

Shri B. Das (Orissa: General): Sir, I speak with much diffidence. We are trying to create a democratic President, but we are suspicious and the House is suspicious. The Members, after the recess, after returning from Jaipur, are very much subdued. They do not frankly and openly say what is in their mind. Yet, the few amendments that have been moved by those with whom I do not see eye to eye, and others stabled and not moved show that there is suspicion in the minds of Members.

Shri B. Das : I do not know why Members are subdued ! Article 47 to 50 are the most important articles regarding the President. Are we creating a democratic President or are we creating a Frankenstein? Under article 50, we are discussing at present about our suspiciousness of the President and are considering in what way he can be prosecuted for misdemeanours to the Constitution. That shows that we are not creating a democratic President. By means of the various amendments moved and not moved, many Members want to further restrict the hands of the President. Human minds have travelled far backwards and to the memory of Napoleon, a common man who was elected as President and became an autocratic Emperor. We have the recent memories of South American Presidents who suddenly became great autocrats and dictators in those so-called republics which abound in South America. Unfortunately, we have to see whether we are giving any dictatorial powers to our President. Though he may be guided by a democratic Cabinet, is it safe to entrust him with dictatorial powers? With all human weaknesses, will a democratic President remain democratic and not turn autocratic? Sir, the amendments that have not been moved indicate that we are human beings and have our suspicions about the democratic President turning autocratic. Many want that he should not be a baby of 35 years, but should be an elderly statesman. My own amendment No. 1185 I did not move, hoping that the President will prove to be a gentleman always. It is to this effect: No President should seek service under the Union Government or as the Governor of a State after he retires from the Presidentship of the Republic of India. Why should that human weakness manifest in our elderly statesmen? Why should he seek to become an Ambassador or a Governor? Sir, these things are agitating our minds. It is for the democratic President to prove that he is above all these allurements.

Sir, I have had experience of these suspicious conducts in the recent past, in the days of British Government; a Governor of Madras, after retirement, came here as the Governor-General of India and his wife looked at it as a means of getting fabulous presents and other gains. We have to consider whether the democratic President we are going to have under articles 41 to 51 will not later on turn out to be autocratic President and accept presents and other perquisites. Such presents are not small sums. The jewellery and other presents go up to lakhs and crores. We have to see that our future President, his wife, his daughters or his daughter-in-laws are not allowed to accept such presents. I wish that my esteemed Friend Dr. Ambedkar devises a provision which will make all presents received by a President or his family during the time he occupies the Gadi at Delhi accrue to the Nation and become State property. The benefit of such presents should not go to the President or his dependants.

Sir, if I sought permission to speak, I did so only to voice the feelings of many Members. We are all human beings. We are not Thakkar Bapa or Mahatma Gandhi or even you, Mr. Vice-President. My mind is suspicious. All my political career I have been suspicious of every Englishman and I have been suspicious of those who have been trained in the British traditions. Therefore I want to know what we are going to do to allay these suspicions. The speeches made on the floor of the House show that we are suspicious of our President. That being the case, why not we make matters clear? We cannot expect that because we may have a President well trained in the school of Mahatma Gandhi, others may not seek Governorships and the like. While considering the article under reference we have to bear in mind that we are giving autocratic powers to pass Ordinances and other dictatorial controls to the President and the Cabinet. Sir, these are my observations.