteless society. I have put before you the opinion of those who ruled for 55 years. You sat over the the Kaka Kalelkar report for 22 years, but you did not think anything about reservation. Who brought the Mandal Commission? The Janata Party Government brought it. Rajiv Gandhi ji opposed the implementation of the report of Mandal Commission citing factual errors and calling the report incomplete. You did so much injustice to the backward classes. You toppled the Government of Chaudhary Charan Singh ji, who came from the backward class and farmer community. You also toppled the elected Government of respected Devegowdaji, who belongs to the backward class. So, do not try to become a champion of the backward classes. Ambedkar ji had said about Nehru ji that he did not talk about the welfare of scheduled castes even once in his 2000 speeches. Baba Saheb Ambedkar categorically said on religious reservation that there should be no reservation on the basis of religion. You tried to give four percent reservation on religious basis in backward category in Andhra Pradesh and Telangana which was rejected by the courts. The Constitution makers deliberated and decided that there will be no reservation on the basis of religion. I would like that there should be a debate on this. The country should know how you are trying to promote appeasement by distorting the basic principles of the Constitution. Some good works that have been done in the journey of 75 years of the Constitution should also be discussed. It is also our responsibility to implement the Directive Principles of State Policy. Now if I talk about social justice, under Article 338B, the National Commission for Backward Classes was conferred constitutional status by Narendra Modi's Government. Similarly, social justice was delivered by making provision of 10 percent reservation for economically weaker sections. Reservation to the Valmiki community in the Union Territory of Jammu and Kashmir was also provided by Narendra Modi's Government. If I talk about political justice, political justice to Jammu and Kashmir was delivered by scrapping Article 370 by our Government. Political justice to Scheduled Castes, Scheduled Tribes and Other Backward Classes in Jammu and Kashmir by providing them rights was also done by our Government by abolishing Article 370. Reservation to women was provided only by our Government by passing the Nari Shakti Vandan Act. We also made an attempt to deliver justice to Muslim women by abolishing triple talaq. Coming to economic justice, economic justice was delivered through Mudra Yojana, Jan Dhan accounts, Pradhan Mantri Garib Kalyan Anna Yojana etc. It is a great achievement by Prime Minister Modi to provide health cover of Rs 5 lakh per family per year to 61 crore people under Ayushman Bharat.

SHRI H.D. DEVEGOWDA: On the overall issue of reservation, the House has to apply its mind, going by what happened in the past, whether we should give reservation to

those who are suffering only on the basis of poverty in this country. The people are suffering even with all the reservations that we have given in the past. On the basis of that, irrespective of political party consideration, the House should think over whether reservation should be continued along the same lines as has happened or it should be only for those who are suffering from extreme poverty as their living condition is very bad in the villages. I would just like to say a few words on the glorious journey of 75 years of the Constitution. The Constitution drafted under the leadership of the great Dr. Ambedkar has withstood various pressures and politics of old time. The Constitution could withstand various pressures and politics because of the democratic guarantees it was able to offer. Its great vision was understood by the poor and the oppressed people of our nation. If they had not seen hope in Dr. Ambedkar's vision and if they had not understood that it is the only saviour of the future, they would not have become its fierce guardians. It is important to remember that whenever the Constitution has been abused, the people have punished those who abused it. The Constitution has meant everything to me. As a son of a poor farmer from a remote village, from the bottom caste order, I could become the Chief Minister and the Prime Minister. It was only the Constitution which made it possible. After I became Prime Minister, the people openly told me that my rise had given them hope in our democracy. For them, it was a celebration of the potential and diversity of this nation. I was the first Prime Minister to spend seven days in the North-East and after that an economic package to the region was given. I was the only Prime Minister to visit Kashmir. I would like to mention here what happened 50 years ago when the Constitution was suspended and when the Emergency was declared. Nearly, the entire political opposition of the nation was sent to jail. Youngsters of this generation do not realize how bad the situation was. When I was put in jail, my father was unable to withstand the mental pressure of the imprisonment.

