

डॉ. भीमराव रामजी आंबेडकर

चरित्र खंड अकरावा
श्री. चां. भ. ववैरमोडे



महाराष्ट्र राज्य साहित्य आणि संस्कृती मंडळ, मुंबई

22
A



डॉ. भीमराव रामजी आंबेडकर
चरित्र ग्रंथ

खंड ११ वा

लेखक :
श्री. चां. भ. खैरमोडे



महाराष्ट्र राज्य साहित्य आणि संस्कृती मंडळ, मुंबई.

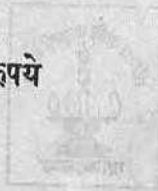
प्रथमावृत्ती - जुलै १९९०

प्रकाशक - सचिव,
महाराष्ट्र राज्य साहित्य आणि संस्कृती मंडळ,
नवीन प्रशासन भवन,
मुंबई ४०० ०३२.

© प्रकाशकाधीन

मुद्रक - आरेम प्रिन्टर्स, ५, युनिव्हर्सल इन्डस्ट्रियल इस्टेट,
जे. पी. रोड, अंधेरी (प.), मुंबई ४०० ०५८.

किंमत २२/- रुपये



महाराष्ट्र राज्य साहित्य आणि संस्कृती मंडळ, मुंबई

अनुक्रमणिका

- १) अर्पण पत्रिका
- २) प्रास्ताविक
- ३) प्रा. न. र. फाटक यांचे पत्र

| | |
|---------------------------------------------------------|-----|
| प्रकरण १ ले :- राज्यसभेतील भाषणे | १ |
| प्रकरण २ रे :- लोकशाहीवरील उत्कृष्ट भाषणे | २० |
| „ ३ रे :- आंध्रप्रदेश निर्मिती | ४२ |
| „ ४ थे :- अस्पृश्यता पाळणे गुन्हा कायदा | ७० |
| „ ५ वे :- आंतरराष्ट्रीय धोरण | ९० |
| „ ६ वे :- शेड्युल्ड कास्ट्स, शेड्युल्ड ट्राईब्स-रिपोर्ट | १०९ |
| „ ७ वे :- घटना दुरुस्ती | १४२ |

अर्पण पत्रिका



वाचनालयातील बाबासाहेब

जन्म : १४ एप्रिल, १८९१

परिनिर्वाण : ६ डिसेंबर, १९५६

ज्यांच्या कर्तृत्वाच्या वेलीवर श्री. चां. भ. खैरमोडे यांनी ही खंडरुपी फुले फुलविली त्या डॉ. भीमराव रामजी तथा बाबासाहेब आंबेडकर यांना हे पुष्प त्यांच्या जन्मशताब्दीच्या सुरवातीलाच मनोभावे अर्पण !

द्वारका खैरमोडे (गायकवाड)

प्रा स्ता वि क

परम वंदनीय डॉ. भीमराव रामजी तथा बाबासाहेब आंबेडकर यांच्या समग्र चरित्र ग्रंथाचा-श्री. चां. भ. खैरमोडे लिखित-हा ११ वा खंड छापून प्रसिद्ध करण्याचे कार्य महाराष्ट्र राज्य साहित्य संस्कृती मंडळ, डॉ. बाबासाहेबांच्या जन्म-शताब्दीच्या सुखातीलाच करित आहे. पुढचा खंडहि लवकरच प्रसिद्ध होणार आहे. याबद्दल मंडळाला धन्यवाद.

या ११ व्या खंडामध्ये डॉ. बाबासाहेब आंबेडकरांचे, १९५२ ते १९५४ या कालखंडातील, प्रामुख्याने राजकीय जीवनातील कार्य, श्री. खैरमोडे यांनी मूळ इंग्रजी उतान्यासह ग्रंथीत केले आहे. हे कार्य म्हणजे, भारताची राज्यघटना मंजूर झाल्यावर निवडून आलेले पहिले पार्लमेंट आणि त्या पार्लमेंटच्या राज्यसभेवर बाबासाहेब निवडून आल्यावर, राज्यसभेत जे जे ठराव मंजुरीसाठी आले त्या त्या विषयांच्या अनुशंगाने, त्यांचा सर्वांगीण सखोल अभ्यास करून त्यांनी आपले विचार मांडले. त्यांचे प्रत्येक भाषण म्हणजे त्या त्या विषयावरील एक उत्कृष्ट प्रबंधच आहे.

स्वतंत्र भारताच्या घटनेप्रमाणे निवडून आलेल्या पार्लमेंटमध्ये बाबासाहेबांचे १९ मे १९५२ ला पंतप्रधान पं. नेहरूंच्या अभिभाषणावर पहिले भाषण झाले. पंतप्रधानांच्या सर्व मुद्यांचा त्यांनी परामर्ष घेतला व नव्या सूचना करण्यास वाव ठेवण्याची विनंती केली.

जुलै १९५२ ला बाबासाहेब मुंबईला आले असता पुण्याच्या वकील मंडळींनी त्यांची भेट घेऊन ता. २२ डिसेंबर १९५२ ला 'लोकशाही'वर भाषण मुकर केले. हे भाषण 'पुना डिस्ट्रिक्ट लॉ' लायब्ररीच्या हॉलमध्ये, तुडुंब भरलेल्या श्रोतृसमुदायापुढे बाबासाहेबांनी वाचून दाखविले. त्यावर नागरिकांनी प्रश्नही विचारले व बाबासाहेबांनी त्यांना उत्तरे दिली. या भाषणात त्यांनी लोकशाहीचा मूळापासूनचा

इतिहास सांगितला. त्याच बरोबर वाटर वेड्युअट व अब्राहम लिंकन यांनी केलेल्या लोकशाहीच्या व्याखेबरोबर स्वतःचीही व्याख्या सांगितली. ती अशी— लोकांच्या राजकीय व सामाजिक जीवनात क्रांतिकारक बदल रक्ताचा एक थेंबही न सांडता घडवून आणणे म्हणजे लोकशाही! भारतात लोकशाही नांदायला जातिभेद नष्ट होऊन समाज समान पातळीवर आला पाहिजे तरच लोकशाही टिकेल, असे त्यांनी प्रतिपादन केले.

भाषावार प्रांतरचनेची मागणी स्वातंत्र्यप्राप्तीनंतर वाढली. आंध्रच्या श्री. पोट्टी श्रीराममुद्रुच्या प्राणांतिक उपोषणाने आंध्रप्रदेश निर्मितीचा प्रश्न घसास लागला. या भाषावार प्रांत रचनेचा नेहरू सरकारने सखोल अभ्यास केलेला नव्हता; यामुळे बरील-प्राणांतिक उपोषणाचा-प्रसंग ओढावला. यावर भाषण करतांना बाबासाहेबांनी, भारतातील अनेक राज्यांतील भूमीहीन लोकांची परिस्थिती दाखवून भाषेच्या प्रश्नाबरोबर उपजीविकेचा प्रश्नही सुटला पाहिजे व त्या दृष्टीने प्रांत रचना व्हावी हा विचार त्यांनी मांडला. काँग्रेसने भाषावार प्रांतरचनेस जास्त महत्त्व देऊन त्यानुषंगाने येणाऱ्या अडचणींचा विचार केला नाही म्हणून भाषिक दंगली होतात व संख्येने मोठ्या असणाऱ्या जातींचे वर्चस्व होऊन इतरांचा कसा छळ होतो याची प्रांतवार माहिती त्यांनी सभेपुढे ठेवली.

‘अस्पृश्यतेच्या गुन्हाबाबत’ विषेयक जेव्हां राज्यसभेसमोर आले, तेव्हां बाबासाहेबांनी भाषण करून या कायद्याची अम्मलबजावणी नीट होणे फार महत्त्वाचे आहे असे आवर्जून सांगितले. अस्पृश्यता कशा तऱ्हांनी पाळली जाते व कायद्याची अम्मलबजावणी करण्याच्या पद्धतीच, अस्पृश्यता पाळण्यास कशा अनुकूल असतात, याची अनेक उदाहरणे त्यांनी सभेपुढे ठेवली.

२६ ऑगस्ट १९५४ ला पंडित नेहरूंनी भारताच्या परराष्ट्रीय धोरणाबाबतचा एक ठराव राज्यसभेत मांडला होता. त्यावर बाबासाहेबांनी आपले विचार व्यक्त केले होते. हे विचार त्यांनी अत्यंत परखड भाषेत मांडले. ते म्हणाले, रशिया व चीन या साम्यवादी भस्मासुरांना आपण वाव देऊ नये. चीनला व्हासा देऊन आपण चीनला नजिक आणून ठेवले आहे. येथे (राजकारणात) पंचशील योग्य नाही. गोवा मुक्तीचे स्वागत करून ते कशातऱ्हेने भारतास घेता येईल त्याचे मार्ग बाबासाहेबांनी सांगितले. काश्मिर व भारताला जोडणारा नेहरू बोगदा यावर, ब्रिटिश चॅनेलमधून इंग्लंड व फ्रान्सला जोडणारा मार्ग का केला जात नाही याचे उदाहरण देऊन धोक्याचा इशारा दिला.

शेड्युल्ड कास्टस व शेड्युल्ड ट्राईब्स यांच्या अहवालावरच्या भाषणांत या जातींची कोणकोणत्या पद्धतीने सुधारणा करता येईल याचे मार्गदर्शन करून या जमातींची उन्नती करण्यांत जी दिरंगाई होते ती लोकशाहीला मारक आहे आणि वन्य जमातींना तर माणूस म्हणून त्यांनी जगावे असे हिंदू लोकांना वाटतच नाही; त्यांना जंगलीच रहावे असे त्यांना वाटते. वनवासी लोकांना भारताचे नागरिक म्हणून

सुसंस्कृत जीवन जगण्यासाठी सरकारने पुष्कळ कांही करायला पाहिजे असे बाबासाहेबांनी सांगितले.

याच काळात, 'चौथे घटना दुरुस्तीचे बिल आले' घटनेतील कलम ३१ हे मालमत्तेच्या मालकी हक्कासंबंधीचे होते. यावर बोलतांना बाबासाहेबांनी घटना करतानांच्या अडचणीचा किस्सा सांगितला. या कलमावर पं. नेहरू, वल्लभभाई पटेल व पं. गोविंद वल्लभ पंत यांच्या विचारांत एकवाक्यता होऊ न शकल्यामुळे नियमाची बांधणी शिथिल झाली व त्यामुळे सोलापूरच्या गिरणीच्या दाव्यात सरकारला हार खावी लागली. म्हणून घटना रावविणारे लोक नेकीचे व स्पष्ट हवेत, समेटून "घटना तुम्हीच केलीत" असा आवाज आला तेव्हा बाबासाहेव म्हणाले, 'आम्ही घटनारूपी मंदिर बांधले, त्यांत देवता बसण्या आधीच राक्षराने त्याचा ताबा घेतला आहे!' पुढे त्यांनी असा इशारा दिला की अशी सारखी-सारखी घटना दुरुस्त करणे हे योग्य होणार नाही!

अशा तऱ्हेने बाबासाहेबांच्या कार्याचा आढावा या ११ व्या खंडात देण्यात आलेला आहे. त्याची सर्व माहिती साधार देण्यांत श्री. चां. म. खैरमोडे यांनी कुठेही कसूर केलेली नाही हे दिसून येईल.

चरित्रकार श्री. खैरमोडे यांनी आपल्या या ग्रंथाच्या ५ व्या खंडप्रस्तावनेत म्हटले आहे, "बाबासाहेबांच्या स्वतःच्या चरित्राची माहिती ते मला १९२४ ते १९२७ या काळात रात्री अगर दिवसा त्यांच्या ऑफिसात (दामोदर हॉल) सांगत असत.....एका रात्री बाबासाहेव मला म्हणाले, 'तू माझे यथातथ्य चरित्र लिहिशील, असे मला वाटते! माझा तुला आशीर्वाद आहे. पण लक्षांत ठेव कांही लोक तुझ्या सत्यलेखनाचा विपर्यास करून भोळ्या भावळ्या जनतेची दिशाभूल करतील पण त्यांचे ढोंगधत्तरे कांही समाजसेवक जनतेसमोर मांडतील आणि त्यांचे मोठेपण वेगडी असल्याचे सिद्ध करण्याचा प्रयत्न करतील; तेव्हा तुझ्या कार्याची महती पटेल!' (खंड ५ वा प्रास्ताविक पान सात-आठ १९६८)

याच प्रास्ताविकात चरित्रकार पुढे लिहितात,—

'अस्पृश्य समाज अस्पृश्यता, बौद्धिक, धार्मिक व सामाजिक गुलामगिरी यांचे अस्तित्त्व हे भारताच्या जीवनातील घोर कलंक आहेत हे कलंक नष्ट करण्यासाठी ज्यांनी ज्यांनी प्रयत्न केले ते खरे राष्ट्रभक्त होते. बाबासाहेबांनी १९१९ ते १९५६ च्या काळात हे प्रयत्न केले. त्यांचे प्रयत्न दुधारी तीक्ष्ण शस्त्राप्रमाणे होते. ते अस्पृश्य लोकांना आणि अस्पृश्येत्तर लोकांनाही असल्या अज्ञानाच्या गर्तेतून वर काढणारे होते, ही अज्ञानाची गर्ता म्हणजे, अस्पृश्यांना वाटे की आगही गुलाम, पंगू, दुबळे! आम्ही तसेच राहू! अस्पृश्येत्तरांची गर्ता म्हणजे आम्ही श्रेष्ठवर्णीय, कनिष्ठ वर्णीयांना गुलाम म्हणून वागविणे हा आमचा धर्म, हाच राष्ट्राभिमान! हे दोन्ही पक्षांतील अज्ञान नष्ट करण्यासाठी डॉ. आंबेडकरांनी केलेले कार्य हे भारताच्या सर्वांगीण प्रगतीला प्रेरक

व पूरक आहे; ही जाणीव ज्यांना झालेली असेल अशाच वाचकांना ही विचारसरणी मान्य होईल. जीर्णमतांनी पळाडलेल्यांना ती मान्य होणार नाही. अशाच लोकांना आता देश, धर्म व समाज यांचे शत्रू समजले पाहिजे. धार्मिक व राजकीय क्षेत्रात दांभिकपणे, अवडंबर माजवून राष्ट्रीयत्वाच्या गप्पा मारणारे, याहूनही मोठे शत्रू समजले पाहिजेत.....

याच प्रास्ताविकांत श्री. खैरमोडे लिहितात की जॉर्ज बर्नाड शाने इंग्रज लोकांवद्दल एके ठिकाणी उद्गार काढले होते की इंग्रज जे कांही करतो ते एखाद्या तत्वाचा आधार घेऊनच करतो—तो तुमच्याबरोबर लढाई करतो, तेव्हां तो राष्ट्रवादाच्या तत्वांचा आधार घेतो तो तुम्हाला लुटतो, तेव्हां व्यापारी तत्वांचा आधार घेतो, तुम्हाला गुलाम करतो, तेव्हां तो साम्राज्याच्या तत्वांचा आधार घेतो. तो राजाला पाठिंबा देतो, तेव्हां तो राजनिष्ठेच्या तत्वांचा आधार घेतो. आणि तो राजाचा शीरच्छेद करतो, तेव्हां तो लोकशाहीच्या तत्वांचा आधार घेतो. हे उद्गार थोड्या-बहुत प्रमाणात हिंदुसमाजातील श्रेष्ठ वर्गीयांनाही लागू करता येतील, कारण धार्मिक सुधारणांना ते विरोध करतात, ते समाजातील ईश्वर निर्मित चातुर्वर्ण्याचे रक्षण करण्यासाठी, (इकांसाठी) भांडणाऱ्या दलित पुढाऱ्यांना विरोध करतात ते राष्ट्राची अमंगता सुरक्षित ठेवण्यासाठी, आणि दलित वर्गांना ते परोपरीने छळतात, ते स्वतःच्या वर्गाची, ही छळण्याची मक्तेदारी भुतकाळावरून पुढे भविष्यकाळांत चालू राहावी म्हणून !

बाबासाहेबांना या परिस्थितीचे कट्टर अनुभव (त्यांच्या शेवटच्या क्षणापर्यन्त) आले. त्यांचे ऐतिहासिक चित्र वाचकांना यथायोग्य स्वरूपांत पहावयास मिळावे म्हणून, 'इतिहासात ज्या घटना घडल्या आणि त्या घडविणाऱ्यांनी जे विचार मांडले ते जशाच्या तसे लोकांसमोर ठेवणे हे इतिहासकाराचे कर्तव्य आहे. त्यांची समीक्षा करून त्या त्या वाचकांच्या कलावर आणि बुद्धीवर सोपवावे'— (It is the true office of history to represent the events themselves together with the counsels and to leave the observations and conclusions thereupon to the liberty and faculty of every man's judgement) हे लॉर्ड बेकनचे वचन डोक्यासमोर ठेऊन मी या व पुढील खंडांत माहिती दिलेली आहे " (कित्ता पान दहा).

श्री. चांगदेव भवानराव खैरमोडे लिखित, डॉ. भीमराव रामजी आंबेडकर चरित्र ग्रंथाचे पहिले पाच खंड श्री. खैरमोडे यांच्या हयातीत प्रसिद्ध झाले. १८ नोव्हेंबर १९७१ ला त्यांचे देहावसान झाले. पुढील हजारो पानांचे लेखन पंधरा खंडांत विभागलेले होते परंतु ते संपादन करून प्रसिद्ध करणे, कठीण कार्य वाटत होते.

महाराष्ट्र राज्य साहित्य संस्कृती मंडळाच्या डॉ. सुरेंद्र बारळीगे यांनी पुढील खंड प्रकाशीत करण्याचे आश्वासन दिले. त्यांच्या कारकीर्दीत ६ ते १०

खंडांच्या छपाईचे काम पूर्ण होऊन ६-७, ८ व ९ खंड प्रकाशित झाले. १९८९ मध्ये नवे अध्यक्ष डॉ. यशवंत मनोहर यांनी रेंगाळलेला खंड १० वा प्रसिद्ध केला व लागलीच ११ वा खंड छपावयास दिला.

हे सारे खंड श्री. चां. भ. खैरमोडे यांनी कालक्रमानुसार मांडणी केलेले आहेत. १९५२ साली पहिला खंड प्रसिद्ध झाला. आतां १९९० ला हा ११ वा खंड प्रसिद्ध होत आहे.

हे हजारो पृष्ठांचे हस्तलिखित १९७१ सालच्या आधी लिहिलेले हाताळनांना मला अनेक तज्ज्ञांची मदत घ्यावी लागली. त्यांत प्रामुख्याने सामाजिक चळवळीशी बांधीलकी असणाऱ्या व दुसऱ्यांच्या विद्वतेबद्दल आदर वाळगणाऱ्या प्रा. नलिनी पंडित यांचे फार मोठे सहाय्य झाले आहे. डॉ. पी. टी बोराले, डॉ. वि. द. खोबरेकर, डॉ. मंदा खांडगे, श्री. तु. हि. म्हात्रे, टी. लक्ष्मणशास्त्री जोशी यांनी या ऐतिहासिक लेखनाचे महत्व जाणून, मला ते काम तडीस नेण्यास प्रोत्साहन दिले, मी या सर्वांची आभारी आहे.

माझ्या या कामांत निर्माण होणाऱ्या अडचणी ऐकून त्यावर मात करण्यासाठी लागणारे धैर्य आणण्यासाठी डॉ. एन्. जी. तळवलकर, एम्. आर. सी. पी., सौ. ताराबाई व्ही. तळवलकर, श्रीमती लीला गद्रे, प्रा. लीला साळगावकर, श्रीमती सुधा किर्तने, श्रीमती प्रेमा पुरव, श्रीमती मंगला निरगुडकर, श्री. व सौ. सूर्यवंशी यांनी वेळोवेळी मला या कामांत अनेक तऱ्हेने सहाय्य केले आहे. या सर्वांची मी ऋणी आहे.

या पुस्तकाची मुद्रणप्रत तयार करण्यांत श्री. एन. डी. भंडारे, श्री. एस. डी. कांबळे, डॉ. विनिता बोराले, डॉ. प्रज्ञा सावंत, प्रा. प्र. बरके यांचा हातभार लागलेला आहे. या १० व ११ व्या खंडांच्या छपाईचे काम "आरेम प्रिन्टींग प्रेस" ने घेऊन, बाबासाहेबांच्या जन्म शताब्दीला पूर्ण केले, त्याबद्दल सर्वश्री वाळू देसाई व डांगे आणि त्यांच्या छापखान्यातील कर्मचारी वर्ग यांची मी आभारी आहे.

म. रा. सा. सं. मंडळाचे सचिव श्री. पं. रा. पाटील व कार्यालयातील कर्मचारी वर्गाने श्री. चां. भ. खैरमोडे यांचे, डॉ. भीमराव रामजी आवेडकरांच्या दैदिग्धमान कार्याचा आढावा घेणारे लेखन प्रसिद्ध करून, बाबासाहेबांच्या अनुयायांना, समाजशास्त्राच्या अभ्यासकांना व संशोधकांना उपकृत केले आहे म्हणून मी स्वतः व वाचक वर्ग यांचा ऋणी राहिल.

शेवटचा खंड डॉ. बाबासाहेबांना अर्पण करण्याचा विचार चरित्र लेखकाने आंखलेला होता. हे बाबासाहेबांच्या जन्मशताब्दीचे वर्ष असल्यामुळे हे पुष्प ११ वा खंड) त्यांच्याच चरणी अर्पण करित आहे.

शैवटी या लेखन प्रपंचाचा, चरित्रकाराच्या मनोगताचा एक उतारा मी खाली देत आहे :—

‘ घरादारावर, संसारावर, आणि सुखदुःखावर (स्वतःच्या) तुळशीपत्र ठेवून, सतत विद्याभ्यास, संशोधन, मनन व लेखन करणारी, केवळ विशाल बुद्धीची, प्रबुद्ध व्यक्ति म्हणून, अगर सामाजिक क्रांतीचा तत्त्ववेत्ता व उद्गाता म्हणून अथवा पददलितांच्या अंतःकरणात माणूसकीचा रटरटणारा लाव्हा उत्पन्न करणारा धार्मिक दृष्टा म्हणून, ज्यांना या (महामानव) बागसाहेबांच्या चरित्राचा अभ्यास करण्याची अगर त्यावर ग्रंथ लिहिण्याची इच्छा होईल, त्यांना या सर्व चरित्र खंडातून भरपूर माहिती मिळेल व इतर माहिती मिळविण्याचे मार्ग सापडतील. माझ्यानंतर जे लेखक या क्षेत्रात उतरतील त्यांना हे खंड उपयुक्त ठरतील; याचे समाधान मला बाकीचे, उर्वरित खंड प्रसिद्ध होतील तेव्हांच होईल. गेल्या किच्येक वर्षांच्या परिश्रमाचे फळ काय ते एवढेच माझ्या हाती लागेल !’

चरित्र खंडांचे काम, महाराष्ट्र राज्य साहित्य आणि संस्कृती मंडळाने पूर्णत्वाकडे आणलेले आहे. सत्याधारीत बाबासाहेबांच्या चळवळीची ऐतिहासिक माहिती पुरविण्याची चरित्रकर्ता श्री. चां. भ. खैरमोडे यांची इच्छा फलद्रूप होत आहे याचे मला समाधान वाटते.

१४७-अ, हिंदु कॉलनी
दादर, मुंबई-१४.

द्वारकाबाई खैरमोडे

१४ एप्रिल, १९९०

प्रा. न. र. फाटक यांचे पत्र

नवी भटवाडी, क्रॉसलेन, मुंबई-४.
ता. ८-५-६५ शनिवार.

श्री. चांगदेव भवानराव खैरमोडे यांच्या एकसष्टीच्या समारंभांचा अध्यक्ष म्हणून आपल्या सत्कारसमितीने केलेल्या पाचारणाबद्दल मी माझे आभार प्रथम मनःपूर्वक व्यक्त करतो.

हल्लीच्या जीवन कलहांत एखाद्याला साठावे वर्षे संपून एकसष्टाव्या वर्षात दाखल होण्याचा योग लाभवा ही खरोखरीज अभिनंदन करण्यासारखी घटना असून त्यांचा जाहीर सत्कार साजरा करणे हे एक समाजाचे कर्तव्य आहे. त्यातल्या त्यांत श्री. खैरमोडे हे ज्या महाराष्ट्रीय समाजाविभागात जन्मले, त्या समाजांच्या आजतागायतची दुःस्थिती विचारांत घेतल्यास ते तर एकसष्टी निमित्त जास्तच अभिनंदनीय ठरतात. श्री. खैरमोडे यांनी शिक्षण घेतले, निर्वाहाचा व्यवसाय केला, समाजाचा प्रत्येक घटक हेच करतो. परंतु त्यांनी डॉ. भीमराव रामजी आंबेडकर यांचे विस्तीर्ण चरित्र लिहीण्याचे काम हाती घेतले हा त्यांच्या आयुष्यातील महत्त्वाचा भाग आहे व त्याच्या योगाने श्री. खैरमोडे यांचे नाव महाराष्ट्रांत चिरस्मरणीय होऊन राहिल. त्यांनी लिहिलेले चरित्र हे केवळ आंबेडकर या एका व्यक्तीचे चरित्र नसून अखिल महाराष्ट्राच्या अर्वाचीन इतिहासाचे एक नवे अंग स्पष्टपणे जनतेच्या निदर्शनास आणणारे ते एक महत्कार्य आहे. या चरित्रग्रंथाचे प्रसिद्ध झालेले खंड जो कोणी आस्थेने दृष्टीखाली घालील त्याला श्री. खैरमोडे यांच्या क्लेशकारक परिश्रमाची सहज कल्पना करता येईल. त्यांत आलेला पत्रव्यवहार हा कालांतराने महाराष्ट्रातील सामाजिक समतेच्या इतिहासाचे बहुमोल साधन समजले जाईल. चरित्रासाठी जवळचा पत्रव्यवहार जतन करणे आणि इतरांचा मिळविणे हे काम सोपे नाही. फार जिक्रीचे-सहनशीलतेचे सव पहाणारे असते. ते काम शक्य तेवढे जास्तीतजास्त श्री. खैरमोडे यांनी पार पाडलेले आहे त्यांच्या चरित्र लेखनाने मराठी चरित्र साहित्यांत उत्तम प्रकारची भर पडेल यांत संशय नाही.

श्री. खैरमोडे यांच्या लेखनकार्याकडे पाहिले म्हणजे संधी मिळाल्यास जो समाज अस्पृश्यतेच्या शिक्षेने हजारो वर्षे इतर समाजापासून दूर पडला होता, ज्याला विद्येपासून सक्तीने दूर ठेवले होते त्या समाजातील व्यक्ति काय करू शकतात, यांचे डोळ्यात भरण्याजोगे उदाहरण श्री. खैरमोडे यांनी निर्माण केल्याबद्दल शंका राहात नाही. राजकीय गुलामगिरीहून शेकडोपरीने दुर्धर असलेल्या सामाजिक गुलामगिरीने सडत पिचत असलेला देशबांधवाचा समूह आता कुठे थोडासा त्या भयंकर गुलामगिरीच्या काटेरी बंधनातून सुटण्याच्या पंथास लागला आहे. ही सुटका निरर्थक नाही.

अशी सुटका देशाच्या एकंदर उत्कर्षाला हातभार लावील या भवितव्याचे एक प्रसाद चिन्ह म्हणजे श्री. खैरमोडे यांचे लेखन. त्यांची एकसष्टी गौरवपूर्वक साजरी करणारे जे तरुण होतकरू असतील त्यांनी श्री. खैरमोडे यांचा किता गिरविण्याचा संकल्प या प्रसंगी करावा, येथे किता म्हटले तो फक्त लेखनाचा नव्हे, सर्व प्रकारच्या लोकोपयोगी कार्यांचा किता असा या शब्दात अंतर्भाव आहे. ज्याचा जो विषय असेल त्याने त्या विषयाची सिद्धी मिळवून तिचा लाभ सामान्य जनतेस देण्याचे ध्येय बाळगावे हा येथे किता गिरविणे या शब्दांच अर्थ आहे. श्री. खैरमोडे यांनी लेखणीच्या द्वारे लोकसेवा चालविली आहे. विद्यार्थी किंवा विद्या संपन्नानी निराळे साधन हाती घ्यावे, पण आपल्यावर समाजाचे ऋण आहे व ते सामाजिक हिताच्या उद्योगाने फेडले पाहिजे हे श्री. खैरमोडे यांच्या कामगिरीचे तात्पर्य आहे. मी श्री. खैरमोडे यांना आशीर्वाद देतो की, त्यांना उदंड आयुष्य लाभवे, ते आयुष्य सुखाचे, निरोगी आणि कार्यक्षम असावे. त्यांच्या हातून सदैव लोकसेवा होत राहावी, आशीर्वाद दिला, द्यावरोवरच एक लहानशी सूचना करावीशी वाटते की आशीर्वाद उत्तेजन देतो, पण कार्याचे साफल्य हे ज्यांच्या त्यांच्या श्रमावर अवलंबून असते हे विसरू नये.

मला उपस्थित राहणे शक्य नाही म्हणून हा लेखनप्रपंच केला आहे. "जेथे धर्म तेथे जय" या न्यायाने जेथे गुणगौरव तेथे मी शरीराने नसलो तरी मनाने उपस्थित आहे असे समजावे, सत्कार समितीने मुंबई मराठी साहित्य संघाच्या सहकार्याची अपेक्षा धरली ती या आशीर्वादाने पूर्ण करावी अशीही एक या आशीर्वादामागे भावना आहे. कळावे.

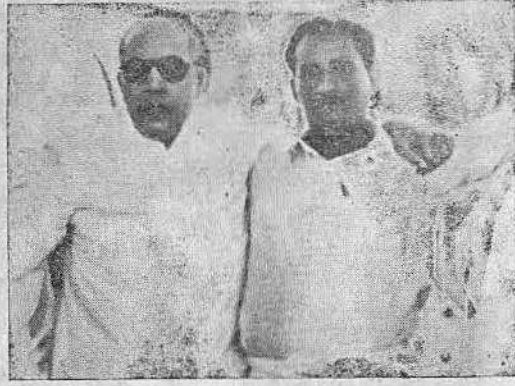
आपला हिताकांक्षी
न. र. फाटक



खंड- ४ चे प्रकाशन डावीकडून १) श्री. चां. भ. खैरमोडे, २) श्री. न. र. फाटक
३) श्री. बाबासाहेब वरळीकर



मुंबई विश्वविद्यालय वाचनालयात
श्री. चां. भ. खैरमोडे व श्रीमती एलिनार झिलियट



१९५६ साली नागपूर येथे दीक्षाभूमीकडे जाताना
डॉ. बाबासाहेब आवेडकर, आणि श्री. रतू



चरित्रकाराचा, एकसष्टी व प्रकाशन समारंभ
डावीकडून :— प्रा. नलिनी पंडित, श्रीमती खैरमोडे, श्री. चांगदेव तथा
आबासाहेब खैरमोडे, अध्यक्ष श्री. बाळासाहेब भारदे

डॉ. भिमराव रामजी आविडकर चरित्र

खंड ११ वा

प्रकरण १ ले

राज्यसभेतील भाषणे

१९५२ च्या निवडणुकीनंतर राज्यसभेची पहिली बैठक १३-५-५२ ला झाली. तीत सभासदांचा शपथविधी झाला. अर्थात बाबासाहेबांचाही शपथविधी पार पडला. कमिटी ऑफ प्रिझिडेन्ट्सवर त्यांची निवड झाली (Parliamentary Debates May-June 1953 pp. IV & 1) १३ मे १९५२ ते १९५६ च्या अखेर पर्यंत सुमारे साडे चार वर्षांच्या काळात बाबासाहेबांनी राज्यसभेत सात वेळा भाषणे केली. ती भाषणे माहितीने व सुसंगत सुविचाराने ओतप्रोत भरलेली आणि विरोध कांना बोचणारी अशी होती.

राष्ट्राध्यक्षांनी १३ मेला राज्यसभेपुढे जे भाषण केले त्याबद्दल त्यांचे आभार मानणारा ठराव राज्यसभेपुढे आला. अनेक सभासदांनी भाषणे केली आणि दुरुरती सूचना व उपसूचना मांडल्या. त्यांचा समाचार कोणत्या पद्धतीने घ्यावा याबद्दल कांही सभासदांनी १९ मेला मुद्दे उपस्थित केले. तेव्हा याबद्दलचा खुलासा करण्यासाठी बाबासाहेब बोलावयास उठले. त्यांचे हे भाषण (राज्यसभेतील) पहिलेच होते. त्यांचा मतितार्थ असा. राष्ट्राध्यक्षांच्या भाषणातील विषयाला धरूनच ज्या सभासदांनी दुसऱ्या मांडल्या असतील त्यावर चर्चा होऊ द्यावी, हे योग्य होय परंतु जो विषय राष्ट्राध्यक्षांच्या भाषणांत अंतर्भूत झालेला नव्हता अशा विषया संबंधीही सभासदांनी जरी दुसऱ्या मुचविल्या तरी त्यावर चर्चा होऊ देणे योग्य आहे. कारण राष्ट्राध्यक्षांच्या भाषणाचा उद्देश कोणता ? तर सभागृहाला सर्व विषयांबद्दलची सरकारची कृती, वगैरे बद्दल माहिती देणे. सदर भाषण, एखादा विषय अंतर्भूत झालेला

नसला म्हणून तो महत्वाचा नव्हता की काय ? असे विरोधी पक्षाला विचारतां येईल. तेव्हां विरोधी पक्ष ज्या दुरुस्त्या मांडील त्या त्यांच्या महत्वाप्रमाणे विचारांत घेणे हे सभागृहाचे कर्तव्य ठरते.

बाबासाहेबांचे मुळ भाषण असे :-

१) राष्ट्राध्यक्षांच्या भाषणासंबंधी

“*Dr. B. R. Ambedkar (Bombay) : The procedure followed in Provisional Parliament was this. Perhaps it is not a new thing. It is going on for the last two or three years since the constitution has come into operation. As far as I remember—there are many members of the lower House; they will correct me — the procedure followed by the speaker of the House of the People was that he would allow all the amendments to be moved in the beginning. Of course, those were amendments that could be admitted. Subsequently, he called upon the proposer of the different amendments to make speeches in support of their amendments. It was always understood that because a person has moved his amendment, he necessarily will not have any right to speak. But the Speaker, out of consideration for the fact that certain gentlemen had indicated their intention to move an amendment, did allow them a chance of making speech. That was the procedure that he adopted. I think the same procedure might be adopted here also.*

With regard to one other observation, I should like to say with the deepest respect that in making the reference to what happens in the House of Commons, you indicated that only those amendments which refer to subjects which have been expressly mentioned in the Address of the President would be admitted. With all respect I think that the rule ought to be the other way round. The purpose of a debate on the Address in this Government is pleased to inform the House, though the Address of the President, the subjects to which they allot what may be called priority or urgency. Article 87 of the Constitution of India says that the purport of the debate on the Address of the Pre-

sident is to inform Parliament of the causes of its summons. The purport of the Debate on the Address is to let the opposition tell the Government what are the purposes for which they ought to have included. Therefore, any subject which is not included in the Address of the President, for that very reason become as a matter of urgency, because, Members of the opposition may feel that Government has given priority and urgency to matters which they think important but which, in the opinion of the opposition, are less important than other matters. Secondly, I submit that merely because an amendment refers to a subject which has not been referred to in the Address of the President, it should not on that account be ruled out. But the Opposition should be given an opportunity to discuss and to place before Government any particular subject, which is the subject matter of the amendment, as a matter of urgency which must be given priority over subjects which have been spoken of by the President in his Address. I thought I should make these observations so that you might be in a position to regulate the procedure about the amendments" (Parliamentary Debates pages 81-89. A's Speech in the Rajya Sabha on 10th May 1952, opposing amendments to the President's Speech on 13th May 1952, on points which were absent from it, by Member).

राष्ट्राध्यक्षांच्या भाषणात दुष्काळ व दुष्काळी प्रदेश यांच्याबद्दल भरपूर माहिती दिलेली नाही. असा कांही सभासदांनी २१-५-५२ च्या बैठकीत (पा २६६-७०) मुद्दा उपस्थित केला. या मुद्यावर बाबासाहेब बोलले. दुष्काळी प्रदेशांत माझे लहानपण गेले, तेथे आमचे वडिल कॅशियरचे काम करीत होते, तेव्हां दुष्काळांत लोकांचे काय हाल होतात ते मी स्वतः पाहिलेले आहेत. सरकारी धान्य वाटपाची पद्धत दुष्काळात आणि दुसऱ्या युद्धाचे वेळी चालू होती. पण या पद्धतीमुळे जनतेच्या दुःखाचा भार फारसा कमी झाला नाही व जनता सरकारवर नाराज झाली. ते सरकार इंग्रजांचे होते आतांचे सरकार (स्वतःचे) हिंदी लोकांचे आहे. पण हेही सरकार कांही भरीव कार्य करू इच्छित नाही, असे त्यांच्या आतापर्यंतच्या धोरणावरून दिसून येते. असले धोरण सरकारला पुढे घातक होईल, असा बाबासाहेबांच्या भाषणाचा सारांश होतः त्यांना बरेच बोलवयाचे होते पण अध्यक्षांनी त्यांना फक्त दोन मिनिटे जादा दिली व ती बाबासाहेबांनी, अपुरी म्हणून नाकारली. त्यांचे मूळ भाषण असे :-

“Dr. B. R. Ambedkar (Bombay) : I had originally thought not to participate in this debate, because I felt that it was right and proper that the new members of this house who are sitting on the front Opposite Bench ought to be given the fullest chance to express their views on these important matters dealt with in the Speech of the President. But some of my friends said that it would be useful if I said what I felt about the two important matters which undoubtedly loom large before the minds of some Members of the house at any rate and a large majority of the public. The first matter which looms large is obviously the matter of food. There can be no doubt that this country has found itself in the grip of one of the biggest problems that it has ever been called upon to face. Sir, as a young boy, I had witnessed famines myself because my father was engaged as some kind of cashier to pay the wages of many people who were engaged in famine relief work. I was living with him as a young boy and I could see the condition of the famine-stricken people. As a student of economics I had an opportunity of reading those magnificent books by one of the greatest Indian Civil Servants, namely, Romesh Chandra Dutta, who had given a complete picture of the periodical famines that had taken place in this country, right from the beginning when the British came to occupy. But, Sir, remembering all this past history, my imagination cannot recall anything that I have read in any way comparable to the condition that we see today. I think it would not be an exaggeration to say that there was a time when there were famines but they occurred sometime at an intervals of 10, 15, or 20 years. Today we have reached a stage when there is a famine almost every month in this country. This month there is a famine in Bihar, another month there is a famine in Rayalaseema, a third month here is a famine in some other part of the country. I think it would be impossible for any person who reads newspapers to say that any month passed when there has not been a famine in this country. I was quite interested to listen to the argument which has

been urged by some members of the Congress Party, that the opposition should not be too hard on the Government. The opposition must remember that when the British left, they left this country as an empty shell, with the resources undeveloped, with the people of this country untrained for economic production. Those arguments, if I may say so with all respect, are without substance. It may probably pass muster in this house or may pass muster with those who are inclined towards the party in this House. But I should like to tell even my friends who are sitting on the opposite side this excuse will not go down for a long time with the people.

An Hon. Member : You were yourself in the Government once.

Dr. B. R. Ambedkar : Don't you recollect my past? I am now divorce. What I want to tell my friends on the other side is that this excuse will not serve them for a long time. No hungry man is going to be sympathetic to a critic who is going to tell him "My dear fellow, although I am in power, although I am in authority, although I possess all legal power to set matters right, you must not expect to do a miracle because I have inherited a past which is very inglorious". If this Government will not produce results within a certain time, long before the people become so frustrated, so disgusted with Government as not to have any Government at all, a time will come when I suppose unless we in Parliament realise our responsibilities and shoulder the task of looking after the welfare and good of the people within a reasonable time. I have not the slightest doubt in my own mind that this Parliament will be treated by the public outside with utter contempt. It would be a thing not wanted at all.

Sir, the situation has been greatly aggravated by the sudden decision the Government has taken with regard to this subsidy. The subsidy is in another way an additional project which the Government has undertaken to relieve

the people against the high cost of living. The subsidy, so for our information goes, has been in operation.....

Shri B. B. Sharma (Uttar Pradesh) : What percentage of the population does the Hon. Member want to be subsidised for food?

Dr. B. R. Ambedkar : Sir, my submission is this that he will not want me to go into the details of the rationing system. I do not want to go into details as to how the population should be classified so that we might be in a position to say that the following classes shall be subsidised and the following classes shall not be subsidised. That information Government has not placed before us. If the Government places that information before us, I certainly will be able to make such contribution as I can make no other proposal. For the moment I am saying this, that this reversal of the policy of giving subsidy seems to me an absolutely new thing. I find that from 1946-47 when the subsidy made was 22 crores, it has increased in 1951-52 to 36 crores. In the last Budget which the Finance Minister presented to the Provisional Parliament for the purpose of obtaining a vote on account, he had estimated that the subsidy which he might be prepared to give in this year (year) would come to about 25 crores. That was the estimate that he had made. I am sure about it that at the time when he presented the Budget he must have been ready in his mind to commit himself to that magnitude of expenditure. Suddenly thereafter we find this sudden change. Some reasons have been given. One reason is that the subsidy would come to about 55 crores. Some Members have said that it would be about 90 crores. I do not know what the correct figure exactly is. But I do want to say that even in the last Provisional Parliament, when the Budget was presented, Government was agreeable to take upon itself the responsibility of a subsidy to the extent of 25 crores. I do not quite understand why the Government has stepped aside from that promise, from that obligation. There are of course.....

Mr. Chairman : Your time is up. You take one or two minutes more.

Dr. B. R. Ambedkar : I have something else to say. It will not be possible for me to finish within the one or two minutes that you are very gracious to give me. I will stop here. (Parliamentary Debates. May-July 1952 pp. 266-70 dated 21-5-52 A's speech on May 21 criticising President's speech not suggesting concrete proposals for famine relief etc.

२) अंदाजपत्रका संबंधी

२३ मे १९५२ च्या राज्यसभेच्या बैठकीत १९५२-५३ च्या अंदाज पत्रकावर सर्वसाधारण चर्चा सुरू झाली. या बाबतीत २७ मेच्या राज्यसभेच्या बैठकीत बाबासाहेबांनी जे भाषण केले ते सभापती राधाकृष्णन् यांच्या आदल्या दिवशी केलेल्या (पत्राने) सूचनेवरून ते भाषण बरेच विस्तृत आणि माहितीने ओतप्रोत भरलेले होते. त्याचे सार असे :-

सरकारने अधिक धान्य पिकवा ही मोहीम हातांत घेतली व तीत शेतकऱ्यांना अधिक धान्य पिकविता यावे म्हणजे धान्याच्या किमती खाली येतील व जनतेची सोय होईल. पण शेतकऱ्यांनी प्रवृत्ती (गरजेचे) धान्य पिकविण्यापेक्षां आर्थिक प्राप्ती करून देणारी पिकेच पिकविण्याकडे जास्त झाली व त्यात सरकारी आर्थिक साहाय्याचा बराचसा भाग खर्च झाला. म्हणून अधिक धान्य पिकवा ही मोहीम यशस्वी झाली नाही. सरकारने आर्थिक सहाय्य अन्नयोजनेसाठी जे घ्यावयाचे ते शहर व खेडे अशा दोन्ही ठिकाणी दिले पाहिजे व धान्याच्या किमतीवर नियंत्रण ठेवले पाहिजे. त्याच-प्रमाणे शेतकऱ्यांनी अन्नधान्य पिकवावीत, असा सरकारने दंडक तयार केला पाहिजे. सरकार लष्करी खात्यावर अवाढव्य खर्च करीत आहे. काश्मिरच्या संरक्षणाला हा खर्च आवश्यक आहे, असे जर कोणी म्हणेल तर त्याला उत्तर हे की, पाकिस्तान, काश्मिर व हिंदुस्थान यांच्यावर स्वारी करण्याइतके मूर्ख नाही. तेव्हां सैन्यावरील खर्च कमी करून त्या बचतीचा उपयोग समाजकल्याणाची कामे करण्यात यावा. या बाबतीत ग्रेट ब्रिटनचे उदाहरण नमुनेदार आहे. त्याचे भारताने अनुकरण केले पाहिजे. बाबासाहेबांचे ते भाषण असे :-

Dr. B. R. Ambedkar (Bombay): Mr. Chairman, I propose to bring from the point from which I had to leave off, before, my observations on the President's Address. The House will remember that when I had to break off. I was dealing

with the question of food subsidy. Today I find myself in a much better position to deal with the matter, because in the interval we have had a statement from the Finance Minister justifying why he has taken what might be called a 'Political roundabout'. The explanation that Finance Minister has given in an explanation which I think is more intended to frighten people from demanding any subsidy with regard to food. His explanation is this that if he at all must do anything in the matter of food subsidy, he must do it in a manner so that he might be able to maintain the price level at the level it stood in the last year. That is I believe his starting promise. And then he develops his premise by saying that if on the basis that the subsidy is given only if he maintains the last year's price level, if the subsidy is to be continued to industrial areas, he would required to pay Rs. 60 crores; and if that subsidy is to be extended to the rural area, he will be required to pay Rs. 90 crores. Obviously if these figures are correct, they are quite calculated to moderate the spirit of the great enthusiasts who want some kind of food subsidy to be given, so that the misery of the consuming classes may be alleviated to some extent. So far I understood, nobody has pitched his flag so high as it has been represented to be by the Finance Minister. So far as I have been able to pursue the discussion that has been taking place in the various newspapers, nobody has said that you must give subsidy to such an extent and on such a magnitude that the price level of this year would be the same as the price level of last year. Nobody is demanding that. Secondly, Sir, with regard to the question of the rural demand which has been put forth by the Hon. Finance Minister as a ground for refusing subsidy, I am sorry to say that he has now agreed to accept that condition when the same has been urged upon him for the last several years and which he has repudiated all along. I am sure that it has been the demand of the provincial Ministers that if you are giving subsidy, you must not make a discrimination between the industrial population and the rural population You

must give subsidy to all or you must give subsidy to none. That has been an old old argument. But I do not remember a single Finance Minister or a single Food Minister — and we have had a series of them one after the other — having ever agreed to that proposition. It has always been the policy or the contention of the Government of India that in the matter of allocating subsidy, certain classifications must be made. A classification must be made....

The Minister For Finance (Shri C. D. Deshmukh): On a point of information, Sir, the system of subsidy whereby only industrial towns where Subsidized was adopted only last year.

