

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): I shall now put the Statutory Resolution to vote. The question is:

"That this House approves the Proclamation issued by the President on the 17th March, 1982, under article 356 of the Constitution, in relation to the State of Kerala."

The motion was adopted.

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): We will now go to the next item on the agenda.

SHRI SHIVA CHANDRA JHA: On a point of order. I am insisting 'Ayes' have it on my Motion. Either by voice vote or by standing...

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): We have finished Kerala. We are going now to Assam. Mr. Dinesh Goswami.

श्री शिव चन्द्र झा: जो सदन की परम्परा है... (व्यवधान) यह चलाइयेगा... (व्यवधान)

SHRI DINESH GOSWAMI (Assam): Madam, Vice-Chairman, on a point of order. If Mr. Jha insists that there should be voting, we will have to go for voting. I am submitting to you, Madam. But I will request Mr. Jha, let him not insist when the entire Opposition is not insisting.

SHRI SHIVA CHANDRA JHA: Whether by standing or by voice vote. (Interruptions).

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): We put it to vote.

SHRI SHIVA CHANDRA JHA: There must be voting here. नहीं, नहीं, ऐसे नहीं होता है। वह एक परम्परा चलाइयेगा... (व्यवधान) हम लोग यहां.... (व्यवधान)

I am not withdrawing my Motion. I stand by it.

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): We put it to vote.

SHRI SHIVA CHANDRA JHA: I wanted a division.

हम लोगों में यहीं, दो-दो तीन-तीन आदमियों ने लिख कर दिया है। 3 आदमियों के कहने पर भी वोटिंग हुई है। यह परंपरा रही है। पांच-दस मिनट में कुछ बिगड़ने का नहीं है।

उपसभाध्यक्ष (डा. श्रीमती) नाजमा हेपतुल्ला : मैं समझ गई। आप बैठेंगे।

श्री शिव चन्द्र झा: आप डिविजन कराइये।

उपसभाध्यक्ष (डा. श्रीमती) नाजमा हेपतुल्ला : झा साहब, आप के मोशन पर वोटिंग हुई, आपका मोशन गिर गया, वह निगेटिव हो गया। आपने उसी समय अगर डिविजन मांगा होता तो डिविजन होता। आप ने डिविजन मांगा नहीं।

श्री शिव चन्द्र झा : नहीं, शुरू से हमारी मांग रही डिविजन की।

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): Now the decision is taken. We now go to Assam. Mr. Dinesh Goswami.

(I) MOTION SEEKING REVOCATION OF THE PROCLAMATION ISSUED BY THE PRESIDENT ON THE 19TH MARCH, 1982 IN RELATION TO THE STATE OF ASSAM.

(II) STATUTORY RESOLUTION SEEKING APPROVAL OF THE PROCLAMATION ISSUED BY THE PRESIDENT ON THE 19TH MARCH, 1982 IN RELATION TO THE STATE OF ASSAM.

SHRI DINESH GOSWAMI (Assam):
Madam, Vice-Chairman, I move the following Motion:

"That this House recommends to the President that the Proclamation issued by the President on the 19th March, 1982, under article 356 of the Constitution, in relation to the State of Assam be revoked."

Madam, we just now discussed Kerala. But I think the situation in Kerala and the situation in Assam are entirely different... (Interruptions)... May I have the patience of the hon. Members, please? The situation in Kerala and the situation in Assam are absolutely different.

In Kerala there were 70 members on each side and the Speaker had to save the Government. One member defected—or "changed his side" as the Members may put it—and ultimately the Governor, under article 174, dissolved the Assembly. But the facts relating to Assam are that after the Anwara Taimur Ministry resigned—I am speaking about the strength from the Assembly Secretariat's own record—the ruling party—Congress (I) had 43 Members, Janata had 27 Members, the Left had 24 Members, Congress (S) had three Members and Lok Dal had one Member. So, the strength of the recognised parties was that the Congress (I) had 43 Members... (Interruptions)... Madam, may I expect some order in the House?

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA):
Yes. Please listen to him.

SHRI DINESH GOSWAMI: What I was pointing out was that the strength of the party according to the Assembly's own Secretariat was, the Congress (I) had 43, Janata 27, the Left 24, Congress (S) three and Lok Dal, one. And the total strength of the recognised national parties was 55 Members—Opposition parties—and 43 of Congress (I). And four Members of Assam Janata, three Independents and two Others gave in writing to the Governor of Assam that they support an alliance composed of the

Opposition parties. Thus the total strength of the Opposition was 64 as against 43 of the Congress (I). And on November 16, 1981, the Opposition staked their claim with 64 Members giving it in writing to the Governor of Assam. The Governor accepted that so far as 52 Members of the national parties were concerned there was nothing to question their allegiance to the alliance but he expressed his doubt regarding the other regional parties and also the Independents and asked the Members of the regional parties and Independents to submit to him, in writing, as to whether they were in favour of the alliance. These Members submitted to him, in writing, that they were supporting the alliance. So, even if we take into account the strength of the national parties, the Opposition national parties were 55 in number as against the strength of 43 of Congress (I), plus he had, in writing, the signed support of nine other Members in support of the alliance and thus all the time 64 Members supported the alliance as against only 43 of the ruling party.

On January 10, 1982, there was a change in leadership of the Congress (I) when Mrs. Anwara Taimur stepped down and Mr. Keshav Gagoi was elected the leader. I have got nothing to choose between Mrs. Anwara Taimur and Mr. Keshav Gagoi. It is an internal party matter. But the fact remains that on that day when Mrs. Taimur stepped down four Members resigned from the Congress (I) and supported the Alliance, taking the total strength of the Alliance to 68 in a House of 119. It is rather surprising that when the total strength was 68 as against 119, the Governor of Assam who repeatedly assured the Legislators as well as the people of Assam that at no point of time will he permit a minority Government to be saddled in power, suddenly called upon Mr. Keshav Chandra Gagoi to take up the Chief Ministership of the State at about 8.30 in the night. On that day I was there and I received an invitation, a peculiar invitation,

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an unsigned invitation, which came to my house at 9.30 P.M. after the entire ceremony was over. And we did not know who actually invited us for the ceremony; there was nothing whatsoever.