As a result, he lost his mental well-being and eventually he died. This happened because deep fear was instilled in him by those who visited and said, "*Your son will not come out of jail because the Emergency was clamped by Madam Indira Gandhi.*" I would just like to say a few words. It was during the Emergency that the nation realised the liberties and freedoms guaranteed to us by the Constitution. We have one of the finest Constitutions in the world. Its architecture ensures a balance of power between various institutions and pillars of our democracy. It recognises our diversity and our federal structure, while at the same time ensuring enough power at the Centre to hold everything together. I conclude by paying rich tribute to Baba Saheb Ambedkar for his vision and the genius drafting of the Constitution, and to all the great souls who fought to preserve its sanctity.

MS. SUSHMITA DEV: We must all accept that the Constitution is a document of consensus that emanated from fearless and fierce debates. Different people had different opinions inside and outside the Assembly, yet what emerged is a Constitution that we all accept today. I speak of the right to equality in this country, which is not just an idea but a right—a right that every government must guarantee. Let us look at economic inequalities. Today, in India, one per cent of the population controls about 40 per cent of the wealth! Is this the equality our forefathers envisioned? Corporate loans are being waived, yet farmers continue to struggle under heavy loan burdens. Today, the middle class is worst impacted by heavy taxation, whereas corporate taxes continue to decrease due to this government's policies. The two most destructive policies of this government—demonetisation and the unplanned lockdown—have devastated the informal economy. And now, while we debate the Constitution, I ask: which constitutional rights have you not suspended in Manipur? Liberty, freedom of expression, speech—everything has been suspended. In Assam, the BJP is creating different classes of citizens with unequal rights. This government wants one election,

one leader, one religion. This is not what Ambedkar Ji envisioned for our country. This government has a fascist agenda.

DR. JOHN BRITTAS: Democracy survives on trust—trust in people and institutions. Today, the trust in institutions such as the CAG, the Election Commission, Parliament, and media has been severely eroded. The person blamed for everything is always Jawaharlal Nehru. How long will you dwell on him? Our party too had disagreements with Nehru Ji. My government in Kerala was dismissed, and we opposed the Emergency. But today, we are living in an undeclared emergency. The biggest challenge facing the country today is defection. Let me give you the statistics: 830 people defected to the BJP, and all of them were made candidates. The *Organizer* once wrote in its editorial that the Indian Constitution is "*the same old British bottle with a new label.*" This reflects their disowning of our Constitution. The unity of this country rests on three principles: democracy, secularism, and federalism. Without these, unity cannot be preserved. What is the status of federalism today? The office of the Governor is being used to destabilise opposition-ruled State Governments. This '*One-Nation, One-Election*' policy is nothing but an extension of *one leader, one country, one ideology*. It is aimed at finishing off federalism in this country. If you have the courage to protect the Constitution, implement what I propose.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND FARMERS WELFARE (SHRI RAM NATH THAKUR): The Leader of the House mentioned Kaka Kalelkar today, saying his report was shelved for 22 years. After independence, in 1952, the Congress Socialist Party was established. Some great patriots and socialists must have separated from the Congress for a reason. I reflected on the reasons behind the student movements of 1974. Why did Morarji Desai go on a fast unto death in Gujarat? Both the ruling party and the opposition should think about where we were and where we are headed. Morarji Desai protested for the students' demands. When Loknayak Jayaprakash Narayan supported the students, he too faced lathicharge in Patna. The student movement turned violent, but it was not a political movement. Jayaprakash Narayan supported it out of moral duty. After this, leaders from all parties except the Congress declared support for his movement. Why did Mamata Banerjee leave the Congress? Why did Dr Ram Manohar Lohia and Chandrashekhar Ji oppose the Congress? I myself was jailed during the 1974 Bihar Bandh on 3rd, 4th, and 5th October, called by Jayaprakash Narayan Ji. When elections were held after the Emergency, the people gave a majority to the Janata Party, and it formed the government. In Bihar, Jananayak Karpuri Thakur Ji implemented 26 per cent reservation. I ask what wrong did Karpuri Thakur Ji do that Congress opposed him? I congratulate the Hon'ble Prime Minister for awarding Bharat Ratna to Chaudhary Charan Singh Ji, Jananayak Karpuri Thakur Ji, and Narasimha Rao Ji on 23 January 2024. Who stopped you from doing this before? It was also the BJP-led NDA Government that gave Bharat Ratna to Dr B.R. Ambedkar, yet no one mentions it. We are awake, we have risen, and we will fight to implement the vision and promises written in the Constitution. That is our slogan and the mission given to us by our ancestors.