Dr. B. R. Ambedkar : Sir, the demand, that the subsidy should be extended to the rural area is not a new thing at all. No Government of India, so far as I remember agreed to that demand.

Shri C. D. Deshmukh: What I meant was that before last year the subsidy was given to rural as well as urban areas; so no such condition could have been made.

Dr. B. R. Ambedkar : If that is so, then it is all the worse for the Finance Minister, I should say. If in the past year you have accepted the demand the subsidy should be given to all, then I do not quite understand why you should recite from that position now.

Shri H. N. Kunzru (Uttar Pradesh) : Whatever may be the demand, he has said in this connection that the subsidy was not given not merely to industrial centres. Is that a fact? Was subsidy given to those rural areas where there was a large heavy deficit in the country as a whole, in accordance with recommendation of the first Food Policy Committee?

Shri C. D. Deshmukh : My point was that the subsidy was not confined only to the industrial areas except during last year.

Dr. B. R. Ambedkar : My contention has been that because you cannot do the very best, let not the better be the enemy of the good. Do whatever good you can; if you cannot do it better, the country will be prepared to excuse you, because of your limited sources. But because you are not preparing to do even the good, when you agree to do it, by making a provision of Rs. 25 crores in the Budget, I think the public will have a legitimate right to complain.

Sir, I would like to draw the attention of the Finance Minister to what the Chancellor of the Exchequer has done in England in the course of his Budget. He knows, I think, much better than I do. I have collected my facts from newspapers and other magazines where I have been able to find a certain analysis of the Budget presented by the Chancellor of the Exchequer to the House of Commons. Now, Sir, confining our attention to the matter of food subsidy, I find that in the year 1950 in England, the food subsidy was £ 480 million. In the last Budget the subsidy has been reduced — there has been a cut of £ 160 million. Well, so far as this part of the Budget of the Chancellor of the Exchequer is concerned, probably the Hon. Finance Minister may take comfort in the fact that after all he is not doing something different from what the Chancellor of the Exchequer has done in England. But if you look to the other side of the picture of the Budget produced by the Chancellor of the Exchequer in England — taking the other side, the counterbalancing proposals of the Chancellor in England — I find that while the subsidy has been reduced, there has been an increase in income-tax relief to the extent of £ 2,228 million. Secondly, there has been an increase in family allowances to the extent of £ 37 million. There has been a considerable increase in pensions. There has been an enormous increase in the housing subsistence. Now, all these reliefs which have been provided for by the Chancellor of the Exchequer in his Budget beyond question have the effect of increasing the purchasing power of the consumer. If there is so much increase in the pur-

chasing power of the consuming community, it matters very little if the subsidy has been reduced by £167 million.

What are the reliefs of that our Hon. Friend the Finance Minister has provided in his Budget? Nothing. The level of taxation, whether of direct or indirect character, is just the same. The purchasing power of the people remains where it was. In addition to that, he is now increasing the cost of food. This I find to be a fundamental difference in the approach of the Hon. Finance Minister to the problems of the people and that of the Chancellor of the Exchequer, I think my Hon. Friend Finance Minister may well consider whether he might not copy something from the Chancellor of the Exchequer proposes to do in England for increasing the welfare of the people.

9 a.m.

Now, Sir, I have not been able to exactly understand what position the Hon. Finance Minister proposes to take. But I want to put it in the best light because I know he is an honest person with the greatest good of the people at his heart. What is he trying to do? So far as I have been able to understand the policy of the Government of India with regard to food, I do not think that the Hon. Finance Minister is opposed to subsidy. If I put this position correctly as I understand it, he is in favour of subsidy, but his position seems to be that the subsidy instead of being granted to the consumer ought to be granted to the producer, either in the form of grow moer food grants or in some other way. His object, logically speaking I do not find any difficulty in accepting its validity — is that if you produce more food in the country, prices will fall, consumers will benefit and subsidy to the consumer may then not be necessary. I believe that I have stated his position somewhat correctly if I have understood it. He wants subsidy, but he wants it to be given to the producer and not to the consumer.

Well, Sir, that may be one kind of approach, different though it may be from the line of approach which some of

us take. The question I think that we have to ask with regard to this attitude is this: which is going to benefit the people quickly? So far as this subsidy for the grow more food policy is concerned, I do not think that it could be contended by the Government that the subsidy has been of any consequence so far as the production of food is concerned. I think it is not necessary for Members of opposition to cite any authority when we know as a matter of fact that the Reserve Bank, income of the investigations which it undertook, reported that the grow more food policy has been a complete failure. Obviously, therefore the policy of not giving subsidy to the consumer but giving it to the producer, has not produced the effect desired by the Hon. Finance Minister.

The second thing which I find why this emphasis on the grow more food has failed is because of the contradictory policy which the Food Department, or the Government of India, has been following. On the one hand, they have been giving subsidy to farmers and others to provide more food. At the same time, they are giving encouragement for the production of what are called cash crops, which are every moment competing with the production of food. A farmer finds it much more to his advantage to produce cotton, seeds, black pepper and things of that sort. He does not care for the growing of more food. Surely, if the Government's objective — and firm objective — is to produce food, Government ought to have taken some steps in order to curb tendency on the part of the farmers to produce something other than food. That Government has not done. The result is that we have in this country two competing economic activities so far as agriculture is concerned, the cash crops *versus* food production.

The result is that notwithstanding the grow more Food Campaign and the amount of money that has been spent, we have not been able to produce more food prices. The question that I would like to ask the Hon. Finance

Minister is this. Would he or would he not realise that if his object is to reduce prices by the production of more food, and if that object has failed, should he still continue to penalise the consumer and not give him any subsidy or offer him any kind of relief from the distress from which he is suffering? That is the point. There is no dispute that some kind of subsidy is necessary in this country in the situation in which we find ourselves. The whole question is, at what point the blood may be supplied, at what point the subsidy may be given to the producer or to the consumer. I make this observation in the hope that the Hon. Finance Minister will reconsider the line that he has been pursuing, namely, that our immediate problem could be solved more by giving subsidy to producer and not to the consumer. He may succeed. As we know originally, our Government, when I was a member of it had announced that we must achieve self-sufficiency by the year 1952. Our Prime Minister, day in and day out, emphasised that after 1952 we shall not import a single grain of food from outside. Today, I think I am right in saying that the Government of India have realised that reaching self-sufficiency in 1952 was an idle dream. They have now proclaimed that we will achieve it by 1956. God only knows. The target is always receding; it goes back and back. We do not know for how many years the consumers in this country will have to undergo this agony and allow the Finance Minister and the Minister of Food to delay the thing, by trying as if in a laboratory the various proposals and the various schemes they have in their mind. I do not wish to dilate upon this subject any more.

Sir, I would now say a few words with regard to the General Budget as a whole. The Budget undoubtedly in every country is an expression of the functions which a Government undertakes towards its people. There was once a time in this country when the function of the British Government was to collect taxes and to maintain law and order. The welfare of the public, the well being of the

people, their educational advancement, public health, unemployment, or any of those remedies and reliefs, which were now found functioning on such a large scale in the Budgets of the various European countries had no place. Not only they had no place in the Government but the Government itself had not accepted any liability on that account. We thought and we hoped that when this country become independent, that aspect of the matter would change, that the Government would not be merely a Government of an agency to collect taxes and a magistrate to punish people for wrongful action, that the Government would do something more, that the Government would assume the function which all civilised Governments have assumed in the 20th century. Sir, can anyone scanning the Budget which has been presented to this house say that they can find any trace of any other functions, which all modern civilised nations and States assume to themselves, reflected in the Budget of the Finance Minister? I can find nothing. We are still repeating the old history of the British, namely, to collect taxes, to punish offenders. No provision is made for all the social benefits which are conferred upon the poorer and lower classes in other countries in the world. I want to ask the Hon. Finance Minister : "Can he promise us, as he had promising in the case of the food subsidy, that we will be self-sufficient in food in 1952, if not in 1952 it shall come in 1956; if not in 1956 it shall come in the year 1960?" There is some hope, so long as there is a fixed day or a promised day of the arrival of the new regime. Can he tell us that we can tread upon the path foreign countries have been following so far as social services are concerned? He has said none. The whole thing in the Budget, to put in a nut-shell — it has been put, I know, by other speakers before me — the crux of the whole matter in this country is that the Army is eating up into the vitals of the funds that are necessary for the well-being of this country. We have, in a total Budget of Rs. 404 crores, a sum of nearly Rs. 200 crores spent on the Army. It is difficult to understand this position. Sir, when peace came, and

order of demobilisation was passed. It was decided by the then British Government that the Army of India should be reduced. What do we find? We find that in the year 1947, the revenue of the Government of India was somewhere about Rs. 172 crores. I am speaking of the Budget for the 8 months that was then presented from August 1947 to April 1948. The military Budget then was Rs. 90 crores. Our revenue today has grown to Rs. 404 crores, and our military expenditure has also grown to nearly Rs. 200 crores. It is an extraordinary thing that when your revenue rises, your military expenditure also rises. My view was that the revenue should be the process, that your military expenditure ought to go down. If you can reduce the military expenditure by a modest sum of Rs. 50 crores, how much good we can do to our people? We can apply this reduction of Rs. 50 crores in the Army Budget to river valley projects. The Damodar Valley Project could be completed within three years out of our revenue Budget instead of having to go to foreign countries for aid. If we could spend that amount of Rs. 50 crores out of the military Budget for the betterment of our own people, what amount of good we can achieve? But I have not been able to understand why the Government of India has been consistently and regularly increasing the military budget. Sir, it is an extraordinary thing from another point of view. We have told that our foreign policy is a policy of peace and friendship. My Hon. Friend, Diwan Chaman Lall, called it the Nehru Doctrine. If that is the object of the Nehru doctrine, it is a welcome doctrine provided it was observed at all. Now, if the object of the foreign policy of this country is to maintain friendship and peace throughout the world, I want to know who are our enemies against whom we want to maintain this huge army at a huge cost of Rs. 197 crores.

Shri J. R. Kapoor (Uttar Pradesh) : Our next door neighbour.

Dr. B. R. Ambedkar : I do not know that. If we were informed that our relatives with certain foreign countries were not happy, that there might be any time a danger to our safety and to our security, it would be possible for most of us to agree that rather than wait for the arrival of the danger, we should keep the Army ready so that in an emergency we may face the danger squarely. But we are told that we have no enemy at all in the world. Then, why this Army is maintained, I do not quite know. Secondly, the only possible enemy, if one may use the word, is probably Pakistan. And that too, on account of Kashmir. Now, with regard to Kashmir, I hope that this House will have a full opportunity of discussing the question. I did not have time to say anything, nor did I think it right to spend just a few moments on a problem so great as that of Kashmir. But surely the matter is with-in the charge of the U.N.O., and I do not think that Pakistan would be so foolish as to invade Kashmir or to invade this country in the teeth of the U.N.O. decision on the subject. Therefore, again, why are you maintaining this Army? I am quite unable to understand the point.

Then, Sir, on our part we never seem to be able to realise that the sooner we settle this Kashmir problem the better for us, because if the excuse for this enormous increase in our Defence Budget is to be attributed to the Kashmir tangle, is it not our duty to do something, to contribute something, positively in order to bring that dispute to an end? I cannot expediate on the subject, but so far as I have been able to study the part played by the Government of India in connection with the negotiations that have been taking place on the settlement of the Kashmir issue, I am sorry to say that I have not read a single word which I can describe as a positive and not negative suggestion on the part of the Government of India to settle this question. All that they are dealing with is the question of military allotment. The question of plebiscite is in no way new in history of the world. One need not back to

the ancient past to find precedents are settling question of this sort of plebiscite. After the First World, I certainly remember these were two questions to be settled by plebiscite. One was the questions of Upper Silesia and the other was the question of Alsace-Lorraine. But these questions were settled by plebiscite, and I am sure that my Hon. friend Shri Gopaldaswami Ayyangar with his mature wisdom and sagacity, must be knowing of this. Is it not possible for us to borrow something from the line of action taken by the League of Nations with regard to the plebiscite in Upper Silesia and Alsace Lorraine which we can usefully carry into the Kashmir dispute and have the matter settled quickly so that we can release Rs. 50 crores from the Defence Budget and utilise it for the benefit of our people?

I do not want to say much more, but I do want to say that most of us are feeling very keenly that the Defence Budget is the greatest stumbling block in the path of the welfare of this country.

There is one other thing to which I would like to draw the attention of the Finance Minister. He has already indicated in the course of his Budget Speech that the prospect for this country so far as taxation is concerned in the future, is not very happy one. He himself has admitted that our income-tax revenue would not remain at the same level at which it has remained for the last two years. He knows very well that the export duty, which forms a very large part of the present revenue of the country, is no longer to be regarded as permanent part of the revenue structure of this country. Export duties which in all countries are of an unusual sort, extraordinary in their character, never can be regarded as a natural part of the tax structure of a country and depend upon conditions in foreign countries. The moment those conditions vary, you have got to vary the tax. You may meet with a situation where you may have to abandon such duties completely. The fear which I feel on account of this prospect in the decline

of revenue is this : How is the Finance Minister going to make good the losses that might occur by the reduction of certain items on the revenue side? Will he cut into the Defence Department's Budget or will he cut into the Budgets of the other Departments which are ministering to the social welfare of the people? I have no idea. If the opinion in favour of the relation of the armed forces at the present level of expenditure prevail our conditions, so far as the welfare of the people are concerned, will deteriorate considerably. I want the Finance Minister to take note of this fact and tell us something about what he would do when such a prospect presents itself to him in the concrete.' (Parliamentary Debates May-July 1952, pp. 470-79 A's speech on May 27 on Government's Grow More Food Scheme.)

बाबासाहेबांच्या नंतर अनेक सभासदांनी भाषणे केली. संरक्षण खात्यावरील अंदाज पत्रकात कपात झाली पाहिजे, या बाबासाहेबांच्या मुद्यावर बहुतेक सभासद तुरून पडले. काश्मिरचा प्रश्न सोडविण्याबद्दल जो उल्लेख बाबासाहेबांनी भाषणांत केलेला होता त्यावरही कांही सभासद तुरून पडले.

("Shri Rama Rao (Madras) Neither does the size of the Indian Army to be kept in Kashmir come in the way of a settlement. Dr. Ambedkar is not the Commander-in-Chief of the Indian Army. Neither am I. The Indian Army is led by the Commander-in-Chief of the Indian Army. It is our intention and all agreed that we should have an army kept at a particular level, in Kashmir for the sake of its safety and security. We are not going to accept the opinion of the learned Doctor in this matter. We shall take no risks" Parliamentary Debates: May-July 1952, p. 525). ("Shrimati Violet Alva (Bombay) :— When I heard the learned Doctor, Dr. Ambedkar, talking so much on defence and forgetting so much at the same time of the size of this country, of the extensive length of her coast-line and her other boundaries, of the persistent cry of Jihad from Pakistan, of the turmoil, that the Near East is in, and of how we should be careful, I almost wondered how his eloquence

was lost on the floor of this House (P. 535) '.....
....I do not know how the Hon. Member, Dr. Ambedkar
could indulge in so much reckless talk when he himself
was part and parcel of this Government until yesterday...' p. 538).

["Shri K. S. Hegade (Madras)] (28-5-52) Dr. Ambedkar
made one of the most unfortunate speeches yesterday. It
was quite untimely, Sir. It was unfortunate and I say, it
was full of mischievous implications so far as the matter is
concerned? Dr. Ambedkar was one of the Members of the
Cabinet till recently and I think he had a hand in shaping
the policy of our Government towards Kashmir. I do not
know whether the Doctor took responsibility for the
Kashmir policy. I am sorry Dr. Ambedkar is not here. Is
it that Dr. Ambedkar has so changed his views that he
sees some 'political roundabout' in Mr. Deshmukh's policy?
Dr. Ambedkar's political somersault may not have been

noticed by him but is known to all others. Is the learned
Doctor willing to tell us that he did not agree with the
Cabinet policy in regard to Kashmir and yet that he
continued in the Cabinet for the sake of a job? or is it
that he has changed his policy overnight? It is unfortu-
nate, Sir, that political tradition and political philosophy
change so suddenly. We have one political tradition and
philosophy when a person is in the Government and we
have yet another political tradition and political philosophy
when he crosses over to the Opposition benches....." pp.
594-95 speeches of the members of Rajya Sabha criticizing
A's speech on Kashmir problem).

—x—

डॉ. भीमराव रामजी आंबेडकर

चरित्र खंड ११ वा

प्रकरण २ रे

लोकशाहीवरील उत्कृष्ट भाषण

बाबासाहेबांची प्रकृती साधारण जून १९५२ पासून सुधारू लागून आराम वाढू लागला. मार्गील १०-१५ वर्षांत, भगवान बुद्धाचे चरित्र व कार्य या संबंधी जे प्रचंड वाङ्मय वाचले होते त्याची टिप्पणे ते जुलै महिन्यात काढू लागले. मधून मधून ते इतर ग्रंथ लिहिण्यासाठीही वाचन करून टिप्पणे तयार करून ठेवीत असत. त्यांना निरनिराळ्या संस्थांकडून भाषणे करण्याची आमंत्रणे येत होती; पण प्रकृती अस्वास्थ्यामुळे त्यांनी कोणालाच होकार दिला नाही, गेले वर्षभर पुणेकर मंडळी त्यांचे व्याख्यान ठेवण्यासाठी धडपडत होती. पण साहेबांनी त्यांनाही होकार दिला नव्हता, ऑक्टोबरमध्ये बाबासाहेब परत मुंबईला आले तेव्हां पुण्याचे दोन वकील त्यांना भेटावयास आले. पुण्यात एखाद्या चांगल्या विषयावर बाबासाहेबांनी भाषण करावे, अशी पुनः त्यांनी बाबासाहेबाना नम्र पण आग्रहाची विनंती केली. बाबासाहेबांनी त्यांच्या विनंतीला मान देऊन, व्याख्यान देण्याचे कबूल केले. नंतर विषयासंबंधी पत्रव्यवहार झाला व विषय निवडण्यात आला. खरी लोकशाही म्हणजे काय व ती टिकविण्यास कोणती कारणे लागतात वगैरे सुद्यांवर बाबासाहेबांनी आपले विचार प्रदर्शित करावयाचे ठरविले. हे बाबासाहेबांचे विचार सर्व भारतीय जनतेला समजावेत अशी व्यवस्था आपण करणार आहोत, असे भेटीला आलेल्या वकीलांनी सांगितले होते म्हणून साहेबांनी त्याचा खुलासा विचारला तेव्हां त्यांचे भाषण छापून प्रसिद्ध करण्याचे त्यांनी बाबासाहेबाना कळविले. ही योजना बाबासाहेबामा पसंत पडली व भाषणाची ता. २२ डिसेंबर १९५२ र ठरविण्यांत आली. बाबासाहेबांनी आपले भाषण डिसेंबरच्या

पहिल्या आठवड्यात तयार केले, ते श्री. नानकचंद रतु यांनी टाईप केले. ते भाषण बाबासाहेबांनी पूना डिस्ट्रिक्ट लॉ लायब्ररीच्या हॉलमध्ये २२ डिसेंबरला संध्याकाळी ५ ते ७ वाजता वाचून दाखविले. भाषणानंतर कांदी जणांनी प्रश्न विचारले. साहेबांनी त्यांना उत्तरे दिली. प्रेक्षकांनी हॉल खच्चून भरला होता. हॉलच्या बाहेर किती तरी श्रोते उभे राहून भाषण व प्रश्नोत्तरे ऐकत होते. बाबासाहेबांचे मूळ भाषण इंग्रजीत आहे; त्याचा मी येथे अनुवाद देत आहे.

लोकशाही हे राज्यकारभाराचे एक रूप आहे. पण ते स्थिर नसते. ते नेहमी बदलत जाते. अशा निरनिराळ्या बदललेल्या स्वरूपांत जो राज्यकारभार चालविला जातो तो 'लोकशाही' या नांवाखालीच ग्रीक लोकांचा राज्यकारभार 'लोकशाही' स्वरूपाचा होता. ग्रीस देशातील निम्मे लोक गुलाम होते व निम्मे स्वतंत्र होते. अशा देशाच्या कारभारात गुलामांना कोणत्याही प्रकारचा भाग घेता येत नव्हता. तरी ५० टक्के लोकांनी चालविलेल्या राज्यकारभाराला 'लोकशाही' हे नांव होते. ग्रीक लोकशाहीपेक्षा भिन्न प्रकारची लोकशाही आपली आहे.

लोकशाहीचे रूप एका देशात कायमचे नसते. इंग्लंडमध्ये १६८८ च्या क्रांतीपूर्वी लोकशाहीचे जे रूप होते ते १६८८ च्या क्रांतीनंतरच्या काळात नव्हते. तसेच इंग्लंडमध्ये लोकशाहीचे जे रूप १६८८ मे ते १८३२ च्या काळात होते; ते १८३२ च्या नंतरच्या काळात राहिले नाही. १८३२ सालात इंग्लंडमध्ये राजकीय सुधारणा झाल्या.

लोकशाहीचे ध्येय कालमानानुसार बदलत असते. या ध्येयात बदल होत जातो. पूर्वी राजाची सत्ता अबाधित होती. तिला आळा घालण्यासाठी लोकशाही जन्माला आली. कर्तुमकर्तुमन्यथा कर्तुम् अशा स्वरूपाच्या राजेशाहीला लोकमताचा लगाम घालणे, हे पूर्वी लोकशाहीचे ध्येय होते. आता तिचे ध्येय लोकांचे जास्तीत जास्त हित करणे हे आहे.

लोकशाही यशस्वी होण्यास कोणती परिस्थिती कारणीभूत होते, हे मी अगोदर केलेल्या खुलाशावरून आयल्या लक्षांत येईल.

लोकशाही म्हणजे काय ? लोकशाही या शब्दाची व्याख्या अनेक लोकांनी अनेक स्वरूपाच्या केलेल्या आहेत. वॉल्टर बेजुअट या घटना पंडिताची व्याख्या 'चर्चा करून राज्यकारभार चालविणे' अशी आहे. 'लोकांचे, लोकांनी चालविलेले आणि लोकांच्यासाठी सरकार' अशी लोकशाहीची व्याख्या एब्राहाम लिंकन यांनी गेटिसबर्गच्या सुप्रसिद्ध भाषणांत केली होती. माझी स्वतःची व्याख्या निराळी आहे 'लोकांच्या राजकीय व सामाजिक जीवनांत क्रांतिकारक बदल रक्ताचा एकही थेंब न गाळता घडवून आणणे' म्हणजे लोकशाही होय, अशी माझी व्याख्या आहे. लोकशाही राज्यकारभार करणे, हे ज्यांचे कर्तव्यकर्म आहे, व तसा

ज्यांना अधिकार आहे अशा लोकांनी रक्ताचा एकही थेंब न सांडू देता समाजात सामाजिक व आर्थिक समता प्रस्थापित केली, तर त्या लोकांना मी लोकशाहीचे खरेखुरे सेवक म्हणून ! पण हे चित्र सत्य सृष्टीत उतरणे शक्य आहे काय ? होय आहे ! पण त्यासाठी लोकशाही यंत्रणा कशी राबविली पाहिजे म्हणजे ती यशस्वी होईल, हे प्रथम समजून घेतले पाहिजे. हे समजण्याचे मार्ग बरेच आहेत परंतु लोकशाही राज्य चालविण्यासाठी त्यांत कांही ठराविक नियम (सिद्धांत), उपनियम (उपसिद्धांत) आपणाला आढळून येणार नाहीत, ते एखाद्या तत्व-वेद्यनेही तयार केलेले नाहीत. यासाठी आपणाला इतिहासातूनच त्याचा मागोवा घेतला पाहिजे, या बाबतीत इतिहास आपणाला जे धडे देतो ते असे :—

(१) लोकशाही यशस्वी व्हायची असेल तर समाजांत श्रेष्ठ कनिष्ठ असे भेद नसावेत, सर्व समाज समतेच्या पातळीवर उभा असला पाहिजे. समाजात भेद असले तर समाजातील शक्ती विभागतात, व समाजाला निःसत्त्व करतात, अब्राहम लिंकनने यादवी युद्धाच्या वेळी दक्षिणेतील विरोधी अमेरिकन राज्यांना सांगितले की, तुम्ही आणि उत्तरेकडील आग्ही परस्परांपासून दूर झाले तर परका शत्रू आपणावर स्वारी करील, व मग आपणाला पारतंत्र्यात रहावे लागेल. ज्या देशांतील समाज विषमतेने पोखरले गेले. तेथे लोकशाही टिकू शकली नाही. संपूर्ण सामाजिक समता ही लोकशाही चिरायू करणारी एक संजीवनी आहे. (२) लोकशाही चिरायू करणारी दुसरी संजीवनी म्हणजे विरोधी राजकीय पक्ष. राज्यकर्त्यांचा एक पक्ष आणि विरोधकांचा एक पक्ष या दोन्ही खांबावर लोकशाहीचा राजवाडा उभारला जातो, यापैकी एकदा जरी खांब पोकळ झाला की लोकशाहीचा राजवाडा खाली कोसळतो. या दोन्ही पक्षांचे बळाबळ त्यांना निवडणुकीत जो समाजातून पाठिंबा मिळतो त्यावर अवलंबून असते. इंग्लंड व कॅनडा या देशांत राज्यकर्ता पक्ष विरोधी पक्षाला अत्यंत आदराने वागवितो. विरोधी पक्षाचा जो पुढारी असतो त्याला सरकारी पगार, नोकर वगैरे देण्यात येतात. हेतू हा की, त्याने विरोधी पक्षातर्फे सरकारी राज्यकारभारावर गरुडदृष्टी ठेवावी, व सरकारवर योग्य प्रसंगी टीका करून राज्यकारभारांत सुधारणा घडवून आणण्यास मार्गदर्शन करणे. (३) लोकशाहीला चिरायू करणारी तिसरी संजीवनी म्हणजे कायदा आणि राज्यकारभार याच्यापुढे सर्वांना समसमान धरणे. राज्यकर्ता पक्ष आपल्या पक्षातील लोकांना नोकऱ्या, परवाने (लायसेन्स) देऊ लागला तर लोकांत वेदिली उत्पन्न होईल, आणि राज्यकर्त्यांतीही लांच खाणे, पंक्तिप्रपंच करणे वगैरे भ्रष्टाचार सुरू होतील. त्यामुळे राज्यकारभार खिळखिळा होईल. लॉर्ड लिनलिथगो व्हाईसरॉय असतांना मी मंत्री होतो. यमुना नदीवर मोठे धरण बांधून तिचे पाणी दिल्ली शहराला पुरवावे, याबद्दलची योजना तेव्हां मी पी. डब्ल्यू. डी. तर्फे आखित होतो. तेव्हां व्हाईसरॉयचे चिटणीस मला भेटले व म्हणाले की, दिल्लीत राहून गेलेल्या सर्व व्हाईसरॉयांचे स्मारक येथे केलेले

आहे. तुम्हीही (या) लिनलिथगोचे स्मारक करा! त्यानंतर पी. डब्ल्यू. डी. चे चिटणीस मि. प्रायर यांना मी म्हटले की, आपल्या खात्याच्या एखाद्या कामाला जर आपण व्हॉईसरॉयचे नाव स्मारक म्हणून दिले तर चालेल काय? तेव्हा चिटणीस म्हणाले की ते सध्याच्या काळात योग्य दिसणार नाही. मंत्र्यांच्या इच्छेला नकार देणे, हे खात्याचे चिटणीस कधी करीत नाहीत आणि नकार दिलाच तर मंत्री त्याची बदली ताबडतोब करतो. मी मात्र लोकशाहीच्या तत्वांना जागून चिटणीसांच्या मताला मान दिला, आणि त्यामुळे दिल्लीत लिनलिथगोचे एकही स्मारक झाले नाही.

(४) चौथी संजीवनी म्हणजे संसदीय नीतिमत्ता आणि सारासार विचार यांचे काटेकोर पालन करणे. आपल्या राज्यघटनेबद्दल बऱ्याच लोकांना आदराचे उमाळे येतात. मला तसले उमाळे येत नाहीत. ती घटना रद्द करावी, निदान तिच्यात खूप फेरबदल घडवून आणावेत, असे मला वाटते. कारण आपल्या घटनेत कायदेशीर हक्कांचे अवडंबर माजविलेले आहे. घटनात्मक नीतिमत्ता व ती पाळण्याची मनाची सिद्धता जवळ जवळ अदृश्य स्वरूपात घटनेत वास्तव्य करतात. इंग्लंडच्या घटनेत त्या दृश्यस्वरूपात तर आहेतच; पण संसदीय परंपरेतही त्या उच्च स्थानी वास्तव्य करतात. आणि इंग्रज लोक त्यांचे पालन अत्यंत नेकीने करतात. जॉर्ज वॉशिंग्टन हा अमेरिकेचा पहिला अध्यक्ष झाला, तो जनतेत इतका लोकप्रिय होता की, तो जर अध्यक्षपदासाठी दहा वेळा जरी उभा राहिला असता तरी अमेरिकेच्या जनतेने त्याला दहाही वेळा अध्यक्ष म्हणून निवडून आणले असते. पण तो दुसऱ्या निवडणुकीसाठीही स्वतः उभा राहिला नाही. त्याला जनतेने आग्रह केला तेव्हा तो म्हणाला, “ मित्र हो! आपण आपली राज्यघटना तयार केली. तिचा मुख्य हेतू काय? आतापर्यंत परंपरागत एकाच वंशात जी राजकीय सत्ता चालत आली होती, ती बंद करणे, आणि लोकमताने त्या सत्तेवर उत्तम व्यक्तीला नेऊन बसविणे. दुसऱ्यांदा तुम्ही मला निवडून घ्याल, हे खरे. मग आपल्या घटनेला काळोखी लागते ना?” तरीही लोकाग्रहास्तव वॉशिंग्टन दुसऱ्यांदा अध्यक्ष झाला. पण तिसऱ्यांदा अध्यक्ष होणे साफ नाकारले. आठवे एडवर्ड हे राजवंशात न जन्मलेल्या एका अमेरिकन स्त्रीबरोबर विवाह करणार अशी बातमी इंग्लंडमध्ये पसरली तेव्हा इंग्रज लोकात मोठी खबळव उत्पन्न झाली. या लष्माला हुजूर पक्षीय सरकार विरोध करीत होते. मुख्यप्रधान मि. बाल्डविन यांना राजाने कोणत्याही विधीने या स्त्रीबरोबर विवाह करावा व राजा म्हणून रहावे, हे मान्य नव्हते. मि. चर्चिल यांना मान्य होते. मजूर पक्षाला यावेळी या घटनेचे राजकीय भांडवल करून हुजूर ह्क्षाला सत्तेवरून खाली ओढावयाचे होते, पण या मजूरपक्षांच्या विचारावर प्रो. हर्शॉल्ड लास्की यांनी अनेक लेख लिहून मजूर पक्षाला इशारा दिला की, हुजूर पक्षीय मुख्य प्रधानांचा सल्ला न ऐकता राजा जर हवे ते करू लागला व त्याच्या कुत्याला मजूर पक्षाने पाठिंबा दिला तर तो पाठिंबा, राजाच्या अनियंत्रित कुत्याला (सत्तेला) पाठिंबा दिल्यासारखे

होते. त्यामुळे इंग्लंडची संसदीय परंपरा (राजाने मुख्यप्रधानाची सल्लामसलत मान्य केलीच पाहिजे) मोडली जाते. मजूर पक्षाने हे पाप केले तर ते त्याला, तो पक्ष सत्तारूढ झाल्यावर भोगावे लागेल. लास्कीचा हा सल्ला मजूरपक्षाने मानला. आणि राजाने बाल्डविनच्या सल्लयप्रमाणे राज्यत्याग केला. अज्ञाप्रकारच्या नैतिक जबाब दान्या पाळल्याची अनेक उदाहरणे इंग्लंडच्या इतिहासात आहेत. यामुळेच संसदीय लोकशाही त्या देशात अनेक शतके चालली आहे. लोकशाही टिकविण्याला आणखी एका गोष्टीची जरूरी आहे ती म्हणजे (५) बहुसंख्य पक्षाने अल्पसंख्या पक्षाला सन्मानाने वागविणे, त्यावर अन्याय न करणे. १९३१ च्या राष्ट्रिय सरकारच्या वेळी मजूर पक्षाचे पार्लमेंटमध्ये ५० सभासद (सर्वसभासद ६५०) होते. पण त्यांनी सत्तारूढ पक्ष आपल्यावर अन्याय करतो, अशी एकदांही तक्रार केली नाही. मुंबई व दिल्ली येथील कायदेमंडळात मी जे पाहिलेले व अनुभवलेले आहे ते मात्र याच्या अगदी उलट आहे. विरोधी पक्षाचा सभासद, बोलण्याची परवानगी मंगू लागला की त्याला सत्तारूढ पक्षाने हैराण करावे, त्याने मांडलेली लोकहिताची विले अगर ठराव यांना श्टकून टाकणे, वगैरे लोकशाहीला धिक्कातक असे अनेक प्रकार सर्वश्री खैर, मोरारजी देशई, मुनशी, मावळंगकर, वगैरे बहुसंख्य पक्षांतील सत्ताधाऱ्यांच्या कारकीर्दीत मला पहावयास मिळाले. अशा स्थितीत अल्पसंख्य पक्ष बहुसंख्यांकाचा द्वेष करू लागतात, हे ओघानेच येते. अशा अवस्थेत देशांत परस्परांतील द्वेषभावना वाढत राहिली तर लोकशाहीला ती भस्म करणारच.

समाजात नैतिक मूल्यांची बूज राखली जाईल, असे सामाजिक वातावरण अस्तित्वांत असणे इष्ट आहे. या वातावरणामुळे राजकारणांत अनिष्ट प्रवृत्तीचा प्रवेश होणार नाही. या तऱ्हेचे वातावरण लोकशाहीला पोषक आहे. हे वातावरण आपल्या देशांत नाही, आणि भारतीय समाजांतही नाही. आपली लोकशाही या अशा प्रकारच्या वातावरणांत टिकून राहणे हे कठीण काम होय !

या वातावरणाला पोषक अशा एका गोष्टीची जरूरी आहे. ती म्हणजे 'सार्बजनिक सारासार विचारशक्ती' न्याय, अन्याय, पाप-पुण्य, इत्यादी गोष्टींचा समाजशक्तीवर बरावाईट परिणाम होतो, हे जाणण्याची शक्ती म्हणजे 'सार्बजनिक सारासार विचारशक्ती' ही जाणीव सर्व नागरिकांत असणे व त्याप्रमाणे त्याने वर्तन करणे ही समाजाच्या व देशाच्याही दृष्टीने महत्त्वाच्याची गोष्ट समजली पाहिजे. इंग्लंडमध्ये असा कायदा होता की 'ज्यू' जमातीतील माणूस मेला की, त्याची सर्व इस्टेट राजाकडे जात असे. या इस्टेटवर 'ज्यू' च्या (वारसाचा) मुलाचा हक्क नसे ही परिस्थिती इंग्लंडमध्ये पुष्कळ दिवस टिकून होती. कारण बहुसंख्य ख्रिश्चन नागरिकांना हे पसंत होते, आणि राजाला ज्यादा पैसा-जमीन (मालमत्ता) मिळते म्हणून त्यालाही हा कायदा मान्य होता. या कायदाविरुद्ध ज्यू लोकांनी चळवळ सुरू केली तेव्हां ख्रिश्चन व राजा यांच्या छळाना ज्यू लोकांना तोंड द्यावे लागले. नंतर

इंग्लंडमध्ये सुविचार प्रस्तुत करण्यास कांही व्यक्ती सरसावल्या. त्यांनी समाजांत सारासार विचारशक्तीबद्दल आपले विचार समाजांत रुजविले. अन्याय कोणत्याही धर्मातील, पक्षातील अगर गटातील व्यक्तींवर झालेला असेल व तो नष्ट व्हावा म्हणून त्या व्यक्ती धडपडत असतील तर त्यांना सक्रीय पाठिंब्या देणे, हे प्रत्येक मानवाचे कर्तव्य होय, मग त्या मानवाचा त्या अन्यायाशी कांहीही संबंध नसला तरी हरकत नाही. या विचार सरणीने जेव्हा इंग्रज लोक भारावले तेव्हां त्यांनी 'ज्यू' च्या चळवळीला पाठिंब्या दिला, व मग लवकरच तो ज्यू विरोधी कायदा पार्लमेंटने नष्ट केला. दक्षिण अमेरिकेत श्वेतवर्णी लोक कृष्णवर्णी भारतीयांवर अनेक अन्यायकारक कायदे लावून त्यांना पशुप्रमाणे वागवीत आलेले आहेत. हिंदी लोकांनी या अन्यायाविरुद्ध जेव्हा चळवळ सुरू केली तेव्हा रे. स्कॉट ही श्वेतवर्णी व्यक्ती हिंदी लोकांतर्फे चळवळीत कार्य करू लागली. अलिकडे बरीच श्वेतवर्णीय तरुणतरुणींची मंडळे हिंदी लोकांची बाजू घेऊन श्वेतवर्णीयांवरोबर भांडत आहेत. हा सारा सार्वजनिक सारासार विचार शक्तीचा प्रभाव. स्पृश्य लोक अस्पृश्य लोकांवर हजारो वर्षे अन्याय करीत आले आहेत. त्याविरुद्ध शिड्यूल्ड कास्टस् फेडरेशनने जेव्हां जेव्हां चळवळ उभारली तेव्हां तेव्हां बहुसंख्य हिंदूकडून आम्हाला शिव्याशाप व विरोध सहन करावे लागले. आम्हाला पाठिंब्या देणारे हिंदू हाताच्या नोट्यावर मोजता येतील, इतकेच होते. असे का ? कारण हिंदू समाजात सार्वजनिक सारासार विचार शक्ती नाही (हेच त्याचे उत्तर) !

लोकशाही अस्तित्वात आणण्यासाठी आणि तिचे पालनपोषण करण्यासाठी गेल्या काही शतकात इंग्लंड, अमेरिका, फ्रान्स, वगैरे देशात किती रक्तलाहित उलथापालथी झाल्या, हे आपणाला माहित आहेच. १९१४-१८ चे पहिले जागतिक युद्ध झाले व नंतर युरोपात अनेक देशात फ्रान्सा झाल्या, राजेशाही नष्ट झाली आणि लोकसत्ता व दंडुकेशाही अस्तित्वात आल्या. दुसऱ्या महायुद्धात काही देशातील लोकशाही नष्ट झाल्या व तेथे दंडुकेशाही अस्तित्वात आल्या. असे कां झाले ? या प्रश्नांची उत्तरे मी आज येथे संक्षेपाळी तुमच्यापुढे जे भाषण केले त्यांत पहावयास मिळतील. ती उत्तरे तुम्हाला पटतील, अशी माझी खात्री आहे. आपण आपल्या देशात लोकशाहीचे बीजारोपण केलेले आहे. ते रोप वाढविणे ही आपली राष्ट्रीय जबाबदारी आहे. ती वाढविण्यासाठी हिंदी समाजात व राजकीय पक्षात कोणत्या गोष्टींची आवश्यकता आहे हेही तुम्हाला मी भाषणात सांगितले. त्याप्रमाणे सर्व हिंदीसमाजाने वागले तर आपली लोकशाही वाढीस लागेल व टिकेल. नाहीतर सिरिया, इराक, इजिप्त वगैरे देशात जशी दंडुकेशाही चालू झाली तशी ती आपल्याही देशात सुरू होईल. याबाबतीत तुम्हाला म्हणजे हिंदी समाजाला भयसूचक इशारा देणारे भाषण करण्याची तुम्ही मला जी संधी दिली व ते भाषण शांतपणे ऐकून घेतले, याबद्दल मी आपले आभार मानतो. मी माझे कर्तव्य केले, याबद्दल मला समाधान वाटते.

“Dr. B. R. Ambedkar

PARLIAMENTARY DEMOCRACY

—x—

Dr. Ambedkar's Address at District Law Library', Poona
Bar, on Monday the 22nd December 1952. Price : 12 Annas.

—x—

Printed by D. D. Gangal, Loksangraha Press,
624, Sadashiv Peth, Poona 2.

Published by V. B. Gogate, LL.B., Pleader,
Honrrary Secretary, Poona District Law-Library, Poona-5.

—x—

DR. AMBEDKAR'S ADDRESS.

CONDITIONS PRECEDENT FOR THE SUCCESSFUL
WORKING OF DEMOCRACY.

Dr. B. R. Ambedkar:— Mr. Chairman and Gentlemen,
When the invitation came, I wrote to your Secretary that
I would very much like to know what are the subjects in
which the members of the Distriert Library are interested,
because I may come here and speak on a subject in which
they may have no interest. If so, the visit would be of no
value whatever either to you or to one. He was kind enough
to send me a list of four subjects. He said, “You can select
any one of them.” I was hurry to reply to him and could
not convey to him actual decision as to what subject I
would select. But I told him in general way that I would
select one of the four and if I did not select one of the
four, I will not travel beyond the ambit of the four which
he had prescribed. The one subject which he had pres-
cribed. The one subject which attracted me which
he had mentioned was Parliamentary Democracy and
I thought that, that was a subject on which I might
speak. The subject which I have selected is not
Parliamentary Democracy, but something which is very
closely associattd with Parliamantary Democracy and

which from my point of view, and I believe from the point of view of the country, is a very important subject. Now, the subject on which I am going to speak to you this evening is according to my wording of the subject.. 'Conditions Precedent for the Successful Working of Democracy'. What are the conditions precedent which must exist in order that the democratic form of Government may continue to work without any kind of hindrance. This is the subject on which I propose to make a few observations.

SETTING FOR THE SUBJECT.

Now, before I actually deal with the subject matter, I propose to make a few preliminary observations in order to provide, what we call a setting for the subject.

The first preliminary observation I propose to make is this that democracy is always changing its forms. We speak of democracy but democracy is not always the same. The Greek spoke of Athenian democracy. But as every one knows, the Athenian democracy was as different from our modern democracy as chalk is from cheese. The Athenian democracy consisted of people 50 per cent of whom were slaves. Only 50 per cent were free. The 50 per cent who formed slaves had no place in the Government at all. Surely our democracy is quite different from the Athenian democracy.

The second thing to which I would like to draw your attention by a preliminary observations is that even in the same country democracy is not always the same. You take the history of England's Revolution of 1688. Was the same as the English democracy which came after the revolution of 1688? Nor can anyone say that the English democracy as is existed between 1688 and 1832 when the First Reform Bill was passed, is the same as the democracy that developed after the passing of the Act of 1832. Democracy keeps on changing its form.

The third thing that I would like to draw your attention is that democracy not only undergoes in

forms, democracy always undergoes changes in purpose. You take the ancient English democracy. What was the purpose of that democracy? It was to curb the king, to prevent the King from exercising what we now in law call his prerogative rights. The king even went to the extent of saying that although parliament may be there, as an enactment making body, "I as a king have got the prerogative to make the law and my law shall prevail." It was this kind of autocracy of the king which made democracy to come into being.

Today what is the purpose of the democracy? The purpose of modern democracy is not so much to put a curb on an autocratic king but to bring about welfare of the people. That is the distinct change in the purpose of democracy. You will therefore see that in the title which I have given to my subject, I have deliberately used the words 'Conditions precedent for the success of modern democracy.'

DEMOCRACY DEFINED.

Again what do we mean by democracy? Let us have a clear understanding before I proceed to any subject. Democracy has been defined; as you know, by various people, writes of political science and philosophers, sociologists and so on. I take only two for the purpose of illustrating my point. I do not know whether any of you is acquainted with that famous book by Walter Bagheot on the English Constitution, the modern attempt to give a clear picture of democracy. If you refer to that book of Walter Bagheot, his definition of democracy is 'Government by discussion'. That is how he defines democracy. Take another illustration and that is of Abraham Lincoln. In his famous Gyatisburg speech which he made after the conquest of the Southern States, he defined democracy as a "Government of the people, by the people and for the people." Well many other definitions could be added in order to give an idea what people mean by democracy. Personally for myself, I define

democracy in a different way in a much more concrete way. I think my definition of democracy is, 'a form and method of Government whereby revolutionary changes in the economic and social life of the people are brought about without bloodshed'. That is my definition of democracy. If democracy can enable those who are running it to bring about fundamental changes in the social and economic life of the people and the people accept those changes without resorting to bloodshed, thus I say that there is democracy. That is the real test. It is perhaps the severest test. But when you are judging the quality of a material, you must put it to the severest test. And this is how I propose to define democracy at any rate so far as today's address is concerned. Now, how can such a democracy be successful? This is a main subject-matter of my address. Now unfortunately there are no dogmas laid down by any of the authors who have written about this subject of democracy which can give us any idea in concrete, as to what are the conditions precedent according to their judgement to make democracy a success. One has to read history and as a result of reading history to find out the break-down period in democracy's life in the different parts of the world where it has functioned and come to one's own conclusion.

CONDITION No. I

The first condition which I think is a condition precedent for the successful working of the democracy is that there must be no glaring inequalities in the society. There must not be a class which has got all the privileges and a class which has got all burdens to carry. Such a thing such a division, such an organisation of society has within itself the germs of a bloody revolution, and perhaps it would be impossible for the democracy to cure them, Lincoln once said, "If you of the Southern States and we of the Northern States are divided, we shall not be able to stand together when a foreign enemy comes." That was probably the meaning that he wanted to convey when he said that the house divided cannot stand. But think that

phrase of his or sentence of his is pregnant with much deeper meaning and it means, as I understand it, that the deep cleavages between class and class are going to be one of the greatest hindrances on the success of democracy. Because in democracy what happens? In democracy everybody, even the oppressed, the suppressed, those who are deprived of their rights and those who carry the burden, they have the right to vote in the same way as those who have all privileges, and probably those who are privileged are fewer than those who are unprivileged and since we adopt a majority rule as the rule of decision it is quite possible that if the privileged few will not willingly and voluntarily surrender their privileges, then the distance between them and lower orders will destroy democracy and bring into existence something quite different. There is, therefore, no doubt in my mind that if you examine the history of democracy in various parts of the world, you will find that one of the causes for the breakdown of democracy is the existence of these social cleavages.