You remember, Madam, that immediately when this Government was installed, we in this House protested that a minority Government was put in power, but our protest was turned down. The subsequent facts have proved that when the Assembly was called again the ruling party had only 43 Members—there were 43 seats allotted to it, the ruling party, the Congress (I). May I know an answer from the Home Minister, that when in violation of all constitutional provisions the Governor installed a minority Government and when the minority Government runs the administrations for some time, is it not an unconstitutional Government? And who is going to answer for the acts of the unconstitutional Government? Am I to conclude that the federalism in this country has come to such a stage that you will permit federalism only if the party who can get into the seat of power in the State is the Congress (I) and no other party? The Governor did permit a party of 43 Members to form a Government on the ground that they could test their strength in the Assembly. May I know why did the Governor not permit 64 Members who came forward and staked their claim to form a Government and test their strength in the Assembly? Now the Governor in his report states that during the last four years a large number of MLAs have changed party affiliations. May I know who these MLAs are who have changed affiliations? When in 1978 the election took place, the Congress (I) had only seven Members and their strength increased from 7 to 43. The Members of Congress (I) were the Members who changed their sides. The 64 Members did not change their sides. But the Governor, in spite of the fact that by defection the party position was to 43, allowed Congress

(I) party to come into power. But now he has taken a different position. He says that there is every likelihood of horse trading. The fact is that the ruling party has failed to encourage further horse trading in the State. Right from the very start of the date that I have given, from October 1981 to the date that the Assembly has fallen, 64 Members or at least 63 Members have stood together and in spite of all the efforts of the Congress (I) they have not changed parties. If there would have an opportunity of horse trading, the ruling party would have taken some of these 63 to your side and inflate their number, and the Governor would not have asked for the dissolution of the Assembly. But the Centre advised for the dissolution of the Assembly—the Governor asked for the dissolution of the Assembly—not because there is likelihood of horse trading but because he finds that there is no likelihood of horse trading. These 63 Members did not change their side. They stood together in spite of all efforts to woo them. My submission therefore, will be that in Assam, instead of really encouraging these legislators who stood together in spite of all types of allurements, instead of providing them an opportunity to form the Government, the Government made a mockery of democratic procedure. Whether the Government would have been a lasting Government or not could have been decided in the Legislature. When you provide 43 Members an opportunity to form the Government, I do not know under what democratic norms you do not permit 64 Members to test their strength in the Assembly. You have dissolved the Assembly. I have opposed the dissolution, I moved my motion. You may well say, "After the Assembly has been dissolved, what can be done?" I disapprove your action, and my motion is a motion of disapproval.

In Assam the Central Government have thrown all the democratic norms overboard. The result has been that

Assam has only two representatives in the Lok Sabha. We had six Members in Rajya Sabha. The process of election had stalled. The nominations were filed. And you have denied the opportunity to Members coming Rajya Sabha. And Assam will be a State whose 12 Members out of 14 will be unrepresented in the Lok Sabha and 2 out of 6 will be unrepresented in this House.

The legislative procedure is that all the laws passed regarding Assam do not come to this House. The President passes those laws. I think, so far as Assam is concerned, we do not have a democratic Government. It is being run by the executive Government, unparalleled, in the history of the democratic countries unheard of in the democratic countries and never comprehended by the framers of the Constitution. Here is a State which have no representatives in either of the Houses, and no laws passed regarding Assam will have an opportunity of being scrutinised.

The Government have taken a grave risk, and the risk is that the President's rule under the Constitution cannot be extended beyond one year. If the Assembly would not have been dissolved and supposing the Assembly had run its own course, there would have been time up to 1984 to solve the Assam tangle, go for a solution, have an election. Now Mr. Home Minister you cannot extend the President's rule beyond the 19th of March, 1983. You are going to sit in the talks on the 8th of the next month, 7th of April. From the core of my heart I wish the talks to succeed. But the time is very short. Supposing that the talks do not succeed, supposing the preparation of electoral rolls are not complete or the entire process is not completed by the 19th of March, 1983, what will happen? You shall have to clamp emergency in Assam in order to get out of constitutional impasse. You have taken such a risk that in 1983 Assam shall either have to go for an election or shall have

emergency imposed. I think this is something about which I do not know why the Ministry, why the Government has suddenly taken this decision. When there was the entire prospect of the Opposition coming into power, you ought to have tested. You would have given expression of your *bona fides*.

The situation was not like that in Kerala where the hon. Members were changing sides here and there. In Assam 63 Members, all the time from October, were staking their claim before the Governor. At no point of time between October and March did they change the side. These 63 Members did not consist of defectors. In fact you permitted a Government by persons who defected, but you did not permit a Government by Members who did not defect. I submit this has completely undermined the people's confidence in the democratic norms. Therefore, I have moved this motion.

I know the motion is nothing except expressing my strongest disapproval. Therefore, I have taken this opportunity of expressing my strongest disapproval of your action because I feel that if democracy is to survive in this country, some basic norms shall have to be followed whether you are in power or somebody else is in power. If the norms are not followed, then, democracy survives only in formality, not in substance.

I would only submit, in this context, that in the present changed circumstances, when the talks will be resumed on the 7th, appeal to the Government and to the movement leaders that in order to avoid a direct confrontation that I see in 1983 if the elections are called for or if there is the alternative possibility of imposition of emergency, something which under the constitutional provisions will be a constitutional monstrosity, I do appeal to both the sides, the Government to be flexible in their approach, and the students to respond with a certain amount of flexibility if

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flexibility is shown on the side of the Government—I do not want to go into the details as these will be the subject matter of the negotiations—so that both the sides may show some amount of flexibility, flexibility first by the Government and response by the students, so that a solution may be found, so that we might not face the possibility of a total confrontation between the Government and the people in 1983.

With these words, Madam, I strongly oppose this Proclamation issued by the President, because I feel it is against all democratic norms.

Madam, I move my Motion.

THE MINISTER OF HOME AFFAIRS (GIANI ZAIL SINGH): Madam Vice-Chairman, I beg to move—

“That this House approves the Proclamation issued by the President on the 19th March, 1982, under Article 356 of the Constitution, in relation to the State of Assam.”

मंडम, मैं यह चाहता हूँ कि आखिरी जो रिप्लाय होगा उसी में मैं कुछ दा शब्द कहूँगा। इस से पहले सेंचर साहबान अपनी राय एक प्रेस कर लें।

The questions were proposed.

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): The Motion and the Statutory Resolution are now open for discussion. Mr. V. B. Raju to speak. Mr. Raju, the time is very limited, only six minutes are there for you.

SHRI V. B. RAJU (Andhra Pradesh): Madam Vice-Chairman, such an important matter as this being treated so lightly itself reveals where we are, where we are moving to. Madam, what has happened in Assam really forms one of the darkest chapters of Indian political history when the historians in future write. In this country we claim that we have a

democratic polity. Is it only on the surface? Is it merely a formal democracy, a technical majority or minority? Is there any substance in it? What will the posterity learn or pick up the threads from? Where do we live and what do we leave? I would request the Home Minister to recall those days when the Janata Party Government was in power, and the Congress Party—the united party—was sitting on this side. What did we say when Mr. Charan Singh dismissed nine Governments and dissolved nine Assemblies even without the Governor's report? And Mr. Charan Singh did not realise that the succeeding Government would copy him. Mr. Zail Singh, for whom I have great regard—he has been my best friend in the political arena,—would, I hope, look beyond his nose, beyond the period of this present Government. To be a politician is very easy today. In this country we have many politicians. There is no political activity, there is only political manipulation. But a statesman looks to the next generation while a politician looks to the next election. I hope Mr. Zail Singh and his leader would rise to the level of statesmen. What has been done in Assam? Twice a minority Government has been installed on the people of Assam. It is an insult to the people of Assam. Even the earlier Government of Mrs. Taimur was a minority Government, as Mr. Goswami put it—from 7 to 43 all of a sudden an evolution took place. And that has been achieved, that has been the achievement of the present ruling party during its regime. By encouraging defections you want to run a party-based democracy in this country. The trouble this country is facing today is because of political immorality and political education. You sow the wind and reap the whirlwind. What is happening in Andhra Pradesh? The tide has begun to turn. It is the experience of all political parties in this country. What the people of this country need is not some party assuming power and ruling; but the people need strength to prevent the

misuse of power. After 34 years we have come to the point where we started as when the British were here. People are losing faith in the democratic norms or the democratic philosophy of life. Are we going to drive the people of this great nation to such pitiable situations? I have got before me a newspaper report saying that before the Gogoi Government resigned, the present Governor had given an appointment after which he went off. And his plane had to land at Tezpur because of bad weather.