DR. SYED NASEER HUSSAIN: The ruling party had objections to the 42nd Amendment. Adding socialism and secularism to the Preamble and including Fundamental Duties in the Constitution was highly objectionable to them. I want to ask them, what is the socialist form of society? Do you have an objection to reservation in government and public sector undertakings? Do you have an objection to giving land to the poor? Don't you want the poor to get the right to live with dignity, their children to get the right to good education? Don't you want the poor and the labourers to get work in MNREGA or ration under the Food Security Act? Sir, this is socialism, this is the socialist pattern of society. Between the adoption of Constitution in 1949 and 2014, there were 98 constitutional Amendments. In that

period, several pieces of legislation were enacted, which significantly expanded the rights of average citizens. These were, unapologetically and uniformly, in the larger service of the Indian people unlike the amendments and laws brought by the Modi Government for their own political and personal advancement.

I want to ask which of these amendments is bothering him and which such amendment have these people brought in the last 10-11 years? The Prime Minister invoked 11 resolutions, in which he talked about zero tolerance towards corruption. If this is all, then why was a JPC not formed on the Adani and Rafale scams, why was there no investigation on electoral bonds, Pegasus? There are many such issues. They had made many allegations against the Congress. We got them investigated, their government also got them investigated. Congress was given clean chit in Bofors, 2G and coal allocation cases. You too get all these scams investigated, the truth will come out and the country will come to know about your zero tolerance. The Prime Minister accused the Congress of enjoying power. I want to ask them who toppled the Congress government in Madhya Pradesh during the pandemic, who toppled the Congress-JDS government in Karnataka? Didn't the BJP topple the Maha Vikas Aghadi government in Maharashtra? Was there no attempt to topple the Congress government in Arunachal Pradesh? Who formed the government in Meghalaya and Goa without any majority, but by breaking activities? Who tried to topple the Congress government in Himachal? This is not just the enjoyment of power, this is the intoxication of power. For Hindustan, the religion of Hindustan should be democracy and its book should be the Constitution.

Our Constitution guarantees equality and justice through its foundational principles. Article 14 ensures equality, Article 15 prohibits discrimination, Articles 25 and 26 guarantee freedom to practice and propagate religion and freedom to manage religious affairs, Articles 29 and 30 protect the cultural and educational rights of minorities. I am citing these guarantees because these are not only privileges but fundamental aspects of our democracy. The subject of minority rights is germane to every country that calls itself a civilized nation. What kind of atmosphere prevails in India today? Today we are rapidly becoming a minority hating nation. This Government has gone to the extent of making communal division into a State policy, thereby betraying the vision of Constitution framers and the inclusive nation that they aspired to build. It is alleged that the constitution is influenced by Sharia but in reality not only Waqf Board and Madrasa Board have been formed in the country but along with this, religious endowment Acts have been made for different communities, temple trusts have been formed in different states, religious places acts have been made. In this way, it is not made only for Muslims. They should stop spreading confusion and making the country directionless. This dangerous politics of polarization will not continue. An environment of hatred and fear is being created.

***SHRIMATI MAMATA THAKUR:** I aim to examine the third element from the Preamble of the Constitution: Democracy and the Republic. Mahapran Yogendra Nath Mandal of Bengal and the Matua Samaj of Bengal played a significant role in securing Dr. Ambedkar's election to the Constituent Assembly. As a Bengali and a member of the Matua community, I take pride in this historical contribution. Strengthening the borders of democracy is critical in today's multi-faceted world. Encroachment on sovereign territory, attacks on troops, aggressive emigration and ongoing border skirmishes demand immediate attention. Recent incidents of violence against minorities and their places of worship in Bangladesh are deeply disturbing and highly condemnable. As we advocate for the security of minorities in Bangladesh, the Central Government should ensure the same security for

* Spoke in Bangla.

minorities in India. the security of diplomats' property must be prioritized to uphold international obligations The All-India Trinamool Congress believes in unity in diversity.

DR. ASHOK KUMAR MITTAL: An example of the inclusiveness of our Constitution is that we gave women the right to vote on the very first day of the implementation of the Constitution in 1950, while a country like America gave women the right to vote in 1920, 144 years after its independence. Whereas the Constitution of our country gave the country its first woman Prime Minister in 1966, only 16 years after 1950, who was the second woman Prime Minister of the world. Our Constitution gave this country two women Presidents and gave this country countless women Chief Ministers and Governors. From this we can understand how high, how big and how farsighted the thinking of our Constitution makers was. They made such a Constitution, whose basic form no government could change, but this Constitution changed many governments one after the other in the country.