CONDITION No. II

The second thing which a successful working of democracy requires is the existence of opposition. Now, I have seen many people not only in this country but in (the) England condemning the party system. I was just recently reading, just before I came, a little small book published by the *Harvard Society* on the party system in England and there is one whole chapter devoted to this question whether the party system is a good system and should be tolerated. There is a variety of views. Now it seems to me that all those who are against the party system and who must be taken also on that very amount to be against opposition, seem completely to misunderstand what democracy mean. What does democracy mean? I am not defining it. I am asking a functional question. It seems to me that democracy means a vote of power. Democracy is a contradiction of hereditary authority or autocratic authority. Democracy means that at some stage somewhere there

must be a veto on the authority of those who are ruling the country. In autocracy there is no veto. The king once elected is there with his divine right to rule. He does not have to go before his subject at the end of every five years to ask them, "Do you think I am a good man? Do you think I have done well during the last five years? If so, will you re-elect me?" There is no veto on the part of anybody on the power of the king. But in democracy we have provided, that at every five years those who are in authority must go to the people and ask whether in the opinion of the people they are well qualified to be entrusted with power and authority to look after their interest, to mould their destiny, to defend them. That is what I call veto. Now, a democracy is not satisfied with a quinquennial veto that the Government should go at the end of five years only to the people and in the meantime there should be nobody to question the authority of the Government. Democracy requires that not only that the Government should be subject to the veto, long term veto of five years, at the hands of the people, but there must be an immediate veto. There must be people in the parliament immediately ready there and then to challenge the Government. Now, if you understand what I am saying, democracy means that nobody has any perpetual authority to rule, but that rule is subject to sanction by the people and can be challenged in the house itself. You will see how important it is to have an opposition. Opposition means that the Government is always on the anvil. The Government must justify every act that it does to those of the people who do not belong to its party. Unfortunately, in our country all our newspapers, for one reason or other, I believe, it is the revenue from advertisement, have given far more publicity to the Government than to the opposition, because you cannot get any revenue from the opposition. They get revenue from the Government and you find columns after columns of speeches ruled out by members of the ruling party in the daily newspapers and the speeches made by the opposition are probably put some-

where on the last page in the last column. I am not criticising what is the condition precedent for a democracy. The opposition is a condition precedent for democracy. But do you know that in England not only is the opposition recognised, but the leader of the opposition is paid a salary by the Government in order to run the opposition. He gets a Secretary, he gets a small staff or stenographers and writers, he has a room in the House of Commons where he does his business. In the same way, you will find that in Canada the leader of the opposition gets a salary in the same way as a Prime Minister does, because in both these countries democracy feels that there must be some one to show whether the Government is going wrong. And this must be done incessantly and perpetually and that is why they do not mind spending money on the leader of the opposition.

CONDITION No. III

I think there is a third Condition which may also be called condition precedent for the success of democracy and that is equality in law and administration one need not at this stage dilate too much on equality before the law, although there might be cases here and there where there is no equality before the law. But what is important is equality of treatment in administration. It is quite possible for good many of you to imagine or to recall cases where a party government is carrying on the administration for the benefit of the members of the party. At any rate I can recall a great many instances of this sort. Suppose there is a law which says that nobody shall deal in a particular commodity without a license. Nobody can quarrel with that law because it is universal. There is no discrimination in that particular piece of legislation. But let us go further and see what happens when a man goes to a particular officer or to the Minister with an application for license in trading in a particular commodity. I do not know, it is quite possible again that probably the Minister may first look at his hat. What sort of coloured hat he is wearing? If he is wearing a

that which appeals to him and it assures him that he is a party man and another man goes with another sort of dress or belonging to another party and in making his decision the license is given to the first and refused to the second, although both of them on merits are equally qualified to have that license, then obviously this is a discrimination in administration and there is no equality. Of course the question of license i.e. granting of this privilege and that privilege is perhaps a small thing and effects only a very small class of people. But let us go further and see what would happen if this kind of discrimination enters administration. Supposing a member of a certain party is being prosecuted for a certain offence for which there is abundant evidence and suppose the head of the party in that particular area goes to the district magistrate and tells him that it is not right for him to prosecute this man because he belongs to his party, and says "well, if you don't do it, I shall refer the matter to the Minister and get you transferred from this place to some other place. You can just imagine what chaos and injustice would result in administration. The sort of a thing which used to happen in United States which is called a spoils system, that to say, when one party came in office, it removed all the employees that were employed by their predecessor including even the clerks and peons and they fill their vacancies by those gentlemen who helped the new party to go in power. The United States as a matter of fact, had no administration worth speaking of for a number of years. Subsequently they themselves realised that this was not helpful to any democracy. They abolished this spoils system. In England, in order that administration should remain pure, impartial away from politics and policy, they have made a distinction between what is called political offices and civil offices. The civil service is permanent. It serves all the parties which ever is in office and carries out the administration without any kind of interference from the Minister. Such a thing at one time did exist in our country when the British were here. I recall very clearly an incident in my own career as a member of

the Government of India. You perhaps will recollect that every Viceroy has got in Delhi, some street or Club named after him, the only Governor General who does not get his name attached to some street or institution is Lord Linlithgow. His Private Secretary was my friend. I was then in charge of P.W.D. and there were plenty of works I was in charge of. He came and quietly said to me "My dear Dr. could you do some-thing for naming some institution or work after the name of Lord Linlithgow? He said it is looking very glaring that everybody's name is there but not his. I said, "I will consider." I was then discussing the construction of a barrage over Jamuna in order to provide water to the city of Delhi in summer, because it goes dry in Summer. I told my Secretary who was a European by name Priar. And I said "Mr. Priar, look here. This is what the Secretary to the Governor General has said to me. Do you think we can do something," What do you think was his reply? His reply was, "Sir, we must not do any such thing at all." Such a thing at any rate in this country to do would be quite impossible. For any officer to say something which is contrary to the wishes of the Minister is, to my mind, utterly impossible. But in those days it was quite possible, because we too in India like Great Britain had made that wise decision that administration must not be interfered with the Government and that the function of the Government was to lay down policy but not to interfere and not to make and discrimination. This is very fundamental and I am afraid we had already departed from that and may completely abrogate and abolish the thing we have had so far.

CONDITION No. IV

The fourth condition precedent in my judgement for the successful working of democracy is the observance of constitutional morality many people seem to be very enthusiastic about the Constitution. Well, I am afraid, I am not. I am quite prepared to join that body of people who want to abolish the Constitution, at any rate to redraft it. But

what we forget is that we have a Constitution which contains legal provisions, only a skeleton the flesh of that skeleton is to be found in what we call Constitutional morality. However in England it is called the convention of the constitution and people must be ready to observe the rules of the game. Let me give you one or two illustrations which came to my mind of this movement. Yet remember when the 13 American colonies rebelled, their leader was Washington. It is really a very inadequate way of defining his position in American life of that day merely to say that he was leader. To the American people Washington was God. If you read his life and history, he was made the first president of the United States after the constitution was drafted. After his turn was over. What happened? He refused to stand for the second time. I have not the least doubt in my mind that Washington had stood ten times one after the other for the presidentship, he would have been elected unanimously without a rival. But he stepped down the second time. When he was asked why, he said "My dear people, you have forgotten the purpose for which we made this Constitution because we did not want a hereditary monarchy and we did not want a hereditary ruler or a dictator. If after abandoning and swearing away from the alliance of the English King you come to this country and stick to worship me year after year and turn after turn what happens to your principles? Can you say that you have rightly rebelled against the authority of the English King when you are substituting me in his place? He said, "Even if your loyalty and fidelity compels you to plead that I should stand a second time, I as one who enunciated that principle that we should not have hereditary authority must not fall a prey to your emotion." Ultimately they prevailed upon him to stand at least a second time. And he did. And the third time when they approached him, he spurned them away. Let me give you another illustration. You know Windsor Edward the VIII. Whose serial story has now been published in the Times of India. I had gone to the Round Table Conference and there was a great

controversy going on there as to whether the King should be allowed to marry the woman whom he wanted to marry, especially when he was prepared to marry her in morganistic marriage, so that she may not be a queen, or whether the British people should deny him even that personal right and force him to abdicate. Mr. Baldwin was of course against the king's marriage. He would not allow him, and said "If you do not listen to me, you will have to go". Our friend Mr. Churchill was the friend of Edward the VIII and was encouraging him. At that time Labour Party was in opposition. They had no majority and I remember very well the Labour Party people considered whether they could not make capital of this issue and defeat Mr. Baldwin, because there was a large number of conservatives who in their loyalty wanted to support the king; and I remember the Late Prof. Laski, writing a series of articles in the 'Herald', condemning any such move on the part of the Labour Party. He said "By our convention we have always agreed that the king must accept the advice of the Prime Minister and if he does not accept the advice of the Prime Minister, the Prime Minister shall force his ejection. "That being our convention, it would be wrong on our part to defeat Mr. Baldwin on an issue which would increase the authority of the king. And the Labour Party listened to his advice and did nothing of the kind. They said they must observe the rules of the game. If you read English history, you will find many such illustrations where the party leaders have had before them many temptations to do wrong to their opponents in office or in opposition by clutching at an issue which gave them temporary powers, but which they refused to fall a prey to, because they knew that they would damage the Constitution and damage democracy.

There is one thing which I think is very necessary in the working of democracy and it is this that in the name of democracy there must be no tyranny of the majority over the minority. The minority must always feel safe that although the majority is carrying on the Government the

maority is not being hurt, or the minority is not being hit below the belt. This is a thing which is very greatly respected in the House of Commons. Good many of you must be remembering the results of elections in England in 1931, when Mr. Ramsay MacDonald left the labour party, formed the National Government when the election came the labour party which I think numbered somewhere about 150 or 60, had only 50 members out of 650 which Mr. Baldwin as the Prime Minister. I was then there. But I have never heard of a single instance of this small minority of 50 members, belonging to the labour party under the huge majority of the Conservatives ever complaining that they were denied their due rights of speech, or opposition or making motions of any kind as you probably know. You take our own parliament, I am not justifying what the members of the opposition are doing by constantly bringing in motions of censure or adjournment motions. It is not a very happy thing to work in parliament to be constantly during these adjournment motions. All the same you must have noticed that there is hardly any motion, whether of adjournment or censure which has been admitted for the debate. It surprises me considerably. In my reading of the English parliamentary debates I have very seldom come across a case where a demand for adjournment has been refused either by the speaker, provided of course it is an order by the Government. When I was a member of the Bombay Legislative Assembly. There were a few of our friends Mr. Morarji, Mr. Munshi and Mr. Kher and others who were in office, they never allowed a single motion of adjournment to be discussed. Either our friend, Mr. Mavlangkar who was then speaker helped them by ruling it out or as he admitted, the Minister objected to it. You know what happens when a Minister objects? When a Minister objects, the man who proposes the adjournment motion has to produce 30 or 40 people, whatever the quota is. It may be that if Government were constantly to oppose adjournment motions of the small community which is represented in the house by a group of

few members such as 4, 5 or 6, such small minorities can never get a chance to ventilate their grievances. What happens is that these minorities develop a contempt for parliamentary people and develop a revolutionary spirit something unconstitutional. It is therefore necessary that when democracy is working, the majority on which it is based, must not act in a tyrannical manner.

The other point I will refer to and then close. I think that democracy does require the functioning of moral order in society, somehow, our political scientist have never considered this aspect of democracy. Ethics is something separate from politics. You may learn politics and you may know nothing about ethics as though politics can work without ethics. To my mind it is an astounding proposition. After all, in democracy what happens? Democracy is spoken of as a free Government? And what do we mean by free Government? Free Government means that in vast aspects of social life people are left free to carry on without interference of law, if law has to be made then the law maker, expects the society, will have enough morality in it to make the law a success. The only person who I think has referred to this aspect of democracy is Laski. In one of his books he has very categorically stated that the moral order is always taken for granted in democracy. If there is no moral order democracy will go to pieces as it is going now probably in our own country.

To the last thing that I refer to is that democracy requires "public conscience", there is no doubt about it that although there is injustice in every country, the injustice is not equally spread. There are some where the impact of injustice is very small. There are some against whom the impact is very great. And there are some who are absolutely crushed under the burden of injustice, one might very easily cite the case of Jews in England. They were the people who suffered certain injustice which the Christians never did. What happened was that the Jews alone had to struggle in order to get this injustice removed. But the

English Christians never helped them. In fact they liked it, the only man who helped the Jews in England was the king. This may be extraordinary. But the reason also is extra-ordinary and the reason is this, under the old Christian law the children of the Jews could not inherit the property of the father for no other reason except the property that he was a Jew and not a Christian, and the king being the residuary legatee of the State received the property of a dead Jew. Now the king liked that sort of thing. He was very happy when the children of the dead Jews went to the king in application the king handed over to them a little bit of the property of their dead father and kept the rest for himself. But as I said, no English man ever helped the Jews, and the Jews continued the struggle for their liberation this is the result of what is called "public conscience". Public conscience means conscience which becomes agitated at very wrong, no matter who is the sufferer and it means that everybody whether he suffers that particular wrong or not, is prepared to join him in order to get him relieved. You take South Africa, the most recent example. Well, the people who are suffering there are the Indians. Are they not? The white people are not suffering and yet you find this Reverend Scott, who is a white man doing his level best in order to get this injustice removed. Recently, I have been reading that a large number of young boys and girls belonging to the white race are also joining the struggle of the Indians in South Africa, that is called "Public Conscience". I do not want to shock you, but sometimes I feel how forgetful we are. We are talking about South Africa. I have been wondering within myself whether we who are taking so on do not have South Africa in every village. There is, we have only to go and see. There is South Africa everywhere in the village and yet I have very seldom found every body not belonging to the Scheduled Class taking up the cause of the Scheduled Class and fighting, and why? Because there is no 'Public Conscience'. Myself and my India is the only word within which I am bound. If

this sort of thing happens, the minority which is suffering from injustice gets no help from others for the purpose of getting rid of this injustice. It again develops a revolutionary mentality which puts democracy in danger. Now, as I said, what I have said is not a series of dogmas which have been worked out by any political scientist, but the result of what is impressed upon me as a result of reading the political histories of various countries, and I (have) believe that these are the most essential conditions for the purpose of preserving democracy.

Now ladies and gentlemen, I have no idea what has been the underlying purpose or motive which led you to give this invitation. It might be that you wanted to add something to your programme. I hope I have discharged that function.

But so far as I am concerned I have no doubt about it that the subject about which I have spoken this evening to my mind is a subject of the greatest importance to this nation we have somehow developed the idea that we have independence. The Britishers have gone. We have got a constitution which provide for democracy. Well what more do we want? We can now rest as we say on ours oars and do nothing more ! Let me warn you against this kind of a smug feeling that with the making of the constitution our task is done. It is not done. It has only began. You must remember that democracy is not a plant which grows everywhere. It has grown in America. It has grown in England. To some extent it has grown in France. Yes there are examples by which we can take a certain amount of courage to ourselves to see what has happened elsewhere. You must remember that as a result of the First European war and break up of the Austrian-Hungarian Empire Wilson created on the basis of self-determination, small nationalities independent of Austria. They all began with democratic constitution, democratic government and they had also Fundamental Rights provided in their constitution. Which it was made obligatory for them to have by the Peace Treaty of

Versailles. My friends! What has happened to that democracy? Do you see any trace of it there now? It has all gone. It has all vanished. They are probably under the dominance or surveillance of other countries. There is no democracy left. Take some of the most recent examples. Syria had got a democratic government. After a few years there was a military rebellion and the Commander-in-Chief of Syria became the ruler of Syria and democracy vanished in air. Take another example what happened in Egypt? There too there had been a Democratic government beginning right from 1922 or 30 years. In one night the King had to leave and Najib became the dictator of Egypt and he abolished the Constitution.

With all these examples before us, I think we ought to be very cautious and very considerate regarding our own future. You ought to consider whether we ought not to take some very positive steps in order to remove some of the stone and the boulders which are lying in our path in order to make our democracy safe. If as a result of these few observations I have made I have effected in you a consciousness that this is a problem on which we cannot afford to sleep. I think I would thank myself for the work I have done. Now ladies and gentlemen, I do not wish to detain you long and thank you for the kind attention with which you have listened to what I have said."

खंड ११ वा

प्रकरण ३ रे

राज्यसभेतील भाषणे

(३) आंध्रप्रदेश निर्मिती

श्री. पी. व्ही. नारायण (मद्रास) यांनी १६ जुलै १९५२ च्या राज्यसभेच्या बैठकीत नवीन आंध्रप्रदेश निर्माण करण्यासंबंधी ठराव मांडला. (Parliamentary Debates : May-July 1952, P. 1224) या ठरावावर कांही सभासदांची भाषणे झाली व तो ठराव मंजूर करण्यात आला.

गृहमंत्री डॉ. कैलासनाथ काटजू यांनी आंध्रप्रदेश निर्माण करणाऱ्या कायद्याचे बिल (The Andhra State Bill, 1953) राज्यसभेत १-९-५३ ला मांडले. त्यावर त्यांनी भाषण केले. (Parliamentary Debates, Council of States, Vol. IV A August-September 1953, P. 786) त्यानंतर बाबासाहेबांनी २ सप्टेंबर १९५३ ला भाषण केले. (Ibid, pp. 864-79) त्यांत त्यांनी नवा प्रांत उत्पन्न करणे हे भाषेच्या तत्वावर आधारित करणे बरे नव्हे असे सुचविले. नवा प्रांत उत्पन्न करण्याचा तात्वीक पाया सर्व जातींचे समान पातळीवर हित व्हावे हा असावा, असा बाबासाहेबांनी मुद्दा मांडला. आंध्रमध्ये रेड्डी ही जात अत्यंत प्रबळ आहे. व्यापार, घंदे, जमिनी वगैरे नागरिकांच्या जीवनाला पोषक असे सर्व वस्तुमात्रांचे केंद्रीकरण रेड्डी लोकांच्या हातात झालेले आहे. रेड्डी जातीच्या खालच्या पातळीवर ज्या जाती आहेत त्यांत 'कम्मा' व 'कपु' ह्या प्रमुख होत; सर्वांत खालच्या जाती अस्पृश्य होत. वरच्या जातीतील लोक त्यांना गुलामाप्रमाणे वागवतात. ही सामाजिक परिस्थिती सुधारावी आणि सर्व जातींना समान दर्जाचे राजकीय, धार्मिक, सामाजिक व आर्थिक हक्क मिळावेत,

अशी तरतूद आंध्रच्या विलात होणे जरूर आहे. आंध्र प्रांताची आर्थिक संपन्नता शास्त्रशुद्ध पायावर उभी करता येईल, अशीही तजवीज केली पाहिजे. हे मुद्दे मांडताना बाबासाहेबांनी घटना समेतील झॉपिंग कमिटीच्या कामातील अनुभव सांगितले. आंध्रप्रांत निर्माण करावयाचा की नाही, याबद्दल काँग्रेस पक्ष व सरकार यांचे नक्की ठरलेले नव्हते; त्यामुळे घटनेत आंध्रप्रांताला कोणत्या स्वरूपात उल्लेखाचे हे झॉपिंग कमिटीला ठरविता आले नाही. त्यासाठी पंडित नेहरूंचे मत कमिटीला वेळोवेळी अजमावावे लागले. आणि त्यांच्या सांगण्याप्रमाणे आंध्र हा मद्रासमध्येच दाखवावा लागला. [घटना व प्रांत तयार करतांना काँग्रेस पक्षापुढे झॉपिंग कमिटीला सुटीत नाक धरून नमावे लागले; आणि आपणालाही इच्छेचिरूद्ध काँग्रेसला हवी तशी घटना तयार करणे भाग पडले असे बाबासाहेबांनी सांगितले. गाडीला जुंपलेल्या घोड्यापेक्षा आपणाला सदर कमिटीत काही जास्त महत्त्व नव्हते; असेही ते म्हणाले. अशा परिस्थितीत तयार करण्यात आलेली घटना कोणाच्याही हिताची नाही. आणि असली घटना जाळावयाची ठरले तर मी, प्रथम त्या घटनेला आग लावीन] असे बाबासाहेबांनी जळजळीत उद्गार काढले. ही परिस्थिती अनिष्ट आहे. सत्तारूढ पक्षाने असे घर्तन करणे हे देशाला घातक आहे. आणि ही दृष्टी ठेवूनच आंध्र प्रांताची निर्मिती सर्व जमातींना हितावह होईल, अशी करावी, नाहीतर ती निर्मितीच नको, असा बाबासाहेबांच्या भाषणाचा सारांश होता.

डॉ. आंबेडकर हे गाढे पंडित, चिकित्सक वक्ते आणि लेखक आहेत, याबद्दल आम्हाला त्यांचेबद्दल आदर आहे. त्यांचे भाषणही अत्यंत माहितीपूर्ण व मुद्देसूद आहे. परंतु त्यांच्या भाषणामागची जी विरोधक व विवातक भूमिका आहे ती आम्हाला पसंत नाही. अशा अर्थाचे उद्गार काही सभासदांनी सदर विलावर बोलतांना काढले. या सभासदांची टीका ऐकावयास बाबासाहेब राज्य समेच्या बैठकांना उपस्थित नव्हते. बाबासाहेबांचे ते भाषण व त्यावरील इतर सभासदांचे काही टीकात्मक अभिप्राय मी येथे उद्धृत करीत आहे :—

“Dr. B. R. Ambedkar (Bombay) : Mr. Chairman, this is a Bill the object of which is to create a new state for the Andhras. As such it is the subject matter of the Andhras themselves. Others who are not Andhras can only take part in it in a general way, and solely because this new Province is a portent of probably some other linguistic provinces to come into existence. It is only because of the

feeling of the latter kind that I have stood up today to say a few words.

Sir, when one goes into the Bill, one is very much puzzled as to whether one should congratulate the Government on the Bill such as has been brought forward before the House, or whether one should congratulate the Andhras who are clamouring for a separate province. As any-one of in this House knows, as soon as the Congress party was organised and had a constitution in the year 1921, the first thing it did was to incorporate the principle of linguistic province. I have no idea that at any time from the year 1921 upto the year 1949 or there about, the Congress either ever withdrew that principle from its constitution or regretted having entered that principle in its constitution. In 1949 I believe — if I am wrong my friends will correct me — but I think that is about the year, when the Drafting Committee was sitting, and one member of the then Assembly tabled a Resolution for the formation of the linguistic provinces. I was in charge of the Law Department and as such the Resolution fell within my portfolio. I had to consult my Cabinet colleagues in order to know what sort of reply I should give to this Resolution. They said that the better thing would be for me to transfer the Resolution either to the Prime Minister or to the late Sardar Vallabhbhai Patel, which I very gladly did, because I did not want the responsibility to fall on my shoulder for the answer that might be given to that Resolution. It was then arranged between the mover of the Resolution and the Members of the High Command of the Congress, that although they were not prepared to accept the Resolution in all its generality so as to apply to all the multi-lingual provinces then existing, they were prepared to consider the question of creating an Andhra Province. The members of the Drafting Committee were waiting to know what exactly they should do, whether they should enter Andhra as a separate province in the Schedule of the State. Hon. Members who are particular to know about this will find in a foot-note to the first

draft of the Drafting Committee's Report that I referred to the Prime Minister in order to let me know whether Andhra should be entered in the Schedule to the constitution. I got no reply, with the result that Andhra then did not become a separate province. It was a great surprise to me that when practically for twenty years, a party had stood by the principle of linguistic provinces, it should have developed cold feet after twenty years. Surely, twenty years was a long period for even the greatest dullard to think over the matter and come to a clear conclusion as to whether the principle that was adopted in 1921 was a mistaken principle and ought completely to be withdrawn, or whether it was a principle which should be pursued with certain modifications. The result has been that from 1949 upto this period, there had been a vacillating attitude on the part of Government, once saying that there shall be no linguistic provinces, at another time saying, "Yes we shall create an Andhra Province." And unless and until one honourable gentleman had sacrificed his life for the sake of his country an Andhra Province, the Government did not think it fit to move in the matter, I have no idea and I do not wish to be harsh on the Government; but I am dead certain in my mind that if in any other country a person had to die in order to invoke a principle which had already been accepted, what would have happened to the Government. It is quite possible that the Government might have been lynched. But here nothing has happened. The Government is playing with the proposition.

The argument that has been brought forth by the Government is that if you create linguistic provinces, you will break up the unity of India. That has been the argument which one heard time and again from every member of the Government. Sir I am surprised that such a argument should have been used. If any one were to look up the Schedule of State, attached to the Constitution he would find that there are all-together 27 States filling up different parts — Part A, Part B, and Part C. I am not

taking into account Part D. Now if you take up these 27 States, you will find 23 States are linguistic States. Only 4 are multi-lingual. I should like to ask my Hon. friend the Home Minister, whether he thinks that the 23 linguistic States which have existed from the very beginning of the Constitution have in any way done anything in order to disrupt the unity of this country. I would like him to answer the question. These 23 linguistic States have not been able to disrupt the unity of India. I am as keen as he is on maintaining the unity of India and I shall not support any step which will bring about the break-up of this country.

We have by God's grace, achieved not only independence but also unity, and it is our bounden duty, no matter to what party we belong, to see that independence and this unity is retained. But to say, in the face of this fact, with 23 linguistic States, that linguistic States would break-up the unity of India is to say something which is puerile. They must produce some very weighty arguments in support of their contention that they cannot pursue a policy of creating linguistic States.

Now, Sir, coming to the Andhras on whom this blessing is showered by the Government after such a long delay, what do they get by it? First of all, as I look at the Bill, I do not find anywhere mention about the capital of this new State of Andhra. The Capital is the very life source of a State. I cannot understand how one can imagine a State without its capital. In fact, it is the capital that gives life to the State. There is no mention of it, at all. Who is to create this capital? Is it the legislature of the new Andhra State which is to meet and decide what is to be its capital? Is it the Executive Government of new State which is to sit at some place and decide that the capital of the new Andhra State will be this? There is no indication at all in the Bill, as to which is the authority which is to create this capital. Reading from the news-

papers it does appear that there is no unanimity among the Andhras on the question of the capital. (pp. 864-68).

“Sir, as I said, I am not Andhra. But I belong to what might be called a political group — I shall not give it the honorific name of a ‘Party’ — which is called the Scheduled Caste Federation. As the leader of that group, I had the occasion to move round in the Andhra country in order to see what the condition of the Scheduled Castes there is. My picture is this that, in this Andhra country, there are as everywhere else, as I am going to show, some big communities, and some small communities. Of the big communities the biggest, I believe, is the Reddy community, below the Reddys come the Kammas; below the Kammas come the Kapus; and below them come the unfortunate Scheduled Castes people working as landless labourers. This is primarily the picture of this area. As I said, this is not a lonely case. There are many other areas of the same pattern.

The second thing I noticed is this that all the lands practically are in possession of the Reddys. The Reddys are the biggest landlords there. Next probably come the Kammas, to which my friend Professor Ranga belongs. I was told very recently how great is this evil, I was told in a very vivid way by one of the Congressmen himself. I do not know whether he would feel offended if I mention his name. It would lend an authority to the statement that I am making, but I shall not mention his name as I have not asked him.

An Hon. Member : Is he a Member of of this House?

Dr. B. R. Ambedkar : He is a Member of the Lower House.

Dr. K. N. Katju : I do not like it to be called the Lower House.

Dr. B. R. Ambedkar : When we were discussing this question, my friend told me that that was by no means peculiar. There was a certain village in the Andhra area. The entire land of the village measured 1400 acres. Out of that,

only 14 acres were owned by private individuals; the rest of it was owned by a single Reddy. One has just to imagine the picture.....

Shri P. Sundarayya (Madras): Let us confiscate it.

Dr. B. R. Ambedkar: I have no idea what they was that
Dr. B. R. Ambedkar: I have no idea what they have done. The third fact he told me was that all trade in the village was in the hands of the Reddys.....

An Hon. Member: What is wrong?

Dr. B. R. Ambedkar: The lowest village officer is also a Reddy; the 'mulki' is also a Reddy. Well, Sir, I want to know for myself, especially in view of the fact whether the reservation, which was so blissfully granted to us by the Congress Party for ten years, is going to disappear.

An Hon. Member: You accepted it.

Dr. B. R. Ambedkar: Yes, What is one can do, if you cannot get *puri* you must get *roti*. Sir, in view of the situation that is obtaining here you can imagine what is likely to be the position of the Scheduled Castes. What provision has my Hon. friend made for the purpose of granting protection against tyranny, against oppression, against communalism, that is sure to be rampant not only in the Andhra Pradesh but every where in the States similarly situated. One of the greatest regrets that I have is that the Home Member, whose duty it is to see that every citizen is well protected against the tyranny of the majority, has come here with a Bill with no idea, with no occupation as to what the State is likely to be and what is likely to happen to millions of people. I know, Sir, he is a high born person.

Dr. K. N. Katju: Who? I? I started life in a normal manner.....

Dr. B. R. Ambedkar: But the fact is that he is a Kashmiri Pandit. Even if he takes to the profession of a Bhangi he will still remain a Kashmiri Pandit. He may never

suffer. All people may respect him for his ancestry, for his noble birth, for his learning. What about us who have been tyrannised for the last 2,000 years?

Shri H. P. Saksena (Uttar Pradesh) : But we all respect you.

Dr. B. R. Ambedkar : I may die in ten years time. Now, Sir, these are three conditions which I thought I should urge before my Hon. friend the Home Minister, for his consideration. There is still time even in his House, if he likes.

Shri K. S. Hegde : Is it the suggestion that Andhra should have a different tradition altogether?

Dr. B. R. Ambedkar : I am going to suggest that. That is why I am going to tell him, that he has not applied his mind to this subject.

Shri K. S. Hegde : That will be applicable to all the States.

Dr. B. R. Ambedkar : I have said so.

Shri K. S. Hegde : It is a general proposition.

Dr. B. R. Ambedkar : Wait a minute now, please. Mr. Chairman, we are not going to finish our troubles with the creation of Andhra State. There are plenty of other States which are making a similar demand and I think it is therefore necessary for the Government to find out whether there are any other ways and means whereby we could keep the multi-lingual provinces as they are, and remove the feelings and the lots of blemishes that arise therefrom and only in excusable cases resort to the creation of a linguistic State. I have been devoting a certain amount of attention to this question because I know that this is going to be one of our most crucial questions. Sir my suggestions are two-fold whenever I find a multi-lingual State I would vest the Governor there with certain special powers to protect the minorities in the State. That is one proposition that I would place before the Government for its considera-

tion. I shall presently cite some authority in order that may not think that this is my imagination. I am going to cite some constitutional precedents. And the second thing that I would like to be done would be that in all such States where there are multi-lingual people you should establish by law committees of members belonging to different linguistic sections which would have the right to hear and the right to ask the Ministry whether they are doing justice to their problems. Also they should have the right to appeal to the Government to set aside any act of injustice that might have been done to any one section. I think, if these three things are done, we should be able to keep the States as they are, at any rate in the first stage. If ultimately we find that we do not succeed even with these measures, then fate may take us to the logical extreme end, namely to have a linguistic State.

Sir, in the case of creation of linguistic States, in my judgement there appear to me to be two considerations. One is that the linguistic State must be a viable State. It may be that this is a small state which has got a culture and which has got language and which has got a separate feeling and an entity. Yet it is so small that it cannot find that means of carrying on its Administration. People do not live on culture. People do not live on language. People live on the resources that they possess. But if God has given them language but God has not given them the resources, I am afraid they cannot have the luxury of having a separate linguistic State. The seemed thing is this. It is only in our country that we find that linguistic provinces create difficulty. I would like to ask the question as to why there are no difficulties in Switzerland although Switzerland itself is a multi-lingual unit. The Costumes have French, German and Italian. Yet they are a very happy nation and they are the most prosperous nation today. Why it is that Switzerland has no provinces although it is a multi-lingual unit? The answer which I can give is this that linguism in Switzerland is not loaded with com-

munalism. But in our country linguism is only another name for communalism. What happens when you create a linguistic province is that you hand over the strings of Administration to one single community which happens to be the majority community and can cite many provinces where this is likely to happen. That community charged with a feeling of its own sacred existence begins to practice the worst kind of communalism which otherwise is called discrimination, discrimination creates injustice and injustice creates ill feeling. If our linguism was not charged with communalism our linguism would not be a danger to us at all; but the fact is that it is. But it seems to me that in order to do away with the community practising communalism being in office these two remedies are worthwhile, namely to give the power to the Governor to override and, secondly, to appoint small committees who can make representations either to the Ministry or to the Governor.

Now, Sir, we have inherited a tradition. People always keep on saying to me : "Oh, you are the maker of the Constitution". My answer is I was a hack. What was asked to do, I did much against my will.

Shri P. Sundarayya : Why did you serve your masters then like that ?

Mr. Chairman : Order, Order.

Dr. B. R. Ambedkar : But, Sir, we have inherited, on account of our hatred of the British, certain ideas about democracy which it seems to me, are not universally accepted. We inherited the idea that the Governor must have no power at all, that he must only be a rubber stamp. If a Minister, however scoundrelly he may be, however corrupt he may be, if he puts up a proposal before the Governor, he has to ditto it. That is the kind of conception about democracy which we have developed in this country.

Shri M. S. Ranawat (Rajasthan) : But you defended it.

Dr. B. R. Ambedkar : We always defend many things. (Interruption). You should listen seriously to what I am saying, because this is an important problem.

Sir, as I said, we happened to develop a theory of decocracy, simply because of our opposition to the British. The British must have no power. A Governor must have no power. Let me cite two cases.

One case is which I propose to cite is about the Constitution of Canada and I refer to Section 93 of that constitution. As everyone in this House knows, Canada, like ourselves, is a bilingual place. A part of it speaks English; a part of it speaks French. And what is worse still is that the English speaking people are Protestants; the French are Roman Catholics. In 1864, when the Constitution of Canada was made, the Catholics were very much afraid as to what might happen to them under the English Protestant majority and they were prepare to come into the constitution of a united Canada. Therefore the Parliament enacted Section 93 in the Canadian Constitution. That section does two things. It says that if any province — naturally the reference was to province in Protestant areas — where Roman Catholics lived passed any law with regard to certain matters which the Roman Catholics regarded as their special privilege based upon religion, they had the right to appeal to the Governor General that a wrong was done to them, and the Governor General by Section 93 had the right to look into their complaint. It was a salutary right of complaint. Not only did Section 93 give the Catholic a salutary right of appeal against the decision of the majority to have a certain measure annulled; but it goes much further and says that Governor General shall have the right to enact a positive measure in protection of the Catholic minority. I would like to ask my friend, the Home Member, whether, with the inclusion of Section 93 in the Canadian Constitution, he regards the Canadian Constitution to be democratic or undemocratic. What is his answer ?

11 A.M.,

Dr. K. N. Katju : My answer is you had drafted this Constitution.

Dr. B. R. Ambedkar : You want to accuse me for your blemishes ?

Mr. Chairman : He has said that he defended the present Constitution because it was the majority decision. Get along.

Dr. B. R. Ambedkar : Sir, therefore, my submission is this that no harm can be done to democracy and to democratic Constitution if our Constitution were amended and powers similar to those given to the Governor General under Section 93 were given to the Governor. At any rate, that would be some kind of safeguard to certain small linguistic areas or linguistic groups who find that majority in the State are not doing justice to them.

The second suggestion that I would like to make is from the the English Constitution. My Hon. Friend must be aware of the position of Scotland in the British Constitution and therefore I would not go into greater details. But he will remember two things. One is this that although Scotland and England are one, nobody can say that they are two separate countries — still there is a special Secretary of State for Scotland under the British Constitution to look after the interests of the Scottish people. He must have gone to London, I think, various times (*The Hon. Minister indicated by signs. — Three*). Three times. Surely he must have passed by the Parliament Street and just by the side of 10, Downing Street, there is a big brass board; 'Scottish Office', that is the place where the Secretary of State for Scotland sits. That is the one provision which the British have made. They have not argued, as my friends have argued that this is a recognition of communalism. Have they? Scotland came and joined England some hundreds of years ago and yet the British people in order to recognise the sentiments of the Scots in order to respect their feelings, have created statutorily an office called the Secretary of State for Scotland.

The second thing to which I would like to refer is this that in British Parliament there are two Committees. One

Committee for Wales and Monmouthshire and there is another Committee for Scotland consisting of Scottish Committee so that the Scottish members may have their say in the matter. In the same way the members of Wales and Monmouthshire are also brought on committees connected with their affairs. It is by placating the sentiments of smaller communities and smaller people who are afraid that the majority may do wrong, that the British Parliament works. Sir, my friends tell me that I have made the Constitution. But I am quite prepared to say that I shall be the first person to burn it out. I do not want it. It does not suit anybody. But whatever that may be, if our people want to carry on, they must not forget that there are majorities and there are minorities, and they simply cannot ignore the minorities by saying, "Oh no, to recognise you is to harm democracy." I should say that the greatest harm will come by injusting the minorities. I fear sometimes that if minorities are treated in the way in which they are being treated in our Bombay State — I do not want to be parochial, but my friends have been telling me, as I am not there I do not take any interest in my State, as you know, and I do not even like to call myself a Maharashtrian — I do not know what will ultimately happen. I am fond of Hindi, but the only trouble is that the Hindi speaking people are the greatest enemies of Hindi.

The Chairman : Dr. Ambedkar, it is an aside.

Dr. B. R. Ambedkar : It is an aside.

Now, Sir, I am told that the Ministers are drawn from the two provinces. The clever members of the Ministry draw all the funds for developing the resources in that particular area, and the other area gets nothing. The same is being said about the Rayalseema area, that the coastal people are generally able to get larger funds for their area and the Rayalseema people get nothing. If my friend could make a provision in the Constitution that there shall be constituted lawfully under this very Bill a Committee consisting the members belonging to Rayalseema, who will

have the right to represent to the Governor and to the members of the Ministry that their part is to be included, I think a large part of the grievance would disappear. Similarly, Sir, I find that our Bengali members are considerably agitated over the fact that part of Bihar — they say — is Bengal. I do not know; it may be, because originally Bengal spread over everywhere. The Governor General had a very large area, and whenever the Governor General went, the Bengalis also went with him.

Mr. Chairman : Go on with Andhra Bill.

Dr. B. R. Ambedkar (P. 879) : Yes, I am only giving an illustration. My illustration is this, that supporting, such was the case that the Biharies were not treating the Bengalis well. Well the only way open for solving this problem would be that there should be a committee of the Legislature consisting of the Members who are Bengalis and who should have the right to represent their grievances to the Ministry as well as to the Governor or to the President. When all these things fail, then I suppose we shall have to go to the naked proposition that we shall be linguistic first and linguistic last, and that we shall not recognise India. If that is to be our ultimate aim, well, God save us. But, Sir, my submission to my hon. friend is this that he should examine carefully some of the points I have made, particularly in the last part of my speech, and see whether he can find any solution to the problem of linguistic provinces, based on the suggestions that I have made in the new measure that he may have to bring — he may not be very willing to bring a new measure, but he may have to bring it." (Parliamentary Debates, Council of States, Vol. IV-A — August-September 1953, pp. 864-79 A's speech on Andhra State Bill, 1953 to form the new Andhra State moved by Home Minister on 1-9-1953 in Rajya Sabha).

आंध्रप्रदेशांत जातिवैमनस्यामुळे अल्पसंख्यांक जाती व विशेषतः अस्पृश्य वर्ग यांना फार वाईट दिवस येतील, हा जो मुद्दा डॉ. आंबेडकरांनी मांडलेला आहे तो अवाजवी आहे अशी वाजू श्री. पी. सुंदराय्या यांनी मांडली. रेड्डी जातीतील सर्व

लोक श्रीमंत, व्यापारी व जमीनदार नाहीत. त्यांच्यातही मजूर लोक आहेत. हीच स्थिती सर्व जातींत आहे. **आंबेडकर** हे १९४७ ते १९५१ च्या काळांत मध्यवर्ती मंत्रिमंडळांत होते व त्यावेळी आंध्र व तेलंगण या प्रांतातील पिळले गेलेले लोक आपल्या उत्कर्षासाठी प्रयत्न करीत असतांना सरकारने त्यांच्यावर गोळ्या झाडल्या. तेव्हा डॉ. **आंबेडकरांनी** अस्पृश्यातर्फे सरकारवर कां टीका केली नाही ? आतांच त्यांना आंध्र व तेलंगण यांमधील अस्पृश्यांच्या हिताची का काळजी वाटते ? याचे कारण **आंबेडकरांचे** सारे राजकीय जीवन जातीयवादी भूमिकेने व्यापलेले आहे. ही भूमिका त्यांनी आतां सोडून घावी आणि व्यापक दृष्टीकोन ठेऊन वागावे व नव्या समाज निर्मितीत भाग घ्यावा अशी विनंती **श्री. पी. सुंदरय्याने**, शेवटी आपल्या भाषणात केली. (पा. ८७९-८१).

(“.....I would even appeal to Dr. Ambedkar, if it is not too late for him to change — because he has all his life been indulging in this communal politics; he has been putting one community against another, taking advantages of the wretched conditions of the Scheduled Castes for which we are not responsible and for which whole system of society is responsible — to join us in reconstructing Society on a new bases so that all people who are suffering from exploitation can lead a new decent life.....” Vol. IV-A, August-September 1953, page 881, Sundarayya's request to A to leave off communal outlook).

श्री. रामा राव यांनी, **आंबेडकरांचे** भाषण उत्तम होते. पण ते समजूतीचा घोटाळा करणारे होते, असे उद्गार काढले. ‘रामायणात गोवऱ्या’ अशी जी तेलगु भाषेत म्हण आहे तिची आठवण **आंबेडकरांच्या** भाषणामुळे झाली. त्यांनी भाषिक राज्ये व्हावीत अशी आजपर्यंत मते व्यक्त केली; आणि आणि आतां ते निराळेच बोलत आहेत. त्यांच्या गाढ विद्वत्तेबद्दल मला अत्यंत आदर आहे. परंतु त्यांचे राजकीय विचार म्हणजे क्षणोक्षणी रंग बदलणाऱ्या सरळ्या सारखे आहेत. त्यांचे राजकीय विचार म्हणजे मानसिक दुर्बलता आणि वैचारिक गोंधळ यांची मेसल आहे. **आंबेडकरांनी** घटना तयार करतांना किती परिश्रम घेतले हे जगजाहीर आहे आणि आता ते ती घटना जाळा असे म्हणतात. त्यांचे सर्व मुद्दे दखल घेण्यायोग्य नाहीत, असा **श्री. रामा रावांच्या** भाषणाचा सारांश होता. (पा. ८१५-१००).

(“....Sir, Dr. Ambedkar made an excellent speech, but it made me completely confounded. I am reminded a Telgu saying “Ramayanulu pidkalu” (dung-cakes in the Ramayana). How does his drawing of a red herring across the

path help his argument ? we all know what a vital contribution he has made to our Constitution, but he has repudiated it ! It is perhaps his view that nationalism is not functioning properly. It is, however, too late now to stem the torrent of democracy and he will not succeed. I remember to have read a Press report of Dr. Ambedkar supporting linguistic provinces and giving his opinion that there might be Maha Vidharbha if not a Maha Maharashtra....

An Hon. Member : He began like that.

Shri Rama Rao : He began like that today; but went off at a tangent. He is a political puzzle, a psychological conundrum, a pathological problem. I refuse to take his arguments seriously though I was overwhelmed by his scholarship and learning....." Vol. IV-A, August-September 1953, pages 896-97, Rama Rao's speech on A's angry speech reg. burning constitution).

श्री. के. एस. हेगडे यांनीही आंबेडकरांच्या भाषणांतील मुद्यावर टीका केली, ते मुद्दे खोटे आहे आहेत असे ते म्हणाले. बोलण्याच्या ओघात ते असेही म्हणाले की त्यांचे (आंबेडकरांचे) भाषण विसंगतीने भरलेले आहे. त्यांचे सारे जीवनच विसंगतीने भरलेले आहे. घटना तयार करतांना लोक त्यांना आधुनिक मनु म्हणाले आणि आता ते स्वतःच ती घटना जाळायला निघाले आहेत. घटना तयार करतांना आपल्याला भाडोत्री घोड्यापेक्षा कांही जास्त किंमत नव्हती. असेही ते म्हणाले. यावरून असे दिसते की, आंबेडकर मंत्रीमंडळात बसले ते केवळ पोटासाठी, आणि घटना तयार केली ती भावनाशून्य व आदर विरहीत बुद्धीने ! त्यांच्या विसंगत जीवनावहल दया वाटते. (पा. १९९-१००१)

("Yesterday Dr. Ambedkar — unfortunately he is not here — made a brilliant but contradictory speech. I was not sure whether he was not contradicting himself at every stage. To me this, his was rather a pitiable case. He was at one time acclaimed by the public as the modern Manu who drafted the Constitution; but in a highly painful speech he said he was prepared to burn the Constitution. Once before I had to ask on the floor of the House whether Dr. Ambedkar continued in the Cabinet for a mere mess

of pottage. I would not like to repeat it. It was rather astounding something which cannot be appreciated in constitutional phraseology or by political commonsense for a member who was Minister entirely in charge of the framing the Constitution to come and tell you, Sir, that he was a mere hack. Is he setting a good political precedent? I am sorry Dr. Ambedkar only abused, and got out of the House. If he abuses, he should be prepared to receive the reactions thereof. It came with ill grace from Dr. Ambedkar when he said that his heart was not in the Constitution, that he was merely perpetuating a fraud, to put it in the mildest form. Well, I will leave Dr. Ambedkar severely alone. His whole life has been one of a series of contradictions. First he tried to live in communalism and now probably it is too late in the day, for him to get himself out of that past. I have nothing but pity for him...." Vol. IV-A Aug-Sept. 1953, speech on A's speech denouncing Constitution, etc.,

श्री. टी. एस. पट्टाभिरामन् (मद्रास) यांनी ५ सप्टेंबरच्या बैठकीत **डॉ. आंबेडकरांच्या** भाषणातील मुद्यावर टीका करून ते सर्व असत्य आहे असे सांगितले. (पा. १२७७-८७) **डॉ. आंबेडकरांबद्दल** त्यांनी असे उद्गार काढले की, **डॉ. आंबेडकर** ही फार महान व्यक्ती आहे. त्यांचे घटनाशास्त्रावरील ज्ञान अगाध आहे. एक प्रकांड पंडित म्हणून त्यांची कीर्ति सर्व देशांत पसरलेली आहे. पण त्यांचे हे भाषण सर्वांच्याच जिह्वारी लागले आहे. घटना त्यांनी तयार केली हे खरे. ? पण त्या घटनेच्या मागचा इतिहास राष्ट्रपिता **महात्मा गांधी**, **सरदार पटेल**, आणि **जवाहरलाल नेहरू** यांनी घडविला आहे हे विसरून चालणार नाही. घटना जाळा, असे **डॉ. आंबेडकर** म्हणतात याचा अर्थ असा की **गांधी**, **पटेल**, **नेहरू** यांनी निर्माण केलेला इतिहास जाळा, घटना जाळा, जाळावयास जेव्हां **डॉ. आंबेडकर** उभे राहतील तेव्हां सारा देश पेटून उठेल, हे त्यांना बघावे लागेल, घटना जाळण्याची भाषा त्यांनी इतर देशांतील लोकसभेत अशी केली असती तर तेथेच त्यांना ताबडतोब जाळण्यांत आले असते. या देशांतील लोकशाहीचा दुरुपयोग **डॉ. आंबेडकरांनी** केलेला आहे. असले वर्तन त्यांनी याउप्यर करू नये, असा **श्री. पट्टाभिरामन्**च्या भाषणाचा सारांश होता.