The members of the alliance were actually in the Raj Bhavan. They did not know where the Governor was. He had given them an appointment in the Guest House. The Governor was proclaiming, he was talking from the housetops that he will not instal a minority Government. Yet for 65 days such a Government was there without facing the legislature. When the legislature was called, the no-confidence motion was there. And the Government did not face the no-confidence motion. Here I blame the Janata Government. I blame Shri Morarji Desai for not having faced the voting on the no-confidence motion. He should have replied to the debate. He should have allowed the country and its citizens to know what is what. The citizens are more interested in polity. It was a very bad performance on the part of Shri Morarji Desai. Now, the same thing happened in Assam today. They could have faced the no-confidence motion so that the people could have known who is who and where we are.

What is happenin g, Mr. Home Minister, to this country? We are destroying all institutions. As you know, democracy survives or democracy is preserved by adherence to certain traditions, conventions and norms. What are the traditions, conventions and norms that we are building up? We are simply boasting and gloating that we are the largest democracy. What is it that we have done to build

up democratic values? All these democratic norms and values must be institutionalised.

Where is the institution of Governor now? You have demoted that institution. You have destroyed the institution of Governor. The framers of the Constitution, before they completed finalisation of this proposal, thought whether they should recommend election of Governors. A team went out to study this question. Ultimately they came to the conclusion that Governors may be appointed. When this power is given to the Centre and when they misuse it, what are the people to do? What people today want is strength to prevent misuse of power. That they do not have. Many hon. Members on the other side are well-meaning people. They cannot raise their voice.

Assam is a national issue. Please do not take it as a partisan matter. You cannot solve Assam problem on party basis. Please do not try to fish in troubled waters. If you had given an opportunity to the alliance which had demonstrated a strength of 63 members in a house of 118, that could have worked as an instrument or as a medium for communication between the people of Assam and the Government of India. You have lost that opportunity.

Madam, Vice-Chairman, in our federal structure the State Government is a shock absorber. People are bound to become angry some time or other. They become angry with the establishment. When they become angry with the establishment, what should they do? Unless there is a channel for allowing that anger to be diminished, it may go under ground and they will take to violence. Now you are destroying that shock absorber in your democratic vehicle. And today the people of Assam are against the Centre. You are yourself using the State Government as a negotiator as a mediator. Have you any plans to solve the Assam problem except calling their movement parochial and

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separatist? By giving the dog a bad name, you do not have the right to hang it. If you do not solve the Assam problem, you know what the repercussions would be and what its ramifications are. So, what are you going to do?

Whenever you are in some difficulty, you call some leaders of the Opposition for some goody-goody talk. Anyhow this is not the time for me to go into the Assam question and into its merits and demerits. But about the behaviour of the Governor and the institution of Governor, I have to say something. He calls and allows a minority Government to function for 65 days and he does not allow the alliance which has got 63 members to assume power. How can we have faith in the ruling party? This democratic functioning will be a success and there will be progress in the country only when, as I said the other day, you make the Opposition realise that it is the government in waiting. If the Opposition feels, if the Opposition parties feel that the ruling party will make use of all methods and means to prevent the Opposition, even if it wins an election, from coming to power, naturally, it will lose faith. I know that the difficulties in this House also, Madam Vice-Chairman, are because of the non-response to the legitimate and constructive suggestions coming from the Opposition. There is no rapport at all. After having been here for twelve years or so, I now find that there is a wide gulf between the Opposition and the ruling wing. It should not be so. Democracy is not like that. Democracy means discussion, debate and dialogue and there must be rapport and understanding. So, without taking much of the time, I would like to reiterate my feelings or give expression to my views in a candid way, in a forthright way, that this ruling party shall not preside over the liquidation of democracy and federalism in this country. In the two years and two months of this ruling party's tenure, there have been 14 times of President's Rule in 12 States and in two States

twice. It is a record. President Rule for 14 times in two years and two months!

SHRI HAREKRUSHNA MALLI (Orissa): It is a sad record.

SHRI V. B. RAJU: So, please take note of this fact. I am not speaking from any partisan angle. I know that I do not have an opportunity to express my views here in the future. But I will voice my feelings from outside. This is actually stabbing federalism in the country. You are centralising the polity; you are actually centralising the administrative powers; you are centralising the economic powers and you are centralising political patronage. This is the shortest cut for the disintegration of the country. Don't allow the people of Assam to feel alienated. Delhi is not India; India is far and wide. What was wrong on your part? You could have advised the Governor to call the alliance and form the government there. If they had failed to do that, nobody would have blamed you and nobody would have fought with you. So, the way the Governor behaved is something bad. (Interruptions). Madam, there is some disturbance there on the treasury benches; He is a Minister. (Interruptions).

SHRI SADASHIV BAGAITKAR (Maharashtra): Madam, what is it that is going on there? When the speech is going on, how can they disturb like this?

SHRI V. B. RAJU: This is how they behave.

SHRI SADASHIV BAGAITKAR: Madam, this is highly objectionable. If they have got something serious, they can go to the Lobby and discuss it there. We are being disturbed here.

SHRI V. B. RAJU: Madam now I will finish. Now, Kerala and Assam are two different things. We have discussed Kerala. But let us not compare Assam with Kerala. Now, in Assam as Mr. Goswami has correctly analysed, you cannot have more than one year of President's Rule there.

How are you going to face the problem in 1983? Anyhow, the elections are due in 1983 February or before March. You can have one more year. (Time bell rings) Therefore, you have no plan and you have no programme excepting, actually, the programme of centralising power, centralising actually everything, of doing things in an autocratic manner. You have no other suggestion. What is it that you are putting up before Parliament? Now, President's Rule means Parliament should assume responsibility. Parliament feels why it should assume the responsibility. Why should not the Assembly be kept alive and the Opposition alliance given a chance? Already you have kept it for four years. Why was it kept alive for four years? In order to see that Congress(I) would be able to form a government? You have made all the efforts. You have tried defecions. It has reached a saturation point. There are no other tools in your hand to use or misuse. (Time bell rings): And when you became so frustrated that you cannot form a Congress(I) Government you have taken this step. And it is not good. I am sorry. I support the Resolution moved by Mr. Dinesh Goswami.

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): Mr. Bipinpal Das.