75 years is not a long time for any nation, but I have full faith that this Constitution is so powerful, sacred and farsighted that even after 100 years, this India will emerge as developed India, it will show us the path, just like Lord Shri Krishna showed us the path and even after a thousand years our Constitution will continue to guide our nation, all of us, all the governments and the public.

SHRI GOLLA BABURAO: At the outset, I thank the framers of our Constitution for giving such a great Constitution to the Indian society. Today's discussion should be focused on giving a tribute to the Constitution-makers and not on leveling allegations or criticizing each other because it is really an important occasion and this type of debate has not taken place in the Parliament for the last so many years. I know what is social discrimination or social inequality. Even after 75 years of India's Independence, the social inequality or social injustice continues in spite of so many Acts and laws made in this regard. What is the reason for this? What I feel is that the administrators and the rulers are not serious to really do something concrete and do justice towards vulnerable sections of the society.

Our Constitution has given me the greatest opportunity to become an officer, an MLA and also an MP. This is a very clear example. India is a sovereign, socialist, secular, democratic republic. I want to touch only the social aspect and economic aspect. If you see the economic aspect, since 75 years, not even 5 per cent growth is visible among the poor people of India in spite of so many developmental schemes, so many welfare programs. I want the Prime Minister of India to rethink and do justice to the entire Indian people in general and vulnerable sections in particular. The economic sector is in doldrums. Now, in spite of 75 years, land and industry are owned by just 5 per cent of people. Remaining 95 per cent are becoming poorer and poorer day by day. That is why I request this august House to rethink about what to do for this nation. Because of our Constitution makers, we got political equality. So many people from all the sections are becoming MLAs, MPs and Zila Parishad Chairmen and holding so many other posts. But, unfortunately, they are all under the clutches of only rich people and land holders. This is most unfortunate situation going on in our Indian society. That is why we want equality. We want freedom for every vulnerable section and for political representatives. Once they get freedom and equality, they can definitely do justice to the posts they are holding. Lastly, I will speak on religious aspect. India's doctrine is unity in diversity. The best example of our unity in diversity is our freedom struggle. In which, all the Hindus, Muslims, Christians, Sikhs and Jains came together to throw the British out of our Indian soil.

PROF. MANOJ KUMAR JHA: It is a good thing that we are all talking about the Constitution. I have said many times that Jawaharlal Nehru has not lost the 2014 elections,

the 2019 elections and the 2024 elections, the opposition has lost, the Congress has lost. Nehru is the symbol of parliamentary democracy against authoritarianism. He is a shield, he is a protective shield. We celebrate birth and death anniversaries but do not understand the importance of those dates. If we are celebrating Constitution Day, then we should also talk about independence. There are talks on both sides that my shirt is white, your shirt is dirty! Look at the shirt of the Constitution, it should not be dirty, it should not have stains, it should be our responsibility. After 100 years someone will comment about you. That too will not look good, it will look indecent. We forget what was the condition of this country in 1947. You must have built a house, the most hard work is required to build the ground floor. That is the foundation. Nehru, Ambedkar, Patel and Azad laid the foundation. They talk about the Union Civil Code. It is also in the Directive Principles of the Constitution. The article before that also talks about income inequality. Due to the state of income inequality in this country, we are sitting on a time bomb. It is affecting everyone, poor and middle class. Here I want to draw attention to the deaths that occur while cleaning sewers. They are at the lowest rung in the society. We should think about them. In this country, things are also decided by name and surname. You say about your opponents that they are anarchists, Naxals. This terminology should be controlled. I share the pain of what is happening in Bangladesh. If we were in the right position, we could have told them that learn from us. In Noakhali, when the country was celebrating independence, Mahatma Gandhi was wandering from door to door to restore peace. Democracy is not simply a form of Government but it is primarily a way of associated living. This should be implemented in life. When there is talk of caste census, we get divided. I will not blame you for this, rather I will say that there is still a mindset in the official class that it gets upset with representation. Recently a survey was conducted in Bihar. Many people said that we cannot be so few. There is a difference between visibility and numerical strength. Nehru ji had mentioned the happiness as well as the concerns and challenges of nation building at the time of independence of the country. The constitution was made through this Constituent Assembly. If ever the Parliament faces the challenge of space, then I would like to say that parliamentary democracy will not get affected for lack of a building. One country one election has been talked about. But this cycle can break after once it is formed. There is an incident from Baba Saheb's childhood in which he faced discrimination. If there is hatred and contempt, then everyone's safety is in danger.