("...Dr. Ambedkar, as we all know, is a great man, a great constitutional lawyer. But his speech on that day was rather painful. Dr. Ambedkar, as is well known in this country and elsewhere in the world, has been the archi-

fect of our Constitution. But it was most surprising to see and hear Dr. Ambedkar himself that he was not the architect of the Indian Constitution, but the real architects were the Father of the Nation Mahatma Gandhi, Sardar Patel and Shri Jawaharlal Nehru. That myth has been exploded by Dr. Ambedkar himself and it was very refreshing to note that. Again, Sir, in his speech he said that he would burn the Constitution. I may submit here that the Constitution was not the creation of a handful of persons, it was not the result of agitation carried on by a few persons in this country, but it was the result of the sufferings of unknown thousands and millions of people, and I am sure, Sir, that their sacrifices will not go in vain and it will not be possible for Dr. Ambedkar to burn the Constitution. I am sure, Sir, if Dr. Ambedkar has an opportunity to burn the Constitution, he will have to see the entire country burning. Sir, the burning of the Constitution is not ordinary joke. Dr. Ambedkar was referring to the fact that if a person like Patti Sriramulu had died in any other country, the Government of the day in that country would have been lynched. But he was sorry that nothing happened in this country. With all respect to Dr. Ambedkar I would submit here that in any other country, if he had said that he would burn the Constitution — in Assembly itself — I am sure he would himself have been burnt in that Assembly and would not have been allowed to go scot-free. But this is the democracy in which he lives and but for democracy Dr. Ambedkar could not have talked like that....” Vol. IV-A, August-September 1953, page 1281-82 Pattabiraman’s speech on A’s angry speech, denouncing Constitution, etc.).

श्री. जे. एम. कुमारप्पा (नाॅमिनेटेड) यांनी ७ सप्टेंबरच्या बैठकीत भाषण करून **आंबेडकरांच्यावर**, वैयक्तिक टीका केलेल्या सभासदांचा समाचार घेतला. **डॉ. आंबेडकर** हे कोलंबो युनिव्हर्सिटीत शिकत असताना आपण त्यांचे सहाध्यायी होतो. **आंबेडकरांचे** दैदिप्यमान विद्यार्थी जीवन आपण पाहिलेले आहे. त्यांच्या दिगंबोगांनी आणि बुद्धिमत्तेने त्यांचे शिक्षक व सहाध्यायी दिपून गेले होते. अशा महान व्यक्तीला व त्यांच्या समाजाला निरुत्साही व अन्यायाचे ओझे वहावे लागणाऱ्या वातावरणात राहावे लागेल, स्पृश्य लोकांच्याकडून अवहेलना, शिब्याशाप आणि छळ

त्यांना सहन कराव्या लागत आहेत. साहजिकच त्यांच्या जीवनात कडवटपणा जास्त आलेला आहे. त्यांचे भाषण या दृष्टिकोनातून पहावे. त्यांना आपल्या अस्पृश्य समाजाचे हितसंरक्षण व्हावे, असे वाटते व त्या भावनेनेच त्यांनी आपले विचार आंग्रनिर्मितीच्या संबंधात मांडलेले आहेत. त्यातील तथ्यांश ग्रहण करावा, शब्दांचा कीस काढू नये. आंग्रनिर्मितीच्या कायद्यात अस्पृश्यांच्या हितसंरक्षणासंबंधी तरतूद शाली तर ठीकच, पण कायद्यापेक्षा हृदयपरिवर्तन हा अस्पृश्यांच्या हितसंरक्षणाचा खरा उपाय होय. असा **कुमाराप्पा** यांच्या भाषणाचा सारांश होता. (पा. १३९६-१४००).

("....I only want to make a few remarks with regard to the speech that Dr. Ambedkar made on the subject. Even since he spoke, we have been hearing during a last few days nothing but criticism of Dr. Ambedkar, and so I thought I should take up the unpopular cause of defending him at least in certain implications of his speech.

I feel, Sir, that Dr. Ambedkar's speech was very provoking because of the unpopular cause he has been championing during the last many years. I had the pleasure of knowing Dr. Ambedkar as a student at the Columbia University, New York. At that time, he made a brilliant record as a student and after his return, I have followed his career with much interest. But I did find all along that he and his community had to suffer from severe disabilities, humiliations and social injustice. He was described by an Hon. Member as a political puzzle, as a psychological conundrum and as a pathological problem. Now, if he is all that, I would like to know why and how a brilliant scholar like Dr. Ambedkar has been brought to that state of mind. If he is mentally pathological, then, it seems to me that is necessary for us to analyse and find out what circumstances and social conditions have made him what he is. I believe that we are products of a social system and our personality is either enriched or warped by the social system and our personality is either enriched or warped by the social forces which play upon us. Dr. Ambedkar, as a pathological problem, is a product of our social system, as I see it. It is necessary at this time when we are thinking of bringing about new linguistic States to consider some of the social

implications which were evident in Dr. Ambedkar's speech. A man cannot go through trial and tribulations throughout his life and not suffer a certain warping of his personality." (Vol. IV-A, Aug.-Sept. 1953 pages 1396-97, J. M. Kumarappa's speech on A's angry speech reg. burning Constitution, etc.).

श्री. वी. एम. गुप्ते (मुंबई) यांनी ७ सप्टेंबरला भाषण करून, डॉ. आंबेडकरांनी घटना तयार करण्यासाठी घेतलेल्या श्रमाबद्दल त्यांना धन्यवाद दिले, घटना जाळण्याची जी भाषा डॉ. आंबेडकरांनी वापरली ती शब्दशः ध्यानांत घेऊ नये. डॉ. आंबेडकरांच्या दुखावलेल्या भावनांचा तो एक परिस्फोट आहे, असेही श्री. गुप्ते म्हणाले. डॉ. सीता परमानंद (मध्यप्रदेश) यांनी आंबेडकरांना विचारले की, घटना तयार झाल्यावर सर्व लोक तुमची वाहवा करीत होते, स्तुती करून सन्मानाने हारतुरे अर्पण करीत होते, तेव्हां तुम्ही मंत्रिमंडळाला कां विसरलात? आणि आतां मी या मंत्रिमंडळाचा भाडोत्री घोडा होतो असे का म्हणता? (पान १४१४-१६) डॉ. अनुपम सिंह (पंजाब) यांनी ७ सप्टेंबरला भाषण करून अॅ. कुमारप्पानी डॉ. आंबेडकरांची वाजू सावरली याबद्दल त्यांनी दोष दिला. डॉ. आंबेडकर हे वेळोवेळी आपली मते व आपली भूमिका बदलत आलेले आहेत; कांहीतरी बोलून लोकांची मने भडकून द्यावीत व जनतेच्या रागाचा अग्निस्फोट आपल्यावर शेंकणार असे दिसताच दूर जाऊन बसावे असे डॉ. आंबेडकरांच्या चळवळीचे तंत्र आहे, हे त्यांच्या गेल्या तीस वर्षांतील चळवळीचा आढावा पाहिल्यानंतर स्पष्ट होते. डॉ. आंबेडकरांची आतापर्यंतची सारी शक्ती घातपात करणाऱ्या चळवळी चालविण्यात खर्च झालेली आहे. आता त्यांनी भूतकाळ मागे टाकलेला आहे, वर्तमानकाळाच्या ते जवळ नाहीत व भविष्यकाळ त्यांच्या मागे येईल की नाही याची खात्री नाही असेही सिंग म्हणाले. त्यांचे तत्संबंधीचे भाषण असे :—

"Dr. Anup Sing (Punjab) :My distinguished friend, Dr. Kumarappa, offered a sociological explanation of Dr. Ambedkar's speech or behaviour. Well, I fully subscribe to the view that we are all products of our environment and to this Dr. Ambedkar is no exception. Saints and sinners, they all belong to the same category from that point of view.

Nevertheless we do pass judgement on individual behaviour and collective behaviour, and I personally do not see even after making due allowance for some of the frustration from which Dr. Ambedkar may be suffering or alleged to be suffering, why he should not be subjected to the same kind of examination, more so, because he has developed the

irritating habit of hitting and then running away. Ever since I have been in this House I have seen that he has emerged on the scene three or four times and invariably he hits and hits hard and then he performs the rope-trick and disappears completely and he is nowhere to be seen.

Now as for the point that he made, Sir, he castigated the Congress Benches, for their inability to make up their mind and he said that even a dullard should be able to make up his mind after twenty years. I am afraid, Sir that perhaps more can be said about Dr. Ambedkar. I have followed his statements, speeches and points of view, I think, for the last thirty years and I am sure that he has not been able to make up his mind and continues to treat us to all kinds of intellectual somersaults. I for one have put it on the credit side of his account that he had so much to do with the Constitution. It certainly came to me as a great surprise when to my utter dismay he completely repudiated it and said that he had absolutely nothing to do with it and that he simply did what he was told to do. That certainly puts him in the position of a glorified draftsman or a glorified clerk and I am very much afraid that Dr. Ambedkar is turning out to be the worst enemy. He seems to be hell-bent — if I may use such an expression — in wiping out his past. For the present I think he is in a state of suspended animation, and as for the future, I am reminded of the observation that was once made about Churchill's great — grandfather who was a young man and who was very brilliant when he started out but later on began to deteriorate. One day while he was passing by, one of his neighbours, a great jurist, looked at him and turned to a person next to him and said "There goes the man with his future behind him."

So I think if Dr. Ambedkar is not very careful he might turn out to be a very peculiar phenomena. Past he himself

has wiped out, present non-existing and future behind him.”
 (Vol. IV-A, Aug.-Sept. 1953, pages 1430-31, Dr. Anup Sing's
 speech on A's angry speech).

बाबासाहेबांच्या भाषणांतील जळजळीत कडवटपणा पुष्कळ सभासदांना
 बोचला. कांही सभासदांनी लोकसभेत भाषणे करून आपला निषेध व्यक्त केला. फक्त
 दोघां सभासदांनीच डॉ. बाबासाहेबांच्या भाषणाकडे सहानुभूतीने पाहिले. बाकीच्यांनी
 आपल्या पक्षीय राजकारणाच्या दृष्टीकोनांतून पाहिले आणि निर्गल्पणे **बाबासाहेबांवर**
 तोंडसूख घेतले. **बाबासाहेब** १९५२ च्या निवडणुकीत पडले होते. जी घटना त्यांनी
 तयार केली होती तिला अनुसरून ही पहिली निवडणूक झालेली होती. या निवडणु-
 कीतः प्रश्नांनी आपणाला पाडावे, यावरून त्यांच्यात डॉ. बाबासाहेबांच्या राष्ट्रकार्या-
 बद्दल विलकूल आदर वा कदर नव्हती असे सिद्ध झालेले **बाबासाहेबांना** कळून
 चुकले. राज्यघटनेचे महान राष्ट्रकार्य केल्यानंतर हिंदूंनी **बाबासाहेबांना** निवडणुकीत
 पाडून जे बक्षीस दिले, त्याबद्दल त्यांबद्दल त्यांच्या मनांतील हिंदूंच्याबद्दलची
 मुळची अढी दुणावली. हिंदुसमाजाच्या खालच्या थरातील लोकांनी कितीही मोठे
 राष्ट्रकार्य वा धर्मकार्य केले तरी ते स्वर्ण हिंदूंच्या हिशेबी शून्यच होय, ही
 पारंपारिक मनोवृत्ती हिंदूंत अद्याप आहेच ! याच गोष्टीची चीड **बाबासाहेबांना**
 आलेली होती. म्हणूनच **विश्वामित्राने शकुंतला** हे आपले अपत्य नाही, असे
 ज्याप्रमाणे **मेनकेला** निश्चून सांगितले तसे **बाबासाहेबांनी**, भारताची राज्यघटना हे
 आपले अपत्य नाही, असे राज्यसभेला २ सप्टेंबर रोजी सांगितले. ते अपत्य जाळून
 टाकण्यास आपण तयार आहोत, असेही ते तेव्हां म्हणाले ! १९५२ च्या निवडणुकी-
 तील अपयशामुळे त्यांच्या मनांत जो विचारांचा गोंधळ झालेला होता त्याचा उद्रेक
 त्यांच्या २ सप्टेंबरच्या भाषणांत झाला. त्यांच्या मानसिक धडामोडीचे यथार्थ
 दर्शन ज्या दोन सभासदांना झालेले होते ते **श्री. गुप्ते** आणि **डॉ. कुमारप्पा** हे
 दोघेच होते !!

उस्मानिया युनिव्हर्सिटी, हैद्राबाद (दक्षिण), हिने सोमवार ता. १२-१-१९५३
 ला बाबासाहेबांना 'Doctor of Literature' सन्माननीय पदवी अर्पण केली.
 पदवीदान आणखीन दोन व्यक्तींनाही अर्पण केले त्या सन्माननीय व्यक्ती म्हणजे
 डॉ. **सर्वपल्ली राधाकृष्णन्** आणि श्री. **एम्. के. वेल्लोदी** या होत. यासाठी संस्था-
 काळी ५ वाजता खास पदवीदान समारंभ उस्मानिया युनिव्हर्सिटीच्या कॉन्व्होकेशन
 हॉलमध्ये करण्यात आला होता. "Procedure for the Convocation,
 Osmania University, Monday, 12th January 1953" यामधील
 खालील मजकूर वाचकांच्या माहिती करता मी उद्धृत करित आहे. :-

“The Chancellor shall say :

“This Convocation of Osmania University has been called to confer Honorary Degrees on 1) Dr. S. Radhakrishnan, Vice-President of India, 2) Shri M. K. Vellodi, 3) Dr. B. R. Ambedkar and also to confer Degree upon the candidates who have been certified of these Degrees, Let them now be presented.”

7) The Vice-Chancellor will then read the citations and present the above persons.

8) At the end of each citation, the Chancellor shall present the degree and say:—

“By virtue of the authority vested in me as Chancellor of the Osmania University, I admit you to the degree of.....
..... Honoris Causa on account of your eminent position and attainments.”

परिच्छेद ८ मध्ये जे Citation उल्लेखिलेले आहे ते बाबासाहेबांच्या संबंधी खालीलप्रमाणे होते :—

“Mr. Chancellor,

I have the honour to present to you Dr. B. R. Ambedkar for conferment of the Degree of Doctor of Literature Honoris Causa.

Born in 1893, Dr. Ambedkar was educated at Satara and Bombay. After Graduating from the Bombay University, he went to the United States of America, for further studies, and received the Degree of Doctor of Philosophy in 1917 at the young age of 24. After returning to India he served for some time as Finance Minister of the Baroda State and later as Professor of Political Economy at Sydenham College, Bombay. Again he went abroad, this time to England and enrolled himself for the Doctorate degree in Science at the London School of Economics. His, treatise, entitled ‘The Problem of the Rupee’ was acclaimed by Economist the World over.

The political career had started early, but his legislative career started when he entered the Bombay Legislative Assembly in 1926. He gave evidence before the Lothian Committee on Indian Franchise; Royal Commission on Indian Currency and many other important Committees and Commissions. Dr. Ambedkar has been a staunch supporter of all the down-trodden people from the beginning of his career. Such people evoked his sympathy and he became the Founder-President of the All India Scheduled Castes Federation. He was invited to attend the Round Table Conference at London (1930-1932) to present the Scheduled Castes.

Dr. Ambedkar held the high office of Labour Member in the Viceroy's Executive Council from 1942-46. In 1947 when India became an independent country, he was taken in the Cabinet as Law Member. The responsibility of framing the Indian Constitution devolved upon him and the part played by him in this matter is well known.

Dr. Ambedkar is a voracious reader. He knows seven languages. He is an author of distinction and published several books. 'What Congress and Gandhi Have Done For Untouchables'; 'Annihilation of Caste'; 'Federation Vs. Freedom'; 'Pakistan and Partition of India'; 'Ranade and Gandhi', etc. are among them.

Mr. Chancellor, in presenting Dr. Ambedkar, I am presenting a person of great eminence, high attainments and distinguished services, one of the ablest lawyers, a pre-eminent legislator, a champion of the backward and down-trodden people of India. I request you now to confer the Degree of Doctor of Literature Honoris Causa on Shri B. R. Ambedkar.'

(भावार्थ :-विद्याकुलपते ! डॉ. अंबेडकर यांची ओळख करून देण्याचा मान मला मिळालेला आहे. ही ओळख त्यांना जी सन्माननीय 'साहित्यपंडित' म्हणून पदवी देण्यात येणार आहे, त्या निमित्ताने मी त्यांची ही ओळख करून देत आहे.

त्यांचा जन्म १८९३ सालात झाला. त्यांचे शिक्षण सातारा व मुंबई येथे झाले. ते मुंबई विश्वविद्यालयाचे पदवीधर झाल्यानंतर उच्च शिक्षणासाठी अमेरिकेला गेले व तेथे त्यांनी १९१७ साली म्हणजे वयाच्या २४ व्या वर्षी डॉक्टर ऑफ फिलॉसफी ही पदवी मिळविली. तेथून मायदेशी आल्यानंतर ते बडोदा सरकारचे अर्थमंत्री झाले, व नंतर मुंबईत सिडेनहॅम कॉलेजमध्ये अर्थशास्त्राचे प्राध्यापक झाले. त्यानंतर ते पुढील अभ्यासासाठी लंडनला गेले व तेथे लंडन स्कूल ऑफ इकॉनॉमिक्स येथे त्यांनी संशोधन करून 'रुपयाचा प्रश्न' हा प्रबंध डी. एससी. पदवीसाठी लिहिला, हा प्रबंध जगातील सर्व अर्थशास्त्रज्ञांनी वाखाणलेला आहे.

त्यांचे राजकीय जीवन फार लौकर सुरू झाले. त्यांचे कायदेमंडळातील जीवन १९२६ सालात सुरू झाले. इंडियन फ्रॅन्चाईस, रॉयल कमिशन ऑन इंडियन करन्सी, इतर अनेक महत्वाच्या कमिठ्या व कमिशनस यावर समासद म्हणून त्यांनी काम केले आहे. ते जगातील पददलितांचे पाठिराखे आहेत. त्यांनी अस्पृश्यांच्या हितासाठी ऑल इंडिया 'शिड्यूल्ड कास्टस फेडरेशन' स्थापन केले. १९३०-३२ या काळात ते अस्पृश्यांचे प्रतिनिधी म्हणून राजुंड टेबल कॉन्फरन्समध्ये काम करित होते.

१९४२-४६ या काळात डॉ. आंबेडकर व्हाईसरॉयच्या कार्यकारी मंडळात मजूर मंत्री म्हणून उच्च पदावर काम करित होते. १९४७ सालात भारत स्वतंत्र झाला तेव्हा त्यांना मध्यवर्ती मंत्रिमंडळात कायदे मंत्री म्हणून घेण्यात आले. भारताची राज्यघटना तयार करण्याची जबाबदारी त्यांच्यावर पडली व ती त्यांनी किती उत्कृष्टरीतीने पार पाडली, हे सर्व जगाला महेश्वर आहे.

डॉ. आंबेडकर यांचा विद्याव्यासंग अफाट आहे. त्यांना सात भाषा अवतग आहेत. लेखक म्हणून त्यांचा मोठा लौकिक आहे. त्यांचे अनेक ग्रंथ प्रसिद्ध झालेले आहेत. 'काँग्रेस आणि गांधी यांनी अस्पृश्यांचे किती नुकसान केले आहे?', 'जातीचा समूह नायनाट', 'संयुक्त राज्य की स्वातंत्र्य', 'पाकिस्तान किंवा भारताची फाळणी', 'गांधी, रानडे आणि जिनाह', इत्यादी त्यांची कांही सुप्रसिद्ध ग्रंथ आहेत.

विश्वविद्यालय कुलपते ! डॉ. आंबेडकरांची जी मी ओळख करून देत आहे ती ते एक अति उच्च दर्जाचे, उच्च सदृशांनी मंडित झालेले, डोळ्यांत भरण्यासारखी विस्तृत व विशाल दृष्टीकोनातून समाज सेवा करणारे निष्ठांत कायदे पंडित एक प्रमुख कायदे तयार करणारे, आणि भारतातील दलितांच्या आणि मागासलेल्या लोकांच्या दुःख निवारणासाठी निर्भयपणे लढा देणारा झुंजार म्हणून होय. श्री. भी. रा. आंबेडकर यांना आता सन्माननीय साहित्य पंडित अशी पदवी द्यावी, म्हणून मी आपणाला विनंती करतो.)

बाबासाहेबांना ही जी सन्माननीय पदवी मिळाली ती मी खाली देत आहे-

Osmania University
The Degree
of
Doctor of Literature
Honoris Causa
Has Been Conferred At The Convocation Upon
Dr. B. R. Ambedkar

In Recognition of his Eminent Position And Attainments.
Hyderabad - Deccan. **Chancellor**
January 12, 1953.

हैद्राबाद सरकारने, अस्पृश्य वर्गासाठी एक जमीन देण्याचे ठरविले होते. त्याबद्दलचा निर्णय बाबासाहेबांनी कळविण्याचे आश्वासन हैद्राबादचे गृहमंत्री श्री. बिंदू यांनी दिल्लीत बाबासाहेबांची भेट घेतली, त्यावेळी दिलेले होते. त्या निर्णयाची प्रत लवकर पाठवा, असे बाबासाहेबांनी श्री. बिंदू यांना ६-११-५३ ला दिल्लीहून पत्र पाठवून विनंती केली होती. हैद्राबाद सरकारने अस्पृश्यांना कसण्यासाठी जी जमीन दिली होती ती त्यांच्याकडून काढून घेतली होती. याबद्दल अस्पृश्यांनी मोठी चळवळ केली. सरकार नमते घेईना म्हणून त्यांनी सत्याग्रह केला, त्या सत्याग्रहात औरंगाबाद जिल्ह्यातील १७०० लोकांना (स्त्री पुरुष) तुरुंगात टाकले. अस्पृश्यांना परत जमिनी देण्याचा निर्णय सरकारने घेतला तर मी त्यांना सत्याग्रह बंद करण्यास सांगतो, असेही सदर पत्रात बाबासाहेबांनी श्री. बिंदू यांना सांगितले. जमिनी परत करण्याचा निर्णय लौकर घ्या व तो मला कळवा, अशी विनंती बाबासाहेबांनी श्री. बिंदू यांना केली होती. ते पत्र असे :-
26, Alipur Road, Delhi.
Dated the 6th Nov. 1953.

Dear Mr. Bindu

When we met in Delhi you promised to send me copies of the decision taken by the Hyderabad Government in regard to the grant of land to the Scheduled Castes. It is now more than a week but have not sent me the copies.

From the newspapers it appears that about 1700 men and women belonging to the Scheduled Castes in the Aurangabad district have been arrested and sent to jail for offering Satyagraha for the return of their lands which were granted to them and which were afterwards resumed.

I do not know what the intention of the Government is. Perhaps it is to prosecute them and send to jail. If this happens it would be a great tragedy. It cannot rebound to the credit of the Government to prosecute. Starving people and send them to jail because they ask for bread. I think you ought to release them, the law having been vindicated.

If the orders that your Cabinet has passed are satisfactory from our point of view I may intervene and ask the Scheduled Castes to drop the Satyagraha.

I shall be grateful for an early reply.

Yours Sincerely,
Sd./- B. R. Ambedkar.

Shri Bindu,
Minister for Home Affairs,
Hyderabad State,
HYDERABAD."

(Requesting Hyderabad Govt. to release Scheduled Castes Satyagrahis — 1700 — from prison. Satyagraha on behalf of S. C. Federation for grant of lands, etc.).

बाबासाहेबांनी या प्रकरणात श्री. **रामकृष्णराव**, मुख्य प्रधान, हैद्राबाद सरकार, यांना जुलै १९५३ मध्ये अशाच अर्थाचे पत्र लिहिले होते.

अमेरिकन ऑईल रिकाइरींग कंपनी मुंबईत स्थापन झाल्यानंतर तेथे नोकर भरतीचे काम सुरु झाले. या कंपनीत अस्पृश्य लोकांना नोकऱ्या मिळाव्यात म्हणून बाबासाहेबांनी प्रयत्न केले. पण त्यांत त्यांना यश आले नाही. हिंदी लोकांची भरती करण्याचे काम कंपनीतील वरिष्ठ जागा पटकावून बसलेल्यांच्या हाती होते. ते लोक, जातीधर्म पाहून लोक नोकरीवर ठेवीत असत. याबद्दल बाबासाहेबांनी दिल्लीतील अमेरिकन वकील, मि. जॉर्ज व्ही. अल्टन यांना १३-१२-५३ ला पत्र पाठवून ही परिस्थिती कळविली, आणि कंपनीचे एक बडे अधिकारी मि. टेलर यांना शब्द टाकावा, आणि अस्पृश्यांना नोकऱ्या द्याव्यात, अशी बाबासाहेबांनी मि. अल्टन यांना विनंती केली. तेव्हा मि. अल्टन यांनी बाबासाहेबांना ३०-१२-५३ ला पत्र पाठवून आश्वासन दिले की, अस्पृश्यांना नोकऱ्या देण्याचे धोरण स्वीकारण्यास मी कंपन्यांना विनवितो.

अज्ञात-हेच्या अस्पृश्यांच्या सर्वांगीण उन्नतीच्या प्रयत्नांत त्यांना कुठे कधी यश येत होतं तर कधी कधी अपयशही पदरात घ्यावं लागत होतं. त्यांच्या चौफेर ज्ञानाचा उपयोग त्यांना आपल्या राष्ट्र हितासाठी मनासारखा करता येत नव्हता याची त्यांना खंत वाटत होती. त्याचे एक उदाहरण म्हणून मी केशरी व मराठा यांस लिहिलेले एक पत्र उद्धृत करित आहे :—

26, Alipur Road,
DELHI.
15th July, 1954.

The Editor, The Kasari and the Maratha Office,
Poona-2.

My Dear Sir,

I have received your letter of the 5th July 1954 asking me to state my views on certain questions mentioned therein. I am sorry to say, I could not deal with that letter while in Bombay as I was extremely busy with the affairs of the College. Immediately thereafter I had to go to Coonoor to deliver a lecture on the Indian Constitution to the Military Staff College. I returned therefrom only yesterday.

In the present day with one man's traffic in public affairs it is very difficult to maintain one's interest in the foreign affairs as the country is not prepared to listen to any view which does not concur with that of the Prime Minister. The same has been more or less the case with me and I may say that I have ceased to take the same degree of interest in the foreign affairs of the country which I used to take at one time. That being so I do not feel quite competent to deal with the subject you have raised.

With kind regards,

Yours faithfully,
Sd/- B. R. Ambedkar

(Editors of Kesari & Maratha, Poona newspapers, wrote to Ambedkar on 5-7-1954, to let them know how the Nehru Cabinet meetings functioned. A's reply, dated July 15 to that letter).

खंड ११ वा

प्रकरण ४ थे

अस्पृश्यता पाळणे गुन्हा-कायदा

(राज्यसभेतील भाषण चालू)

अस्पृश्यांना त्यांच्यातील अस्पृश्यत्व मानून त्यायोगे त्यांना जो छळ व त्रास आणि हानी सोसावी लागते, त्याबद्दल हा छळ व त्रास देणाऱ्यांचे कृत्य सदोष गुन्हा म्हणून मानावा, अशी भारतीय घटनेत तरतूद आहे. (आर्टिकल १७) त्या गुन्हाबद्दल शिक्षा झाली पाहिजे, अशी तरतूद करण्यासाठी घटनेत दुरुस्ती करणारे विल (अस्पृश्यता गुन्हा कायदा) Untouchability (offences) Bill, 1954 १२ सप्टेंबर १९५४ ला राज्यसभेत गृहमंत्र्यांनी मांडले. त्यावर त्यांनी १६ सप्टेंबरच्या बैठकीत भाषण करून विलाची आवश्यकता सिद्ध केली. (Parliamentary Debates, Rajya Sabha, Vol. VII B pp. 2410-16) अस्पृश्यता घालविली की ब्राह्मण-अब्राह्मण यांचे विवाह होतील व समाजात मोठा भ्रष्टाचार माजेल, अशी मते असलेले लोक काँग्रेसमध्ये आहेत, व त्यांचे मतपरिवर्तन झाले पाहिजे, असे उद्धार गृहमंत्र्यांनी काढले तेव्हा डॉ. पी. सी. मित्रा (बिहार) म्हणाले की महात्मा गांधी रोटी व बेटी व्यवहाराच्या विरुद्ध होते. (पा. २४१३-१४) गृहमंत्री म्हणाले गांधीजी सजातीय विवाहित दांपत्यांना आशिर्वाद देत नसत, अंतरजातीय विवाहित दांपत्यांना ते आशिर्वाद देत असत (पा. २४१४) लोकसभेने विलावर सिलेक्ट कमिटी नेमली होती. त्या कमिटीवर लोक सभेचे सभासद असावेत, अशी सूचना उपाध्यक्षानी (डेप्युटी चेअरमन) मांडली. त्या सोळा सभासदांमध्ये बाबासाहेबांचे नाव होते. (पा. २४१६) सिलेक्ट कमिटीत असलेल्या सभासदांला चर्चेत भाग घेता येत नाही; आणि आपणाला तर चर्चेत भाग घ्यायचा आहे, अशी बाबासाहेबांनी तक्रार केली. (पा. २४१७) यावर चर्चा होऊन काहीं सभासदांनी मत दिले की आंबेडकर सिलेक्ट कमिटीत असले तरी चर्चेत त्यांना भाग घेऊ दिला पाहिजे. (पा. २४१८-२०), उपाध्यक्षांनी सांगितले की सिलेक्ट कमिटीतील सभासदांना चर्चेत भाग घेऊ नये हा संकेत पाळला पाहिजे. चर्चेत भाग घेणे अगर कमिटीत रहाणे, याबद्दल डॉ. आंबेडकरांनी स्वतः ठरवावे. (पा. २४२१). बाबासाहेबांनी चर्चेत भाग घेण्याचे ठरविले. त्यांनी १६ सप्टेंबरला विलावर भाषण केले. (पा. २४२४-४५) त्या भाषणाचा सारांश असा :-

घटनेतील आर्टिकल १३ म्हणते की, या पूर्वी कायदे अस्तित्वात होते त्यात जर मुख्य मानवी हक्कांच्या विरुद्ध तरतूद असेल तर ती तरतूद घटना ज्या दिवशी भारताला लागू होईल त्या दिवशी नष्ट झाली पाहिजे. अस्पृश्यांच्या मुख्य मानवी हक्कावर गदा असणाऱ्या अशा तऱ्हेच्या तरतूदी Bombay Municipal Servants Act, V of 1890, U.P. Municipalities Act II of 1916, Bombay Hereditary Village Officers Act of 1874,

Bombay Revenue Jurisdiction Act, Pensioners Act, इत्यादी कायद्यात आहेत. आर्टिकल १३ ला त्या बाब आणणाऱ्या आहेत, म्हणून त्या नष्ट करण्याची दजवीज झाली पाहिजे, असे मी कायदे मंत्री असतांना कायदे-खाते आणि गृहखाते यांना घटना अंमलांत येण्याच्या अगोदर सुचविले होते पण ही दोन खाती महा आळशी. त्यांनी कांहीही केले नाही.

Untouchability (offences) Bill हे नाव जरा क्लिष्ट वाटते. The Civil Rights (Untouchables) Protection Act हे नाव सुटसुटीत आणि विषयाला पोषक असे आहे; ते या विलाल द्यावे, या नावाला दुसरे पर्याय Untouchables Civil Rights Protection Bill किंवा Scheduled Castes Civil Rights Protection Bill, असे मी सुचवितो.

विलांत जी तरतूद केलेली आहे ती अस्पृश्यांवर जे गावोगावी अनेक प्रकारचे छळ होतात, त्यांच्यावर सामाजिक आणि आर्थिक बहिष्कार पुकारून त्यांना जीवन कंठणे अशक्य व्हावे अशी परिस्थिती निर्माण करणारे गावातील स्पृश्य लोक, यांना त्यांच्या गुन्हाच्या मानाने विलातील शिक्षा अपुरी पडते. ही उणीव दूर करावी. हे गुन्हे भांडवल करणारे समजू नयेत. आणि या कायद्याची अम्मलबजावणी भारत सरकार करणार की, प्रांतिक सरकार हे स्पष्ट करावे.

बाबासाहेबांचे मूळ भाषण :-

(A's Speech on Untouchability (offences) Bill, in Rajya Sabha on 16-9-1954, pages 2424-2445 Vol. VII-B Sept. 1954).
 "Dr. B. R. Ambedkar : Mr. Deputy Chairman, before I actually deal with the provisions of this Bill, I think it is desirable that I should draw the attention of the House to the responsibility created by certain articles in the Constitution and the responsibilities placed upon the Government to give effect to those provisions.

I would first like to refer to article 13 of the Constitution. Article 13 says that all laws inconsistent with the Fundamental Rights are void from the date on which the Constitution comes into existence. That is a general provision which is laid down in article 13. It is, as a matter of fact, a general notice given to the public as well as to the judges of the Court that if any question was raised before them which involved the adjudication of the Parliament Rights, the court shall not give effect to any existing law

that was in conflict with the Fundamental Rights. But the makers of the Constitution were not satisfied with the general declaration because they felt that it was too much to expect a common citizen to go to a court of law in order to get relief from the court for the invasion of his fundamental rights. That was too much of a burden on the common citizen. And therefore, the Constitution enacted another article, which is article 372, sub-clause (2), which gives power to the Government to make modification and adaptation in existing laws in order that the laws may be brought in conformity with the fundamental rights.

If my hon. friend will allow me to make a personal reference, I would say that when I was in charge of law I immediately took up this question about adaptation and modification of the existing law in order to bring it in conformity with the Fundamental Rights. And I did succeed in getting repealed one of the most important pieces of legislation in the Punjab, called the Punjab Land Alienation Act, under which certain communities or as the law speak of them, certain tribes, were declared to be only tribes which could hold property or acquire property in the Punjab. The law, in my judgement was so iniquitous that a man who was actually an agriculturist, but whose community or tribe was not declared by the Government to be agricultural tribe, was not entitled to get any land. But a person who was a barrister all his life, and never hoped to grow even two blades in a field, became entitled to acquire property, because the Government had chosen to declare his tribe to be an agricultural tribe. I succeeded in having a whole Act cancelled under the provisions of Article 372, Clause (2). There remained another law or custom which went along with the Punjab land Alienation Act, and which referred to what is called the *Shamilat* land, that is to say, the land held in common by the villagers. Under the customary Punjab law, the *Shamilat* land could be shared only by those communities which were called zamindars, hereditary land-owning communities. The others were non-zamindars. They were called *Kaminas*, that is to say, they belonged to a low

class, and they were not entitled to share in the land. Consequently, they could not build their houses in a *pacca* form on the land on which they stayed. They were always afraid that the zamindars of Punjab may, at any time turn them out. And the people did not venture to build permanently. I left the note in the Law Ministry, when I left, that this matter should be taken up and dealt with by the Government under the provisions of Article 372, Sub-Clause (2). I have no idea what the Law Ministry has done or what the Home Ministry has done. I believe, no action has been taken on that account so far. I had, for my own guidance, made a list of certain laws, which, I felt it was absolutely essential to modify in order to bring them in conformity with the Constitution. The first that I would like to mention is Madras Regulation XI of 1816. This is a criminal law enacted by the East India Company. In that, there is a provision, I think, section 10, which says that if the offender belongs to the lower classes, then the punishment to be inflicted on him is to put him in the stocks. This punishment is not to be inflicted if the offender belongs to the higher classes. There can be no question. Sir, that this Regulation is a discriminatory Regulation and should be repealed. Then the next item that I would refer to is the Bombay Municipal Servants Act, V of 1890. Under that Act, it is provided — I think it is Section 3 — that if a municipal servant, whose duties fall within the Schedule attached to the Act, absents himself from work without permission, or resigns his office without at least giving three months notice in writing, he shall be sentenced to imprisonment. It is a well established principle now that a contract of employment is only a civil contract for which, if there is to be any punishment that punishment must be only damages and not imprisonment. But this Municipal law still remains on the Statute Book. The result has been that under this Act — if my Hon. friend will refer to the Schedule, he will find that the Schedule particularly mentions, although in terms of duty, people who are doing scavenging work or street-cleaning work and things of that

sort, and who are mostly Scheduled Castes or the untouchables — it has become quite impossible for them even to go on strike, because the term of resignation must be three months notice. Nothing has been done so far as that Act is concerned. I will take now another item, the U.P. Municipalities Act, II of 1916. I think it is section 85. Yes. There again, the provisions of that section are more or less similar to the provisions of the Bombay Municipal Servants Act. There again it is said that a sweeper employed by a board who, except in accordance with the terms of a written contract of service, or without a reasonable cause, of which notice has been given, resigns or abandons his employment, shall be liable, upon conviction, to imprisonment which may extend to two months. I think these laws, if I may say so, are absolutely uncivilised laws. No country in the world today regards breach of trust of service as an offence punishable with imprisonment or with fine. It is just damaging, but nothing has been done here.

Then I will refer to three other acts, one is the Bombay Hereditary Village Officers Act of 1874. Those who work or officiate under this Act are divided into two classes. My friend Mr. Dange, must be quite familiar with it, although the Home Minister himself may not be. I do not know what the system is in this province, but there the servants are divided into two classes, one class are called officers, and the other are called village servants, although both are paid in the ancient form of payment, viz., land assigned for service out of which they have to eke out their income. The land that has been assigned to them was in ancient times, probably during the time of Shivaji or during the time of Peshwas. No addition has been made to the land them assigned. They have been cutting up and sharing their land into bits and bits, and probably no one individual owns more than one hundredth of an acre of land. Yet these poor people are sticking to that land. Now when the British came in, they started scheme of what is called commutation: that is to say, realising a person from the obligation of hereditary service

and allowing him to retain the land provided he was prepared to pay what is called 'Judi' or land revenue, as the Govt. though fit. That person has been going on for ever and many many, hereditary officers have been liquidated so far. Recently the Bombay Government took upon itself the responsibility of further commuting these village hereditary officers, but notwithstanding the incessant demand of Scheduled Castes in the Bombay State that their workers and their hereditary officers should also be commuted so that they may be free from the obligation of service and be allowed to retain the land on payment of land revenue — they were very liberal and wanted to pay the full land revenue and did not want any concessions — the Bombay Government refused their requests. They confine their law to the commutation of officers other than the Scheduled Castes. This — I speak from experience — is one of the cruellest pieces of legislation, because it is quite possible for the village *Patel* who is an officer under this Act to require the whole body of the Scheduled Castes people to go and serve under him not only for Government purposes but also for his private purposes. Any village *Patel*, for instance if there is a death in the family, would not send a post-card to his relatives informing them of the death in the family, because it is a derogatory method. He must insist upon one of his village servants, as they are called, to walk miles and miles to convey the message that a death has occurred in the house of the *Patel*. If a married girl comes to the house of the *Patel* and wishes to go back, he must insist upon one or two of the village servants to go along with her, accompany her, chaperon her, and to see that she is safely arrived at her father-in-law's house. If a marriage takes place, he must insist on the whole body of people to go and break wood and do all services without paying them anything. If they refuse, he is competent to report to the Collector and that his village servants are not doing their duty, and the Collector under the Act is able to fine them or to take away their land and dispossess them. I wonder whether this is

not a piece of legislation which is fundamentally opposed to the Fundamental Rights in the Constitution, and whether such a piece of legislation does not require modification at the hands of the Law Department or the Home Department.

There are two other Acts which are, so to say, correlative to this Bombay Hereditary Village Officers Act. One is the Bombay Revenue Jurisdiction Act, and the other is the Pensions Act. (*Seeing the Home Minister rising from his seat*). My Hon. friend is too hot perhaps.

Dr. K. N. Katju : I find it too cool on the other hand.

Dr. B. R. Ambedkar : It will be hotter as I go on.

Both these Acts prevent access to the Judiciary for any wrong that may have been done by the officers, the Collector, or the Commissioner or the Minister. No relief can be had from the Courts because the Revenue Jurisdiction Act says that the Court shall not have any jurisdiction either to alter or to modify or to revise the decision of the Collector, who is an executive officer. The Pension Act says that no one who has any kind of *inam* shall be entitled to go to court and the court shall not exercise any jurisdiction unless it obtains a certificate from the Collector that the case may be tried by the court. It is quite impossible, therefore, for these poor people to have any kind of remedy against the many injustices which are being practiced under the name of this particular Act. If I had remained as Law Minister, it was my intention to carry out these reforms. But I think it is the duty of any Law Minister and particularly of the Home Minister to look into our Laws and to find out to what extent the laws are in conflict with the Fundamental Rights. I am sorry to say, Sir, that both these Departments are the most laziest Department that I have ever seen. They have neither the zeal nor the urge nor the conscience to move in this matter. They have no idealism either. I hope that, after what I have said, they will be spurred to some kind of action in this matter and to see that relief is given where relief seems necessary. Well, Sir, this is what I wanted to say by way of preliminary observations. I will now turn to the Bill itself.

I would like to say a word about the title of the Bill. It is not a very important point, but I think the name does not matter. Shakespeare has said that rose smells as sweet whether it is called rose or some other name. I disagree with that statement of Shakespeare. I think that name is a very important matter, and I think that a good law ought to have a good and *succinct* name. What is the name of this Bill? 'A bill to provide punishment for the practice of untouchability arising therefrom'. I personally think that it is a very clumsy name and very mouthful. What really should be the name of the Bill may be a matter of dispute but I personally think that it ought to have been called "The Civil Rights (Untouchables) Protection Act : After all, what you are doing is nothing more than protecting their civil rights. The emphasis ought to have been therefore on civil rights. I venture to tell my 3 P.M. friend in charge of the bill that if he had referred to the case of the Negroes in United States or to the Civil War, he would have found that the Bill that he is now proposing to be passed by Parliament has had its predecessor in the United States and the Bill, if he will refer to it he will find, is simply styled Civil Rights Protection Bill. Even the word 'Negro' is not mentioned in it. I don't know why he should keep on repeating Untouchability and untouchables all the time. In the body of the Bill he is often speaking of Scheduled Castes. The Constitution speaks of the Scheduled Castes and I don't know why he would felt shy of using the word Scheduled Castes in the title of the Bill itself. Personally of myself, I would be quite happy with the name Untouchables Civil Rights Protection Bill or Scheduled Castes Civil Rights Protection Bill. I hope my friend will take this into consideration.

Now, Sir, I find there are certain very grave omissions in the Bill and it is to these omissions that I propose to draw the attention of the House. There is really, as a matter of fact, no provision for the removal of any bar against the exercise of civil and constitutional rights. No doubt the ultimate result of the Bill would be freedom to exercise civil

and constitutional rights but I personally think that it would have been much better if my friend had expressly stated that the Bill was intended to remove any kind of a bar against the exercise of any civil and constitutional rights. I would just like to read to him a provision from the Civil Rights Bill as they call it in the United States. This is how the provision reads. Don't read the title page of the book — it will hurt you. It is the United States Constitution Amendment XIV taken from Government of Ireland Act, 1920 and also Professor Keith's Command Paper.. This is how that provision reads. I have of course converted it to make it applicable to the untouchables but the original is taken from the text of the Civil Rights Bill :

“All subjects of the States are equal before the law and possess equal Civil Rights. Any existing enactment regulation, order, custom or interpretation of law by which any penalty, disadvantage, disability is imposed upon or any discrimination is made against any subject of the State on account of untouchability, shall, as from the day on which this constitution comes into operation, cease to have any effect.”

I think such a positive statement was necessary. It is no doubt contained in article 13 but there can be no harm in repeating the whole of that article 13 with such amendments as are necessary in this Bill. I don't know why the Bill is silent. The Bill seems to give the appearance that it is a Bill of a very minor character, just as *dhoby* not washing the cloth, just as a barber not shaving or just a *mithaiwala* not selling *laadus* and things of that sort. People would think that there are trifles and piffles and why has Parliament bothered and wasted its time in dealing with *dhobies* and barbers and *ladduwala*. It is not a Bill of that sort. It is a Bill which is intended to give a protection with regard to civil and fundamental rights and therefore, a positive clause, I submit ought to have been introduced in this Bill, which the Bill does not have now in its present form. That is one omission which I think requires to be made good. The other omission, which, I find, is of a very

grave character, is that there is no provision against social boycott. Now I feel from my personal experience that one of the greatest and heinous means which the village community applies in order to prevent the Scheduled Castes from exercising these rights is social boycott. They boycott them completely. It is a kind of non-cooperation. This is not merely my opinion but it is the opinion of a Committee that was appointed by the Bombay Government in order to investigate into the conditions of the Scheduled Castes and also of the depressed classes and aboriginal tribes. I might mention to the House that the Late Thakkar Bapa was a member of this committee and he had signed this report. I will just read only one para from the report of that Committee which relates to the question of social boycott. It is paragraph 102. This is what the Committee said :

“Although we have recommended various remedies to secure to the pressed Classes their rights to all public utilities, we fear that there will be difficulties in the way of their exercising them for a long time to come. The first difficulty is the fear of open violence against them by the orthodox classes. It must be noted that the Scheduled Castes form a small minority in every village opposed to which is a great majority of the orthodox who are bent on protecting their interests and dignity from any supposed invasion of the depressed classes at any cost. The danger of the protection of the police has put a limitation upon the use of violence by the orthodox classes and consequently such cases are rare. The second difficulty arises from the economic position in which the depressed classes are found today. The Depressed Classes have no economic independence in most parts of the presidency. Some cultivate the land of the orthodox classes as their tenants at will. Others live on their earnings as farm labourers employed by the orthodox classes, and the rest subsist on the food or grain given to them by the orthodox classes in lieu of service rendered to them as village servants. We have heard of numerous instances where the orthodox classes have used their economic power as a weapon against those depressed

classes in the village when the latter have dared to exercise these rights and have evicted them from their land and stopped their employment and discontinued their remuneration as village servants. This boycott is often planned on such an extensive scale as to include the prevention of the Depressed Classes from using the commonly used paths and the stoppage of the sale of necessaries of life by the village *bania*. According to the evidence sometimes small causes suffice for the proclamation of a social boycott against the depressed classes. Frequently it follows on the exercise by the depressed classes of their right to the use of the common well; but cases have been by no means rare where stringent boycott has been proclaimed simply because a depressed classes man has put on the sacred thread, has bought a piece of land, has put on good clothes or ornaments, or has carried a marriage procession with a bridegroom on the horseback through the public street. We do not know of any weapon more effective than this social boycott which could have been invented for suppression of the depressed classes. The method of open violence pales away before it, for it has the most far-reaching and deadening effect. It is more dangerous because it passes as a lawful method consistent with the theory of freedom of contract. We agree that this tyranny of the majority must be put down with a firm hand if we are to guarantee the depressed classes the freedom of speech and action necessary for their uplift."