SHRI BIPINPAL DAS (Assam): Madam Vice-Chairman, So far as Assam is concerned two issues are involved. One allegation against the Governor is that he installed a minority government led by Mr. Gogoi. Madam, while speaking on the President's Address, I explained the circumstances in which the Governor had to call upon Mr. Gogoi to form the Ministry. Now, various figures have been given. Mr. Goswami has said that the alliance had a strength of 63, which has been quoted by Mr. Raju. Let me give the exact figures which were given by the Speaker of the Assembly himself on the floor of the House where I was present. What is the Alliance strength? Janata 27, CPM 11, CPI 6, RCPI 4, SUC 2, Lok Dal 1, BJP 1 and Congress-S 3; that makes only

55, not 63. These are the figures given by the Speaker of the Assembly before the House. Therefore, the Alliance did not have a clear majority, and in the circumstances, in which a small group of seven or eight people were undecided as to whom they should support—in such a situation and because there was a growing demand from the people that instead of President's rule, there should be a popular Ministry, the Governor opted for one principle that the single largest party should form the Government. This was not the first time that this principle was followed. As far back as in 1952, a minority party was allowed to form government in Kerala. It was allowed. When only 12 Members... (Interruptions) Let me cite another example of Madras and... (Interruptions)

SHRI DINESH GOSWAMI: Was it the largest party? (Interruptions) That is the point. (Interruptions)

SHRI BIPINPAL DAS: In Kerala you permitted 12... (Interruptions) I quote an instance. In Madras, when Mr. Rajagopalachari first formed the Ministry in the then State of Madras, the Congress Party did not have an absolute majority but the Congress Party was the single largest party in the House. Shri Sri Prakasha was the Governor at that time and he asked Rajaji, with the single largest party, to form the Ministry instead of Shri T. Prakasam from the Opposition Alliance. These are the facts. An alliance cannot be relied upon for a stable government. He decided that let the single largest party, Congress Party... (Interruptions)

Madam, it has been said that the Governor should have tested the majority of Mr. Gogoi before allowing him to form the Government. In all humility, I would like to quote an example. When the learned President asked Mr. Charan Singh to form the Government in Delhi, was it tested? No. The President said that let the majority be tested in the 5 p.m. House. This is exactly what Mr. Prakash Mehrotra said that Mr. Gogoi should prove his

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majority in the House. These are historical instances. (*Interruptions*) The President said that Mr. Charan Singh would prove his majority on the floor of the House. He did not expect him to prove his majority then and there. The same example was followed by Mr. Prakash Mehrotra in Assam. After the 1967 elections, a number of States had the so-called S.V.D. Governments or alliance governments. Will anybody count as to how many times the President's rule had to be imposed between 1967 and 1972?

Now, what was the beauty about the Assam alliance? The beauty of the Assam alliance was that all the major parties said that they did not want to join the Government. The Janata said that they would not join. The C.P.I., S.U.C.I., R.C.P.I., CPM all said that they won't join the Government. They said that they would support the Government from outside. Now, how many Members did Mr. Sinha have? He had 3 Members of his own party, one from Lok Dal and perhaps one Member was from B.J.P. How could he have formed the Ministry with 5 Members only? Would that Ministry be a stable Ministry? In those circumstances, the Governor decided to ask Mr. Gogoi to prove his majority before the House.

The second issue is as to what happened later on. The complaint is that the Assembly was called after two months and four days or so. The Assembly was not called earlier for one simple reason. The Vote on Accounts was to come up before the Assembly. The Planning Commission delayed allocation for the State of Assam. For this simple reason, the Assembly was called not in February but in March.

What did I see in the Assembly? If they really had an alliance in principle and in true sense of the term, they would have informed the Speaker that there was the alliance composed of these parties and so and so was their leader who should be given his rightful place in the House. But, Madam, that was not done. They

did not inform the Speaker about it. Each party was given its respective seats. Who occupied the seat of the Leader of the Opposition? It was not Mr. Sharat Chandra Sinha. It was Mr. Borbora who occupied the seat of the Leader of the Opposition and not Shri Sharat Chandra Sinha. How can you say that it was a true alliance? It was a propaganda. It was a slogan. If, in fact, they had formed an alliance, the seat of the Leader of the Opposition should have been occupied by Mr. Sharat Chandra Sinha. No, it was not done. How can you say... (*Interruptions*)

THE VICE-CHAIRMAN (DR. (SHRIMATI) NAJMA HEPTULLA): Why don't you speak from your party's time?

SHRI BIPINPAL DAS: Madam, Mr. Goswami might like to know what was the strength of the Government side and what was the strength of the alliance. When the House assembled, we were not in majority. I have got the figures. Congress (I) had 46 Members and not 43. P.T.C. which joined the Ministry had 4. The Progressive P.T.C. had 2, Muslim League had 1 and Independents were 2. We were also 55 in a House of 118. Leave aside the Speaker. Now, 117 remained out of 118. 110 were equally divided. Seven Members stood in between. Who were these seven Members? Mr. Jogendra Nath Hazarika, the ex-Chief Minister said to the Governor and also publicly that under no circumstances would he support the Government led by Mr. Sharat Chandra Sinha. He said, 'No. So far as Congress (I) is concerned, I would negotiate.' And when he went on negotiating, he brought a charter of demands, some ten demands or so, some political issues, some land issues etc. He categorically said that he would never support Mr. Sharat Chandra Sinha as Chief Minister. Therefore, there was no question of these seven going to that side and increasing the strength to 52. It was out of question. The only question was whether they would increase our strength to 62. It was the only ques-

tion that remained and because our Chief Minister could not accept some of Hazarika's demands on principle, the Chief Minister decided ultimately to resign. What is wrong in it? This happens in a country like India, in a State like Assam. In a situation like this such developments are quite natural. They do take place. They will take place in future also. We should not be scared about it.

Now, the question has been asked: Why the Assembly has been dissolved? In such a situation, Madam, the Governor, who has been much maligned in this House by some Members, tried twice to form the Government. Two times he failed because there was a small group of Members, some seven or eight or so, who could not decide which side to go. They made all kinds of demands. The alliance strength went upto a limit. They could not increase by one more. In such a situation, the Governor thought that even if he had allowed some time for another Ministry to come in, that will also remain unstable. Therefore, the best democratic course open before him was to ask these people to go back to the people, the masses. That is why the Assembly was dissolved and he recommended dissolution. He wanted the Members of the Assembly to go back to the people and come back with a fresh mandate so that a clear mandate may be there, so that the Assembly may have a clear cut majority party and there may be a stable Government. If the Governor, in his wisdom, decides like that, can anyone accuse him of undemocratic attitude or approach? Madam, I don't think this can be called undemocratic. He followed absolutely a democratic process, according to his judgment, under the circumstances. And he followed some of the precedents laid down by the earlier Governors or learnt by himself in similar situations and, therefore...

SHRI HAREKRUSHNA MALLICK: Untenable.

SHRI DINESH GOSWAMI: God save Indian democracy.

SHRI BIPINPAL DAS: I have no time but...

SHRI DINESH GOSWAMI: ... It is a minority Government and it has been proved in spite all the assertions by Mr. Bipinpal Das. (Interruptions)

SHRI BIPINPAL DAS: No, no.

SHRI DINESH GOSWAMI: Yes, yes.