SHRI ABDUL WAHAB: On this historic occasion I am very happy to be in India, not in Pakistan, Bangladesh or any Islamic country. India is the best. But I am concerned about the future generations. I am a Muslim. 'Backward community' is not mentioned in the Constitution. But in most of the cases, especially, in North India, we are more backward than the Scheduled Castes and Tribes. So, please consider this in future. A lot of changes, altering and interfering is being done with the Constitution. If there are good people in the family, then they can also come into politics. It is because the Indian people, they accepted some family for some reason. Whoever sacrificed for this country should be honoured. In the Constituent Assembly, we had Members from the Indian Union Muslim League and we are still there. You can go through the history and see what we have done for this country. After listening about Ambedkar I hope that the Government will do some good to the Indian Muslim minority also. The condition of Muslims is not good in the country. So, consider the minorities' rights.

SHRI NIRANJAN BISHI: On this occasion, I pay tribute to the chief architect of the Constitution, Dr. B.R. Ambedkar, tribal leader, Jaipal Singh Munda and other Members of the Constituent Assembly. A large number of Schedule Tribes and Scheduled Castes people of India have not yet given the reservation benefit in higher education, employment, promotion. Many tribal languages have not been included in the Eighth Schedule to the

Constitution. Atrocities on the Scheduled Castes and Scheduled Tribes are showing upward trends. The Government is thinking to bring creamy layer system. As a result of this, STs, SCs will lose reservation in Government job, in promotions, in political representation and also in higher education. Babasaheb Ambedkar has dreamt to bring the Scheduled Castes and Scheduled Tribes in the mainstream of the nation. So, it is time to bring the most backward, suppressed and oppressed communities like Scheduled Castes and Scheduled Tribes into the mainstream of the nation.

DR. ANBUMANI RAMADOSS: I rise to salute our Constitution and would like to thank our Founding Fathers for giving us this wonderful Constitution. India is on its path to being a developed country. For that to happen, we need a holistic growth of our country. Development of the masses, the Scheduled Castes, the Scheduled Tribes, the OBCs. Article 54 talks about the Government rolling out affirmative action for the socially and educationally weaker sections. But, there have been so many impediments and hurdles for the Government to affirm the same. I would like to bring three core issues, affecting the weaker sections of the society, to the notice of the Government. One, the 50 per cent cap on reservation; two, the Creamy Layer; and, three, the caste census. Why do we have a 50 per cent cap on reservation? Is it because of a law we passed in this Parliament? No! This was done by the Supreme Court way back in 1962-63 in the Balaji versus State of Mysore case; and, then, again reiterated the same in 1993 in the Indira Sawhney Case. Today, the Scheduled Caste population in this country is approximately 15 per cent, and they have been given 15 per cent reservation in the centre. The Scheduled Tribe population is about 7.5 per cent. They have been given 7.5 per cent reservation. According to the Mandal Commission, the OBC population was about 52 per cent. Why have they been given only 27 per cent reservation? Why do we have the concept of Creamy Layer? It is unconstitutional. The unfilled seats of OBCs should be filled by the non-creamy layer OBCs instead of those seats going to the 'General' category. The third point which I would like to bring is about the caste census. Today, the Government of India as well as the State Governments are rolling out affirmative action on the basis of old data, 95-year-old caste data, brought in by the British period during 1931. We need to have a modern, contemporary, pertinent data to have more affirmative action and to know the social stature of all the downtrodden sections of our country. In the recommendations of Rohini Commission we found some glaring issues within the OBCs. Today, there are 2,633 communities in the OBCs. Out of which, 10 communities take away nearly 24.9 per cent of the jobs and education; 38 communities take away 25.9 per cent of the jobs; 102 communities take away 24.6 per cent of the jobs and education; 506 communities take away 22.3 per cent of the jobs and education. So, put together, 656 communities take away 97.5 per cent of all the jobs and education; and, you have 994 communities having only 2.5 per cent of the jobs and education! The irony is that you have 983 communities not even having one job! Nothing. So, we need to set right this issue within the OBCs, within the downtrodden sections, farmers, labourers, the Scheduled Castes and the Scheduled Tribes.