This is the conclusion of a committee which was specially appointed to consider the condition of the Scheduled Castes. I do not find any provision to deal with this point of social boycott. I may draw the attention of the Hon. Member of the Burma Anti-Boycott Act of 1922, if he thinks that it is difficult to put the matter in express words which can be legally of use to the courts. I say he can copy the provisions contained in this Burma Anti-Boycott Act of 1922. It gives us the most valuable definition of a difficult matter, namely, social boycott. That will be found in section 2 of that Act. This Burma Act not only creates the instigating of social boycott an offence but it also creates

the instigating of social boycott and offence. It also creates the threatening of social boycott an offence, in phraseology as precise as any meticulous lawyer would want to have. My Hon. friend has tried, I think, in sub-section (2) of section 8, to have some kind of garbled version of it for defending a Hindu who does not wish to practise untouchability but whose caste-fellows compel him to do so. I believe they can only do that two ways, either by committing violence against him or by organising social boycott. As the Committee has said, the village communities most often prefer the social boycott because it is an act behind the curtain and appears to be perfectly in consonance with the terms of the law of contracts, to violence under the Indian Penal Code. Therefore, instead of going round about and bringing about a haphazard result, why not proceed directly and recognised social boycott as an unlawful means of compelling the Scheduled Castes not to exercise their rights? After all, what can be the objection to social boycott? I say, in legal terms, social boycott is nothing else than a conspiracy, which is an offence recognised by the Indian Penal Code. If two people engage themselves in doing wrong to a third person, well, that is conspiracy. The social boycott is brought about by the concurrence of the majority of the people and is also a conspiracy and could be recognised as an offence. I do not know why my Hon. friend forgot that very important fact in this matter.

The third omission — I do not know whether it is an omission or not, I speak subject to correction. I wish the Law Minister was here because it is purely a legal matter. But there is no doubt about it that our Home Minister was a Law Minister in the beginning and certainly has been a practising lawyer and he could not be unfamiliar with what I am saying. Now the question that I ask myself is, are these offences mentioned in this Bill compoundable or non-compoundable? The Bill says nothing about it. It is completely silent. The other day when we were discussing the report of the Commissioner drew pointed attention to the

fact that the untouchables were not able to prosecute their persecutors because of want of economic and financial means and consequently they were ever ready to compromise with the offenders whenever the offenders wanted that the offence should be compromised. The fact was that the law remained a dead letter and those in whose favour it was enacted are enable to put it in action and those against whom it is to be put in action are able to silence the victim. That has been the conclusion of the Commissioner for Scheduled Castes and Scheduled Tribes. Such a situation is not to be tolerated. The offences must not be made compoundable if the offence is to be boycott to the guilty party. If the guilty parties by compounding the offence either by payment of a small sum or something like that are able to get away they can continue their career of harassment of the untouchables until the moon and the sun are there and untouchability would never end.

Therefore, compounding of the offence is a grave matter and a grave issue and it must have been expressly dealt with. I do not know what the intention of my Hon. friend is but in order that we may be able to judge by reference to other provisions in other laws, I shall refer to section 345 of the Criminal Procedure Code which defines what offences are compoundable and what offences are non-compoundable. My hon. friend will remember that there are altogether 511 sections in the Indian Penal Code. Of them, 106 are taken up with purely declaratory, matters, punishments, where the law would apply, general exeptions to the law, costs and so on and so forth. So, we shall cancel or deduct 106 out of 511. The sections which actually define offences are grossly about 400. Four hundred offences, acts and omissions are made offences by the Indian Penal Code. Out of this 400, how many are compoundable? That is a matter which must consider because under that lies the principle which is of importance. As I said the only provision which defines what offences are compoundable or not is section 345 of the Criminal Procedure Code. I have made a little calculation. I am rather weak in mathematics but I believe I cannot be

very wrong in saying — that only 44 offences are compoundable out of 400. The rest are non-compoundable. From this position, I deduce the conclusion that the principle of the criminal law is that an offence shall ordinarily not be compoundable and that these 44 are merely exceptions to the general rule. Out of the 44, 24 are compoundable without the permission of the Magistrate and 20 are compoundable with the permission of the Magistrate. So, really speaking, only 24 are compoundable offences. Now, are these offences indicated in this Bill compoundable or not? The Bill itself does not say so. I think there ought to be an express provision to this effect that any offence under this Bill, shall be non-compoundable. If my Hon. friend does not propose to accept this suggestion what would be the result? The result would be this, that most of these offences will be offences in which hurt or grievous hurt would be caused. They could not be mere offences of show of force or anything less than that, they would be offences involving hurt, grievous hurt violence and things of that sort. Now if a Magistrate were to apply sub-sections in the Indian Penal Code (1) or (2) of section 345 — I do not want to weary my Hon. friend by reading the two sub-section of of section 345 which define offences of this sort — he will find that the offence involve hurt. He will also see that a large majority of them which are made compoundable either with the permission of the Magistrate or without the permission of the Magistrate are offences which involve hurt, grievous hurt, confinement of a person or kidnapping his relation or something like that. All of them are compoundable, absolutely, every one of them. Therefore, it follows that unless you make a specific and express provision in this Bill all the offences if they involve social boycott — this is not mentioned in the Penal Code at all and it is not an offence except conspiracy — and such other acts which involve hurt or violence, so far as section 345 is concerned, which become compoundable and the Bill will be reduced to a complete nullity. It would be a farce. Therefore my Hon. friend will look into this matter and see

— he would be entitled, of course, to take the advice of the Law Ministry — whether within the terms of section 345 of the Criminal Procedure Code these offences would be compoundable, and if so, whether it is not necessary to make an express provision in this Bill to say that offence involving untouchability shall not be regarded as compoundable.

Now, Sir, I come to the question of certain defective provisions. I have said about omissions and I want to say something about the defective provisions. The first such provision to which I shall refer is the clause 8. The punishment prescribed in the Bill is six months imprisonment or fine which may extend to Rs. 500 or both. My Hon. friend was very eloquent on the question of punishment. He said that the punishment ought to be very very light and I was wondering whether he was pleading for a higher punishment because he himself wanted to commit these offenses. He said, "Let the punishment be very light so that no grievance shall be left in the heart of the offender?" I suppose his primary premise is that the offenders who offend the untouchables are really very kind people, overwhelming with love and kindness and that this is merely an errant act which really ought to be forgiven. It is a matter of great solace to me that he has not prescribed the punishment of being warned and then discharged. That I think would be the best section 561 of the Criminal Procedure Code. Yes, that would be the best; if our object is to make the offender a loving person; well, let him be warned and discharged. He will continue to love and no soreness will remain in his heart. Why should he have that? Unfortunately, my Hon. friend has thought that could not be and therefore, he has suggested this punishment.

Now, Sir, having had a little practice in criminal law, I think the rules on which punishment is based are two mainly. One is to deter the offender from repeating his offence. That I think, is the primary rule of criminal juris-

prudence. Punishment is necessary; otherwise the offender may go on repeating his offence. It is to prevent him that there must be punishment. The second object of punishment is to prevent a man from adopting a criminal career. If a man once begins a criminal career then he may continue to do so unless there is some deterrent punishment to prevent him from adopting that career.

Now, Sir, if you accept these two principles, is the punishment proposed by my Hon. friend adequate for the purpose of the Bill? In the first place the six months imprisonment is really maximum and a Magistrate may only inflict one days imprisonment and let the man be off. There is no minimum fixed that the imprisonment shall not be less than six months or three months or whatever it is. The whole matter is left in the hands of the Magistrate. What sort of a Magistrate he may be, it may be quite possible and I am quite imagine that he may be a Pandit, from Kashi sitting in judgement in the Magistrate chair. What conscience would he have in the matter of administering this law?

Shri Basappa Shetty (Mysore) : Kashi or Kashmir?

Dr. B. R. Ambedkar : Oh, Kashmir Brahmins are not true Brahmins, I understand, they are meat *khao*, machli *khao*, as they say. Therefore they are not Brahmins.

Now, as I said, in this case if you want to see that the law is observed, there ought to have been a minimum punishment below which the Magistrate could not go. Secondly the punishment is alternative, imprisonment or fine. The Magistrate may very well inflict the alternative punishment of fine and there might to an offender who might be prepared even to pay the five hundred rupees in order to escape the clutches of the law. What good can such punishment do? The Indian Penal Code prescribes a variety of punishments, a variety of them in section 53 : death, transportation, imprisonment, forfeiture of property, fine, whipping, detention in reformatory. There are seven offences for which the Penal Code fixes death penalty, for 50 offences the punishment is transportation; for 21 offences

simple imprisonment; for 12 offences fine. In all other cases the imprisonment is rigorous. Why my friend has thought so little of this Bill as not to prescribe adequate punishment, it is very difficult for me to understand, I mean the least that one can expect from him is to prescribe a minimum, may be three months, it does not matter, a minimum of three months' imprisonment and fine if he wants to fix fine — I am not for inflicting a fine because that only benefits the treasury, but if you say that the fine will go to the victim, I am for fine also. Otherwise I do not want fine.

Shri B. B. Sharma (Uttar Pradesh) : Why not the maximum penalty of death?

Dr. B. R. Ambedkar : Well, if you like it, have it. — I am not so cruel as that and I do not think you are sincere in suggesting it, and, as I said, there are not cases in the Indian Penal Code where minimum punishment has not been prescribed or rigorous imprisonment has not been prescribed. There are three sections here which prescribe rigorous imprisonment, section 194, 226 and 449. Then the Penal Code has prescribed the minimum period of imprisonment in sections 397 and 398 : I do not see why, when there is the precedent, the precedent should not be.....

Dr. K. N. Katju : What is 397 ?

Dr. B. R. Ambedkar : Dacoity. This is worse than dacoity. I think, to starve a man and not to allow him to take water, I think, it is almost causing death. That is, I think, one drawback in the Bill. Then, Sir, the second draw-back in the Bill is that there is no provision for taking security for good behaviour. The Criminal Procedure Code has got four sections, Sections 107, 108, 109 and 110, and they all enable Magistrate to demand security for good behaviour. I don't understand why this Bill should not contain a provision to that effect. When — for instance — when we find in Rajputana and other States the Caste Hindus are agitating to harass the untouchables because they exercise civil and constitutional rights, why should you not take security for good behaviour?

Shri J. S. Bisht (Uttar Pradesh) : These are all the provisions in the Criminal Procedure Code.

Dr. B. R. Ambedkar : That is what exactly I am saying, that there is a precedent in the Criminal Procedure Code for taking security from persons who do not keep peace, for good behaviour, from persons disseminating seditious matter from vagrants and from habitual offenders, for good behaviour. I am not certain that these provisions could be invoked for the purpose of taking security from persons offending against this law. It may be that specific provision dealing with the cases dealt with in this Bill has to be made, and that can only be made by a specific provision in this Bill.

Then, Sir, there is another provision which finds a place in the Indian Police Act, Section 15 of the Act, under which when some people in the village or the villagers as a whole disturb the peace, the Government can quarter upon them additional police and recover the cost of the additional police from the inhabitants of that village. That is a general provision. I am not sure again whether that provision could be invoked by the Govt. for the purpose of enforcing this Act. That Act is a general Act, disturbance of peace and so on and so forth. This is quite a different case and I should have thought that a specific clause on the lines of section 15 of the Police Act should have found a place in this Bill if outlawing of untouchability is intended to be an effective thing.

Now, Sir, I come to another question about which I certainly feel a certain amount of doubt. Who is the administrator of this Law, the Centre or the State? And if the Centre is not to administer the law, is it not better that this Bill should contain a clause to that effect, that it shall be administered by the Central Government? I make this suggestion because I feel that the States might raise an objection that this is a concurrent piece of legislation and being a concurrent piece of legislation the States have the right ordinarily to administer these Acts. I do not think that

this is a concurrent piece of legislation in which States can claim to have a right to administer.

I claim that this is a Central Law although it does not fall in List I of the Seventh Schedule. The provisions contained in Article 35 are quite clear. It has been stated in Article 35 that any law to be made for inflicting punishment for any infringement of a law made in pursuance of Article 17 shall be by Parliament and not by the State. Those are the very express words. Therefore there can be no doubt in my mind that law will have to be by virtue of the Constitution administered by the Centre and not by the States. I say this because my Hon. friend might be saying that since we have made the offences under this Act cognisable it does not matter if the law is administered by the States but that argument cannot stand at all in virtue of Article 35 and I would suggest to him that he should introduce an express provision in the Bill that the law shall be administered by the Centre. If my friend's contention or the contention of the States is that this is also concurrent piece of legislation, I would like to draw his attention to the proviso to Article 73 which is a very important one and which relates to the administration of laws in the concurrent field. My Hon. friend will remember that in the scheme of things in the Government of India Act of 1935 we had the same kind of classification of subjects — List I — Central subject, List II — State subject, and List III — Concurrent subject but the Government of India Act contained an express provision that the power of the Centre to make law in the Concurrent field was confined merely to Law-making. It could not encroach upon the field of administration. The reasons why such a provision was made in the Government of India Act, 1935, are quite irrelevant to the times in which we find ourselves now, but when we made the Constitution we refused to accept such a provision. We said that although generally the Centre may have a law in this concurrent field for administration to the States the choice must be given to the Centre to determine whether any particular law in the concurrent field

made by it shall be administered by it and not by the States. That intention has been carried out in the proviso to Article 73. We said that if the Centre so determines that the law made in the concurrent field shall be administered by the Centre then the States cannot interfere in the matter at all. Therefore, I am strongly of the opinion that this contention is invalid in view of Article 35 of the Constitution. This Law is a Central law by Constitution. It is really part of List I, although it does not occur as an entry in List I, all the same it is part of List I and therefore the administration must be by the Centre. Whatever expenses are necessary would be a matter which be quite outside the field of discussion. The burden of expenditure, the burden of administration must be taken by the Centre upon itself which I think is only right in this matter. This is all that I wanted to submit." (Parliamentary Debates : Rajya Sabha, Vol. VII-B, September 1954 pp. 2424-45) (Bill passed on 15-3-1954 into Act).

सिलेक्ट कमिटीवर समासद न राहता विलावर भाषण करणेच साहेबांनी पसंत केले तेव्हां त्यांच्या रिफार्माच्या झालेल्या जागेवर श्री. काकासाहेब कालेलकर यांची निवड करण्यांत आली. सिलेक्ट कमिटीत एकंदर १६ समासद होते. विल १७ सप्टेंबरला सदर कमिटीकडे सोपविले. (पान २६२२) कमिटीच्या शिफारशीनंतर सदर विल शेवटी २ मे १९५५ ला राज्यसभेत श्री. दातार (उपाध्यक्ष) यांनी राज्यसभेत मांडून त्यावर भाषण केले. (Parliamentary Debates, Rajya Sabha, Vol. IX-C, April-May 1955, pp. 6490-6504). त्यांत त्यांनी या विलाच्या जन्माचा इतिहास सांगितला. २६-१-१९५० ला घटना सुरू होताच भारत सरकारने अस्पृश्यतेच्या प्रश्नांत लक्ष घातले. त्याबाबतीत कायद्याचा मसुदा तयार करून त्यावर सर्व प्रांतसरकार आणि अस्पृश्यनिवारण्याच्या कार्यात ज्यांनी लक्ष घातले आहे असे समाजसेवक व अशा सार्वजनिक संस्था यांची मते व शिफारशी भारत सरकारने मागविल्या. त्यांचा योग्य विचार करून विल १५ मार्च १९५४ ला लोकसभेत आणले. त्याला सुचविलेल्या दुरुस्त्या लक्षांत घेऊन ते विल लोकसभेने जॉइंट सिलेक्ट कमिटीपुढे ठेवले, इतर समासदांचीही या विलावर भाषणे झाली. (पा. ६५०४-६६२९). उपाध्यक्षांनी विल मंजूर झाल्याचे जाहीर केले. (पा. ६६२९).

* *

खंड ११ वा

प्रकरण ५ वे

‘आंतरराष्ट्रीय धोरण’

(राज्यसभेतील भाषणे)

सध्याचे राष्ट्रीय वातावरण आणि त्यासंबंधीचे भारतीय सरकारचे धोरण, याबद्दलचा ठराव पंतप्रधान आणि परराष्ट्रखात्याचे मंत्री श्री. जवाहरलाल नेहरू यांनी राज्यसभेच्या २६ ऑगस्ट १९५४ च्या बैठकीत चर्चेसाठी मांडला. (Parliamentary Debates — Rajya Sabha — Vol. VII — Aug.-Sept. 1954, P. 437-38).

सदर ठरावावर सरकारतर्फे श्री. नेहरू यांनी भाषण केले. मधून मधून इतर सभासदांनीही भाषणे केली. (पा. ४३७-६९). श्री. नेहरू यांनी सरकारी धोरणाचे समर्थन केले. त्यानंतर बाबासाहेबांनी भाषण केले. त्यात इतर सभासदांनीही भाग घेतला. बाबासाहेबांचे म्हणणे असे की, परराष्ट्र धोरणात शांतता रक्षणाला फार महत्त्व द्यावे हे स्तुत्य परंतु सहजीवन व पंचशील यांना भारतसरकारने जास्त महत्त्व दिले हे बरोबर नाही. कारण सहजीवन आणि पंचशील ही तत्वे नैतिक पायावर उभारलेली आहेत त्यांना राजकारणात स्थान नाही, कम्युनिस्ट देशांत तर त्यांना मुळीच स्थान नाही; आणि भारत ज्या राष्ट्रांशी सहजीवन व पंचशील पाळण्यास व्रतबद्ध झालेला आहे ती राष्ट्रे कम्युनिस्ट असल्यामुळे नैतिक मूल्यांना राजकारणात कवडीचीही किंमत देत नाहीत. कम्युनिस्ट रशियाने महायुद्धानंतर जगातील कांही देश गिळंकृत केले आणि कित्तेक देशांना स्वतःच्या जबरखाली दडपवून ठेवले आहे. या देशांचे क्षेत्रफळ १५०,००० चौरस मैल आहे व तेथील लोकसंख्या २,३५,००,००० आहे निम्न्यापेक्षा अधिक आशिया कम्युनिस्टांच्या ताब्यांत गेलेला आहे. चीनने तिबेटवर झेप घातली आहे, अशा परिस्थितीत सहजीवन व पंचशील भारताने उराशी बाळगणे धोक्याचे आहे. काश्मीर व भारत यांना एकत्र आणण्यासाठी भारत सरकार एक भुयारी रस्ता बांधण्याच्या वेतांत आहे. पण ही योजना

भारतालाच हानिकारक ठरणार आहे. काश्मिर हा देश केव्हां ना केव्हां पाकिस्तान, चीन, रशिया अगर इतर राष्ट्रे यांच्या हल्ल्यात सांपडेल, आणि तेव्हां जर हा भुयारी रस्ता तयार झालेला असेल तर त्यातून भारतावर आक्रमण करण्यास त्या हल्लेखोर देशाला अर्थातच सोपा मार्ग मिळेल. इंग्लंड व फ्रान्स यांना जोडणारा भुयारी रस्ता, ब्रिटिश खाडीच्या खांदून तयार करण्याच्या योजना इंग्लंडमध्ये गेली ५० वर्षे हाताळल्या जात आहेत. पण फ्रान्स हा संरक्षणाच्या दृष्टीने कमकुवत असणारा देश जर हल्लेखोर देशाच्या घशांत पडला गेला तर इंग्लंडवर त्या देशाला हल्ला करण्यास भुयारी रस्ता उपयोगी पडेल, ही जाणीव ब्रिटिशांना असल्यामुळे तो भुयारी रस्ता तयार करण्यात येत नाही. भारताने यापासून घडा घ्यावा.

कम्युनिस्ट मतप्रणाली म्हणजे राक्षसाची खादाड वृत्ती. ही वृत्ति केव्हां ना केव्हां भारताला भोवणार आहे. भारत हा लोकशाहीची कदर वाळवणारा देश आहे. चीन, रशिया वगैरे कम्युनिस्ट राष्ट्रे लोकशाही नष्ट करण्यास झटत आहेत. म्हणून भारताने त्यांच्याशी सहजीवन कसे घालवावे, हे मोठे कोडें आहे. हे तत्त्वच मुळांत चूक आहे व ते भारताने टाकून दिले पाहिजे.

गोव्याचा प्रश्न शांततेने सोडविण्याच्या सरकारी धोरणाला बाबासाहेबांनी पाठिंबा दिला पण या शांततेच्या मार्गाला दीर्घ काळ लागेल. अमेरिकेने फ्रान्सकडून लुसियाना देश विकत घेतला तसा गोवा पोर्तुगालकडून भारताने विकत घ्यावा, अगर दीर्घ मुदतीने महााण म्हणून घ्यावा, यामुळे गोव्याचा प्रश्न शांततेने पण लवकर सोडविला जाईल.

सीटो (अग्नेय आशिया सुरक्षा मंडळ) या संस्थेला भारताचा विरोध आहे असे पंतप्रधान म्हणतात. या संस्थेत अमेरिका, ब्रिटन, फ्रान्स, तुर्कस्थान, इराण व पाकिस्तान हे देश आहेत. ही संस्था चीन व रशिया या कम्युनिस्ट देशांच्या आक्रमणाला थोपवून धरण्याची कारवाई करित असते. पंतप्रधान हे अमेरिकेबद्दल फारसे प्रेम वाळवित नाहीत. त्यामुळे ते या संस्थेला जवळ करित नाहीत. रशिया व चीन यांच्या दबावामुळे पंतप्रधानांनी चीनच्या घशांत ल्हासा जाऊ दिले. आता चीन व भारत यांच्या सीमा समोरासमोर आलेल्या आहेत. आणि रशिया व चीन हे तर हल्लेखोर देश आहेत. तेव्हां त्यांचे हल्ले भारतावर कधी होतील कीं होणारच नाहीत हे ठरविणे कठीण आहे. चीन व रशिया यांच्या आक्रमणाला थोपवून धरणारी ' सीटो ' ही संस्था असल्यामुळे भारत या पूर्वीच जर ' सीटो ' चा सभासद झाला असता तर चीनला ल्हासा घशांत घालता आले नसते. म्हणून पंतप्रधानांचे ' सीटो ' बद्दलचे धोरण योग्य नाही, असे बाबासाहेबांनी आपले मत व्यक्त केले.

बाबासाहेबांनी या भाषणांत रशिया, चीन व इतर कम्युनिस्ट देश यांच्या नीतिभ्रष्ट राजकारणाबद्दल आणि आक्रमक धोरणाबद्दल निषेधपर उद्गार काढले. त्यामुळे

कम्युनिस्ट सभासद बाबासाहेबांवर बरेच रागावले. श्री. भूपेश गुप्ता यांनी मधून मधून बाबासाहेबांच्या भाषणांत अडथळे आणले. बाबासाहेबांचे हे भाषण भरपूर माहितीने भरलेले होते. त्यांची संबंधितभाषणे बरीच मनोरंजक आहेत ती मी येथे देत आहे.

Dr. B. R. Ambedkar (Bombay) : Mr. Chairman, in this debate on foreign policy what one can do, at the most, is to discuss the principles on which the foreign policy of the Government is based. There is hardly time for doing anything more. Principles are undoubtedly very valuable, but I take it politicians have a great dislike for principles, particularly politicians who are dealing with foreign policy. They like to deal with things *ad hoc*, each transaction by itself, without any underlying principle.

I remember that when after the first World War, Mr. Lloyd George and Mr. Clemenceau met in a hotel in Paris before the Versailles Treaty in order to settle among themselves, where to draw a line of partition between territories belonging to Germany in order to hand them over to France for satisfying the strategic fears of France, they had a long map spread in a room which covered the whole of the room and Lloyd George and Mr. Clemenceau had fallen on their tummy to examine exactly where the line should be drawn. After a long search they draw the line which was, of course, most suitable to France. Afterwards Mr. Lloyd George called Mr. Nicholson, who had accomplished him as the expert from his foreign office and asked him to express his opinion about the line which they had drawn. Mr. Nicholson explained in horror saying, "Oh! this is too bad, too bad. Morally quite indefensible." Both these statesmen immediately turned on their back and raised their legs in the air and said, "Well, Mr. Nicholson, can't you give us a better reason?"

I remember also about 1924 or so, Mr. Low, the great cartoonist, having drawn a cartoon in the *Evening Standard* in London showing the various Foreign Ministers of the different countries of Europe then searching for the settlement of European problems with their top hats, tail coats

and stripped trousers holding each others hands, dancing round and saying, "Oh ! give us peace without principles, give us peace without principles." Of course, the world laughed at that.

I am glad that cannot be said of our Prime Minister. He has certain principles on which he is proceeding. It is for the house to decide whether the principles which can furnish us a safe guide and whether they are valid principles on which the destiny of this country could be staked. That is the only question that we can discuss and it is these principles that I am going to confine myself.

The principles on which the Prime Minister is proceeding — and he has said so himself — are mainly three. One is peace : The second is co-existence between communism and free democracy; and the third is opposition to SEATO. These are the three main props on which his foreign policy is based. Now, Sir, in order to that one may be able to assess the validity and the adequacy of these principles, I think it is necessary to have some knowledge of the background of the present day problem with which we are concerned and for which these principles are enunciated.

Now, the background, to my mind, is nothing else but the expansion of communism in the world. It is quite impossible to follow the principle or to understand the validity and the nature of the principle unless one bears in mind the problem the world has to face today — that part of the world which believes in parliamentary and free democracy, viz., the expansion of communism in the world. I propose to give some of years to the House which I have collected in this matter. I am not going back into the long past but I am going to start from May 1945 when the War came to an end. By May 1945, Russia had consumed ten European States.

Shri B. Gupta : It is an utter falsehood.

Mr. Chairman : Mr. Gupta, you will have your chance to reply.

Shri B. Gupta : He cannot say such things. An older man like him cannot say such things.

Mr. Chairman : Mr. Sundarayya, tell him that he will have an opportunity of answering and he need not get excited.

Dr. B. R. Ambedkar : You will have time to answer. Don't be impatient. The person who is often uneasy is the Prime Minister but he is not today. He is quite calm. Why are you so excited ?

If you want to have a look at the authority, I will give it to you — I have got here — provided I am assured that you will return it to me.

Shri B. Gupta : You have your document from McCarthy and Dulles.

Dr. B. R. Ambedkar : Now, Sir, I was saying that if we take stock of the situation from May 1945, and find out what has happened, this is the situation. Russia has consumed, as I said, ten European States : one is Finland; two, Estonia; three, Latvia; four, Luthuania; five, Poland; six Czechoslovakia; seven, Hungary; eight, Rumania; nine, Bulgaria; and ten, Albania.

Shri B. Gupta :and eleven is Dr. Ambedkar.

Dr. B. R. Ambedkar : I am glad you add to my list. You are more uptodate than the book.

In addition, Russia has taken possession of parts of Germany, Austria, Norway and the Danish Island of Bornholm. Of these ten European States three have been straightaway annexed by Russia and made part of her country. The rest seven are kept under Russian influence. This European conquest of Russia amounts to an absorption of a total of 85,000/- square miles and 23 millions of people subjugated.

In the Far East Russia has annexed the Chinese Territory of China (Tannu Tuva), Manchuria, and Korea, north of the 38th parallel, the Southern Sakhalim. This territory in the Far East represents against a total area of 20,000 square miles and 500,000/- inhabitants.

Shri Sundarayya : What about the Peoples' Republic of China ? Why did you omit it ?

Shri Govind Reddy : He said that.

Shri B. Gupta : A great demonstration of history is going on; a great historian has devolved !

Dr. B. R. Ambedkar : They have increased the number by further aggression in South Korea and Indo-China.

Well, Sir, this is the background, I say, against which the adequacy of the principles on which the foreign policy of this Government is based must be considered. I will take first the principle of peace. We want peace, nobody wants war. The only question is, what the price of this peace is going to be. At what price are we purchasing the peace ? Now, it is quite obvious that peace is being purchased by what might be called partitioning and dismembering of countries. I can quite understand the dismemberment of Austria-Hungary where different nationalities with different languages, different cultures, different races, were kept together under one sovereign autocracy of the Austrian Empire. The first World War brought about the end of the Austrian Empire on the well-known principle of self-determination. But here what you are doing this. There are countries which are culturally one, which are socially homogeneous, which have one language, one race, one destiny desiring to live together. You go there, cut them up and divide the carcass; and hand over a part of the carcass (carcass) to what? to countries who are interested in spreading communism. From the figures which I have given there can be no doubt about it that communist countries today are as big as a giant — nobody has seen a giant — I have not seen any how.....

Shri B. Gupta : Except yourself.

Dr. B. R. Ambedkar :and he is supposed to be one of the biggest individuals or persons that can be imagined. Here you have a vast country endlessly occupied in destroying other people, absorbing them within its fold on the

theory that it is liberating them. The Russian liberation, so far as I can understand, is liberation followed by servitude; it is not liberation followed by freedom. But the point is this — and it worries me considerably. You are, by this kind of a peace, doing nothing more but feeding the giant every time the giant opens his jaw and wants something to eat. When you are feeding the giant regularly and constantly the question that I should ask myself is this. Is it not conceivable that this giant may one day turn to us and say . “I have now consumed every thing that there was to be consumed; you are the only person that remains, and I want to consume you.”

Shri H. P. Saksena : Then we will consume the giant.

Dr. B. R. Ambedkar : Let us not boost ourselves too much. We have not been tried as yet in an international boat and when we are tried in an international boat I think it will be found out whether we can face the situation ourselves. But the point that I was making is this. This principle of feeding the giant seems to me a most abnoxious principle and how, for instance, as I said, can we expect to be relieved? Will the Russians show any gratitude because the Indian Prime Minister and the Indian Parliament have supported the partition of Indo-China or supported the partition of Korea, and will they not turn to us? I think this is a question which the Indians should bear in mind and not forget or overlook

Now the other question, namely, co-existence. This co-existence to my mind is an astounding principle unless it is very strictly limited. The question is : Can communism and free democracy work together? Can they live together? Is it possible to hope that there will not be a conflict between them? The theory, at any rate, seems to me utterly absurd, for communism is like a forest fire! it goes on burning and consuming at anything and everything that comes in its way. It is quite possible that countries which are far distant from the centre of communism may feel safe that the forest fire may be extinguished before it

reaches them or it may be that the fire may never reach them. But what about the countries which are living in the vicinity of this forest fire ? Can you expect that human habitation and this forest fire can long live together? I have seen comments from Canadian Statesmen and from European Statesmen congratulating the policy of co-existence. The praises and their encomiums do not move me in the least. I attach no value to their view and to their opinion. The Statesmen of Canada can very easily say that co-existence is possible because Canada is separated from China and Russia by thousands and thousands of miles. Similarly, England after having pulled itself out from the great conflagration, now thinks that she is too exhausted to do anything and therefore likes to enunciate and support the principle of co-existence. But there again it is a matter of distance. One must not forget that in the foreign policy of a country the geographical factor is one of the most important factors. Each country's foreign policy must vary with which its geographical location in relation to the factor with which it is dealing. What is good for Canada may not be good for us. What is good for England may not be good for us. Therefore, this co-existence seems to me a principle which has been adopted without much thought on the part of the Prime Minister.

Then, Sir, I will say a few words with regard to the SEATO. I was very carefully listening to the Prime Minister's observations with regard to the SEATO and I was glad to find that he had not made up his mind about the SEATO. If I heard him correctly, he said that in view of the fact that this country has accepted the Chairmanship of some commission in accordance with the Geneva decisions it may not be compatible for him and for this country to join the SEATO at the same time. The two things would undoubtedly be incompatible. But apart from that I think the merits of the SEATO must be considered.

The repugnance to SEATO appears to me to arise from two sources. I think I am not telling out any secret nor am I accusing the Prime Minister of anything of which he

does not know, that the Prime Minister had a certain amount of hostility, or if he does not like that word, estrangement between himself and the United States. Somehow he and the U.S.A. do not see eye to eye together. That is one reason why I think he always had a certain amount of repugnance to anything that comes from the United States.

Shri B. Gupta : Are you speaking for match making?

Mr. Chairman : The Prime Minister is quiet and you are talking.

Dr. B. R. Ambedkar : And secondly from the fear of what Russia will think if India joins SEATO. Here again, I think, it is necessary to give the House some background against which the merits of the SEATO may be assessed. Now Sir, what is the background of all this? The background is this.

I have given a list of countries which have gone under the Russian regime. I think it is well known that this happened largely because, if I may say so, of the foolishness of the Americans during the last great war. The Russians got possession of these territories with the consent of Mr. Roosevelt and with the reluctant willingness of Mr. Churchill. Mr. Churchill expressed, when the war ended that they had done, a great mistake, and a great wrong in sacrificing the liberty of so many nations for the sake of winning victory against Hitler. And the same feeling, I think, is expressed by him in his last volume which he called "Triumph and Tragedy". It is because of this that he named his last volume — 'Triumph and Tragedy'. Now Sir, what the Americans are doing, if I understand their policy correctly, is this their point of view is that Russia should be satisfied with what she has got during the war, the ten countries. As a matter of fact, I should have thought that it should have been the duty of Americans and the Britishers to extricate these countries, to liberate them, to make them free. But neither country has the will, nor the moral stamina, nor the desire to engage itself in such a stupendous task. They are therefore following, what may be called a second line of defence, and that second line of

defence is that Russia should not be allowed or China should not be allowed to occupy any further part of the free world. I think that is the principle to which all freedom-loving people would agree. There could be no objection to it. And it is to prevent Russia from making further aggression — that they are planning the SEATO. The SEATO is not an organisation for committing aggression on any country. The SEATO is an organisation for the purpose of preventing aggression on free countries. I wonder whether the Prime Minister will not be prepared to accept this principle, that at any rate, such part of the free world as has, by accident, remained free should be allowed to remain free and not to be subjugated. Is India not exposed to aggression? I should have thought that it is very much exposed to aggression. I have no time. Otherwise, I was going to point out to the House how this country has been completely encircled on one side by Pakistan and the other Muslim Countries. I do not know what is going to happen, but now that the barrier between Egypt and England has been removed by the handing over of the Suez Canal. I think, there may be very little difficulty in the Muslim countries joining with the Pakistan and forming a bloc on that side. On this side by allowing the Chinese to take possession of Lhasa, the Prime Minister has practically helped the Chinese to bring 11 A.M. their border down to the Indian border. Looking at all these things, it seems to me that it would be an act of levity not to believe that India, if it is not exposed to aggression right now, is exposed to aggression and that who always are in the habit of committing aggression.

Now, I come to the other question. What will Russia say if we join SEATO? And the question I like to ask, to ask is this. What is the keynote of Russian foreign policy? What is it? The keynote of our Foreign policy is to solve the problems of other countries, and not to solve the problems of our own. We have here the problem of Kashmir. We have succeeded in solving it. Everybody seems to have forgotten that it is a problem. But I suppose, some day, we

may wake up and find that the ghost is there. And I find that the Prime Minister had launched upon the project of digging a tunnel connecting Kashmir to India. Sir, I think, it is one of the most dangerous things that a Prime Minister could do. We have been hearing of a tunnel under the English Channel to connect France with England. We have been hearing it for 50 years I think. Someone has been proposing and yet the English have never done anything to carry out the project because it is double-edged weapon. The enemy, if he conquers France, can use the tunnel and rush troops into England and conquer England. That might happen the Prime Minister in digging the tunnel, thinks that he alone would be able to use it. He does not realise that a conqueror who comes to the other side and captures Kashmir, can come away straight to Pathankot and probably come into the Prime Minister's House — I do not know.

Mr. Chairman : Getting time.

Dr. B. R. Ambedkar : Now, one or two observations.

Mr. Chairman : One or two observations to wind up.

Dr. B. R. Ambedkar : Yes, the Prime Minister has been depending upon what may be called the *Panchuasheel* taken by Mr. Mao and recorded in the Tibet treaty of non-aggression. Well, I am somewhat surprised that the Prime Minister should take this *Panchsheel* seriously. The *Panchsheel*, as you Sir, know it well, is the essential part of the Buddhist religion, and if Mr. Mao had any faith in the *Panchsheel* he certainly would treat the Buddhists in his own country in a very different way. There is no room for *Panchsheel* in politics and secondly, not in the politics of a Communist country. The Communist countries have two well-known principles on which they always act. One is that morality is always in a flux. There is no morality. Today's morality is not tomorrow's morality.

You can keep your word in accordance with the morality of today and you can break your word with equal justification tomorrow because tomorrow's morality will be dif-

ferent. The second thing is that when the Russian Communist State is dealing with the other States, each transaction is a unit by itself. When we deal with somebody, we begin with good will and end with gratitude. When the Russians deal with somebody, they do not begin with good will, nor do they end with gratitude. Each transaction begins and ends by itself, and this is what I am sure the Prime Minister will find at the end when the situation ripens. The Prime Minister has always been saying that there is such a thing as that principle. 'Asia For Asiatics'. Yes, in so far as colonialism is concerned that principle is perfectly true. Asia must be for Asiatics, but are we dealing with a situation like this? Is Asia one today? In what sense? Asia is divided now, it is a divided house now. More than half of Asia is Communist. It has adopted a different principle of life and a different principle of Government. The rest of Asia follows a different life and different principles of Government. What unity can there be among Asiatics? What is the use of talking about Asia for Asiatics? There can be no such thing at all. Asia is already becoming the cock-pit of war and strife among Asians themselves. Therefore, it is better to align ourselves with what we call free nations if we believe in freedom.

One word about Goa. There can be no doubt that the Prime Minister in pursuing the policy of getting Goa evacuated is quite right. It is a very sound policy and everybody must lend his support to him. I do. But there is one observation about the evacuation of Goa by the Portuguese and handing it over to India, was, if I remember aright, brought to his notice very early when we got our independence. I possess with me some notes which were submitted to him by a delegation — I have forgotten their names, but I have got with me — but the Prime Minister took no active interest in it. I am very sorry to say that, because I feel that if the Prime Minister had in the very beginning taken an active interest in the matter, I am sure about it that a small police action

on the part of the Government of India would have been quite sufficient to enable us to get possession of Goa, but he has always been only shouting against them, only shouting and doing nothing. The result has been that the Portuguese have been able so far as we know, to garrison Goa, of course, the Prime Minister's information must be correct and must be accepted by us that Goa is still defenseless, that there is garrison there, no army there, brought by the Portuguese.

Shri Jaawaharlal Nehru : I said no such thing.

Dr. B. R. Ambedkar : I thought he said so, but whatever it is, the point now is this : Personally myself think that this discussion over observers has no value and no consequence. Supposing the Portuguese give the best treatment to the Goanese, are we going to give up our claim over Goa ? May be that they give dominion status to them, so far as we know, and make them full keded citizens, but we are not going to give up our claim to Goa, No doubt about it. It is part of India. Therefore all this talk about observers seems to me to be beside the point. We must deal with the Portuguese people over this question. Are they prepared to surrender their sovereignty in the same way as the British did? This is the only issue that I think need be discussed. Sir, it seems very unfortunate that some of the enlightened nations are siding with the Portuguese. I am sorry to see Mr. Churchill in a clandestine manner siding with Portuguese saying to us. "Do not use force". Why ? Are they going to go away with a kiss from the Prime Minister ? And without a shot being fired ? Similarly Brazil, and I do not know what the attitude of the U.S.A. is, which has not been publicly proclaimed. Possibly, they may also have a soft corner for Portugal. I have been wondering why all these things have happened, Why England, which voluntarily surrendered sovereignty to the people of this country, should ask another country similarly situated to act in contrary way. It is impossible to understand it. It seems to me — The Prime Minister may

accept my suggestion or may not accept it but it seems to me that they are trying to teach our Prime Minister that neutrality has a price.

Shri Sundarayya : The Prime Minister must take note of it.

Dr. B. R. Ambedkar : I am going to make one suggestion to the Prime Minister. I do not think that we should not have an armed conflict with the Portuguese if the Portuguese are going to be supported by other United Nations members, but less than that, there are two proposals that I want to make. You remember perhaps that there was the case in America which concerned the State of Louisiana, which was a French possession in the midst of American possessions and the Americans were very anxious to get rid of the French and to have Louisiana transferred to the United States. The measure that they adopted was to get it for a price. The price given was — I have got the figures with me.....

Shri P. Sundarayya : A few pieces of silver.

Dr. B. R. Ambedkar : A very small price indeed for a huge territory. Goa is really nothing compared with it. Goa is just one of the towns of Louisiana. If the Prime Minister wishes to adopt it.....

Shri Jawaharlal Nehru : What is it ?

Mr. Chairman : Purchase it from Portugal.....

Dr. B. R. Ambedkar : Initiate discussion on that. I am suggesting alternate methods.

Mr. Chairman : That is one suggestion. What is the other ?

Dr. B. R. Ambedkar : The other suggestion that I would like to put before the Prime Minister is that we can take Goa on lease. We all remember in our own country of the lease of Berar. Berar was the property of the Nizam. He had sovereignty over it, but the British Government in the year 1853 or so got Berar on a permanent base. I do not know what amount of money they gave the Nizam. It might have been very small.

Mr. B. Gupta : If we do that we will have to mortgage India's honour.

Dr. B. R. Ambedkar : I am sorry I can't follow him. It is very difficult for me to follow him.

Mr. Chairman : It is difficult to follow him.

Dr. B. R. Ambedkar : What I say is this. We are not interested very much as to who is the nominal sovereign in this matter. What we are interested in is getting possession of Goa, and in establishing our own administration there. We have here a case where in our own country a territory belonging to another sovereign, was leased over, made permanently part of India with certain establishments to indicate that there was a sovereign. I think his (Nizam) son was made Prince of Berar. That is another method which the Prime Minister may try, I don't see any reason why he should not succeed with the Portuguese in persuading them to adopt either of the two methods.

There is only one more observation I shall make and I will sit down. I was reading the other day a volume published by the Institute of International Affairs at Chatham House, giving a survey of things that led to the Second World War, and the author undoubtedly one of the best and most erudite drew two conclusions as to why the war came and why it was not avoided. One was that Mr. Chamberlain on account of the policy of disarmament which was then being agitated upon, by the Labour Party could not presume what is called the balance of power in Europe and allowed Hitler to grow and grow until it was difficult to control him. The second thing he said, was that Chamberlain made the greatest mistake in believing in the work of Hitler. There was no greater liar than Hitler. He was given all that he wanted when the Sudetan Germans were separated from Czechoslovakia and he said he had nothing more to ask. The whole House will remember that after that treaty was signed, the very next day he marched into Czechoslovakia. I hope our Prime Minister will not make these blunders. Sir, I have done." (Parliamentary

Debates: Rajya Sabha : Vol. VII-A — August-September 1954 pp. 469-83 A's speech on India's Foreign Policy. etc., on 26-8-1954).

बाबासाहेबांच्यानंतर डॉ. पी. सुब्बारायन, पी. सुंदरय्या, जे. एल. कौशल, एच. एन. कुंड्रू, डॉ. ए. आर. मुदलियार, (पा. ४८३-५२५) श्रीमती व्हायलेट आल्वा, श्रीमती लीलावती मुन्शी, प्रो. जी. रंगा, इत्यादि सभासदांची भाषणे झाली. (पा. ५३०-६०२). त्यांत काहींनी बाबासाहेबांच्या मुद्यावर नापसंती दर्शविली. श्रीमती मुन्शींनी बाबासाहेबांच्या वद्दल आदरभाव व्यक्त केला. परंतु त्यांचे (काही) मुद्दे चुकीचे आहेत, असे मत प्रदर्शित केले ते असे—

(“... I heard many speeches from partisans, non-partisans, and eye-witness. and especially, the speech of Dr. Ambedkar whom I respect very much. When he says something, one has to listen carefully. Dr. Ambedkar is a good lawyer. He advanced many arguments like a partisan lawyer which were fallacious in many respects....” P. 543 Mrs. Lilavati Munshi's speech on A's views on Foreign Policy.

कृष्ण मेनन आणि श्री. नेहरू यांनी चर्चेस उत्तरे दिली (पा. ५७४-६०२).

भारत सरकारच्या परराष्ट्रीय धोरणासंबंधी बाबासाहेबांनी जे धोक्याचे इशारे आपल्या २६ ऑगस्टच्या भाषणात दिले त्यावद्दल काही वर्तमानपत्रांनी त्यांना शाबासकी दिली, काहींनी नाके मुरडली. रशिया व चीन या साम्यवादी राष्ट्रांवद्दल विश्वास बाळगणे अगर त्यांना खूष करणारी धोरणे स्वीकारणे ही भूमिका भारताच्या हिताला शेवटी घातक होणार आहे, या बाबासाहेबांच्या मुद्यावद्दल ग्रेट ब्रिटन व अमेरिका येथील वर्तमान पत्रांनी प्रशंसा केली. काही वर्तमान पत्रातील उतारे मी येथे देतो. :—

“Nehru told : Giant may eat you” New Delhi, Thursday : The leader of India's 60 million 'Untouchables' attacked Mr. Nehru in Parliament today for his refusal to join the proposed ASIAN PACT against Communist expansion.

“Peace is being purchased by partitioning countries”, said Dr. Ambedkar, a former Minister in the Nehru's Government. This kind of peace is nothing more than feeding the giant. Is it not conceivable that the giant may one day turn and say : Now I will consume you ?”

FEAR, HOSTILITY

Dr. Ambedkar said that the Premier's attitude towards a south-East-Asia Treaty Organisation seemed to flow from some estrangement or hostility between Mr. Nehru and America, and also from fear of what Russia would think if India joined.

In the sharpest criticism yet of India's foreign policy, the Doctor warned Mr. Nehru against blunders like those of Neville Chamberlain when he believed the promises of "that great liar Hitler".