SHRI BIPINPAL DAS: Please check up my record, my speech which I made on the Presidential Address. I said, the Governor asked Mr. Gogoi to form the Government. I also said exactly the same words that it was now for Mr. Gogoi to prove his majority. If he can prove, he can stay. Otherwise, he has to go. Please see the record. I said it. (Interruptions) I never mince matters. So far as democracy is concerned...

SHRI HAREKRUSHNA MALLICK: The Governor has failed in his duty. He should be recalled and impeached.

THE VICE-CHAIRMAN: [DR. (SHRIMATI) NAJMA HEPTULLA]: We have very little time and as everybody said it is a very important matter. So, please do not disturb. When you speak, they would not disturb. Let the proceedings of the House go peacefully.

SHRI BIPINPAL DAS: Madam, so far as democracy is concerned, my mind is absolutely clear, my conscience is clear. I said on that day and I repeat it today that the moment Mr. Gogoi checked that he did not have the majority because he could not compromise the position with Mr. Hazarika, he resigned and he acted democratically. This is my view.

One of the problems posed was: Can we hold the elections within one year? I don't understand why should anybody feel on this day that in the next one year we shall not be able to hold elections. That means, do you come to the conclusion that the problem of Assam will not be allowed to be solved for more than a year? Do you

[Shri Bipinpal Das]

come to that conclusion? I am an incorrigible optimist. I believe now there will be pressures from the people, both on the Government and also on the leaders of the movement to come to a settlement. And the settlement is coming very soon. Once the settlement is arrived at the question of revision of electoral rolls will not take much time.

Madam, in conclusion, I want to say that this situation has been created by, I do not want to add or use any unfavourable or uncharitable adjective, the very peculiar behaviour of some members of the Assembly, which compelled the Governor to recommend dissolution of the Assembly. That is how this situation was created in Assam. Most of the common people have welcomed the dissolution of the Assembly because of the behaviour of some M.L.As, and they say, let the people be given a chance and an opportunity to elect new members, give a fresh mandate. This situation has been welcomed by the general public of Assam and I hope that this will have an effect on the Government and this will have an effect on the leaders of the movement also, and a settlement will be arrived at. Once the settlement is arrived at, there cannot be any difficulty to have an election in Assam. I do not share the pessimistic view of Mr. Goswami or Mr. Raju, what will happen if elections are not held in one year? Why should you think so? Let us put our heads together. Let us advise the people, let us create a situation, create a climate so that the political problem before the State and the nation is solved as early as possible and elections become possible within the time given by the Constitution.

Thank you very much, Madam

THE VICE-CHAIRMAN [DR. (SHRIMATI) NAJMA HEPTULLA]:
Mr. Biswa Goswami Mr Goswami, there are two speakers from your party and the time allotted is seven minutes.

SHRI BISWA GOSWAMI (Assam):
Madam, I alone will speak.

Madam, Vice-Chairman, I support the motion moved by Sri Dinesh Goswami and oppose the Resolution moved by hon. Home Minister. Madam, the Constitution and other democratic norms and conventions have been flouted by the Governor of Assam. He has acted like an agent of the ruling party than an impartial head of the State. He has lowered the prestige of the high office of the Governor by acting in a most partisan manner and throwing to the winds all democratic norms and conventions.

Madam, after the resignation of Mr. K C Gogoi, the Governor should have invited the left and democratic alliance to form the Government. The left and democratic alliance has 63 members and on the date when the no confidence motion was raised, 61 members rose in their seats, thereby clearly proving that the left and democratic alliance had a clear majority in the House of 118. But the Governor instead of doing that suggested dissolution of the Assembly listening to the advice of the minority Government, which could not even face the Assembly. The Governor in his Report to the President said:

"During the last four years, a large number of MLAs have changed party affiliations quite a few times. The present strength of treasury benches and the opposition is more or less even in the House. Since the party loyalties of a certain number of the Members are extremely flexible, the exact majority of either the ruling or the opposition parties is of little consequence. Thus with the present composition of the Legislature, there is every likelihood of horse trading, and, in my opinion, there is no possibility of formation of a stable Ministry in the State."

The Governor should have written in his report that there is no possibility of formation of a Congress Ministry in the State of Assam. The Governor should know who Mr. Gogoi

is; he changed his affiliation twice; he toppled the Assam Government led by Mrs. Taimur; he toppled the Janata Government, and the Governor invited him to form the Ministry, and he is now talking about defections and lamenting on horse-trading. I agree with Shri Dinesh Coswami when he said that rather the fact of the matter is otherwise, and that is because horse-trading has failed in Assam, the Governor has recommended the dissolution of the Assembly. Horse-trading did not succeed it was tried, and 63 members remained solidly behind the Left and Democratic alliance, and this horse-trading tried by Mr. Gogoi and others failed. Madam, what did the Governor do? You will be surprised to know the manner in which he acted in Assam. On the 16th of November 1981, the Left and Democratic Alliance stated its claim; the Governor gave certain conditions to be fulfilled. And the conditions were: You should have one leader and a common programme. Then deliberately he again put certain other conditions: Other than the national parties, other independent members and regional parties should give in writing their support to the Left and Democratic Alliance. All these conditions were fulfilled by the Left and Democratic alliance and a common programme was submitted; Shri S. C. Sinha was unanimously elected the leader, and even the Governor said on 12-1-1982 after making all the verifications: "You have well made your case" The Governor expressed his satisfaction after the verification. He got the proof that 63 members were with the Left and Democratic Alliance. Still he did not invite Mr. S. C. Sinha to form the Government.

Shri Bipinpal Das has raised the point that major political parties were not prepared to participate in the Government. That is not correct. Major political parties wrote to the Governor that they all were willing to participate in the Government. The Governor met one of our party members Mr. Chakbhal

Kayung—he met some members individually—and asked him whether he was prepared to support Mr. K. C. Gogoi if he is elected leader of the Congress Legislature Party. Shri K. C. Gogoi was not yet elected the leader and here is the Governor who asked our party member whether he will support congress—I Ministry if Mr. Gogoi was elected the leader. If this is not true, let the Home Minister deny it. Again, Mr. Chakbhal Kayung wrote back to the Governor; it is all on record. He wrote like this—I quote:

"I confirm my reply in the negative to your query if I would support Shri K. C. Gogoi".

The Governor acted like a Congress (I) man, like a Congress (I) agent, and not as an impartial administrator. This is what has happened. After the claim of the left and democratic alliance was proved, the left and democratic alliance wanted to meet the Governor. The Governor gave them the time. He asked them to meet him at 3 PM on 10th January, 1982. But suddenly, the Governor absconded. His whereabouts were not known. He could not be contacted in the Raj Bhavan. Should this be the behaviour of a Governor? We have got a Governor of this type in Assam. He absconded. Nobody knew where he was. Then, he came back. Then, he stealthily arranged the swearing-in ceremony of Mr. K. C. Gogoi. When the left and democratic alliance wanted to meet him, he gave them interview in the circuit house and not in the Raj Bhavan, because, in the Raj Bhavan, preparations for the swearing-in ceremony were going on. Under the cover of darkness, Mr. Gogoi was installed in the Ministry.