SHRI SURENDRA SINGH NAGAR: Baba Saheb Dr. Ambedkar ji had said that every nation has a message to give, a mission to fulfill, a destiny to reach and India's mission is to serve humanity and guide. A big discussion is held about religion, allegations and counter-allegations are made. The partition of the country occurred on religious basis. Today, in this discussion, I want to ask what the compulsion was, what was the pressure, what was the ambition due to which the leaders of that time, especially the Congress leaders, accepted the partition of India on religious basis, the country wants to know this. In the 1940 Congress session in Ramgarh, Mahatma Gandhi first asked Khan Abdul Ghaffar Khan to speak. Khan

sahab's speech was short, but it was very important, relevant and if seen in today's context, it was valuable too. Khan sahab said - I doubt that perhaps we are not capable of that thing. Khan sahab said that a little power has come into the hands of Congress and that has exposed them. As soon as those whom we considered angels got a little power, we have seen a lot of corruption around us. When the rule of Congress was only in very few states, then they had expressed this concern. This was surprising. If people capable of future independence are not prepared, then the civil disobedience movement started by Mahatma Gandhi will prove to be a dangerous weapon and this is what happened. The way in which the Congress strangled this Constitution by imposing emergency proves that the concern expressed by Khan Abdul Ghaffar Khan Sahib is proving to be correct today. In 1952, Mavalankar ji had said that artist Nandlal Bose had decorated the pages of the Constitution with scenes from ancient Indian life. The next day when the members of the Constituent Assembly were given the copy of the Constitution, those scenes were missing. It had scenes from Lord Buddha, Lord Mahavira, Ramayana, Mahabharata showing Krishna and Arjun. It had 22 scenes like the philosophy of Buddhism. India has a continuity of thousands of years of civilization and culture. An attempt was made to disconnect the country from culture by removing these scenes and today on the occasion of completion of 75 years, I demand from you that these scenes should be restored on the pages of the Constitution. The first amendment introduced by our Government was that there should be a single tax system in this country – there should be GST. Our government brought the Constitution Amendment Act to give 10 percent reservation to the economically weaker people of this country. The then UPA government had brought the Women Reservation Bill. When that bill was brought in the Rajya Sabha, what was the situation, how many glasses were broken, it is not hidden from anyone. This shows that the people of UPA and Congress are anti-women. Our government brought the Nari Shakti Vandana Adhiniyam, through which the Prime Minister of this country gave 33 percent reservation to women in the Lok Sabha and State Assemblies. He brought a constitutional amendment like Article 370. Before this, there was no reservation for Gujjars-Bakarwals etc. in Kashmir. Stanley A. Kochanek has a book – Briefcase Politics in India. C.S. Pandit, Journalist and Writer, recalls in his book that often representatives of trade and industry were called to Delhi and asked to produce specific amount. Those who declined were threatened with possible raids. Daniel Patrick, U.S. Ambassador in India in 1973-75 alleged in his book 'The Dangerous Place' that the funds were transferred to defeat Communist Government in Kerala. It might be recalled that in 1959, the elected Government in Kerala, headed by EMS Namboodiripad, was dismissed.

SHRI P. WILSON: In the 17th Lok Sabha, more than 221 Bills were passed, but one-third of these Bills were passed with less than an hour of discussion or without any debate! Important Bills were passed without any debate, prompting even the Chief Justice of India to comment on the situation. Some High Court judges have started attending political meetings and delivering speeches in the hope of further elevation or post-retirement jobs. Every step undertaken by the Government, including those in higher educational institutions, aims to destroy reservations in education and employment under the guise of merit. The higher judiciary remains the only institution in India where reservations have been denied for the last 75 years. The Government is unwilling to conduct the Caste Census, fearing that reservation for Scheduled Castes, Scheduled Tribes, and OBCs would exceed 50 per cent. Lastly, I want to highlight the economic subjugation of southern States through unfair allocation of GST and funds.

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****Supplement covering rest of the proceedings is being issued separately.