The continued expansion of Communism has absorbed to European countries since 1945, as well as Manchuria, North Korea and Southern Sadhalin. He said that Mr. Nehru by allowing the Communists to take Lhasa, he helped China to bring her borders to the fringe of Indita." (News Chronicle, London, 27th August 1954).

— x —

A talk to Mr. Nehru : "Be Careful, the Giant does not eat you."

New Delh, August 28 : A former Minister in Mr. Nehru's Government. Dr. Ambedkar, in one of the sharpest criticism of the Government's Foreign policy yet made in the Indian Parliament warned Mr. Nehru against making a mistake similar to those of Mr. Chamberlain when he believed Hitler's promises.

Mr. Nehru's policy, Dr. Ambedkar said, should be examined against the continued expansion of Russian Communism, which had absorbed the European countries since 1945, and also Manchuria, North Korea and South Sakhalin. He said that Mr. Nehru, by allowing the Chinese Communists to take Lhasa, had helped China to bring her borders right down to the fringe of India.

"Peace", Dr. Ambedkar said, "is being purchased by partitioning countries. This kind of peace is nothing more

than feeding the giant. It is not conceivable that the giant may one day turn and say, Now I will consume you !”

Dr. Ambedkar said that Mr Nehru's repugnance to a South-East Asia Treaty Organisation seemed to flow from some estrangement between himself and the United States, and from a fear of what Russia would think if India should join such body — British India Press” (The Manchester Guardian, Manchester, 27th August, 1954).

“Nehru Policy Criticised — Soviet Expansion from our own correspondent.”

New Delhi, Thursday : Dr. Ambedkar, a former Indian Minister, suggested today that the foreign policy of Mr. Nehru, the Prime Minister should be examined in the light of the expansion of Russian Communism. “Be careful”, he said to Mr. Nehru, “that the giant does not one day eat you”.

The former Minister was criticising a statement made by Mr. Nehru in the Rajya Sabha (Upper House). In it the Prime Minister explained why India had decided not to join the proposed S.E.A.T.O. talks in the Phillipines.

The project, he said, was likely to reverse the trend towards peace arising from the Geneva Conference. India's participation would have meant departing from her policy of non-alignment with power blocks

Mr. Nehru caused a mild stir when he asserted that the same Portuguese Government which was unwilling to negotiate with India on Goa's future was not unwilling in 1947 to consider a deal with Hyderabad for the transfer of Goa to the Nizam's Government”. The Daily Telegraph, London, 27th August 1954.

COMMENT

The interview between Mr. Atlee and Mao-tse-tung is of interest because it provides authentic confirmation of what is at present uppermost in the minds of the Communist leaders. Britain, or rather the Labour Party, has been assigned the task of persuading America to withdraw her fleet from the Straits of Formosa, and to discontinue plans for rearming Germany and Japan. Only when the non-Communists are weak, according to this thesis, can peace be assured.

Mr. Nehru, in attacking the whole concept of a defence organisation for South East Asia last week, seemed to be subscribing to this thesis. That he does not speak for all Indians was indicated by the speech of Dr. Ambedkar, leader of the "Untouchables" who dwelt on the danger that China's immense power may be used to isolate and then dominate her neighbours. It will be the immensely difficult task of the statesmen at next month's conference in Manila to produce a military pact which provide a counter weight to China now, without discouraging the Indians and their neighbours from recognising that ultimately they must play a part in their own defence and thereby in the maintenance of the peace of the world."

(The Observer, London (29th August 1954.

(Press opinions on A's speech on India's Foreign
(Policy) speech).

— x —

खंड ११ वा

प्रकरण ६ वे

रोडयुल्ड कास्टस अँड रोडयुल्ड ट्राईब्लज रिपोर्ट

(राज्यसभेतील भाषणे)

२ सप्टेंबर १९५४ च्या राज्यसभेच्या बैठकीत गृहमंत्री डॉ. के. एन्. काटजू यांनी असा ठराव मांडला की कमिशनर रोडयुल्ड कास्टस् अँड रोडयुल्ड ट्राईब्लज यांनी ३१ डिसेंबर १९५३ पर्यंतच्या आपल्या कामाचा जो अहवाल सरकारला सादर केलेला आहे, तो राज्यसभेने विचारात घ्यावा. (Parliamentary Debates : Rajya Sabha, Vol. VII-A — August-September 1954, pp. 1140-41). या ठरावावर अनेक सभासदांची भाषणे झाली. (पा. ११४४-११९१). ६ व ७ सप्टेंबरच्या बैठकीतही सभासदांची भाषणे झाली. (पा. १४३४-१५२८ आणि १५७९-१६७०). सरकारने अस्पृश्यांच्या सुधारणेसाठी जे कांही केलेले आहे ते फार कमी प्रमाणांत केलेले आहे. आणि वन्य जातींच्यासाठी जे कांही केलेले आहे ते फारच अल्पप्रमाणांत केलेले आहे, असा सभासदांच्या भाषणांचा सारांश होता. **बाबासाहेबांनी** गृहमंत्र्याच्या ठरावावर ६ सप्टेंबरला भाषण केले. (पा. १४४७-१४७५) त्यांच्या भाषणाचा सारांश असा :-

अस्पृश्य वर्गाचा स्पृश्य वर्गीय लोक परोपरीने छळ करित असतात, हे जगजाहीर आहे; पण ते कसल्या प्रकारचे छळ असतात, याची संगतवार यादी या अहवालांत कमिशनरने का लिहिली नाही, हे कळत नाही. **बाबासाहेबांनी** कांही भागात जे अस्पृश्यांचे अमानुष छळ होतात त्यांची उदाहरणे सांगितली. पुढील अहवालांत हे न्यून राहू देऊ नये. तसे न्यून पुढेही राहिले तर ज्या हेतूसाठी कमिशनरची जागा निर्माण करण्यांत आली त्या हेतूवर बौळा फिरविण्यासारखे होईल. आपला छळ करणाऱ्या गावातील अस्पृश्यांवर कायदेशीर इलाज अस्पृश्यांनी करावा या अहवालातील सूचनेला कांहीं अर्थ नाही. अस्पृश्य हे स्पृश्यांचे गुलाम आहेत व त्यांचे जीवन स्पृश्यांवर अवलंबून आहे, तेव्हा ते स्पृश्यांवर कायदेशीर

इलाज करण्यास धजू शकणार नाहीत. पण सरकार स्वतः हे कायदेशीर इलाज कां करीत नाही ? सरकारी उच्च दर्जाच्या स्थानांवर जर अस्पृश्य वर्गातील लोक असले तर हे कायदेशीर इलाज हाती घ्यावयास सरकारला बरे होईल. जोपर्यंत या जागा सर्वर्ण हिंदूंच्या हातांत आहेत तोपर्यंत कायदेशीर इलाज प्रामाणिकपणे केले जातील की नाही याबद्दल शंका आहे. काँग्रेसचे लोक इतरांना उपदेश करतात की विलायतेला मुले पाठवून विनाकारण पैसा खर्चू नका. आणि हेच आपले मुलगे आणि मुली विलायतेस पाठवून त्यांना सुशिक्षित करून आणतात आणि हिंदुस्थानात मोठमोठ्या पगारावर त्यांची नेमणूक करवून घेतात. अस्पृश्य वर्गातील मुलगे व मुली हे विलायतेत शिकून तयार व्हावेत; म्हणजे त्यांना जास्त पगाराच्या व अंमल गाजविण्याच्या जागा मिळतील व तसे झाले म्हणजे अस्पृश्य वर्गातील काही लोकांची ऐहिक प्रगति होईल. या भावनेने मी १९४२ साली व्हॉईसरॉय व गव्हर्नर जनरल यांच्या मंत्रिमंडळात असताना अस्पृश्य वर्गातील मुलांना परदेशात शिक्षण घेण्यासाठी शिष्यवृत्त्या निर्माण करवून घेतल्या आणि चार वर्षांत ३० विद्यार्थ्यांना त्यांचा फायदा मिळाला. १९४६ साली काँग्रेसचे सरकार झाले व त्या सरकारचे शिक्षणमंत्री श्री. राजगोपाल-चारी झाले. त्यांनी या शिष्यवृत्त्या बंद केल्या, आणि अस्पृश्य वर्गातील विद्यार्थ्यांना परदेशी शिक्षणाचा दरवाजा बंद झाला. सर्वर्ण हिंदूंच्या हातांत सद्या सर्व सत्तांचे केंद्रीकरण झालेले आहे. अस्पृश्य वर्गातील लोकांना उच्च शिक्षण द्यावे, त्यांना उच्च अधिकाऱांच्या जागेवर नेमावे, असे धोरण सरकारने आंखले तर स्पृश्य व अस्पृश्य यांच्यामधील अंतर काही दिवसानी नष्ट होईल, आणि हिंदुसमाज एकजीव व बलिष्ठ होईल हे धोरण न स्वीकारता जेवढे खाली ठेवता येईल तितके ठेवीत आहे, हे पोलिस, सैन्य वगैरे स्वाभ्यात अस्पृश्य नोकरांची जी स्थिती आहे तीवरून दिसून येते. अस्पृश्य वर्ग हे हिंदूंच्या अभिपत्याखाली नांदत आलेले आहेत. व त्यांची हिंदूंनी काय अवस्था केली, हे आपणाला माहितच आहे. अशा स्थितीत वग्य जाती हिंदूंच्या समाजापासून व संस्कृतीपासून दूर आहेत; त्यांना हिंदू समाजाच्या जवळ आणले तर त्यांची काय अवस्था होईल, हे तर्काने जाणलेले बरे. तेव्हा सरकारने या लोकांना सुधारण्यासाठी जे प्रयत्न चालविलेले आहेत त्याबद्दल इतरांनाही सरकारच्या अपुऱ्या कार्याबद्दल बरे वाटत नाही.

बाबासाहेबांचे मूळ भाषण असे :—

(Parliamentary Debates : Rajya Sabha, Vol. VII-A — August-September 1954, pp. 1140-41).

DR. B. R. AMPEDKAR (BOMBAY) : Mr. Deputy Chairman this is the THIRD REPORT WHICH THE COMMISSIONER FOR THE SCHEDULED CASTES AND THE TRIBES HAS SUBMITTED TO THE PRESIDENT. At the

outset going through the report one notices that the Commissioner makes a complaint against the members of Parliament blaming them for not taking action on the various matter discussed by him in his Report. He says that the Members of Parliament have forgotten that he is not an executive authority that his duty is merely to report. The Executive departments are supposed to give effect to whatever recommendations or suggestions that he makes. I think his observations are very sound. He is not an executive authority and for the purpose of criticising what action has been taken the criticism must be levelled either against the Home Minister or against the other departments of Government of India. But Sir, while one must admit the legitimacy of the criticism made by the Commissioner, I think there is one criticism that one can legitimately make against the Commissioner himself in the matter of drafting and preparing the Report. I was referring to his chapter dealing with complaints because I thought that would be one of the most interesting and constructive chapters of that book we are aware of the fact that the Scheduled Castes in particular are subjected to all sorts of tyrannies, oppressions and mal-treatment at the hands of the villagers in the midst of whom they live. And it would undoubtedly be a matter of great interest to know what are the tyrannies, mal-treatments and oppressions to which they are being subjected almost every day. I have no doubt that the Commissioner's Report would be the proper place where such complaints would be recorded but I find the Commissioner absolutely silent over this matter of the gravest importance for the Scheduled Castes. I find for instance that from the complaints which have come to me and I am sure that many more complaints must have gone to the Commissioner, they could not be less than a thousand or certainly five hundred least. I mention one or two which have come to my notice and are of very recent occurrence. I am told on very reliable authority that in Rajasthan thirty Scheduled Caste people have been shot

down by the so-called dacoits. The real fact is that the Rajputs and the high caste Hindus do not like the Scheduled Castes in Rajasthan to enjoy what are called the fundamental rights which give them equality of status with the other Hindus. In order to terrorise them and to make them nervous in the matter of exercising these fundamental rights the high caste Hindus have organised themselves into a band of dacoits and they go on shooting the Chamars, who are trying to exercise and derive the benefit of the fundamental rights. Police parties have been sent there in order to give protection to them, but my information is that the police are in league with the dacoits. Half a number of guns possessed by the police were handed over to the dacoit and the report is made that the guns have been snatched away from them by the dacoits, half the number of bullets are again handed over to the dacoits by the police. Only half are fired probably in the air without causing any effect. The result is that the dacoits are getting on merrily. The dacoits are really nothing else but what ended in the Southern States of America known as the Ku Klux Klan a band of whites who were but upon shooting down the Negroes if they tried to exercise the rights of Equality which was given to them after the Civil War. I do not find any mention of this incident in the report of the Commissioner. I mention another incident and that has occurred in Bombay. One Bhangi who was living in a village was supposed by the Hindus to have brought about a certain disease in the village. They thought the malignant influence which he possessed was the cause of a certain disease which was prevalent in the village. They caught hold of him and asked him to take a burning fire on his head and walk round the village so that the evil forces which brought about the disease may pass away. Fortunately they forgot that he had a turban on the head and he too forgot to remove turban. And the burning fire and the pot in which the fire was placed were so hot that practically half his cranium was burnt. I find no mention of this in the Report of the Commissioner.

10 A.M.

My Hon. friend the Home Minister I think will admit that the Scheduled Castes people for the good reason or bad reason are in the habit of sending their complaints to me as well as to the Government officials and I too propose a long list of these tyrannies and oppressions. I thought that it would be right to expect some reference to these complaints in this public document. But there is none whatsoever. And I have been wondering whether the Report of the Commissioner so far as the record of the complaints in concerned is a doctored and tortured document. The Commissioner seems to have completely forgotten one of the most important objectives that underline the creation of his office. The object was that public conscience should be exercised by the representation of the ugly treatment which the caste Hindus meted out to the Scheduled Castes so that those who are enlightened enough may go among the public and tell them whether this is a behaviour worthy of a civilized people. But when you do not present these facts when suppress them for one reason or another this important motive and object in the creation of this office I think I completely nullified. I do hope that in the next report which the Commissioner will prepare he will bear this thing in mind and not to be ashamed to present the facts as they are presented to him by the suffering masses the untouchables. That is the first comment that I have to make over the nature of the report submitted to us by the Commissioner. It is quite clear that in such cases as have been referred to by the Commissioner there have been many notations of the law and there have been an endless series of tyrannies and oppressions practised upon the Scheduled Castes. This is a matter which I suppose is a matter which is within the portfolio of the Home Minister. To what extent are the laws made especially for the Scheduled Castes or the general laws made for all people respected, and to what extent are the breaches committed punished? Sir, on the first day when the Hon. Home Minister presented the Report to the House. I happened unfortunately to

come a little late. But I did catch him towards the end of his speech. And the impression that was left upon me of the speech that he had made, was that what he had said was said in a spirit not merely of lightheartedness, but he will forgive me if I say this with a certain amount of levity. We asked, what is the use of prosecuting people? People will begin to do Satyagraha, people will begin to do all sort of things. Therefore let us not rely upon what might be called the vindication of the law. Well if that is the attitude of the Home Minister then of course nothing can be expected. The lawlessness which is being practised continuously for thousands of years against the Scheduled Castes, has been lawful because it is impossible for the Scheduled Castes people themselves to come forward to prosecute the breaker of law. As the Commissioner has said the Scheduled Castes people are economically so subservient to so dominated by the Caste Hindus that it is quite impossible for them to come forward to challenge the very people on whom they depend for their economic livelihood. That is an admission which the Commissioner has been making from the very beginning. It occurs in his first report it occurs in his second report and he repeats it in his third report that it is useless to depend upon the Scheduled Castes themselves to vindicate their rights. They have neither the economic independence against their oppressors nor have they got the means to prosecute their oppressors. The second thing which the Commissioner does not seem to emphasise very much and which I know very well myself from my experience of twenty years is that in a large number of cases the police force is in league with the Caste Hindus. Ninety per cent of the police force is drawn from the Caste Hindus. Only a few per cent and a very small one is now being recruited from the Scheduled Castes but this is only to the posts of police Sepoys. There are no officers amongst them. The result is that the upper grade policemen are in league with the Caste Hindus. More often they refuse to record the complaints of the Scheduled Castes when they

go to the Thana in their Station diary even though the offence may be cognisable. They throw them out turn them out and tell them to go away. They do not record complaint and Secondly if they probably would conduct the investigation in such a slip shod manner that ultimately the face facts. In this situation I ask the Home Minister whether he thinks that there is any duty upon him or not I ask him whether the breaches of the law which are being reported and witnessed by Scheduled Castes or other people are not breaches of the fundamental rights? Are not fundamental rights part of the Constitution? If you are allowing a large mass of butchers and hooligans to trample upon the fundamental rights are you not bringing the Constitution to contempt? Is it not your duty to create a special Department either within the Home Ministry itself or separately for the purpose. The United States has got a Judicial Department the duty and the function of which is to see that the Constitution and the Federal laws are respected. I think it is high time that the Home Minister realises that if the Constitution is to function if it is to be the law of the land if all people are to recognise it his duty is to see that it is enforced and the only way in which he can enforce it is to take upon himself the duty of enforcing it and not leave it even to the State Governments who can never do it not even to the Police who has no desire to do it and not even to the Scheduled Castes who have no means to do it. Therefore I hope that he will take the matter more seriously and attend to it in manner in which a statement ought to. Now I come to the subject matter of Education. It is quite satisfactory I must admit that the Government has spending annually more and more on the education of the Scheduled Castes. If my Hon. friend will forgive my mentioning myself he will realise that it was for the first time in the year 1942 that the Government of India at my instance when I was a Member of the Executive Council accepted that they too had responsibility for the education of the Scheduled Castes. Therefore education was purely a provincial subject. It

was only so far as the Muslims and Hindus were concerned that the Government of India had taken upon themselves the responsibility of supporting the Aligarh University and the Benaras Hindu University by an annual grant of Rs. 3 lakhs. I raised the question whether the Government which had recognised its duty for the Muslims and Hindus had not also a duty for Scheduled Castes and the Government of India agreed that it was a legitimate question and that the answer to the question could not be given except to the alternative. They granted Rs. 3 lakhs as a grant for the education of the Scheduled Castes from the Central funds. While I am satisfied with the progress that is being year by year by the Enlargement of the Educational grants for the Scheduled Castes there are two points with which I am greatly dissatisfied. One is this at the time in 1942 when the question was raised by me for the first time in the Government of India it was argued that the responsibility for the education of the Scheduled Castes up to the University Standard in India was to be borne by the provincial Government and that whatever contributions the Government of India made towards the education of the Scheduled Castes would be devoted for their education in foreign countries. According to that understanding the first batch of Scheduled Castes students was sent to England although there was great difficulty in the matter of getting admission to English and American Universities because they were over flooded. Yet we here in the Government of India pressed upon the foreign universities that as it was for the first time that the lowest of the low people were being sent for higher education the foreign universities should show them some consideration. The result was that were able to get about 30 Scheduled Caste students. Thereafter in 1945 the old regime ended and the Congress regime came in 1946. I had hoped that a system which had been inaugurated in 1943 or so and which had been given effect to and in which the Governments responsibility for the education of Scheduled Castes in India and then education outside was accepted, would be continued but to my surprise great

chagrin about I must say. I found that Mr. Rajgopalachari who became the Education Minister in the Congress regime and who has a great knack for giving a pious look to an impious act abolished the system of sending Scheduled Castes students to foreign countries and since that time there has hardly been any student belonging to the Scheduled Castes who has gone abroad for further studies. I think than this is what shall I say a most dangerous thing from one point of view. No doubt the Hindus do not like any criticism but I am firmly convinced that my criticism is right and I must repeat it notwithstanding the opposition with which it may be met.

Shri B. K. P. Sinha (Bihar) : But the Scheduled Castes are also Hindus.

Dr. B. R. Ambedkar : Yes if you call them so. I am statutorily a Hindu.

Shri B. K. P. Sinha : Factually also.

Dr. B. R. Ambedkar : Sir the point is this. In this country for reasons into which I need not go now, the fact is quite clear that the higher classes receive the highest education. Their children go to Cambridge their children go to Oxford their children go to the Columbia University and to all the foreign Universities.

Dr. K. N. Katju : Perhaps my friend is probably not aware that Harijans as members of the Scheduled Castes and the Scheduled tribes are being sent to the foreign countries.

Dr. B. R. Ambedkar : You are repeating I see.

Dr. K. N. Katju : They are benefitted by it.

Dr. B. R. Ambedkar : I cannot bear.

Dr. K. N. Katju : May I just say a few words? I heard him complain just now that the system of awarding foreign scholarships to the members of the Scheduled Castes has been given up and was being given up and was being given up in 1946 by Rajaji. I was only just saying that foreign scholarships are being given today and that scheme was

tried last year for once year and that scheme has now been made permanent for five year.

Dr. B. R. Ambedkar : You are reviving it because you have seen the folly to it.

Dr. K. N. Katju : It has been reviewed. The scholarships are now being given.

Dr. B. R. Ambedkar : After an abeyance of several years.

Dr. K. N. Katju : I am not concerned with that point.

Dr. B. R. Ambedkar : You should look into the history of your Department. You cannot simply say, I don't know! What I was saying was this. Notwithstanding what my Hon. friend said I think the criticism that I am making is very valid and very fundamental. Here in this country you find really two nations — a ruling nation and a nation which is a subject nation.

An Hon. Member : Question.

Dr. B. R. Ambedkar : The backward classes are all subject people. They have no authority in any place. None whatever. They have no place in Administration they have no place in the Executive and the Executive and the Administration is entirely monopolised by the higher classes. They are monopolising it by the reason of the fact that they have been able to get the highest Education. Why not examine all the Secretaries of your Departments in the Government of India? The son and daughter of every Secretary in the Government is to be found in Cambridge or Oxford. Twice and thrice they have made journeys in order to lodge their children there because they have amplest means. The backward class man's son cannot get even primary education. This sort of revolution in the two different classes is going on for centuries it is an intolerable business because we cannot allow one class to rule for ever. For some time they may but they must see that the other classes also become educationally qualified in order that they too may hold the reigns of Government. We are not going to be subject people all the time.

Shri H. P. Saksena (Uttar Pradesh) : There are no classes in India. This is a classless country.

Dr. B. R. Ambedkar : Therefore what I am saying is this that if you really want to unify the people to bring all the people on level, then it is not enough that you should get the highest education and others should get the lowest and not even the lowest. It is from that point of view that you must introduce the system of foreign education.

It was with that aim that I struggled to get some quota from the Government of India and asked them to put the responsibility for University Education upon the provinces. The States have been jolly glad to throw the responsibilities upon you. What do they do? They are having prohibition making people sober, personally for myself I think a sober man who is an ignominious is not be preferred to a man who is educated and who drinks a bit. I prefer the latter I am glad to hear that my Hon. friend is now reviving the system of sending Scheduled Caste boys to foreign countries, I congratulate him.

Now Sir the other thing which has recently come to my notice is this that the Education Department has issued a Circular — I think a month or two ago to the effect that those Scheduled Caste boys only who have secured 50 per cent Marks in the Examination shall get Scholarships. Others will not get I am wondering whether a generous Government with a sympathetic heart desiring to elevate the Scheduled Castes would even think of prescribing so bad a test as securing 50 per cent, you must consider the condition in which the Scheduled Caste boy lives. Probably his father or mother has not got even a room set apart for his study. He probably has not got a lamp to sit by at night and study. He is living in the midst of a crowd. How do you expect him to secure 50 per cent marks in the Examination? It is a absurdity — bitter absurdity. You must for some time allow the ordinary standard viz. of 33 per cent which has been recognized by all the Universities

and which is being recognised by you also for the purposes of Employment in the Government of India. If a boy who merely passes is fit to be employed by the Government of India why is he not fit for the grant of Scholarship for further education unless you want deliberately to put some kind of an impediment in the growth of their education? The difficulty is this. The admission take place some time in the last week — June. Various colleges admitted Scheduled Caste students without asking for fees because they knew that the Government of India would give them the Scholarship. After three months of the joining of the College the Ministry comes out with Circular saying that only those who have secured 50 per cent will get Scholarships.

What are the colleges to do with the boys whom they have admitted on the assurance that the previous system will continue in operation? What are the boys going to do who have got themselves admitted into the College? I hope my Hon. friend the Home Minister will look into this matter take it up with the Education Minister and ask them to square up this difficulty at any rate so far as this year is concerned. You may do what you like next year provided you give enough notice both to the students and to the colleges as to what you propose to do. ;

Then I come to the question of Services. The Commissioner has divided his figures with regard to the Services under three groups the Army, the All India Services and the Central Services of Government of India. With regard to Army, I find that in certain categories the position has determined. In 1952 there were two Second Lieutenants belonging to the Scheduled Castes. In 1953 the position is "NIC" of junior Commissioned Officer in 1952 there were 601. In 1953 the number is 435 Non-Commissioned Officers in 1952 there were 3273. In 1953 the figure has gone down to 2533 other ranks in 1952 the number was 2,22,288. In 1953 it has gone down to 18,666. I am quite unable to understand this deterioration in the position of Scheduled Castes in

Army. The Army I thought is the one place where not much intellectual calibre is necessary, I mean in the other ranks. May be that in the higher staff it is required much intellectual eminence. But we are not talking about them. But taking the other ranks we find that the figure has gone down from 22,000|- to some 18,000|- why ? The Army I understand has been expending and with the expansion of the Army one would naturally expect an increase in the number of Scheduled Caste men in the Army. In all other places you say they are suitable. And that is a very ambiguous phrase. All public service commissions and appointing authorities have learnt that phrase by heart. You simply say the man is unsuitable and there is an end of the matter. But in the Army what is there to be unsuitable ? [What is the unsuitability about ?] There you have certain measurement of the chest. There are very few people among the Scheduled Castes who would not fulfil the test. Then you have certain tests of height some 5 ft. 4 inches or so. Well I think all Scheduled Caste candidates would fill up that height (Interruption). Very few there may be I admit who may fail. But given these physical standards of health chest measurements and height I should have thought that almost every Scheduled Caste man was first to be in the military service. And when you are denying them service in other departments of the Government of India surely you ought to make some concession to them in departments like the Army and the Police where education is not a matter of any considerable moment. But there again you have been behaving in a step-motherly fashion I do not know whether the Home Department ever takes interest in these figures or knows them and pursues the matter. Surely the Commander in Chief ought to be asked by them as to why this deterioration has taken place. Then Sir I come to the All India Services. These are what they call the Administrative Services and the Indian Police Services. Recruitment to these, I think started through the Public Services Commission in the year 1952. My Hon. friend Shri Datar will correct me if I am wrong. But I think that is the year.

The Deputy Minister for Home Affairs (Shri B. N. Datar)
About 1946.

Dr. B. R. Ambedkar : No I am not counting those whom they recruited from the provinces. No Scheduled Caste man was recruited except one or two. The rest they found to be utterly unfit although the Provincial Governments thought them quite fit the Central Public Service Commission found them utterly unfit. That is all past history and I am dealing with the present. Has there been any recruitment to the Indian Administrative Services since 1952. When the new Constitution came in force ? I have not seen a single caste candidate being chosen by the Public Service Commission for the Indian Administrative Services not one. I have not seen a single candidate being chosen by the Public Service Commission for the Indian Police Service either. It is only last year that I struggled with the Public Service Commission and induced them to accept one for the Indian Police Service. I wonder whether the Home Department which is in charge of services looks upon this matter as of or consent or looks upon this matter as a matter of high consent. These are Executive Services. My Hon. friend knows very well the difference between an Executive Service and an Administrative Service. An administrative service is more or less a clerical thing. The executive service possesses the power of direction. It has directive authority. Now I want to say and I want to say it quite fearlessly that 2,000/- clerks are of no value as compared to one officer holding an executive post. In Hindi we call it "Marneki Jagah". What are these poor clerks ? You will see in fortresses but you have none in U.P. In my part of the country the place is full of Maratha fortresses.

Shri B. N. Datar : "Mar Quilla" we call it.

Dr. B. R. Ambedkar : आदमी वहाँ बैठकर फायर कर सकता है दुश्मन को

Now these Executive posts are posts from where direction can be given. The clerks need all kinds of protection. Any officer may spoil their character roll by writing a bad

remark or saying that the man is no good the only way he can be protected is by having somebody in the Executive Service who might look into this matter and see no injustice is being done. Similarly with regard to the policy laid down by the Government whether that policy will fructify and yield results depends upon who are the people who are charged with the duties of executive that policy. If the Executive authority is unsympathetic is antagonistic that policy however good it may be can never fructify. And let me add and so far as my experience goes the whole of the administration which is now composed of caste Hindus is the most unsympathetic administration that the Scheduled Castes have to suffer under. This is because of the sympathetic character of administration. And when we have been shouting for representation in services that claim is being maligned by calling it communalism what we are trying to do is to reduce the communalism of the other people. We are not asking for communalism I hope my Hon. friend will remember this until and unless your administration and your executive becomes more sympathetic to the Scheduled Castes none of your laws and none of your administrative policies will bear any fruit. Then let us come to what are called the Central Services. Here I am taking only the figures of permanent posts not the temporary ones as they stood on 1st December 1952. The Commissioner says that the Ministry of Railways, the Ministry of Communications, the Ministry of Finance, the Ministry of Information and other organisation under its control have not supplied information on this point. Therefore these figures relate to those departments which have supplied the information. The figures are very telling. In class I the actual strength is 752 and the Scheduled Castes member 10 according to the proportion fixed by the Home Ministry that ought to have been 175. Class II (gazetted posts) total number is 642 while the Scheduled Castes number only seven that ought to have been 107 according to the proportion. Class II (non gazetted) total number is 1,123 and the Scheduled Castes number 44 that ought to

have been 185. Class III total number is 10,372 and the Scheduled Castes number 536 and this ought to have been 728. In Class IV the total number is 3,807.

Dr. P. C. Mitra (Bihar) : How many of them applied ?

Dr. B. R. Ambedkar : The Scheduled Castes member 1,451 but ought to have been 1,478. Class IV servants I think are chaprasis and there you find the number of Scheduled Castes people fairly large. These are the figures which must be within the kin of the Home Ministry they have laid down a proportion and surely it is their duty to see that the proportion is carried out by the different Ministries. Why has there been this defalcation on the part of the various Ministries and why has the Home Minister not taken any action ? If he had taken any action what is the action that he took in order that the Scheduled Castes receive their quota which is fixed by him ? Sir it is very black picture if I may say so very black. It reminds me of a cartoon which was drawn by the German during the last war. The cartoon depicted an old negro gentleman in Washington when was declared the negro as everybody knows negroes are not well disposed towards the whites in America they are always very angry quarrelling with them are not giving them equality of opportunity. Suddenly felt very patriotic and he said that he must transfer some of his patriotism to the young boy who was his son. He went to the market and purchased an American National-Flag — small one which the boy could hold and gave it to the boy. He said "My son, I want to show you today our capital, our capital". The boy did not realise what it meant. Holding the boy by the right hand and the boy holding the flag in his left hand the old man took him round and round in Washington City showed him the Supreme Court the Congress House, the Senate and so on and so on and ultimately after lunch came down to the White House stood there for a minute or two and said to the young boy : "My dear boy, this is the House of our President", But the boy said "Father what are you talking ? He is a white man and

how do you praise him?" The old man said, "Oh shut up, that is only outward". That is to say inside he is quite black. I think that might well be applied to the Home Minister notwithstanding the white dress he is very black inside and the evidence is the neglect which has been shown in the matter of seeing that the Home Minister's own order's are carried out. Nothing has been done.

I have dealth with services and I will deal with the question of propaganda. I see that the Government of India has sanctioned about Rs. 50 lakhs for the year 1953-54 for the purpose of carrying on propaganda against untouchability. The scheme I understand is that a part of the money is given to all India organisation directly by the Government of India. That is the Scheme. I have no idea what my Hon. friend means by the abolition of untouchability. What is Untouchability? ;Let us understand it is a kind of mental disease of the Hindus. It is not a disease from which I am suffering, not any tumour which I have got not a rheumatic pain or any of the physical disabilities which can be removed but it is a mental trust. Every Hindu believes that to observe untouchability is the right thing. I do not understand how my friend is going to unturst the turst which the Hindus have got for thousand of years unless they are all sent to some kind of a mental hospital it is very difficult to cure, them and I do not want them to be sent there. Therefore let us understand what we talk and what we are doing. Besides all must realise that untouchability is founded on religion There is no doubt about it and let us not be ashamed of realising it.

Manu in his law book very definitely prescribe untouchability. He said that the untouchables shall have only eartheny pots that they shall not have clean clothes, that they shall beg for their food and so on and I cannot see how you blame the Hindus. For thousand of years by the teaching this dirty law they have go inculcated in their mind the doctrine that untouchability is a most

sacred thing. The Hindu has been taught the most pious and best of life is that of a rat who lives in a hole uncorrected with anyone. We must not touch this, he must not touch that, he must not eat this, he must not eat that etc. and this is a kind of life which a rat observe by living in a hole. A rat would not allow another rat to come into its own house. That is the position and all that we can do is to see that untouchability which as I said to a mental twist of the Hindus does not protrude so much into public life as to involve the civil liberties of the people.

Dr. P. C. Mitra : Untouchability is only a custom and usage.

Dr. B. R. Ambedkar : If you want to study that subject with me I can spend a few hours with you. Therefore Sir, this propaganda business is quite impossible for me to understand. I agree with my Hon. friend Mr. Kunzru that it may result in nothing else but a waste of public money.

Secondly I do not understand why this matter should be left to these what are called organisations of Social workers. A social worker in this country is a professional, he has no such thing as inner sympathy. He is a professional. If the Muslim League wants him he will probably serve the Muslim League if the Hindu Mahasabha wants him he will serve the Hindu Mahasabha if the Congress wants him he will serve the Congress. He is a professional and there is no such thing as for instance an inner love. As Tolstoy has said rightly said, 'before you serve you must learn to love.' No man can serve anybody unless he loves him. These professionals have no love they are simply trying to make their livelihood and therefore perhaps I would not be surprised if they are getting remuneration from all three. I do not wish to comment on it. The proper thing if my Hon. friend wants to do seems to me to be to take hold of these unemployed graduates. There are plenty of them, intelligent educated boys who can be said to have some kind of a modern outlook in life or who might

be said to have developed some public conscience in the matter you engage them on some reasonable salary, give a motor bike or a cycle and give each man seven, ten or fifteen villages and ask him to go round village by village, hold public meetings address the people on the question of untouchability and tell them this is something which is going to bring disgrace upon this country in the modern world. What way it would be far more fruitful and for more effective the kind of thing that my Hon. friend is doing. Why these social organisations have a fascination for the Congress Government I do not know. In older times during the British regime the Centre acted administratively through the Collector. Money was given to him and he was asked to discharge certain functions in certain fields. He could be held accountable to Government. Money was safe in his hands. If you do not like the Collector then employ the kind of Agency that I have submitted, namely a group of intelligent boys who would be longing to do this Service. This kind of a thing a woolley crowd, calling itself by some kind of a name to attract people if no consequence at all.

Then Sir

Sir K. B. Lall (Bihar) : Will they not be professional.

Dr. B. R. Ambedkar : The Government servant is not a professional. Why? You want to use them latter for canvassing votes for you in the elections. That is the whole trouble about it.

Now Sir, regarding the other point namely selected of certain agencies by the Government of India and giving them funds to do this propaganda work, the Commissioner has made some observations on some communication that passed between me and the Home Department. He has said that other agencies have accepted the offer of the Government to receive money and to do the propaganda. I was one naughty boy who refused and he thought that it might well in bringing the default on my part to public notice.

I wish he had given him the full letter which I had written to the Home Department. I think Mr. Datar dealt with the matter if I mistake not and he will recall that what I said was this that the bodies were chosen by the Government of India were political parties like the Harijans League and something like that were all political bodies. The Federation was also a political body. So I think it was wrong for Government to hand over public funds to political bodies who may use the funds to political propaganda and not for the elevation of the Scheduled Castes, and I told him that there was the Chairman of another body which was being built up in Bombay, which was a purely social welfare body. It had large funds some where between two or three lakhs of rupees they were going to build a hall and carry on activity. Of course I forgot to mention therein that body although it was formed in Bombay was not conformed in the matter of social work either to the Bombay City or to the Bombay State. It was open to them to do any kind of social work in any other part of India. The only thing was that the centre and head office would be in Bombay. Mr. Datar rejected my suggestion and put this matter in the report. All that I want to say is this. If Mr. Datar had communicated to me that he did not accept my suggestion, I am sure within myself that I would have changed my mind and accepted the offer in the name of the Federation because 'beggars cannot be choosers' if for no other reason and I even now say that if he insists that the Federation is the only body which the Government of India would entrust the money with well I have no hesitation but I still mention my view that this work ought not to be entrusted to political bodies. Now Sir, I come to the question of the Economic Emancipation of the Scheduled Castes.

This I think along with Education and Services is the most important thing for the raising of the status of the Scheduled Castes. Now what are the means of raising the Economic status of the Scheduled Castes? Obviously the

Economic Emancipation of the Scheduled Castes will depend up the opportunity that they get for what might be called entry into gainful occupation. Unless and until doors are open to them where they can find gainful occupation, their economic emancipation is not going to take place. They are going to remain slaves, if not slaves, serfs of the land-owning classes in the villages. There can be no doubt on the point at all. Now Sir, out of these gainful occupations I personally feel no doubt that the most important thing on which Government ought to concentrate is the giving of land to the Scheduled Castes. They must be settled on land so that they might obtain independent means of livelihood, cease to be afraid of anybody walk with their heads erect and live fearlessly and courageously. I think this is a thing which all the Ministers are agreed upon. I take it that the one thing that Government ought to do is to provide land for the Scheduled Castes. Let us take that question. Firstly is there land available to be given to the Scheduled Caste?

Has Government any power to sequester land from those who are owning land now, take it away and give it to the Scheduled Castes? It is possible for the Scheduled Castes to be financed by the Government in the matter of purchasing lands if land was to be sought? These are the three ways by which land could be given to the Scheduled Castes. Government should by law limit the holding of those who hold land and take away the excess and hand it over to the Scheduled Castes. Secondly the Government may finance the purchtse of land if any is to be said.

Sir, it is clear to everybody that land-holding in India is not merely a matter of economic livelihood. It is a matter of social status. A person holding land has a higher status than a person not holding land. Now it is quite clear that in the villages this matter of Economic Status is of the utmost importance to everybody. And no Hindu wishes that an untouchable should possess a piece of land so that he may reach a higher status than his community is entitled

to under the social system. Sir, the question of a Scheduled Caste man getting a bit of land in the village seems to me to be utterly impossible. I do not know to what extent the Government will be able to make a law limiting the holdings. There might be a Revolution. If the Government had in passing land legislation, instead of giving the title of the property to the peasant kept the title to themselves as permanent owners of land they might have been able to pass a law that as the land belonged to the Government nobody would be allowed to hold now than a certain number of acres. But the Government has committed one of the greatest acts of folly in creating these peasant proprietors. Sir once Talleyrand told Napoleon "Why do you want all this bother with Europe? Why do you want to create all this Enmity, Why should you not be content with becoming the king of France with one as your Prime Minister? There was a certain number of soldiers standing outside the palace of Napoleon, holding their guns with bayonets shining in the light of the Sun. Napoleon was a very abusive person. He told Tolleyrand, "You were so much done in a Silk stocking" "Do you see my battallions?" he said "Yes I see them". Then Napoleon asked "why should I not be an empertr?" To that Tolleyrand replied and my friends will remember that reply. "You can do anything with these bayonets except sit on them." Now you have created these peasant proprietors. You cannot sit on them, they will sit on you. You have bungled and bungled most wrongly notwithstanding the advice of many people not to do it. But just to win political elections you did it and you are bearing the fruits of it now. However this limitation of holdings therefore is an impossible thing.

I happened to study the report of the United Provinces. Tenancy Committee appointed by my friend Mr. Govind Vallabh Pant. I know every line of it and I wonder whether the people who raised the cry that holdings ought to be limited know anything about the facts of it what is the

average holding in Uttar Pradesh? The lowest is about 1½ acres and the highest is about four to five acres. That is all that there is and the further fact is that every inch of land in U.P. has been under cultivation and in occupation. You can do nothing there and that I am sure is the case in most of other States. Therefore my submission to the Hon. Home Minister is this that unless you want to go on fooling the Scheduled Castes by telling them "On keep quiet 'we are going to give you a piece of land. Either we will have a ceiling or we will finance your purchase. We will do this or that unless you want to go on fooling them like this you ought to think of some other method of doing that. That is a problem which you must solve and if you do not solve it you know what consequences there might be most evil consequences. The fire is burning outside. It may easily come in and the Scheduled Castes may carry the banner and you and your Constitution will go under. Nothing will remain.

Now Sir I am going to make one suggestion to my Hon. friend and it is this. I find from the Planning Commission's Report that a very large amount of what might be called cultivable waste is to be found in this country. According to the Planning Commission it is 98 Million Acres. Now my suggestion to my friends is this the Government is going I understand to amend the Constitution. They are fond of amending the Constitution. Why have a Constitution at all. I do not understand if you are amending it every Saturday? However as you are amending it I suggest that you amend it and put the cultivation of waste land in List No. 1 so that it will come within the purview of the Central Government. The State Governments have not got the means of developing that land. They are living like a dog in the manger neither developing it themselves nor allowing anybody else to do it. There can be nothing wrong in taking over the waste land by amending the Constitution in List No. I.

11 A.M. :

The second thing which I am going to suggest is one which many people may not find pleasant but I think there is no harm in suggesting. It is this you can levy the salt tax. The salt tax was the lightest tax that we had in our country. At the time it was abolished, the revenue was about 10 crores and it might easily go up to Rs. 20 crores now. No doubt the abolition of salt tax was done in the memory of Mr. Gandhi. I respect him and I suggest to you that you levy the tax and create a Trust Fund in the name of Mr. Gandhi — Gandhi Trust Fund for the development or settlement of the untouchables. After all the untouchables according to all of us were the nearest and dearest to him and there is no reason why Mr. Gandhi may not bless the Project from Heaven namely Levying the tax and using it for the development of waste land and settling the Scheduled Castes on this waste land. There is promise to it not only promise but a scope for performance. You know in the game of power there is difference between promise and performance. I give you a scheme where there is not only promise but there is also performance. I do not understand why the people of this country should not contribute through the means of the salt tax for the elevation of the Scheduled Castes. You may keep it quite outside the Budget just as sort of a Gandhi Welfare Scheme which will perpetuate the name of Mr. Gandhi and which will give relief to the people whom he wanted to protect and whom he wanted to elevate. This is my suggestion to the Hon. the Home Minister and I hope he will give this matter his most serious consideration.

Sir I have done and do not want to say anything more. The only thing that I would like to say is this that in all this effort which is being made by the Government by the various social workers and the Social Agencies there is one thing which gives me a very sad thought and it is this that our Prime Minister has taken no interest in this matter at all. In fact he seems to be not only apathetic but anti-untouchable. I happen to have read his biography and I

find that he castigated Mr. Gandhi because Mr. Gandhi was prepared to die for the purpose of doing away with separate electorates which was given to the Scheduled Castes. He has said in his biography, Why on earth Mr. Gandhi is bothering with this trifling problem."

Sir, I was shocked and surprised to hear the Prime Minister — rather Mr. Nehru this in 1934 uttering these words. I thought that since the responsibility of Government had fallen on his shoulder he may have changed his view and thought that he must now take the responsibility which Mr. Gandhi was prepared to take on his shoulder, but I do not find any kind of a change in his mind. Sir in the year 1952 a conference was held at Nagpur at the Presidentship of my Hon. friend Babu Jagjivan Ram.

I understand that there was a very big *Shamiana* : Two silver chairs were placed on the dais, one for Mr. Jagjivan Ram and one for Pandit Jawaharlal Nehru. There was an audience of two hundred to three hundred and one thousand police. Pandit Jawaharlal Nehru was supposed to inaugurate the conference. I have got his speech here but I do not wish to trouble the House by reading it, but this is the gist of it. He was I am told in great anger against Babu Jagjivan Ram for having organised the Conference. He said roundly "I do not recognise that there is such a problem as that of the untouchables. There is a general problem of the Economically poor and the problems of the untouchables is a part of that problem.

It will take its place and receive its attention along with other problems. There is no occasion no purpose in bestowing and special thought upon it." Sir if the Prime Minister is prepared to throw such cold water not cold water from the refrigerator so to say what enthusiasm can we expect from the rest of the workers who have taken upon themselves the duty or the responsibility or the interest in carrying on with this particular problem. I do not think that untouchability will vanish. They believe "Yes". I think

"No" as I said because it has a mental twist. It will take years and years. At the same time there is no reason why we should not strongly agitate for seeing whether untouchability goes or not that the social Economic potential and constitutional rights of the Scheduled Castes are fully protected. To that extent efforts must necessarily be directed.

Sir, there is no other word I should like to say. People might say that I have taken most of time with the Scheduled Castes. I have not said anything with regards to the tribes and I am not going to say anything because there are many friends who are qualified to speak about them than I am, I shall therefore not venture to enter that field but there is one thing which I think one can say and should say because I find there is a good deal of confusion in the minds of the people as regards the relative portion of the Scheduled Castes the tribal castes and the criminal tribes. Now Sir with regards to the Scheduled Castes the position is this they are prepared in fact not prepared but they are already within the pole of civilization. They are not outside. Their struggle is to achieve equality of opportunity and equality of status. That is their problem. With regard to the tribal people their problem is totally different. They are outside the Hindu civilization. And the question that has to be considered with regard to these tribal people is this do they want to come within the Hindu civilization and be assimilated and then acquire equality of status and equality of opportunity?

I was talking to many leaders of the tribal communities — many men and women of the tribal community — they seem to be most reluctant to come the pole of Hindu Civilization.

Dr. Shrimati Seeta Parmanand : Question (P. 1475).

Dr. B. R. Ambedkar : They prefer to live outside they do not want to come in. With regards to the criminal tribes this is a purely Economic problem how well can you give them the opportunity to earn a decent living?

If they can get the opportunity to earn a decent living they will cease to be criminals. Now Sir one question asked

is this. It seems to me a matter of great regret that this Hindu civilization which is so many years old some say six thousand years old — many people will not be satisfied with that period probably they want to take it back never mind about it let it be six thousand years old — has produced five crores of untouchables. Some two crores of tribal people and some fifty thousand criminal tribes people. What can one say of this civilization? With a civilization which has produced these results there must be something very fundamentally wrong and I think it is time the Hindus looked at it from this point of view — whether they can be proud of the civilization which has produced these communication like the Untouchables, the Criminal tribes and the tribal people. I think they ought to think twice not thrice a hundred times — they are conventionally called civilization whether they could be called civilized with this kind of results produced by their civilizations.