SHRI HAREKRUSHNA MALLICK: Shame, Shame.

SHRI BISWA GOSWAMI: This is what the Governor did. The Governor's behaviour was like this. Now, the Government may think of conferring the Padma Vibhushan title on him on the next Republic Day, for his acting in this manner, to serve the

[Shri Biswa Goswami]

interests of the ruling party. (Time bell rings) Madam, I would take one or two minutes more.

Then, the Assembly has been dissolved. This is an extraordinary step, which the Government has taken. If they really want to solve the Assam Problem, they would have preferred the installation of the Opposition Ministry. In this case, the left and democratic alliance would have helped the Central Government in finding a solution to the vexed problem of foreign nationals. But they have dissolved the Assembly. Actually, the left and democratic alliance had the majority in the House. They have trampled under feet all democratic norms and conventions. They have gone against the Constitution. Madam, sixty-three Members of the Assam Assembly submitted a memorandum to the President, after the installation of the K. C. Gogoi Ministry. But then, Madam, even after that, even after the attention of the President was drawn, the Assembly has been dissolved. What happened? The Rajya Sabha elections were due. Candidates filed their nominations and the scrutiny was also held. As Mr. Goswami has said, Assam is practically unrepresented in Parliament. In the Lok Sabha, twelve vacancies have to be filled. Elections could not be held. In the Rajya Sabha also, two more Members would have come, had the elections been held. But these elections to the Rajya Sabha could not be held because the Assembly has been dissolved. I do not know when the elections will be held in Assam. Elections cannot be held in Assam until and unless the foreign nationals issue is solved. And I do not think the Government is sincere in solving the foreign nationals problem. (Time bell rings) Madam, I will take just half a minute. Had they been sincere, they would not have raised new questions at the time of negotiations with the movement leaders. In the last round of tripartite talks, Go-

vernment came forward with the secret policy instructions circular. Nobody knew what this circular was, the secret policy instruction circular of 1965. Nobody knew it. Suddenly, it came up, the secret policy instructions of 1965. I would like to quote, Madam, what the then External Affairs Minister, Shri Swaran Singh, had said in the Lok Sabha, in 1966. He said that no person coming from East Pakistan after 1st April, 1965, without valid travel documents would be given Indian Citizenship. This was the statement made on the floor of the Lok Sabha. How can the Government now say about the policy instructions of 1965? So, I do not want to go into details of those problems. I wish that the solution is found out through negotiations. The negotiation is going to take place again in the next month and I hope a solution will be found to the satisfaction of all. We want an amicable solution, amicable settlement of the problem. We are tired of this problem. Therefore, I do not want to complicate the issue by raising other points. We want that a solution is found as early as possible.

With these words I oppose the Resolution moved by the hon. Home Minister and support the Motion moved by Shri Dinesh Goswami.

श्री सैयद सिद्दीक रज्जी (उत्तर प्रदेश) :
मोहतरिमा वाइस चैयरमैन साहिबा, मैं आप का शुक्रगुजार हूँ कि आप ने मुझे मौका दिया मुल्क के इस बहुत नाजुक मसले पर बोलने का। मुझे अफसोस है कि इस ऐवान में जितनी भी सुबह से बहस चली है उसे देख कर ऐसा लगता है कि आसाम को हिन्दुस्तान के नक्शे से अलग रख कर सोचा और समझा जा रहा है। आज और इस से पहले आसाम में जो हालात थे और जिन्हें मद्देनजर रखते हुए आलीजनाब मोहतरिम गवर्नर

साहब आसाम ने जो प्रोक्लमेशन किया है और जो रिपोर्ट भंजी है प्रेसिडेंट साहब को प्रोक्लमेशन करने के लिये वहां अपने रुल की, वह मैं समझता हूं कि बहुत ही मुनासिब कदम था और फौरो हालात में जिन से आज आसाम गुजर रहा है मैं समझता हूं कि एक कांस्टीट्यूशनल क्राइसिस को एवायड करने के लिये सब से बेहतर तरीका था। मेम्बरान के अदादोशुसार ऐवन के सामने हमारे लायक दोस्त गोस्वामी जी ने रखे। लेकिन मैं कहना चाहूंगा कि जहां रातों रात पार्टी की सदस्यता और पार्टी की मेम्बरी की सदस्यता, पार्टी की वफादारियां बदलती हों और सुबह उठते ही ऐसा लगता हो कि आज जो मेम्बर इस बेंच पर बैठा हुआ था कल दूसरी बेंच पर जा कर बैठेगा और उस का सब से चमकदार नजारा हम देखें तो गवर्नर साहब का वह खत है जो उन्होंने वहां के एक एम एल ए साहब को लिखा है कि आप ने फलां तारीख को जो खत लिखा है, क्या आज भी आप अपने उसी खत के मजमून पर खड़े हैं या नहीं, तो ऐसे हालात जहां पाये जाते हों वहां सिवाय इस के कि प्रेसिडेंट रुल लागू किया जाय और कोई दूसरा तरीका नजर नहीं आता था। कहा गया कि 1983 तक चुनाव हो पायेंगे या नहीं? लिस्टें तैयार हो पायेंगी या नहीं हो पायेंगी। मैं समझता हूं कि यह स्थिति आयी कसे कि लिस्टें तैयार हो पायेंगी या नहीं हो पायेंगी। इस की जिम्मेदारी किस पर है। आज आसाम में जो हालात हैं उस की दागबेल किस ने डाली। मोहतारिमा, मैं इस तरफ तबज्जेह दिलाना चाहूंगा कि मुझे याद आता है 1978 का वह जमाना कि जब जनता पार्टी ने इस मुल्क की हुकूमत को अपने हाथ में लिया था और आते ही

मैं समझता हूं कि बिना सोचे समझे आसाम ने नौजवानों को इस बात के लिये उकसाया गया कि वह सन आफ दि स्वायल का नारा लगाये और मेरी यह बात सिर्फ बात ही नहीं है बल्कि अगर तारीख के पन्ने देखे जायें तो इसी मुल्क के अंदर सन् 1975 में खास तौर पर एक बहुत बड़े लीडर ने, जिन की मैं बहुत कद्र करता हूं, यह नारा दिया था कि हिन्दुस्तान की फौज और पुलिस को बगावत करना चाहिए। हम हिन्दुस्तान की जमहूरियत की लाज रखने वाले और यहां के रहने वाले हैं। कौन जनहुरी निजाम इस बात की इजाजत देता है कि हमारी फौजें और पुलिस अपने हथियारों को मुल्क की सरहदों के लिये इस्तेमाल न करें बल्कि चुने हुए नुमाइन्दों की हुकूमतों के खिलाफ इस्तेमाल करें?

श्री शिव चन्द्र झा (बिहार) : 1975 की बात को आप अलग रखें। अभी आप 1975 पर नहीं, यहां जो बात है उस पर आइयें।

श्री संय्यद सिन्हे रजो : वह बात सारे फसाने में जिस का जिक्र नहीं, वह बात उन को बहुत नागवार गुजरी है।

मैंने तो किसी का नाम नहीं लिया मैंने तो सिर्फ एक संसदीय प्रणाली की बात कही है जिस के तहत आप ने जो आरोप लगाया था कि हम जमहूरियत के सब से बड़े कातिल हैं, लेकिन किस तरह से आप ने जमहूरियत का मजाक उड़ाया है उस बारे में इसी सदन की बात याद आती है कि हुकूमत में आने के बाद आप ने उन तमाम जमहुरी कदरों को पैरों से रौंदना शुरू किया जिन को खून दे कर हम ने सींचा था। आप ने एक कलम के इशारे से आते ही हिन्दुस्तान

[श्री सैय्यद सिबते रजो:]

की 11 चुना हुई अनेमिलियों की डिजाल्व कर दिया। कहां थीं उस वक्त आप को जमहूरियन को कद्रें? कहां थे आप को जमहूरियत को रहनुमाई करने वाले लोग? क्या आप राइट आफ आर्डर पर खड़े हो रहे हैं? अगर ऐसा है तो मैं बैठ जाता हूं।

श्री शिव चन्द्र झा : जब आपने 42वां संविधान संशोधन पेश किया था तो आपने क्या किया था? आपने लोक सभा का समय एक्टर्डेड कर दिया.. (व्यवधान)

श्री सैय्यद सिबते रजो : मोहम्मदाबाद चैयमैन साहिबा, वहां पर कुछ ऐसे लोग थे, कुछ ऐसे पोलिटिकल पार्टियां थी जिन्होंने बात बात पर आसाम के नजवानों को उकसाया। वे चाहते थे कि किसी तरह से आसाम के जन-जावन को पैगलाइज किया जाय। वे लोग जब चाहते हैं तब हड़ताल को बात करते हैं और वहां के एडमिनिस्ट्रेशन को रोक देते हैं। ऐसा लगता है कि वे वहां पर परिलल सरकार चलाना चाहते हैं। अब तक तकरावन वहां पर दो सौ कैसेज में बम विस्फोट हो चुका है, बम फेंके जा चुके हैं जिसने वहां पर इस प्रकार की स्थिति ला कर खड़ी कर दी है कि 239 लोग अब तक मारे जा चुके हैं। श्री पार्थसारथी जी वहां पर कमिश्नर थे वे एक बम विस्फोट में मारे गये। ऐसा हालत वहां पर कितने पैदा की? इन सब बातों के बावजूद हमारी सरकार ने और हमारी नेता ने सारे मुल्क को एक धागे में पिरोये रखने के लिए और एक फूल को भा न बिखरने देने के लिए पूरी कोशिश की है। यह चुना हुआ खूबसूरत गूलदस्ता टूटने न पाये, उन्होंने कभी भी रिवेन्ज की बात नहीं की।

उन्होंने कभी भी डेमोक्रेटिक राइट्स को सत्रेस करने का बा नही की। हमने कहा कि प्राइये, आसाम को हिन्दुस्तान के मेनस्ट्राम से जोड़ने के लिए आसाम के जा माले हैं उनको हल करने के लिए हम काशिश करे।

SHRI BIPINPAL DAS: I take objection to that. Assam is already a part of the mainstream of India.

श्री सैय्यद सिबते रजो : शायद मैं अपना बात को अच्छा तरह से एक्सप्लेन नहीं कर पाया। मेरे कहने का मतलब यह है कि आसाम को पूरे नेशन से जोड़ने के लिए जो लोग वहां पर सन आफ द सोयल की बात करते हैं उसको तरफ तबवजह देने की जरूरत है। मेरे कहने का मतलब यह है कि चाहे आसाम को धरती हो, च है पंजाब की धरती हो, चाहे उत्तर प्रदेश की धरती हो, कन्याकुमारा से लेकर नागालैण्ड तक हिन्दुस्तान एक है। इसलिए आसाम के कुछ लोग जो सन आफ द सोयल की बात करते हैं, वह गलत है। अगर वह प्रतिक्रिया चला और अगर उनकी बात को हमारी सरकार मान लेता है तो मैं समझता हूं कि यह हिन्दुस्तान की सर जमान के लिए अच्छा नही होगा। इसलिए हमें भ्रातृत्व की बात करना चाहिए देश की एकता की बात करनी चाहिए।

आसाम की समस्या को हल करने के लिए जो डिस्कशन होता है उससे कभी कभी ऐसा अन्दाज होने लगता है कि अब हम इस मसले को हल करने में कामयाब हो जाएंगे। आसाम के नजवान और स्टूडेन्ट यहां आते हैं तो ऐसा लगता है कि आसाम के मसले का फैसला होने वाला है। लेकिन जब ये लोग आसाम पहुंचते हैं, गोहाटी पहुंचते हैं तो इनकी नजर बदल जाती है। ऐसा सबका

है कि कुछ ऐसी कोर्सज हैं जो इनको गन्तव्य रास्ते पर ले जाता है और इनसे कहानी है कि इन्होंने नुकसान होगा, तुमको धोखा दिया जा रहा है। वे लोग जब प्रेजिडेंट को बात करते हैं तो बड़ा ताउजुब होता है। मैं इसको सत्यग्रह नहीं मानता हूँ। गांधी जी ने इस देश में सत्यग्रह चलाया था। लेकिन एक बार सत्यग्रह ने हिंसा का रास्ता अखिरात किया तो गांधी जी ने उसको रोक दिया। इस प्रकार से देश की समस्याएँ हल नहीं की जा सकती हैं। मैं यह अर्थ करना चाहता हूँ कि जो हमारे विश्वास के योग्य हैं उन्हें असम के मसले को बतचित से तय करने की कोशिश करना चाहिए। हमें असम के लोगों को समझाना होगा कि किस रास्ते पर चल कर असम का और मुल्क का हिस्सा हो सकता है। हमें उनकी बातों में नहीं आना चाहिए जो मुल्क को तोड़ना चाहते हैं या मुल्क को एक जहान की विवेचना चाहते हैं। हमारे कुछ भाई इन बातों पर बहुत एतराज करते हैं। मैं तो इतना ही कहना चाहता हूँ कि —

जुमें उल्फत में हमें लोग सजा देते हैं,
कैसे तावान हैं शाजों को हवा देते हैं।

हमने यहाँ कोशिश की बहाके जग्गिये, मुजकिरे के जग्गिये, पाउण्ड सोलिडिटी को न एप्रो जो समस्याएँ हैं उनका निदान हो सके। लेकिन यह सरकार बदलने की बात या सरकार किस तरह से चल ई जाए वह सब से रहने बात असम की जनता पार्टी कासन के समय में शुरू हुआ। मैं हिन्दुस्तान की बात नहीं करता क्योंकि जिस मामले पर हम बहस कर रहे हैं अगर उस तक हम अपने को महदूद रखें तो ज्यादा बेहतर होगा। हजारीका सरकार किस तरह से आई,