Sir I thank you very much for this opportunity.”
(Parliamentary Debates — Rajya Sabha Vol. VII A.

August-September 1954 pp. 1447-75 A's speech on 2-9-1954 on the Report of the Commissioner Scheduled Castes and Scheduled Tribes introduced in the Rajya Sabha by the Home Minister on that day).

निवडणुकीत अपयश आल्यानंतर बाबासाहेब दिल्लीला गेले. तेव्हा त्यांनी असे ठरविले की, 'बुद्ध अँड हिज गॉस्पेल' हा ग्रंथ लौकर छपावा. त्यातील प्रकरणावर ते पुन्हा हात फिरवू लागले. इतर दोन ग्रंथांची सुरवात करून बाजूला पडलेले होते. ते 'बुद्ध अँड हिज गॉस्पेल' हा संपूर्णपणे तयार झाला व छापखाण्यात गेला की मी दुसरे ग्रंथ पूर्ण करीन असे बाबासाहेब त्यांच्या पी. ए. नानकचंदकडे बोलत असत.

१९५४ च्या डिसेंबर महिन्यांत चौथा नवा ग्रंथ लिहिण्याची बाबासाहेबांनी तयारी केली. त्याचे नांव 'दी. रिडलस् ऑफ हिंदुइझम' (हिंदुधर्माचे कोडे) असे होते. त्या ग्रंथासाठी जमा केलेली माहिती ते एकत्र करू लागले. डॉ. राजेंद्रप्रसाद यांनी काही दिवसांपूर्वी काशी येथे ब्राह्मणांचे पाय धुवून ते तीर्थ म्हणून प्राशन केले होते. आणि गाईला प्रदक्षिणा घातल्या होत्या. या संबंधीचे फोटो वर्तमान पत्रांतून प्रसिद्ध झालेले होते. या प्रकरणावर कांही विचारवंतानी निषेध व्यक्त केलेला होता. डॉ. लोहिया यांनी निषेधात्मक लेख एका वर्तमानपत्रात प्रसिद्ध केला होता. ही

सर्व माहिती व फोटो, आणि अशा तऱ्हेचे अनिष्ट प्रकार जे पूर्वी हिंदुस्थानांत झाले होते, ते सर्व, या ग्रंथात समाविष्ट करण्यासाठी गोळा करण्यात बाबासाहेब व्यग्र होते. हा ग्रंथ बाबासाहेबांनी १९५६ च्या सप्टेंबरमध्ये लिहून पुरा वेला. परंतु त्यात पुनः फेरफार करणे व शेवटची प्रत तयार करणे ही कामे अपुरीच राहिली होती.

‘बुद्ध अँड हिज धम्म’ या ग्रंथाची पहिली काही प्रकरणे छापण्यासाठी मुंबईला, ‘पिप्लस एज्युकेशन सोसायटीचे’ मुख्य ग्रंथपाल श्री. एस. एस. रेगे यांचेकडे १९५६ च्या ऑगस्टमध्ये, बाबासाहेबांनी पाठविली, त्यांची मुद्रिते श्री. रेगे, बाबासाहेबना दिल्लीला पाठवीत असत. सुरवातीचे छपाईचे काम बाबासाहेबांच्या मनाप्रमाणे झाले नाही. तेव्हा त्यांनी श्री. रेगांना बा. २३ ऑक्टोबर १९५६ ला पत्र पाठवून, पुन्हा नीट सूचना केल्या. या ग्रंथाची प्रस्तावना बाबासाहेबांनी आधीच लिहिलेली होती, ५ डिसेंबर १९५६ ला रात्री तिच्यावर शेवटचा हात फिरवला व त्याच रात्री त्यांचे देहावसान झाले.

उपरिनिर्दिष्ट चार ग्रंथाशिवाय दुसरे पाच ग्रंथ लिहिण्यासाठी बाबासाहेबांनी सामुग्री गोळा करून ठेवली होती. ‘The Case of the Untouchables in India After Independence’ (स्वातंत्र्योत्तर भारतातील अस्पृश्यांची परिस्थिती) या ग्रंथात अस्पृश्यांची स्थिती स्वातंत्र्योत्तर काळात सुधारली की तिचा वेग मंदावला याबद्दलची माहिती साधक बाधक पुराव्यानिशी देण्याचे बाबासाहेबांनी ठरविले होते. त्यांची स्थिती सुधारण्याचा वेग मंदावला आहे ही भूमिका विशद करून सदर ग्रंथ यू. नो. कडे पाठविण्याचा त्यांचा विचार होता. यू. नो. ने अस्पृश्यांचा प्रश्न इतर देशांतील मागासलेल्या वर्गांच्या प्रश्नाबरोबर निगडीत करावा, व त्यांची स्थिती सुधारण्यासाठी भरभक्कम योजना हाती घ्यावी, असा या ग्रंथाचा आशय होता. पण तो ग्रंथ संपूर्णपणे लिहून पूर्ण झाला नाही. (1) ‘Riddle of Geeta’ (2) ‘Riddle of Vishnu’ (3) ‘Riddle of Trimurthi’ आणि (4) ‘Riddle of Woman’ या ग्रंथासाठीही बाबासाहेबांनी सामुग्री जमवून ठेवलेली होती. या ग्रंथाची पहिली काही पाने त्यांनी १९५६ च्या सप्टेंबर-ऑक्टोबरमध्ये लिहिलीही होती. हे योजलेले ग्रंथ त्यांना पुरे करता आले नाहीत; कारण १९५६ च्या डिसेंबरमध्येच त्यांचे देहावसान झाले.

एकदा बोलण्याच्या ओघात श्री. नानकचंद रतू म्हणाले, “बाबासाहेब! तुम्ही आत्मचरित्र कां लिहित नाही?” बाबासाहेब उत्तरले, “अरे! मला कुठे वेळ आहे?” नानकचंद म्हणाले, “बाबासाहेब, तुम्हाला जशा आठवणी आठवतील तशा मला निवेदन करा. मी नोटस घेतो. मग त्या जुळवून तुम्हाला आत्मचरित्राचा ग्रंथ तयार करता येईल!” बाबासाहेब

म्हणाले “माझे चरित्र विस्तृत प्रमाणांत खैरमोडे लिहित आहेत, तरी इतरांना न सांगता येणाऱ्या काही गोष्टी आहेत, तशा! पण ते बघू आपण नंतर! परंतु मला गांधींचे चरित्र लिहावयाचे आहे. त्यांच्या चरित्रकारांनी गांधीला खऱ्या स्वरूपांत मोडलेलेच नाही. मला जसे गांधींचे जीवन भावले आहे तसे ते कोणाजच ओळखता आलेले नाही. त्या माझ्या दृष्टीकोनातून मी गांधींचे चरित्र लिहीन, नंतर वेळ मिळाल्यास माझे.” पण या दोन्ही गोष्टी त्यांच्या हातून होऊ शकल्या नाहीत. गांधींचे चरित्र बाबासाहेबांच्या हातून लिहून झाले असते तर सान्या जगात त्याने खळबळ उडवून दिली असती! पण ‘कालाय तस्मै नमः।’ हेच शेवटी म्हणणे भाग पडते!

श्री. नानाकचंद रत्नू हे बाबासाहेबांची कामे-पत्रांना उत्तरे, बाबासाहेब तोंडी सांगत तेव्हां ती नानकचंद लघू लिपीत घेऊन टाईप करत. ग्रंथांची प्रकरणे, भाषणे बाबासाहेब हातानी लिहित त्यांची टंकलिखिते तयार करणे, दुर्मिळ ग्रंथातील बाबासाहेबांना हवा असलेला भाग टाईप करून ठेवणे वगैरे- करित. बाबासाहेबांनी त्यांना मोवदला देऊ केला असता ते म्हणाले, “बाबासाहेब! या कामाच्या निमित्ताने मला तुमचा दररोज सहवास मिळतो हे, आणि तुम्ही माझ्या कामाची स्तुती करता, हेच मी माझे भाग्य समजतो आणि हाच माझा खरा मोवदला! त्यांत मला मोक्षप्राप्तीचा आनंद आहे!” यावर बाबासाहेब कृतकारागाने म्हणाले, “असा भावनाविषय होऊ नकोस, मी तुला दरमहा रु. ७५ देत जाईन, थोडे आहेत हे मला ठाऊक आहे, पण तू ते घेत जा.” नानकचंदाने नकार दिला तेव्हां ते म्हणाले, तू मूर्ख आहेस! तू माझ्यासाठी २०-२५ मैलाची सायकल रपेट करतोस तर निदान त्या करतां ‘स्कूटरची’ ऑर्डर माझ्या नावे दे मी ते पैसे देईन तू ती स्कूटर वापर!” याही गोष्टीला नानकचंदाने नकार दिला. नानकचंद बाबासाहेबांची लिखाणाची कामे तर बघत होताच पण घरांतील इतर अडचणीच्या वेळीही तो उपयोगी पडावयाचा. अशा आपुलकीच्या सेवाभावामुळे नानकचंदवर बाबासाहेब फार खूप होते. त्याचे एक उदाहरण देण्यासारखे आहे. १९५५ च्या फेब्रुवारी महिन्यांत नानकचंदला एकाएकी विलायतेस जाणाऱ्या आपल्या एका नातलगाला, मुंबईस भेटण्यास निघावे लागले. १७-२-१९५५ ला डेहराडून एक्सप्रेसने दिल्लीहून निघाले, तेव्हां बाबासाहेबांनी यशवंतरावांना (आपल्या चिरंजीवाला) लागलीच तार करून नानकचंदाची नीट व्यवस्था करण्याचे कळविले. त्याप्रमाणे यशवंतने नानकचंदाची तीन चार दिवस उत्तम व्यवस्था ठेवली. ते मुंबईहून परत दिल्लीला आले तेव्हां साहेबांनी त्याला आणायला स्वतःची मोटार स्टेशनवर पाठविली.

बाबासाहेब डिसेंबर १९५५ ला औरंगाबादेला गेले होते तेव्हां नानक-
चंदाला पत्र लिहिले होते ते मी येते देत आहे.

B. R. Ambedkar, Camp :
M.A., Ph.D.; D.Sc.; LL.D. D.Litt., Milind Mahavidhyalaya,
Barrister-at-Law, Member, Nagsen Vana
Council of State Aurangabad (Dn.).
December, 20, 1955.

My dear Nanak Chand,

So far I recall you have not written a single line to me, as to what is happening to the driver, to the electricity at 26 Alipore Road. We have been relying upon you for regular informaion so that we may be in a position to pay our bills in time. I have no idea whether the Driver is still at Alipore Road or whether he has obtained service elsewhere. I am of course informed by Balu when he returned from there in November that the electricity connection has been cut off. I do not know what has happened about the car license fee. So as electricity is concerned I have a recollection that we have been paying regularly and that we are not in arrears. It is difficult to understand the electricity. Will you please go to the office and make enquiry immediately? And if we are really in arrears, please let me know. Let me know about the driver. He has been paid upto October 1955. If you can let us know that he has been in our service from October we can send cheque for his salary. I expect a very prompt reply. I am improving but I shall not be in Delhi till the first of January.

The enclosed cheque for Rs. 45/- is for car registration.

With kind regards.

Yours Sincerely,
Sd./- B. R. Ambedkar.

Encls.:

Cheque No. R 507376
Shri Nanak Chand Rattu
B. 11/228 (G.D.S.)
Devnagar, New Delhi, 5.

१९५५ च्या जूनपासून बाबासाहेबांच्या आहार कमी कमी होत चालला होता. चार पांच महिन्याने तर ते एक चपाती व थोडा भात अशा अल्प अहारावर आले. ते न्याहरीला एखादे फळ व चहा घेत. जेवण सकाळी ११-१२ चे दरम्यान घेत. रात्रीचे जेवण ७-८ चे सुमारास होत असे. ते वाचनांत व लिहिण्यांत गर्क झाले तर जेवण न घेता फक्त ताक चहा व ब्रेडचा एकादा स्लाईस घेत असत. त्यांच्या आहार वाढवा म्हणून त्यांचे डॉक्टर मालवणकर यांनी माईसाहेबांना सांगितले. डॉक्टरांच्या व माईसाहेबांच्या संगनमताने असे ठरले की युरोपियन पद्धतीचे जेवण तयार केले तर बाबासाहेब आवडीने खातील व त्यायोगे आहार वाढेल. तेःहां त्यांनी एक गोवानी बटलर व खानसामा यांना कामावर ठेवले. बाबासाहेबांना ते युरोपियन पद्धतीचे जेवण अजिबात आवडत नसे. पण ते त्यांनी सात आठ दिवस गुपचुप खाल्ले नंतर कंटाळून त्यांनी बाजरीची भाकर, अगर चपाती, वरणभात, भाजी व मटनसूप हेच जेवणे पसंत केले. गोवानी बटलर व खानसामा यांना दोन आठवड्याने नोकरीवरून कमी केले.

कमी आहार होत गेल्यामुळे बाबासाहेबांना अशक्तता फार जाणवू लागली. आंघोळीला वगैरे जातांनाही त्यांना काठीचा आधार लागू लागला. ते लटपटत, कापत व थरथरत पावले टाकू लागले. नानकचंद वा इतर कोणी जवळ असेल तर त्यांच्या खांद्यावर हात ठेऊन न्हाणीघरापर्यंत जाऊ लागले. कधी कधी दुसऱ्यांच्या सहाय्याशिवाय त्यांना आंघोळही करणे शक्य होत नसे.

घरी, लुंगी, धोतर किंवा पायजमा नेसून व अंगात बंगाली कुडता अगर नुसते गंजीफ्रॉक घालून बाबासाहेब आपले वाचन व लेखन करीत असत. कधी कधी ते विछान्यांत पडून वाचन करीत, अशावेळी विछान्याच्या दोन्ही बाजूला लहान स्टूलांवर पुस्तकांचा ढीग ठेवलेला असे. लिहायला बसले म्हणजे संदर्भ ग्रंथांचा ढीग त्यांच्या टेबलावर पडलेला असे. थंडीच्या वेळी ते अंगात स्वेटर घालीत, आणि गळ्याला स्कार्फ गुंडाळीत असत, फार थंडीत ते डीकीलाही स्कार्फ गुंडाळीत, अशा स्थितीत ते एकदा लिहीत बसले असता स्यांच्या डोकीचा स्कार्फ सैल होऊन त्याची दोन्ही टोके कानांच्या दोन्ही बाजूवरून खाली लोंबू लागली. हे पाहून जवळच असलेल्या नानकचंदला गंमत वाटली व त्याने एक आरसा बाबासाहेबांच्या समोर धरला. "हे काय, काय करतोस?" असे ते रागाने म्हणजेस्तोवर स्वतःच्या प्रतिबिंबाकडे त्यांचे लक्ष गेले तेव्हा ते मोठ्याने म्हणजे, "मी कसा राजघराण्यातील अरब राजपुत्रासारखा दिसतो की नाही!" दोघेही मनमुराद हासले. निरनिराळ्या पोषाखात आपण कसे राहिलो व हे सर्व पेहराव आपणास कसे खुलून दिसत असत याबद्दलच्या गेल्या तीसचाळीस वर्षांतील अनेक आठवणी नानकचंदास सांगितल्या, नंतर साहेब पुनः लिहीत बसले.

बाबासाहेब १९४६-४७ च्या पूर्वी, जोर, दंड, बैठका, नमस्कार, आसने, फिरणे वगैरे मार्गांनी व्यायाम घेत असत, आणि चांगला आहारही घेत असत. पण त्या नंतरच्या काळांत त्यांची प्रकृती खंगत गेली. त्यामुळे जड व्यायाम त्यांना फार करता आले नाहीत. तथापी नमस्कारासारखे व्यायाम ते करित असत मात्र पायी फिरणे त्यांनी अजीवात सोडून दिले. मधून मधून दिल्लीत, आपल्या ठिकाणापासून ५-७ मैल दूरवर जाऊन बसत असत. अशा वेळी त्यांच्याबरोबर कोणी तरी समाजसेवक अगर कार्यकर्ते असत. **नानाकचंद** बहुधा बरोबर असत. गाझियाबाद अलिपूर (खेडे), रोहटककडे जाणारा रस्ता, दिल्ली युनिव्हर्सिटी लॉन, वगैरे ठिकाणी **बाबासाहेब** एक दोन तास बसत. कधी कधी रीडिंग रोडवरील बुद्धविहारामध्ये ते जात, आणि अर्धा तास ध्यानमग्न बसून व नंतर प्रार्थना करून परत घरी येत, गाझियाबादच्या वाजूला हिंदोन-नदीच्या काठच्या-एका विविश्रित ठिकाणी बसणे त्यांना फार आवडे. या ठिकाणी ते आपल्या लहानपणाच्या आठवणी सांगत. विद्याभ्यासासाठी उपासतपास करण्यासाठी आपणावर अनेक वेळा पाळी आली, आपले व आपल्याबरोबर **रमाबाईंचे** व मुलांचे फार हाल झाले. **रमाबाईंचे** फार कष्ट सोसले. तिला आपण सुखी करू शकलो नाही, असे ग्राहिवरून सांगत असत. सध्याच्या वैवाहिक जीवनात आपणाला जे सुख मिळते त्यांत दुःखाचाच भाग मोठा आहे असेही ते म्हणत, आणि दुःखी अंतःकरणाने १५-२० मिनिटे स्तब्ध रहात. आणि आश्चर्य म्हणजे हा दुःखवेग संपला की ते ते आनंदात येत व आपल्या व इतर पुढाऱ्यांच्या आयुष्यांतील नाना तऱ्हेच्या प्रसंगांच्या आठवणी सांगण्यात रमून जात. कधी कधी गांवठी व ग्राम्य म्हणी व बोलणे यावर ते बोलत व हिंदीतील ग्राम्य बोलणे व म्हणी **नानाकचंद**कडून वदवून घेत. कधी कधी फिरण्यासाठी म्हणून बाहेर पडताच, फाटकाबाहेर गाडी आली की ते झायव्हरला कॅनॉट सर्कलला गाडी न्यायला सांगत व बुकडेपोत कोणती नवी पुस्तके आलीत ते पहात, त्यातून स्वतःसाठी काही निवडत. हा सोहळा प्रत्येक डेपोत एक एक तास तरी चाले. निवडलेली पुस्तके डेपोचे व्यवस्थापक **बाबासाहेबांचे** घरी पाठवून देत. पुस्तके विकत घेण्यासाठी बाबासाहेब दरमहा सुमारे ६०० ते ७०० रुपये खर्च करित असत.

बाबासाहेब कधी कधी सर्व लहान थोर लोकांसमवेत व्हरांब्यात बसून खूप गप्पा मारीत असत. दिल्लीच्या अलिपूर रोडच्या बंगल्याने बाबासाहेबांच्या रंगलेल्या गप्पांचा उपभोग घेतला आहे. अशावेळी माईसाहेब, त्यांचे वडील बंधू, डॉ. मालवणकर, **नानाकचंद** आणि इतर दिल्लीतील अगर दिल्लीबाहेरील समाजसेवक व कार्यकर्ते, बाबासाहेबांना भेटावयास आलेले, अशी मंडळी गप्पा मारण्यात रंगून जात असत. बहुतेक वेळ वक्त्याचे काम बाबासाहेबच करित असत.

रविवारचा दिवस म्हणजे सर्वसाधारणपणे सर्वांचा विश्रांतीचा दिवस. पण बाबासाहेबांनी मात्र रविवार जादा कामासाठी मुकर केलेला होता, कारण शनिवार, रविवारी **नानकचंदला** सुट्टी असे. या दिवशी **नानकचंदला** टाईप करायला भरपूर वेळ मिळत असे. बाबासाहेब शनिवारी दिवसा व रात्री आणि रविवारी सकाळी ७ पासून दुपारचे ४ पर्यंत लेखन करित व **नानकचंदकडून** टाईप करवून घेत. या कामासाठी **नानकचंदचा** मुक्काम शनिवार व रविवारच्या रात्री बाबासाहेबांच्या बंगल्यावरच मुक्काम असे. **नानकचंदच्या** आठवणीतील रविवार, ता. १८-३-१९५६, सकाळीच **बाबासाहेब** लौकर उठून अंधोळीला गेले. स्नान उरकून फक्त लंगोट लावून बाहेर आले तेव्हां त्यांना **नानकचंद** समोर उभे राहून हसत असलेले दिसले, तेव्हां **बाबासाहेब** म्हणाले, “काय रे ! यात हसण्यासारखे काय आहे ? लंगोट लावणे हे ब्रह्मचार्य पाठण्याचे उत्कृष्ट साधन आहे. तुम्हा अलिकडच्या लोकांना त्याचे महत्व समजत नाही.” आणखिही काही सेवक वर्ग त्या **बाबासाहेबांच्या** रूपाकडे पाहून **नानकचंदच्या** हसण्यांत सामील झाला.

१९४९ ते १९५३ च्या काळांत **बाबासाहेबांचे** चार दांत उपटून काढण्यांत आले. त्यांच्या ठिकाणी चार कृत्रीम दांत बसविण्यांत आले. १९४९ च्या नोव्हेंबर-मध्ये दोन दात मुंबईच्या ‘सेंटजॉर्ज’ हॉस्पिटल मध्ये काढले तेव्हां ते ५-६ दिवस आजारीच होते. आणि तशा स्थितीत ते ‘धार कमिशन’ कडे पाठविण्यासाठी, निवेदन सेंटर स्टेशन, पश्चिम रेल्वे, येथील बोगीत बसून लिहीत होते. या दातांच्या दुखण्यांनंतर त्यांची प्रकृती बरीच ढासळली. यातून जरा बरे होतात न होतात तोच १९५४ ते १९५६ श्वाशोच्छ्वासाचाही त्रास होऊ लागला. हा त्रास १९५५ मध्ये तीन वेळा उफाळून आला. **माईसाहेब** व **डॉ. मालवणकर** यांनी त्यांना मधून मधून ऑक्सिजन टेंबल असत. त्यावेळी कोणालाहि **बाबासाहेबांच्या** वेडरूममध्ये जाऊ देत नसत. ऑक्सिजन सिलेंडरही लपवून ठेवण्यात येत असे. **बाबासाहेबांच्या** प्रकृती अस्वास्थाची गोष्ट बाहेर फुटली तर त्यांचे चहाते लाखो लोक-दिल्लीतील व बाहेरगावाहून त्यांना पहावयास येतील व मग औषधोपचार करणे महा कठीण होईल म्हणून ही गोष्ट बाहेर फोडू नये असे **माईसाहेब** व **डॉ. मालवणकर** **नानकचंदला** सांगत होते तरी पण **नानकचंदने** दिल्लीतील **सोहनलाल शास्त्री**, वगैरे लोक व दिल्लीबाहेरील **भाऊराव गायकवाड** वगैरे लोक यांना **बाबासाहेबांचा** आजार व गुप्त औषधोपचाराचे वृत्त कळविण्याची व्यवस्था केली. पण कोणीही बंगल्यात येऊ शकले नाही. आणि खरा प्रकार प्रत्यक्ष पाहून. समजून घेऊ शकले नाही !!

डॉ. भीमराव रामजी आंबेडकर

चरित्र खंड ११ वा

प्रकरण ७ वे

— घटना दुरुस्ती —

(राज्य सभेतील भाषणे)

भारताच्या राज्यघटनेला चौथी दुरुस्ती करणारे विधेयक (Constitution Fourth Amendment Bill 1954) लोकसभेत मंजूर झाल्यानंतर ते सरकारने राज्यसभेत आणले, त्यावर अनेक सभासदांनी भाषणे केली, बाबासाहेबांनी त्यावर १९ मार्च १९५५ ला भाषण केले. (Parliamentary Debates, Rajya Sabha Vol. IX-B-March-April 1955 — pp. 2446-66).

ही दुरुस्ती घटनेच्या ३१ आर्टिकलला होती, सरकारने खाजगी मालमत्ता आपल्या ताब्यात घेतली तर त्यावद्दल नुकसान भरपाई मालकाला दिली पाहिजे, असे या आर्टिकलमधील कलम (२) होते पण त्यातील शब्दरचना अशी असंदिग्ध होती की, त्यातून अनेक अर्थ काढता येतील. मुंबई सरकारने सोलापूरची एक गिरण ताब्यात घेतली तेव्हा नुकसानभरपाईच्या मुद्यावर प्रकरण भारताच्या उच्च न्यायालयात गेले, तेथे सरकारला हार खावी लागली. सदर कलमाची रचना सुसंबद्ध आणि स्पष्ट करण्यासाठी हे विधेयक होते.

बाबासाहेबांनी भाषणांत प्रथम हे सांगितले की, भारताची घटना ही स्वातंत्र्य, समता आणि बंधुभाव या त्रयीच्या पायावर आधारित आहे आणि भारतीयांना घटनेने मूलभूत हक्क दिलेले आहेत. घटनेच्या दुरुस्त्या आणून घटनेचे पावित्र्य नष्ट करणे आणि मूलभूत हक्कांना बाध आणणे, हे राज्यकर्त्यांना शोभत नाही. घटनेच्या कलमांचा अर्थ न्यायालयात जसा लावला जाईल तसा तो राज्यकर्त्यांनी स्विकारला

पाहिजे. तरच त्यांची घटनेबद्दलची भक्ति आणि मूलभूत हक्कांबद्दलचे प्रेम लोकांन पटेल पण सरकारने हे विवेक आणून न्यायालयाच्या निर्णयावर मात केली आहे. म्हणजे सरकारला घटना आणि मूलभूत हक्क याबद्दल आदर, प्रेम अगर निष्ठा वाटत नाही, असे ठरते. ईस्ट इंडिया कंपनीच्या वेळी मुंबईच्या हायकोर्टाच्या जज्जाचा (मि. नाईट) निर्णय सहकाराने ग्राह्य धरला नाही. तेव्हा सदर जज्जाने कोर्टाला कुलूप लावले व कोर्ट बंद करून तो विलायतेस गेला. त्यानंतर प्रिव्ही कॉन्सिलने हायकोर्ट चाळू करण्याचा निर्णय दिला. ब्रिटीश लोक घटना व मूलभूत हक्क यांना मानत होते तसे आमचे सरकार मागत नाही. आर्टिकल ३१ चा मसुदा काँग्रेस पक्षाने तयार केलेला होता, झपटींग कमिटीने नाही. तेव्हा याबद्दल काँग्रेस पक्ष जबाबदार आहे, मी आणि झपटींग कमिटी नाही. इंग्लिश भाषा लिहिता वाचता येईल अशा माण-साला समजण्यासारखी सोप्या भाषेत मी घटना तयार केली. त्याबद्दल मला जगातील अनेक लोकांनी धन्यवाद दिले. घटनेवर तुम्ही टीका लिहा, आम्ही ती प्रसिद्ध करतो व त्याबद्दल भरपूर पैसे देतो, असे मला अनेक प्रकाशकांनी विचारले तेव्हा मी त्यांना सांगितले की, मी तयार केलेली घटना इतकी सोपी आणि सरळ अर्थबोधी आहे की, त्यावर टीका लिहिण्याचे कोणालाही काहीही कारण दिसणार नाही. काही दिवसांपूर्वी घटना जाळण्याबद्दल तुम्ही उद्गार काढले होते, आणि आता घटनेची तुम्ही एवढी तारीफ करता, हे कसे, असे डॉ. अनुप सिंह यांनी मध्येच विचारले (पा. २४५२), तेव्हा बाबासाहेब म्हणाले, घटना हे एक पवित्र मंदिर आम्ही बांधले, पण त्यांत देवाची स्थापना आम्ही करण्याच्या अगोदरच राक्षस त्यांत शिरला व त्याने त्या मंदिराला भ्रष्ट केले. तेव्हा ते जाळणेच योग्य नव्हे का ? (पा. २४५२) ते मंदिर जाळण्यापेक्षा त्या राक्षसाला तुम्ही का ठार करीत नाही ? असे श्री. बी. के. पी. सिंह (बिहार) यांनी बाबासाहेबांना विचारले. तेव्हा ते म्हणाले, ते शक्य नाही. कारण हा राक्षस फार शक्तिवान आहे, आणि आम्ही दुबळे आहोत. शिवाय त्याच्याजवळ पुन्हा जिवंत होण्याचे अमृत आहे. तो नष्ट करणे शक्य नाही.

बाबासाहेबांनी दुरुस्ती विलावर भरपूर माहिती देऊन व विरुद्ध पक्षाला नेहमीमाणे चिमटे घेऊन भाषण केले त्यांचे समग्र भाषण मी येथे देत आहे:-

“Dr. B. R. Ambedkar (Bombay) : Mr. Chairman, those who are familiar with the British Parliamentary system, will know that there is a dogma in the working of the British constitution that all parties in England accept that dogma is that the King can do no wrong. If any wrong is done in the working of the constitution, the person responsible for the wrong is the Prime Minister and his colleagues. But the King can never be wrong and can never do wrong.

We too in this country have adopted practically with slight modifications, the British constitution. But unfortunately the working of our constitution is governed by a dogma, which is just the opposite of the dogma adopted by the British people. In our country the dogma on which we proceed is that the Prime Minister can do no wrong and that he will do no wrong, therefore, anything that the Prime Minister proposes to do must be accepted as correct and without question. The devotion in politics to a personality may be excusable in some cases, but it does not seem to me excusable where the fundamental rights are being invaded. The fundamental rights are the very basis of the preamble to the constitution will have as its basis liberty, equality and fraternity. These objectives of the constitution are carried out by the fundamental rights. And it is, therefore the duty, I should have thought of every Member of Parliament, apart from personal loyalty to be critical when any invasion is made of the Fundamental rights. Unfortunately, one does not find this kind of critical attitude. The history of fundamental rights in this country is very interesting. In olden times under the Hindu Kings there were Fundamental rights only for two — the Brahman and the cow — and the Purnanas described the King as "*Go Brahman Pratipal*", that was the duty of a King, whether the other sections of his subjects received any consideration at his hands or not, or whether animals other than 'Go' had any consideration was a matter of no moment at all. So long as the Brahmin and the cow were protected, the King was destined to go to heaven.

When the Muslims came, they took away these fundamental rights which the Hindu Kings had granted to the Brahmin and cow. The cow unfortunately not only lost its rights to live, but became the victim of everybody. So was the case of Brahmin. What the Muslims did was to privileges to the Musalman and no rights to the non-Muslims. After the Muslim rule ended in this country, there came upon us the rule of the British. Anyone who examines the

various Government of India Acts passed from 1772 to 1935 will find that there were no such thing as fundamental rights in any of the Government of India Acts they were passed by the Parliament for the administration of this country. It is in 1947, or so when Swaraj became a fact in this country that this idea of fundamental rights emerged. It is our Constitution which for the first time contains the embodiment of what are called fundamental rights. It is a very strange thing that although the foreigners were ruling in this country, namely the British no one ever agitated for the enactment of the fundamental rights. The Congress was in existence from 1886. Let anyone examine the annual resolutions passed by the Congress. They never asked for any fundamental rights.

Babu Gopinath Singh (Uttar Pradesh) : Did you read the Karachi Congress Resolution of 1931 !

Dr. B. R. Ambedkar : Well, I have no idea about that. They said that they would have Fundamental rights when they enact a Constitution. I am coming to that now. It is as I say a very strange commentary that no Indian and — the Indians who ran the Congress in the earliest times were intellectual giants, they were most learned, they were wide awake — not one of them to my knowledge asked for any fundamental rights. But as soon as Swaraj came, there was a demand for fundamental rights. It is a matter worth consideration why this happened? Various people would no doubt give various replies, but my reply is very simple. My reply is this — the reason why Indians did not demand fundamental rights when the British were here is this. Although the British had their imperialism as one aspect of their rule, there cannot be any doubt that the administration of this country was governed by what was called the rule of justice, equality and good conscience. Sir, I remember at least speaking for my own promise, how independent was the judiciary which wholly consisted of Europeans. How independent it was of the executive, I remember a case.....

Dewan Chaman Lall : (Punjab) : It is Tilak's case ?

Dr. B. R. Ambedkar : It is a very famous case of Justice Knight who was the Chief Justice of the Bombay High Court during the time of the East India Company. He had issued a writ against the Government of Bombay and the Government of Bombay refused to obey. They said that the Chief Justice of the Bombay High-Court had no right to issue a writ against the executives when they informed him that they were not going to carry out that particular writ, what did Mr. Knight do ? He called the Chaprasi and said, "Bring the keys of the High-Court" and he asked him to lock up every room of the High-Court, including his own, and next day booked a passage for himself and went back to London, saying, "If you are not going to obey my orders as the Chief Justice of Bombay High-Court, you will have no High-Court at all." Subsequently, of course, his order was reversed by the Privy Council. But that is no matter at all. The point is that the British administrated this country in a manner in which everybody felt that there was some sense of security. That is the reason why, in my judgement, nobody in this country demand for the fundamental rights, but as soon as Swaraj presented itself, everybody thought — at least many of the minorities thought — that there was the prospect of political authority passing into the hands of a majority, which did not possesses what might constitutionally be called constitutional morality. Their official doctrine was inequality of classes. Though there is inequality in every community, or whatever be the word, that inequality is a matter of practice. It is not an official dogma. But with a majority in this country, inesity as embodied in their *Shaturvarn* (*Chaturvarna*) is an official doctrine. Secondly their caste system is a sword of political and administrative discrimination. The result was that the fundamental rights became inevitable. What I found — and I know this thing more than probably many do, because I had something to do with it — was that the Congress party was so jubilant over fundamen-

tal rights. They wanted fundamental rights and they thought fundamental rights were so necessary that if the Indian people had a constitution which did not embody fundamental rights, they could appear rude to the word. That was the reason why they demanded for fundamental rights. In the proceedings of the constitution Assembly I do not find a single Member who stood up and said "We do not want fundamental rights," Fundamental rights were regarded as a kind of an ornament which the Indian people must have. Today their attitude has undergone a complete change. Today, they took upon the fundamental rights as an iron chain which ought to be broken, whenever occasion arose for breaking it. This, I find, is a fundamental change. I am sorry to say that attitude of treating the fundamental rights with contempt, as though they, were of no consequence, that they could be trodden upon at any time with the conscience of the majority or the wishes of a party chief, is an attitude that may easily lead to some dangerous consequences in the future. And I therefore feel very sorry that even a matter of this sort, namely, the infringement of, or the deviation from, fundamental rights, is being treated by the party in power as though it was a matter of moment at all.

It seems to be suggested that those who made the constitution had no sense, that fundamental rights must be elastic, that they must leave enough room for progressive changes, I must, Sir, as the Chairman of the Drafting Committee, repudiate any such suggestion. Anyone, who reads the fundamental rights as they are enacted in the Constitution, will find that every fundamental right has got an exception. It says : Notwithstanding anything contained the State may impose reasonable restrictions on them. We were quite aware of the fact that fundamental rights could not be rigid, that there must be elasticity. And we had provided enough elasticity.

Article 31, with which we were dealing now in this amending Bill, is an article for which I, and the Drafting

Committee, can take no responsibility whatsoever. We do not take responsibility for that is not our draft. The result was that the Congress Party, at the time when article 31 was being framed, was so divided within itself that we did not know what to do, what to put and what not to put. . . . There were three sections in the Congress Party. One section was led by Sardar Vallabhbhai Patel, who stood for full compensation, full compensation in the sense that in which full compensation is enacted in our Land Acquisition Act, namely, market price plus 15 per cent solatium, that was his point of view, Our Prime Minister was against compensation. Our friend, Mr. Pant, who is here now — and I am glad to see him here — had conceived his Zamindari Abolition Bill before the Constitution was being actually framed. He wanted a very safe delivery for his baby. So he had his own propositions. This was thus this tripartite struggle, and we left the matter to them to decide in any way they liked. And the merely embodied what their decision was in article 31. This article 31, in my judgment, is a very ugly thing, something which do not like to look at. It may say so, and I say it with a certain amount of pride the Constitution which has been to this country is a wonderful document. It has been said so not by myself, but by many people, many other students of the Constitution. It is the simplest and the easiest. Many, many publishers have written to me to write a commentary on this Constitution, promising a good sum. But I have always told them that to write a commentary on this Constitution is to admit that the Constitution is a bad one and an un-understandable one. It is not so. Anyone who can follow English can understand the Constitution. No commentary is necessary.

Dr. Anup Sing (Punjab) : Last time when you spoke, you said that you would burn the Constitution.

Dr. B. R. Ambedkar : Do you want a reply to that? I would give it to you right way here.

My friend says that the last time when I spoke, I said that I wanted to burn the Constitution. Well, in a hurry I did not explain the reason. Now that my friend has given me the opportunity, I think I shall give the reason. The reason is this: We built a temple for a God to come in and reside, but before the God could be installed, the devil had taken possession of it, what else could we do except destroy the temple? We did not intend that it should be occupied by the *Asuras*. We intended it to be occupied by the *Devas*. That is the reason why I said I would rather like to burn it.

Shri B. K. P. Sinha (Bihar) : Destroy the devil rather than the temple.

Dr. B. R. Ambedkar : You cannot do it. We have not got the strength. If you read the *Brahmana*, the *Shathpatha Brahmana*, you will see that the Gods have always been defeated by the *Asuras*, and that the *Asuras* had the *Amrit* with them which the Gods had to take away in order to survive in the battle. Now, Sir, I am being interrupted.....

Mr. Chairman : You are being drawn into.....

Dr. B. R. Ambedkar :into all sorts of things into which I do not wish to enter.

I was saying that article 31 was an article for which we were not responsible. Even then we have made that article as elastic as we possibly could in the matter of compensation. If members of the House will refer to entry 42 of the Concurrent List, and compare it with section 299 of the Government of India Act 1935, they will find how elastic has been the provision made by the Drafting Committee. Section 299 of the Government of India Act which governed the question of compensation described the following ingredients. One was that there must be full compensation by which they, no doubt, meant compensation in accordance with the terms of the Land Acquisition Act. Secondly, it said that compensation must be paid and paid in cash before

possession could be taken. That was the provision in the Government of India Act, 1935. Look at the provision that we have made in entry 42 of the Concurrent List, by which I hope Members will understand that the authority to determine compensation is given to both the State Legislatures as well as to Parliament, and the reason why we did this was simple. It was thus. We thought that, if compensation was distributed in List I and List II, so that the Centre might be freed to fix compensation for such acquisition as it might make, and the provinces or the States might fix such compensation as they might think fit, it would result in utter chaos in this country and that there must be some sort of uniformity in this. Therefore, while giving authority to Parliament so that Parliament might enact a general law which would be applicable to the whole of India and which might supercede any State law which be inequitous. That was the reason why we put it in the Concurrent List. What is the provision we have made? We have said that it is not necessary that Government should actually pay compensation to acquire possession of property. We have not said that. We have said, "Compensation to be given" and not "paid" so that it is open to the Government at the Center as well as in the States to acquire property without actually paying compensation.

The second distinction that we have made between section 299 of the Government of India Act, 1935, and entry 42 is that compensation may be in any form, that either Parliament or the State Legislature might decide by law to give compensation in the form of paper bonds, cash certificates or whatever they liked to give, or they might pay it in cash if they liked it. We have also said that, although Parliament may not actually fix compensation, it may merely lay down the rules for compensation, it may merely lay down the rules for compensation, so that, if a law was passed which did not contain a clause specifically saying what should be the compensation but merely laid down the rules and principles, that was enough for Government to take

possession of the property and acquire it. Now, Sir, I would like to ask the Members of this House if they can point out any Constitution where the procedure for acquiring property is so easy as it is in our Constitution. Can any one point out to me that there is some other Constitution which enables the Government with greater facility to acquire property for public purposes? Now, with all this facility is there any necessity for the Government to come out with a proposition that there are cases where they shall not give compensation? They need not cast the whole burden, the entire burden, on the present generation. They are not asked to say that the bonds that they might issue must be redeemable. They may make them irredeemable. All that they need do is to give some interest on the bank as every borrower agrees to do and as every creditor gets. Why at all even the most hasty socialist should say, "Well, we shall not pay compensation", I do not understand. They are in my judgement three cases or three paths that one might follow. The first path would be full compensation, the second, no compensation, and the third, compensation as determined by law. I am quite in agreement with those who think that it is not possible to accept full compensation in terms of the Land Acquisition Act. I am quite in agreement with that, if by full compensation is meant compensation as determined by the rules now prescribed by the Land Acquisition Act, I am quite prepared to side with the Government and say that that is an impossible proposition which we need not accept. I might at this stage draw the attention of the House to the fact that we are not the only people who are bringing about socialism. What socialism means, nobody is able to say. There is the Socialism of the Prime Minister, which he himself said that he cannot define. There is the Socialism of the Praja Socialist Party; they don't know what it is. And even the Communists.....

Shri S. N. Dwivedy (Orissa) : You don't know either.

Dr. B. R. Ambedkar : I am not a socialist.

Shri S. N. Dwivedy : You want to criticise without knowing what it is.

Mr. Chairman : Order, Order, You may go on.

Dr. B. R. Ambedkar : Even the Communists say that theirs is socialism and I want to know why they call themselves Communists if they are only Socialists. It would lose all terrors which the word 'Communism' has for many people and they might easily have won a victory in Andhra if they had made a change in name. What I wanted to tell my friend Mr. Pant is — I hope he is listening to me.....

Mr. Chairman : Of course he is listening with the greatest attention.

Dr. B. R. Ambedkar : What I wanted to tell him was this, that this is quite interesting. Any one who has studied the legislative programme of the British Labour Party, after the close of the War, will see that the Labour Party, accordance with the report of the Trade Union Congress, published in 1945, carried out nationalisation of various industries and various services including the Railways and even the Bank of England. I have not understood what changes have been made by the Labour Party in the working of the Bank of England by nationalisation. I am a student of currency and I know something about the Bank of England but there it is that they had it. But what I wanted to tell my friend Mr. Pant is this, that in everyone of these cases where the Labour Party has carried out nationalisation, they have paid full compensation — full. That is to say, they have paid the market value of the shares that they have acquired. Payment of compensation, therefore, cannot come in the way of nationalisation but as I said, I am quite prepared for that proposition because the values of the shares are not due merely to capital that is invested. It is due to a variety of social circumstances. It is social causes which have brought about the rise in the value of the shares and there is no reason why a private shareholder should be entitled to appropriate to himself the social values which have be-

come part of the values of his shares. I don't also understand how the theory of non-compensation can be supported. In Russia they paid no compensation it is true. But it must not be forgotten that the Russian Government undertakes to give employment to people, to feed them, to clothe them, to house them, to serve them and to provide for all human needs. If the State can undertake to feed the population whom it has deprived of compensation. Then of course, in those circumstances, the theory that non-compensation shall be paid is a valid one. Why do you want compensation? Compensation is necessary simply because the State has deprived an individual of his instruments of earning a living. You cannot deprive a man of an instrument of his earnings and at the same time say, "Go and feed yourself". That theory, in my judgement, is a very barbarous one. It is therefore not possible to accept it. But why can we not accept the theory that just compensation means compensation determined by the law of Parliament? Why not? It does not mean that Parliament shall make a law exactly in terms of the Land Acquisition Act. You can scrap the Land Acquisition Act. You have a right to do so because it is within the purview of the both Parliament and the State Legislatures. It can enact a new Land Acquisition Act with a new set of principles. There is no harm in doing that and no difficulty for doing that. If you do that, well nobody can have a right to complain because when you bring forth such a measure for determining compensation by law, all sections of the House will have a right to say what they have to say. It would be the result of common agreement. If one Parliament finds certain principles to be good and another Parliament finds that those principles are bad, Parliament may change but it should all be done and it can be done by Parliament. Therefore my suggestion to the Government is this, that rather than bring in this kind of a Bill, a bold one and, as I am going to show later, really a very trifling thing, its corpse ought to be carried unwept, and unsung and nobody ought to cry over it. I am not

going to cry over it because it is not going to do any good or going to do any harm, as I will show. Therefore, my suggestion to the Government was this that rather than keep on encroaching upon these fundamental rights from time to time, it is much better to give Parliament once for all the power to determine compensation. This tampering with the Constitution from time to time is a bad thing. I said so last time but I don't suppose the Government has cared to pay any heed. I would like to repeat the same caution again and I should like to give some reasons why the Constitution should not be amended and tampered so easily. Any one who is familiar with what is called the interpretation of law by courts — and there are well-set rules as to how Statutes are to be interpreted — all will recall that there is a famous rule of interpretation which is called *stare decisis* which means this, that when the courts have given an interpretation for a long number of years in a very uniform sense, and if after a long number of years some lawyer gets up and convinces the court that the existing interpretation is wrong and ought to be changed, the courts say that they shall not do it, although they are convinced that the interpretation is wrong. The reason why the courts adopt this role of *stare decisis* is very important. The court says :

“Whether the interpretation we have given is right or is wrong is now not a matter of moment, for the simple reason that a large number of people have acted upon our interpretation as being the correct law, have incurred obligations, have secured rights. No to say that all these obligations and rights are founded upon a mistaken view of the law would be to unsettle the society altogether. Let therefore the wrong continue.”

That is the attitude of the courts have taken. The same reason prevails, in my judgement, why the Constitution should not be constantly amended. People know that the Constitution contains certain rules, certain objections, and in accordance with them, they make their contracts, they

make their plans for the future. It is not right therefore, to come in every year and to disturb these values. That is the reason why I say the Constitution should not be so lightly and so frequently amended. I do not know so frequently amended. I do not know whether the Government would listen to it, perhaps not.

Shri Tajamul Hussian (Bihar) : Why should they ?

Dr. B. R. Ambedkar : Well, Sir it is a habit. Once a cow gets the habit of running into the fields of another, you cannot covert her by morality. It is a habit.

Mr. Chairman : Go on, go on.

Dr. B. R. Ambedkar : In other countries wherever a clause of the Constitution has been interpreted by the judiciary in a way which the Government does not like the Government concurs in, it does not like to upset the decision of the court. Here, in our country we have cultivated a different mentality. Our mentality is that if the Judges of the Supreme Court do not give a judgement which is to our liking, then we can throw it out. This is what it is. I am rather glad with regard to the behaviour of the Supreme Court. In the short time that it has been in existence, I see some different phases of the Supreme Court being a sick person I have not been attending the Supreme Court for the last two or three years, but I am in contact with what is happening. I remember that in the very first flush of its power, the Supreme Court declared or had the courage to declare that a certain section of the Indian Penal Code was *Ultra Vires*. Our Government at once reacted and brought in an amendment to declare that the interpretation of the Supreme Court was wrong.

(Interruptions).

Mr. Chairman : Let us avoid comments upon the Supreme Court.

Dr. B. R. Ambedkar : I hope that notwithstanding the constant amendments which the Government seems to be

proved to bringing forth, the Supreme Court will continue to have its independent judgement, notwithstanding what the Government may have to say. I do not find that the Supreme Court has given any judgement which any independent man can say, is not in consonance with the terms of the Constitution.

Now Sir I will proceed to deal with the different clauses in the Bill. The first clause is clause 2. This clause 2 of the Bill divides clause (2) of the original article 31 into two parts, clause (2) and clause (2A). With regard to clause (2) one has nothing to say, because it is merely a reproduction, probably with a certain economy of words, of the terms contained in the original clause (2). I have, therefore, nothing to say about it. But clause (2A) is a new thing and it must be examined carefully. In the first place, I cannot understand the meaning of this clause. It has not been explained by the Prime Minister, nor do I find any explanation from my Hon. friend the Minister for Home Affairs. What exactly is it intended to convey? It is a sort of mysterious clause it has been shrouded in mystery. Now let me analyse this clause (2A). What does it say? To put it in plain language, quite different from the language that is used in the clause, as embodied in the amending Bill, it seems to say this. If Government buys up ownership of any property, it will amount to acquisition and Government will pay full compensation in accordance with article 31. If Government buys up ownership, that is the important point. If Government buys up ownership, then that is tantamount to acquisition and Government will be bound to pay compensation. Secondly, it means that if Government takes possession of the property, then the taking possession will also amount to acquisition and the Government will be bound to pay compensation in accordance with the terms of article 31.

12-00 Noon

That is what the clause in the Bill say; what is it that will not amount to acquisition? What it is that is left

which Government can do and wants to do and yet escape compensation? If it acquires ownership, it is said, it will pay compensation; if it takes possession, it says, it will pay compensation because that would be tantamount to acquisition.

Shri Tajamul Husain : What about Solapur Case ? It was only temporary provision for improving matters.

Dr. B. R. Ambedkar : I have got the case here; I shall come to it.

It seems that the only case which will be only out of these two, acquisition of ownership and acquisition of possession, is the cancellation of a license, because when you cancel a license you do not acquire possession and therefore, by reason of the cancellation of the license you do not become liable for paying compensation. That is what this clause means. I wish it had been stated in positive terms that in the following cases, Government shall not pay compensation but having been put the other way, the real meaning of this clause is very much concealed from the right of the reader. If my interpretation is right, then, what the clause intends to do is to exempt Government from the liability for paying compensation whenever it cancels license. Is that a justifiable ground for not paying compensation? I believe that the case which my Hon. friend Mr Pant has very much in mind and which I also have in mind, is the case of the bus owners. The bus owners under the Motor Vehicles Act, have to obtain a license for running their buses on a certain routes. My friend Mr. Pant is a very covetous person, and he likes to get the monopoly of running the buses in his own hand and he, therefore, does not like the bus owners. How can he prevent them from running the buses? He has got the power of cancelling their licences. He therefore, cancels their licenses and sets on Government on the route on which they were plying and he does not want to pay them any compensation at the same time. The question that I would like to ask this: Is

this a just and fair proposition? I have no objection to the Government running their own buses. I do not know how cheap the fare in U.P. are, whatever they are cheaper than in the case of private buses.

Shri H. P. Saksena (Uttar Pradesh) . Yes.

Shri Tajamul Husain : And better.

Dr. B. R. Ambedkar : I am not saying anything; I do not know whether they give good service; probably they do.

Shri Tajamul Husain : Yes, they do, the Government buses always do.

Dr. B. R. Ambedkar : But the point to be considered is this; here are a body of people engaged in this particular trade, who are earning their living by this trade. They have invested quite a lot of money in buying their stock-in-trade, namely, the buses, the workshops and whatever other things are necessary you suddenly come and say, "Stop your trade. We shall not allow you to carry on" Even that I do not mind but the point that I would like to ask my friend is this : the least thing that my Hon. friend could do is at least to buy their stock-in-trade because that very stock-in-trade would be useful to bus running by the Government. If it did that and then said that it is not going to give them any more compensation because the stock-in-trade has been bought with which money they could go and practise any other trade they liked, that would be quite an equitable proposition from my point of view. But the Government does not want to do that. In running the Government buses they prefer to buy new buses. The Minister has yet to give an answer as to why he would not take the old buses from the people whose licenses he has cancelled. No answer has been given for this thing.

Mr. Chairman : Dr. Ambedkar, you have taken nearly an hour.

Dr. B. R. Ambedkar : Yes, Sir, that is quite true.

Mr. Chairman : Please wind up as early as possible.

Dr. B. R. Ambedkar : Yes, Sir, What I was saying was this, that in such cases it would be wrong to deprive a man of his means of livelihood and not to compensate him for the loss of his stock-in-trade. I would like to hear some argument on this subject what would justify this kind of conduct. Therefore my submission is that clause (2A) is a most inequitable piece of legislation. It has no relation to justice, equity and good conduct. Unless some friend is going to give some satisfactory explanation I mean to oppose that clause

Now I will proceed to column 3 of the amending Bill. I would like to say at the outset that the provisions contained in clause 3 are in my judgement, most insignificant, trivial and jejune and I do not know what the Government is going to achieve by incorporating this clause in the Constitution. Now with regard to sub-clause (g), (h) and (f) of proposed clause (1), in clause (3) of the amending Bill, I have not the least objection because I do not see that by taking action under these clauses there is going to be any injury to anybody. The essence of acquisition is that it causes injury to the interests of any body. I do not see that these sub-clauses will cause any injury to anybody, and therefore, I support the proposition that there need be no compensation in these cases.

But there is one thing that I would like to say with regard to these clauses and it is this that if any action is taken under these clauses (g), (h) and (i) it must only be on the ground that public purpose justifies it. It must not be merely an arbitrary act on the part of the Government. It must not be a whim that Government wants to amalgamate one *company* with another or transfer the management of one to another. These clauses must be subject to the rule of public purpose. If that is so, thus there is no objection to them.

Now going back to the other clauses, to (a) I have no objection; it may stand as it is.

With regard to (b) I do not know whether the first part of (b) is very different from (a). It seems to me that both are alike, but I would like to have some explanation as to what is meant by "modification of any rights in agricultural holdings". What does that mean? There is no explanation. As far as I understand an agriculturist requires four rights. First is security of tenure; he must not be liable to ejection by the landlord without proper clause. Secondly he should be liable to pay only what is called their rent, as may be determined by a court if it is necessary. Thirdly he must have transferability of tenure. If he wants to sell his holdings he should be free to sell it and the landlord should not stand in his way. And fourthly it must be hereditary, that is to say, if he dies, his descendants should have a right to claim the holding. Now these are the four things which I think a holder of an agricultural holding is interested in. Now Government would take power to modify these things. I do not know what is the nature of the modification and what are the rights which they propose to modify. I think some explanation is necessary.

Then comes (c), the fixation of the maximum extent of agricultural land etc., well, all that I can say is this that whether this particular clause will have positive results depends upon what is the maximum that you are going to fix. This is the pet idea of the Socialist Party. They want that land should be distributed after fixing the maximum holding of a tenant.

Mr. Chairman : Are not these matters to be taken up in the Joint Committee when it comes to discuss the thing?

Dr. B. R. Ambedkar : It may be but the point is this that it is necessary to know whether, these things are really good to be incorporated in the Constitution. My friend Mr. Pant knows because he was the Chairman of the Committee on land Tenures in U.P. which I have studied — that the maximum holding in U.P. is about two acres for a ryot and I do not know that there is any part of India where ryotwari

prevails, where the holding is larger than two acres. What maximum can you fix I do not understand. Therefore this seems to me quite a futile thing.

The other thing about which I wish to make some reference is this. It says that the surplus land shall be transferred to the State or otherwise. I do not know what is meant by "Otherwise" whether it means it may be given to other tenants; that might be the meaning. If so, I would like to utter a word of caution. I am of opinion that peasant proprietorship in this country is going to bring about complete ruination of the country. What we want is — although I am not a Communist — the Russian system of collective farming. That is the only way by which we can solve our agricultural problem. To create peasant proprietorship and to hand over land to peasants who have not got means of production is in my judgment.

Shri Tajamal Husain : Have they done it in Russia?

Mr. Chairman : Don't bother, he takes it as an illustration.

Dr. B. R. Ambedkar : I am prepared to pick and choose from everyone, Socialist, Communist or other; I do not claim infallibility and as Buddha says there is nothing infallible; there is nothing final and everything is liable to examination.

Shri Tajamal Husain : That is why we are amending the Constitution framed by Dr. Ambedkar.

Shri S. Mohanty (Orissa) : And voted by you.

Dr. B. R. Ambedkar : Now with regard to vacant and waste land. The proposition is of course a welcome proposition and I support it. But I have yet to see, if you take vacant land without compensation, whether the municipality which would have to exercise this right would do so because I fear a large majority of municipal councillors are friends of the slum-owners and therefore probably they will not exercise this right unless something more is done.

Now with regard to management all that I want to say, is this, Most people do not realise what is involved in this. If the Government wants to take up the management of a mill because it is badly managed, there is no harm in doing that. But the question is this. Suppose the Government management turns out to be worse than the previous management and losses are created who is going to be the responsible for those losses, I think some provision must be made. Nationalised industries so far as India is concerned do not appear to be very profitable. Our Airways Corporation, as I see from papers, has brought to us a loss of one crore of rupees within one year.

Shri S. Mohanty : And about Rs. 50 lakhs.

Dr. B. R. Ambedkar : What other corporations would do I do not know.

But if you take the property of a man because it is mismanaged and because there is social purpose in it, you must also make provision that the losses that might be incurred are made good by somebody and are not put on the head of the old man who was the owner of the property.

Now, Sir, one word with regard to clause 5. It seems to me very obnoxious. What are we asked to do by clause 5? By clause 5 we are asked to give constitutional validity to laws passed by the State Legislatures. We have not seen those Laws; they have not been circulated; they have not been debated here. And yet we are asked here to exercise the constituent powers of Parliament not only to validate them but to give them constitutional immunity from the other clauses of the Act. Sir, I think it is very derogatory to the dignity of the House that it should be called upon to validate laws passed by some other State which laws it has not seen, it has not considered. The proper thing for the Government to do is to put these subjects in the concurrent field so that Parliament may at least give them validity by the powers vested in it. But it is a very wrong thing. Because we did it in the case of the first amendment where we

added the Ninth Schedule to the Constitution that is no reason why we should widen this anomaly and this ugliness in the Constitution.

That is all that I want to say”.

(Parliamentary Debates, Rajya Sabha, Vol. IX-B, March-April 1955 pages 2446-2466-A's speech on the Constitution (Fourth Amendment) Bill, 1954.

बाबासाहेबांच्या नंतर अनेक सभासदांनी बिलावर भाषणे केली. (पा. २४६७-२५०३). काही सभासदांनी बाबासाहेबांच्या भाषणातील काही मुद्यांना फार महत्व दिले तर काहीनी ते मुद्दे खोडसाळपणाचे आहेत, असे म्हटले. श्री. गोविंद वल्लभ पंत (गृहमंत्री) यांनी उत्तरादाखल जे भाषण केले त्यांत त्यांनी इतर वक्त्यांचा उल्लेख न करता फक्त डॉ. आंबेडकर व त्यांचे मुद्दे यांचाच उल्लेख केला आणि ते मुद्दे त्यांनी खोडून काढण्याचा प्रयत्न केला. (पा. २५०४-२५१५) या उत्तरांत श्री. पंत यांनी बाबासाहेबांच्या विद्वत्ताप्रचूर भाषणाबद्दल धन्योद्धार काढले. (“.....Dr. Ambedkar is a learned man and he can speak on any subject for a pretty long time.....” p. 2505).

डॉ. आंबेडकरांचे काही मुद्दे कसे खोडसाळपणाचे आहेत, हे श्री पंत यांनी सिद्ध करण्याचा ओघांत बाबासाहेबांना कोपरखळ्या मारल्या. शेवटी जॉईंट कमिटीवर राज्यसभेच्या सभासदांची निवड झाल्याचे अध्यक्षानी जाहीर केले (पा. २५१९).

राज्यसभेतील २६-८-५४ च्या भाषणांत बाबासाहेबानी कम्युनिझम (साम्यवाद) व कम्युनिस्ट, आणि हिंदुधर्मातील विचार सरणी व हिंदूंचे नैतिक अधःपतन यासंबंधी कडवे शब्द वापरले होते. त्यांच्या वाणीत हा जो तिखटपणा आलेला होता तो त्या त्या मुद्यावर त्यांनी सांगोपांग अभ्यासाने विचार करून ठरविलेल्या मतांमुळे आणि प्रत्यक्ष व अप्रत्यक्ष मिळालेल्या स्वानुभवांमुळे. या संबंधीचे एक उदाहरण मी येथे देतो—

मि. एस. हॅरिसन (Seling S. Harrison) या अमेरिकन वृत्तपत्र प्रतिनिधीने *India : The Most Dangerous Decades* या ग्रंथात कम्युनिस्ट पक्षाचे तत्वज्ञान, विचारसरणी आणि कार्यक्रम यासंबंधी चर्चा करतांना असे मत प्रदर्शित केलेले आहे की या पक्षाचे प्रमुख पुढारी ब्राह्मण जातीतील असल्यामुळे त्या पक्षाला भारतातील बहुतेक प्रांतातील बहुजन समाजाचा संपूर्णपणे पाठिंबा मिळू शकला नाही. सदर ग्रंथकाराने श्री शंकरराव मोरे यांची १-७-१९५३ ला दिल्लीत मुलाखत घेतली तेव्हां या मुद्यासंबंधी श्री. शंकरराव मोरे यांनी तेच मत प्रदर्शित केले.

(S. S. More on Communist in India : The Most Dangerous Decades, by S. S. Harison. "More dismisses the Communists in his region as "mostly from the advanced classes. Look at Sardesai and Ghate. They are Brahmins all the way (P. 190)..

मि. हॅरिसन यांनी बाबासाहेबांची भेट दिल्ली (अलिपूर रोड) येथे २१ व २८ फेब्रुवारी आणि ९ ऑक्टोबर १९५३ रोजी मुलाखत घेऊन भारताच्या अनेक राजकीय प्रश्नांवर चर्चा केली. महाराष्ट्रातील मराठा आणि अस्पृश्य समाजात कम्युनिस्ट विचारसरणीचा सर्वास प्रसार करण्यात कम्युनिस्ट पक्ष यशस्वी झाला नाही, कारण त्या पक्षाचे पुढारी बहुतेक ब्राह्मण जातीचेच आहेत, असे बाबासाहेबांनी आपले मत व्यक्त केले. कम्युनिस्ट चळवळ ब्राह्मण तरुणांच्या हाती देऊन रशियन लोकांनी फार मोठी चूक केली. भारतात कम्युनिझमचा प्रसार व्हावा अशी त्यांची मनापासून इच्छा नसावी, अगर हिंदी कम्युनिस्ट हे आपले नुसते स्तुतिपाठक म्हणूनच रहावेत अशी रशियन लोकांची इच्छा असावी, किंवा भारतीय समाजातील जातिभेदांची भेसूर भुते आणि कम्युनिझम विचारसरणी यांची सांगड कशी घालावी यांचे नीट आकलन त्यांना झाले नसावे, असे बाबासाहेब म्हणाले ("The late Dr. B. R. Ambedkar, who organised the Mahars as a political force, accounted similarly for Communist weakness in Maharashtra :

The Communist Party was originally in the hands of some Brahmin boys — Dange and others. They have been trying to win over the Maratha community and the Scheduled Castes. But they have made no headway in Maharashtra. Why? Because they are mostly a bunch of Brahmin boys. The Russians made a great mistake to entrust the Communist movement in India to them. Either the Russians didn't want Communism in India — they wanted only drummer boys — or they didn't understand" pp. 190-91. Ambedkar on Communism in India — quoted in the book, India : The Most Dangerous Decades, by Seling S. Horri-son).

१९५२ च्या निवडणुकीत फेडरेशनचा फार मोठ्या प्रमाणात पराजय झाल्यामुळे त्यांच्या कार्यकर्त्यांत शिथिलता उत्पन्न झाली. प्रामाणिक कार्यकर्त्यांना भसा अनुभव येऊ लागला की काही स्वार्थी लोक पक्षप्रमुखाना अनेक मार्गांनी खूप करून आपली पदे सुरक्षित ठेवीत, आणि काहीएक कार्य न करता, दुसऱ्यांच्या लक्षात येईल

अशी ख्याली खुशाली करीत असत. या व काही खाजगी कारणांमुळे पक्षांतील कार्यकर्त्यांत धूसफूस चालू असे. काही प्रकरणे बाबासाहेबांपर्यंत जात असत पण ते त्याकडे फारसे लक्ष देत नसत. मुख्य पदाधिकार्यांकडे ते या सर्व कटकटी सोडविण्याचे कार्य सोपवित असत. यामुळे मुख्य पदाधिकारी हे फार डोईजड झालेले होते. त्यांच्या विरुद्ध, पक्षात गट निर्माण झाले होते. त्या गटांनी बाबासाहेबांकडे तक्रारी केल्या तरी ते त्याकडे फारसे लक्ष देत नसत. कधी लक्ष घातलेच तर ते पदाधिकार्यांना धारेवर धरीत. अशा वेळी हे पदाधिकारी पक्षातून बाहेर पडण्याच्या धमक्या देत. असा प्रसंग एप्रिल १९५५ मध्ये निर्माण झाला. परंतु त्याचा स्फोट अन्य मार्गाने झाला. फेडरेशनचे अध्यक्ष श्री. एन्. शिवराज यांनी १२ एप्रिलला पुण्यातून निवेदन प्रसिद्ध केले, मी फेडरेशनचा अध्यक्ष असताना मला न विचारता पक्षाची धोरणे वेळोवेळी ठरवितात, आणि आता ते फेडरेशनची घटना बदलून नवी घटना लिहीत आहेत. या बाबतीत त्यांनी मला कांही थांग पत्ता लागू दिला नाही. घटनेचे पुस्तक डॉ. आंबेडकर यांनी मलप्रघावर स्वतःचे नांव घालून प्रसिद्ध केलेले आहे, ते बेकायदेशीर आहे कारण, फेडरेशनचा अध्यक्ष मी आहे, डॉ. आंबेडकर नाहीत. अशा आशयाचे निवेदन श्री. शिवराज यांनी प्रसिद्ध केले ते १३-४-१९५५ च्या टाईम्सने प्रसिद्ध केले.

फेडरेशनचे मुख्य चिटणीस श्री. राजभोज (एम. पी.) यांनीही एक निवेदन प्रसिद्ध केले की, फेडरेशनच्या कारभारात फार अंदाधुंदी माजलेली आहे, आणि त्या दुरावस्थेत आपणाला कांही महिने काम करणे भाग पडले. (पण आता ते शक्य नाही म्हणून) अशा स्थितीत फेडरेशनमधून बाहेर पडणे हाच निर्णय आपणाला घ्यावा लागला, म्हणूनच आपण मुख्य चिटणीसपदाचा राजिनामा दिलेला आहे. असा श्री. राजभोज यांच्या निवेदनाचा आशय होता.

ही दोन्ही निवेदने टाईम्समध्ये प्रसिद्ध झाली होती ती अशी :—

“Scheduled Castes’ Federation Facing Crises. Mr. Shivraj likely to Quit Presidentship.

Poona, April 12.

Mr. N. Shivraj, President of the All India Scheduled Castes’ Federation, likely to quit the organisation soon.

This possibility is regarded to have been hinted by him in a circular addressed to members of Federation’s Working Committee.

He is also understood to have indicated in the communication that the South Indian unit of the Federation might secede from the parent organisation.

Mr. Shivraj has accused Dr. B. R. Ambedkar in the circular of having taken major policy decisions in the name of the Federation without the President's knowledge it is learnt.

He was surprised to know that Dr. Ambedkar had prepared a new Draft Constitution for Federation without consulting him. Moreover, Dr. Ambedkar had not even supplied him a copy of it, though it had been circulated among members by Dr. Ambedkar himself.

Mr. Shivraj has protested, it is understood, against the former Union Minister's action in having his name printed on the cover page of the Draft Constitution with the designation of President of the Federation, inspite the fact that Mr. Shivraj still continue to be the duly-elected President of the organisation.

—X—

SECRETARY QUILTS PARTY DR. AMBEDKAR BLAMED.

Poona, April 12. Mr. P. N. Rajbhoj, a close associate of Dr. B. R. Ambedkar for more than ten years, blamed the former Union Law Minister for the chaotic working of the Scheduled Castes' Federation and resigned his membership yesterday.

Mr. Rajbhoj, M.P., and General Secretary of the Federation, took this 'final and irrevocable step' owing to the 'insufferable conditions in which I have been forced to work during the last few months.'

(The Times of India, 13-4-55).

भारतातील मागासलेल्या वर्गाची सुधारणा घडवून आणण्यासाठी कोणते उपाय योजावेत याची पहाणी करण्यासाठी 'बॅकवर्ड क्लासेस कमिशन'ची नेमणूक राष्ट्रपतींनी घटनेच्या ३४० कलमान्वये २९-१-१९५३ रोजी केली. कमिशनचे अध्यक्ष श्री. काकासाहेब कालेलकर, एम्. पी., आणि १० सभासद आणि तीन सरकारी अधिकारी यांची नेमणूक केली होती. कमिशनचे कामकाज १८-१-१९५३ ला

सुरु झाले. सर्व प्रांतात फिरून निरनिराळ्या समाजसेवकांच्या, स्थानिक पुढाऱ्यांच्या आणि इतर संबंधीत लोकांच्या साक्षी घेतल्यानंतर कमिशनने आपला अहवाल राष्ट्रपतींना ३०-३-१९५५ ला दोन खंडांत (पाने २६१+२५२) सादर केला. हा अहवाल भारत सरकारने १९५६ मध्ये छापून प्रसिद्ध केला.

योग्य शिक्षण देऊन नंतर त्यांना सरकारी नोकऱ्या देणे. या दोन गोष्टी, मागासलेल्या वर्गाची स्थिती सुधारण्यास प्रासुख्याने कारणीभूत होतात, म्हणून शिक्षणासाठी शिष्यवृत्त्या, नादारी, पुस्तके वगैरे साहित्य विकत घेण्यास आर्थिक सहाय्य सरकारने द्यावे, अशा शिफारशी कमिशनने केल्या. निरनिराळ्या शिक्षणसंस्थात मागासलेल्या वर्गातील विद्यार्थ्यांना ठराविक जागा राखून ठेवाव्यात, अशीही शिफारस कमिशनने केली.

शेड्यूल्ड कास्टस, शेड्यूल्ड ट्राईबज आणि अँग्लो इंडियनस यांना सरकारी नोकऱ्यांत टक्केवारीवर जागा राखण्याबद्दलचा सरकारी हुकूम, गृहघाते, न्यू दिल्ली, नं. ४२।२१।४९ एन्. जी. एस. दिनांक १३-९-१९५० चालू होता. त्याप्रमाणे जागांचे प्रमाण असे ठरविण्यात आलेले होते :—

१) शेड्यूल्ड कास्टस— (अ) युनियन पब्लिक सर्विस कमिशनतर्फे अगर सरळ चुरसीच्या परीक्षा घेऊन भरविण्यांत येणाऱ्या जागांपैकी १२। टक्के जागा.

(ब) सरळ मार्गाने भरण्यात येणाऱ्या जागांपैकी १६।।। टक्के जागा.

२) शेड्यूल्ड ट्राईबज— जागा कोणत्याही मार्गानी भरणे. ५ टक्के जागा.

३) अँग्लो इंडियनस— रेल्वे, तार व कस्टम्स, खात्यातील पूर्वीच्या सवलती चालू ठेवणे.

कमिशनने आपल्या अहवालाच्या Government of India — Report of the Backward Classes Commission, Vol. I, 1956 (भाग १) तिसऱ्या प्रकरणांत 'जात आणि समाज' (Caste and Society) या विषयावर आपले विचार व्यक्त केलेले आहेत. समाजातील व्यवसाय, आर्यांचे कर्मकांड, अंतरंगापेक्षा बहिरंगावर जास्त निष्ठा ठेवण्याची समाजात रुढ झालेली प्रवृत्ति, अनार्यांना हीन बुद्धीने वागविण्याची मनोवृत्ती, वगैरे कारणांमुळे समाजात वर्णव्यवस्था व जातिभेद ही उत्पन्न झाली असे सर्वसाधारण मत, या प्रकरणात व्यक्त केलेले आहे. जातिभेदाच्या कल्पनेमुळे अस्पृश्य मानले गेलेल्या समाजाची स्थिती अत्यंत वाईट झाली. त्यांना साध्या माणुसकीचेही हक्क नव्हते, जातीभेद नष्ट करणे किती जरीचे आहे, त्यासाठी कसे प्रयत्न केले पाहिजेत आणि कोणते उपाय योजले पाहिजेत, इत्यादी मुद्यासंबंधी या प्रकरणात (पा. १४-२६) माहिती दिलेली आहे. या मुद्यासंबंधीचे काही परिच्छेद मी येथे उद्धृत करतो.

“24. The position of the fifth class viz. The Untouchables, was indeed galling. They suffered from many humiliations and were condemned to a life of degradation.

25. The excessive ritualism practised by the Brahmans and the extreme importance attached to the outer forms of observances had their reaction in course of time. Both Jainism and Buddhism were Reform movement started by Kshatriyas preaching against rituals and sacrifices and emphasising the performance of duty and the observance of right conduct. Buddhism spread over the whole of Northern India and a part of Southern India. The old ritualism of sacrifices was discarded and popular forms of worship were introduced. Hinduism gradually absorbed all that was good in Buddhism. Buddhism, in course of time, lost its pristine vigour and developed degrading practices. Shankaracharya opposed the metaphysical doctrines of Buddhism and reestablished Hinduism in the heart of the people. His doctrine of Advaita was so akin to Buddhistic metaphysics, that he was accused of being a Buddhist in disguise. Hinduism finally accepted Buddha as an Avtar of Vishnu and recognised the present age as being under (कल्की अवतार) his sway.” (p. 18).

“50. One of the evil effects of the caste system has been that general education was denied to a large section of the people.. Knowledge of the hereditary occupation or craft was all education which a child got through its parents. The upper castes have one common characteristic, viz. they dislike physical labour and try to evade it as much as possible. The system of education introduced by the British suited these classes excellently and has helped them to secure a dominant share in administrative and industrial spheres.

51. Jawaharlalji has powerfully summarised the whole situation thus :

“In our own period have arisen numerous movements to break the tyranny of caste among the middle classes and they have made a difference, but not a vital one, so far as the masses are concerned. Their method was usually one

of direct attack. Then Gandhi came and tackled the problem after the immemorial Indian fashion, in an indirect way. He has been direct enough, aggressive enough, persistent enough, but without challenging the original basic functional theory underlying the four main castes. He has already shaken the foundations of caste and the masses have been powerfully affected. But an even greater power than Gandhi is at work; the conditions of modern life — and it seems that at last this hoary and tenacious relic of past times must die.”

“The conception and practice of caste embodied the aristocratic ideal and was obviously opposed to democratic conceptions. It had its strong stations and did not challenge the established order. India’s success and achievements were on the whole confined to the upper classes, those lower down in the scale had very few chances and their opportunities were strictly limited. These upper classes were not small limited groups but large in numbers and there was also a diffusion of power, authority and influence. Hence they carried on successfully for a very long period. But the ultimate weakness and failing of the caste system and the Indian social structure were such that they degraded a mass of human beings and gave them no opportunities to get out of that condition educationally, culturally, or economically. That degradation brought deterioration, all along the line including in its scope even the upper classes. It led to the petrification which became a dominant feature of India’s economy and life. The contrasts between this social structure and those existing elsewhere in the past were not great, but with the changes that have taken place all over the world during the past few generations they have become far more pronounced. In the context of society today the caste system and much that goes with it are wholly incompatible, reactionary, restrictive and barriers to progress. There can be no equality in status and opportunity within its frame-work, nor there can be political democracy and much less economic democracy. Between

these two conceptions conflict is inherent and only one of them can survive." (The Discovery of India — by Shri Jawahar Lal Nehru, Chapter VI, Page 234, 3rd Edition) ** (pp. 25-26) (Report of the Backward Classes Commission, Government of India, Vol. I, 1956, Part I, pages 14-16).

शेड्यूल कास्टस आणि शेड्यूल ट्राइब्स (हरिजन व गिरिजन यांचे सभासद लोकसभेत किती आहेत, याबद्दलची माहिती कमिशनने आपल्या सहाय्या अहवालात दिली होती ती अशी :-

| | लोकसभा | विधान सभा |
|-----------------|---------------------|----------------------|
| एकूण जागा | ५०० | ३१०२ |
| शेड्यूलड कास्टस | ७६ (१५.२० शे.) | ५७० (१५.१५ शे.) |
| शे. ट्राईबज | ३१ (६.२० शे.) | २२१ (७.१२ शे.) |

[The Report of the Commissioner For Scheduled Castes and Scheduled Tribes, 1956-57 (Sixth Report), Vol. I. (197), p. 8].

ही माहिती देण्याचा उद्देश हा की, घटनेत नमूद केलेले राजकीय प्रतिनिधित्व या मागासलेल्या लोकांना मिळालेले आहे किंवा नाही. उत्तर नाही हेच आहे. जे प्रतिनिधित्व मिळाले ते सत्तारूढ पक्षाच्या कृपेमुळे, आणि ज्यांना ते मिळाले ते लोक या सत्तारूढ पक्षापुढे गोगलगाय होऊन राहिले. त्यांना स्वतंत्रपणे स्वतःच्या जातीसाठी नगण्य कार्य करून नामधारी लोकप्रियता मिळविणे व ती टिकवून धरणे, एवढेच त्यांना स्वातंत्र्य होते. त्यांना उभ्या भारतातील हरिजन व गिरीजन यांच्यासाठी ठसठशीत व दूरदर्शी योजना तयार करणे व ती राज्यकर्त्यांना सुचविणे याबद्दल स्वातंत्र्य नव्हते. नव्हे त्या गोष्टींची त्या व्यक्तींना जाणीवही नव्हती व त्यांची तशी कुवतही नव्हती. इतक्या हलक्या थराचे प्रतिनिधी राजकर्त्या पक्षांनी निवडून आणलेले होते. त्यांना घडाडीचे, स्वतंत्र प्रश्नेचे सुशिक्षित असे हरिजन (व गिरीजन) नको होते. उलट अंशी, या हरिजन-गिरीजन लोकांच्या कल्याणासाठी ज्या योजनांद्वारे सरकारकडून पैसा काढीत त्यांतील बहुतांशी पैसा त्यांचे हस्तक व सगेसोयरे यांना मिळत असे, कारण हेच लोक योजनांचे पगारी पदाधिकारी असत. नोकऱ्यांच्या बाबतीतही हीच चलाखी असे. कशी ती पहा :-

“Reservation for Scheduled Castes, Scheduled Tribes in Government Services and Posts —

Section XIII 156-57 : pp. 95-106 — Report of the Commissioner for Scheduled Castes and Scheduled Tribes:—

Position :— 1-1-1955/and 1-1-1956 (p. 97)..

CENTRAL

| Services | No. of S.C. Officers | No. of S.T. Officers | No. of Other Officers |
|---------------|-------------------------|-------------------------|--------------------------|
| I.C.S./I.A.S. | 17.17 | 1.2 | 1125.1178 |
| I.P. /I.P.S. | 7.7 | 3.3 | 648.673 |

STATES :

| P. 103 Police Depts. (1955-56) | Total Posts | Held by S.C. | Held by S.T. |
|--------------------------------|----------------|-----------------|-----------------|
| (1) Class I & II (Gazetted) | 2,812 | — 37 | — 12 |
| (2) Class II (Non-Gazetted) | 1,06,486 | — 5,398 | — 3,133 |
| (3) Class III | 1,95,378 | — 9,527 | — 3,767 |
| (4) Class IV | 32,663 | — 3,299 | — 1,310 |
| P. 104 Judicial Dept. | | | |
| (1) | 2,309 | — 37 | — 3 |
| (2) | 5,084 | — 142 | — 4 |
| (3) | 13,072 | — 561 | — 129 |
| (44) | 13,040 | — 924 | — 160 |

Indian Foreign Services

113 Officers = 2 S.C. (1 in 1948. No recruit from 1949 to 1956 : No candidate (pp. 99).

Armed Forces of India (P. 100) — No. reservation for S.C./S.T.

Pp. 105-6 : Employment Exchanges

1956 : Regd. S.C. = 1,76,945.

S.C. 1956 : Regd. S.C. = 1,78,210 (28,087 Employed)

13165 Central Govt.

8704 State Govt.

6218 Other employees.

528 — Graduates remained unemployed

7331 — Matric unemployed

66056 — Non-Matric unemployed

1957-58 REPORT
Reservations XIII — 143-52
CENTRAL SECRETARIAT SERVICES

on 1-1-57

| | | | |
|--------|---------------------------|------------------------------|-------------------|
| P. 146 | | Total | S.C./S.T. |
| | Grade I | 347 | 3 |
| | Grade II | 421 | 2 |
| | Grade III | 539 | 14 |
| P. 148 | I. A. S. | 1-1-56 | 1-1-57 1-1-58 |
| | S. C. | S. T. | Other Officers |
| | I.C.S./I.A.S. = 17-18-29 | 2-3-6 | 1,178—1,232—1,486 |
| | I.I.P.S./I.P. 7-10-14 | 3-5-5 | 672— 714— 793 |
| P. 152 | Employment Exchanges 1957 | | |
| | S.C. = 178210 (56) | | |
| | 193681 = 57 | | |
| | | 92,932 unemployed (31-12-57) | |
| | | 798 Grad. 10,331 Matric & | |
| | | 81,303 Non-Matric | |

हरिजन व गिरीजन यांच्या नांवावर सरकारकडून पैसे मिळविणे व त्यांत आपापल्या हस्तकांची गुजराण करणे ही स्वार्थी दृष्टी सत्तारूढ पक्षातील समाजसेवकांत जशी रुजलेली होती तशी महिला-समाज-सेवकांतही रुजलेली होती. आणि ती अत्यंत आंगळ स्वरूपाची स्वार्थी दृष्टी होती. त्याची एक-दोन उदाहरणे मी येथे देतो.

सेंट्रल सोशल वेल्फेअर बोर्डाची 'सोशल अँड मॉरल हायजीन अँडव्हायसरी कमिटी' हिने वेदश्याव्यवसायाची पहाणी करून एक अहवाल बोर्डाच्या अध्यक्षीणबाई सौ. धनवन्ती रामा राव यांना सादर केला. सौ. मैत्रेयी बोस, सौ. विमलाबाई देशमुख, सौ. पारिजतम नायडू, सौ. शांती कवीर व श्री. वि. वि. शास्त्री हे कमिटीचे समासद होते, वेदश्याव्यवसाय गुप्तपणे व उघड अशा दोन्ही पद्धतीने चालतो, तो सर्व प्रांतांतून चालविला जातो असे अहवालात म्हटले होते. या धंद्यात १० ते २९ वर्षे वयोगटातील स्त्रिया असतात, व त्यातील शेकडा ६६.५ ग्रामीण भागातून शहरात आणलेल्या असतात. शेकडा ५५.४ गरिबीमुळे, २७.७ घरगुती भांडणामुळे त्रास, लळ, वैधव्य याला कंटाळून घराबाहेर पडल्यामुळे आणि १६-९ धार्मिक चाली-रुढीमुळे या व्यवसायात शिरलेल्या असतात. कांही सार्वजनिक संस्थामधूनही हा व्यवसाय चालविला जातो असे कमिटीने ११८ संस्थांची पहाणी केली तेव्हा त्यांना दिसून आलेल्या व्यवसायाला आळा घालण्यासाठी कमिटीने अनेक उपाय सुचविले होते (टाईम्स, ११-११-५३).

पतित स्त्रियांना सन्मार्गांला लावण्यासाठी ज्या ज्या संस्था कार्य करतात त्यासाठी सरकारकडून त्यांना आर्थिक साहाय्य मिळते. पण या संस्थेत जे कार्यकर्ते असतात हे असहाय स्त्रियांचा स्वतःच्या अगर इतर सभासदांच्या अथवा धनवान आश्रयदात्यांच्या कामवासना भागविण्यासाठी दुरुपयोग करतात. कांही आश्रमातून सुंदर मुली श्रीमंतांना विवाहाच्या निमित्ताने विकल्या जातात. पण ते श्रीमंत त्यांना फक्त रखेली म्हणून ठेवतात. या संबंधीची माहिती सौ. रामा राव यांनी हैद्राबाद येथे जुलै १९५५ मध्ये दिली व ती टाइम्सने प्रसिद्ध केली होती ती अशी—

Alleged Sale of Girls by 'Rescue Homes'

Moral and Social Hygiene 'Advisory Body Findings.

Hyderabad, July 28

Mrs. Rama Rau, Chairman of the Moral and Social Hygiene Advisory Committee, said here today that many of the rescue homes for women maintained by the Hindu Mahasabha and the Arya Samaj were anything but "rescue homes".

She called that the girls who claimed the protection of these ashrams were put on the marriage market and sold to the highest bidder.

Mrs. Rama Rau, who has been touring a number of cities with other members of the committee, was addressing a press conference.

She said that the committee found that rescue homes for fallen women maintained by Christian Missionaries were doing excellent rescue and rehabilitation work.

COMMENDABLE MODELS.

She heartily endorsed the missionary methods rescue and rehabilitation and recommended them as models for other social workers to imitate.

The Moral and Social Hygiene Advisory Committee was appointed by the Central Social Welfare Board to inquire into the problem of immoral traffic in women and children with special reference to brothels and the working of immoral traffic laws and the Children's Protection Act.

Mrs. Rama Rau said that the Advisory Committee was expected to submit its report by the end of September. She hoped that the Central and State Governments would undertake to implement laws against immoral traffic by that time.

She said that although laws against immoral traffic existed in several States the necessary machinery required for their effective enforcement had not been evolved by State Governments. It was essential that this should be done without delay. Recently a new Bill on immoral traffic had been introduced in Parliament, but discussion on the measure had yet to come up.

The inquiries of the Committee into the problem of immoral traffic, she said showed the bulk of the women were recruited from the poorer classes in villages and rural areas and taken to cities and sea-ports where there was a demand for them. When farm labourers had no other means of supporting their families in the off season they were driven by extreme poverty to compel their daughters to dedicate themselves as 'Devadasis' and live on their earnings.

LACK OF DATA

Mrs. Rama Rau said that the Advisory Committee was handicapped by the lack of proper statistical data in its inquiry.

She was wholly in favour the Government establishing and running rescue homes with the help of fully paid workers trained in sociology. Unless this was done, she said voluntary workers would not be able to tackle so vast a problem with any degree of success.

Mrs. Rama Rao said that the problem of 'devadasis' had been almost completely solved in Madras State. In Bombay endeavours to abolish this system of prostitution had not been as successful as in Madras.

The inquiries of the Committee in Hyderabad showed that there were at present 23,000 children of both sexes serving as domestic servants under the Parvardhan system. These children were virtually sold into service by parents who were unable to rear them. (The Times of India 29-7-1965.)

अहमदाबाद येथील एका गिरणीतील चहाच्या दुकानांत स्पृश्य व अस्पृश्य यांना निरनिराळ्या भांड्यातून चहा, पाणी, व जेवण दिले जात होते. याबद्दल अस्पृश्य कामगारांनी खूप विरोध केला. शेवटी अस्पृश्य कामगारांनी चहाच्या दुकानाच्या व्यवस्थापकावर Bombay Removal of Social Disabilities Act 1946, या कायद्यान्वये फिर्याद केली. ज्युडिसियल मॅजिस्ट्रेटने अस्पृश्य फिर्यादींना अनुकूल निकाल दिला. व्यवस्थापकाने अपील केले. श्री. एम. के. ठाकोर, अॅडिशनल सेसन जज्ज, अहमदाबाद, यांनी निकाल दिला की, गिरणीतील चहाचे ठिकाण हे दुकान अगर सार्वजनिक सुखसोईचे ठिकाण म्हणून १९४६ च्या कायद्याखाली येत नाही. (टाईम्स, २४-६-५५).

सत्तारूढ पक्षाची गेल्या दहा पंधरा वर्षांतील ही विघातक भूमिका पाहून बाबासाहेबाना, हिंदुसमाजात समाज समतेची भावना निर्माण होतेय ती खरी आहे की खोटी-मानभावीपणाची आहे हे कळून त्यांच्या भीतीत भरच पडली. हा मानभावीपणा पाहून त्यांना वाटू लागले की अस्पृश्य समाज हिंदु समाजापासून जेवढा दूर राहिल तेवढी त्याला आत्मप्रगती करून घेण्याची हिम्मत येईल, म्हणून ते या दिशेने पावले टाकू लागले. राजकीय क्षेत्रात ज्या जागा राखिव होत्या त्या नसाव्यात हा त्यांनी पहिला पवित्रा घेतला. दुसरा पवित्रा म्हणजे हिंदु धर्मापासून अस्पृश्यांची राजरोसपणे फारकत करणे. त्यासाठी त्यांनी बौद्ध धर्म स्विकारण्याचे योजिले. यासाठी बाबासाहेबांनी प्रचारकार्य सुरू केले.

रविवार दिनांक २१-८-५५ रोजी मुंबईत बाबासाहेबांच्या अध्यक्षतेखाली सभा भरली होती. तित दहा (१०) ठराव मंजूर करण्यात आले. त्यांतील तीन ठराव महत्वाचे होते :-

१) मध्यवर्ती आणि राज्य विधिमंडळे, जिल्हा व स्थानिक बोर्डे यांत शेड्यूल कास्ट्स फेडरेशनच्या सभासदांना राखीव जागा देण्याची जी पद्धत आहे ती ताबडतोब आगामी निवडणुकीपूर्वी देखील, देशभर रद्द करण्यात यावी. २) भारत सरकारच्या परराष्ट्रीय धोरणाबद्दल विरोध आणि ३) गोवा सत्याग्रहाबद्दल नापसंती. (नवशक्ती, २४-८-५५, पा. १).

राखीव जागा आपणाला नकोत, हे प्रसिद्ध होताच बाबासाहेबांचे विरोधक जे होते ते अशा जागा पाहिजेत अशी निवेदने प्रसिद्ध करू लागले. त्यापैकी नागपूरचे श्री. बाळकृष्ण वासनिक, चिटणीस, भारतीय डिप्रेस्ड क्लासेस लीग, यांचे एक निवेदन होते ते असे :—

S.C.F.'s MOVE OPPOSED

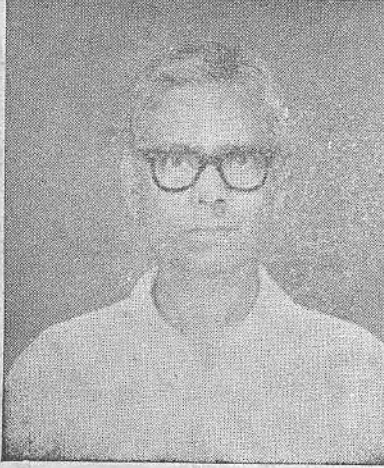
Nagpur, August 27 : Mr. BalKrishna Wasnik, Secretary of the Bharatiya Depressed Classes League here, had expressed himself against the All India Schedules Castes Federation's resolution for the abolition of reservation of seats for Scheduled Castes.

Describing the resolution as "lacking justification" Mr. Wasnik in a statement today said : "The plea for getting rid of reservation in the legislatures was thought to lead to the interference that Dr. Ambedkar now wants to do away with distinction based on caste system, but set against it his advocacy of detaching the Scheduled Castes from the villages and creating separate distinctive colonie for them. (Times of India, 28-8-55).

—X—

चरित्र लेखकाचा अल्पपरिचय

डॉ. बाबासाहेब आंबेडकरांचे चरित्रकार श्री. चां. भ. तथा आबासाहेब खैरमोडे यांचा जन्म पाचवड, ता. खटाव, जि. सातारा, येथे १५ जुलै १९०४ मध्ये झाला.



१९२९ मध्ये बी.ए. झाले. एम्.ए., एल.एल्.बी. च्या टर्म्स भरल्या परंतु सेक्रेटरीएटमध्ये नोकरी मिळाल्याने परीक्षेस बसले नाहीत, त्यांचे सामाजिक चळवळीवरील लेख व कविता १९२३ ते १९६४ या काळात अनेक नियतकालिकांतून प्रसिद्ध झाल्या. १९२९ साली त्यांचे 'अमृतनाक' हे खंडकाव्य प्रसिद्ध झाले. युनिव्हर्सिटी ऑफ बुस्कानसन (अमेरिका) येथील रॉबर्ट मिलर यांचा 'Button Button..Great Tradition Little Tradition Whose Tradition?'" या शिर्षकाखाली अॅन्थ्रापॉलॉजिकल कारॅरली व्हॉ. नं.

३० जानेवारी १९६६ ला लेख प्रसिद्ध झालेला आहे. त्यांत 'अमृतनाक' बद्दल, गौरवपर उद्गार काढले आहेत.

बाबासाहेबांच्या 'शूद्र पूर्वी कोण होते,' हिंदु स्त्रियांची उन्नती व अवनती यांचे अनुवाद श्री. खैरमोडे यांनी केले ते प्रसिद्ध झाले. श्री. आबासाहेब खैरमोडे यांनी डॉ. बाबासाहेब आंबेडकरांच्या सहवासात आल्यापासून त्यांचे चरित्र लिहिण्याच्या दृष्टीने प्रचंड सामुग्री जमा करून चरित्राचे अठरा खंड प्रसिद्ध करण्याचा संकल्प केलेला होता. १९५२ ते १९६८ पर्यंत ५ खंड प्रसिद्ध झाले. ६ वा खंड छापत असतानाच म्हणजे १८ नोव्हेंबर १९७१ ला त्यांचा मृत्यु झाला.

१९८३ पासून पुढील खंडांचे काम म. रा. साहित्य आणि संस्कृती मंडळाने हाती घेऊन ६, ७, ८ व ९, व १० हे खंड प्रसिद्ध झाले हा ११ वा खंड आता प्रसिद्ध होत आहे. १२ वा खंड मंडळाने हाती घेतला आहे.

पूर्वी प्रसिद्ध झालेल्या चरित्र खंडांमधील कांही अभिप्राय खंड १ (द्वितीय आवृत्ती) व खंड ५ यांत दिलेले आहेत यावरून श्री. खैरमोडे यांच्या कर्तृत्वाची, अचूक व साधार लिहिण्याच्या प्रवृत्तीची साक्ष पटते.