हजारीका सरकार के बदकिस तरह से पलोन कासिंग हुआ, हजारीका सरकार में किस तरह से रोज दल बदल होता रहा? ऐसी हालत में सिवाय इसके कोई चारा नहीं रहा था कि वहाँ पर प्रेजिडेंट रूल का प्रोक्लामेशन किया जाए। उसके साथ साथ इस बात की कोशिश की जाए जिससे कि डेमोक्रेटिक राईट इलेक्शन के जग्गिये रिस्टो किये जा सकते हैं वे कराएँ जाएँ। मैं मुबारकबाद अपने वजारे दाखला मोहतगम को देता हूँ कि उन्होंने बड़ी संज्ञादगी से इस मसले की तरह तक्जोह दा है। क्योंकि 7 अप्रैल को वह फिर उन लोगों के साथ बैठने जा रहे हैं जिनसे हमारे कुछ इखलाफ हैं, जिसको उनके साथ बैठ कर तय करना है लेकिन यह नाजुक मसला है इसलिए मैं ज्यादा बात नहीं रखूंगा लेकिन इतना जरूर कहना चाहूंगा कि इस कैबिनेट से पहले हिन्दुस्तान के कुल मसाइल को देख लिया जाए कहीं ऐसा न जा कि प्रेशर और दबाव की वजह से हिन्दुस्तान की अक्लियतों को नुकसान पहुँचे, हिन्दुस्तान की माइनाटीज को नुकसान पहुँचे हिन्दुस्तान के कमजोर तबकों को नुकसान पहुँचे जिसके हम यकीनन तौर पर सब से बड़े बहिखवाह है। इन अल्फाज के साथ मैं इस प्रोक्लामेशन का और प्रेजिडेंट रूल की पूरी तरह से ताईद करता हूँ और उम्माद करता हूँ कि आज असम की जो स्थिति है उसमें तबदाला आएगा और हम फिर एक बड़े जागदार तरीके पर मकसद की तरफ गमजन हो सकेंगे जो समाजवाद, सेकुलरिज्म और धर्मनिरपेक्षता का मकसद है।

डा० भाई महावीर (भण्ड्य प्रदेश) :
उपसभाध्यक्ष महोदया, लोकतन्त्र का कितनी चिता सत्तारूढ़ दल को है इस पर एक भाषण हमने अभी सुना। अगर शब्दों

[डा० भाई महावीर]

से हो लोकतंत्र को चिंता प्रकट की जा सकती तो सचमुच में जितनी चिंता मेरे माननीय मित्र जो उधर बैठे हैं लोकतंत्र को रक्षा को चिंता को है उसको देख कर लोग गद्गद् हो जाएंगे । लेकिन कभी इन्होंने यह बताने को तकलीफ गवरा नहीं की...

SHRI BIPINPAL DASS: That is what the British Prime Minister said the other day.

डा० भाई महावीर : मेरे दोस्त को बड़ी खुशी हो रही है कि ब्रिटिश प्राइम-मिनिस्टर से सर्टिफिकेट मिल गया उनको ।

श्री बिपिन पाल दास : आप सर्टिफिकेट बोलते हैं, कोई आपकी तारीफ करते हैं तो वह सर्टिफिकेट हो जाता है ।

डा० भाई महावीर : आपको मिला न सर्टिफिकेट ।

श्री बिपिन पाल दास : हम को नहीं मिला, सारे हिन्दुस्तान को मिला है ।
(अवधान)

डा० भाई महावीर : आप तो गवर्न-मेंट के नाते उसका क्रेडिट क्लेम कर रहे हैं ।

श्री बिपिन पाल दास : मैं नहीं कर रहा हूं सारे हिन्दुस्तान की जनता कर रही है ।

डा० भाई महावीर : आपको अगर वर्ल्ड बैंक सर्टिफिकेट दे दे, आई.एम.एफ. सर्टिफिकेट दे दे, ब्रिटिश गवर्नमेंट सर्टिफिकेट दे दे, अब चर्चिल साहब फिर से नहीं आ सकते लेकिन वे भी सर्टिफिकेट दे देते तो मेरा ख्याल है कि वहां घी

के चिराग जलने लग जाते कि कितने बड़े लोगों ने लोकतंत्रवादी होने का तगमा प्रदान किया...

श्रीमती हुमीदा हुबीबल्लाह (उत्तर प्रदेश) : आप हिन्दुस्तानी नहीं हैं क्या ?

डा० भाई महावीर : मैं हिन्दुस्तानी तो जरूर हूं लेकिन हिन्दुस्तानी होने के नाते हम अपनी आंखों पर पट्टी बांध कर के कहीं से कोई भी वाह-वाही करता दिखाई दिया, कम से कम इतना तो सोचिये कि हमारा मज्जाक उड़ा रहे हैं या सचमुच हमारी कारस्तानी की तारीफ कर रहे हैं । दिल्ली के अन्दर हम बैठे हुए हैं । दिल्ली में ही हमारी केन्द्रीय सरकार की नाक के नीचे लोकतंत्र का जो हाल हो रहा है उसके बाद भी यहां बैठे हुए, कई मेरे मित्र लोकतंत्र की दुहाई दें कहें कि हमारे लोकतंत्र की बड़ी रक्षा की मैं उनकी हिम्मत का तो तारीफ कर सकता हूं लेकिन उनके सत्य भाषण की तारीफ नहीं कर सकता हूं । मैं यह तो मान सकता हूं कि ये बड़ी आवाज में, बड़े जोर से, बड़े हाँसले से बोल रहे हैं लेकिन असलियत का लिहाज करके ही बोल रहे हैं । दो साल हो गये, दिल्ली में चुनाव कराने की नीबत नहीं आ रही है । लेफ्टिनेन्ट गवर्नर ने कह दिया कि दिल्ली की हलात ऐसी नहीं है कि यहां पर चुनाव कराये जा सकें । लेकिन हमारे मित्र जहां कहीं जाते हैं कहते हैं कि ला एंड आर्डर की स्थिति सुधर गई है, देश तरक्की कर रहा है, मंजिलें तय कर ली गई हैं और हम आगे बढ़ते जा रहे हैं, अपोजीशन वाले यों हों चूँ-चूँ करते रहते हैं । लेकिन हमने जितनी कामयाबी करके दिखा दी इसका कोई दुनिया में मुकाबला नहीं । हमारे गृह मंत्री जी बैठे हैं । अपनी पीठ ये भूथपया

लेते हैं। वे भी जानते हैं कि हमारी सरकार अपनी पीठ धपकाती है और जो समस्याएँ हैं उनकी तरफ ध्यान देने की जरूरत है नहीं समझती है। आखिर अगर इतनी तरकीब है तो क्या बजह है कि राजधानी दिल्ली के लिए बैठे हुए लेफ्टिनेन्ट गवर्नर को यह कहना पड़ता है कि दिल्ली की हालाँची ऐसी नहीं है कि यहां पर चुनाव कराये जा सकें। अभी उत्तर प्रदेश के मुख्य मंत्री ने कह दिया कि "my failure is complete; it is total" यानी खुद मुख्य मंत्री ने बयान दिया, अपने आपको वे सर्टिफिकेट दे लेते हैं तो उसके बाद लंदन से कोई तमगा लाकर ही उनका सर्टिफिकेट झूठलाना पड़ेगा या कहीं और से लाना पड़ेगा लेकिन मैं एक बात जानता हूँ।

संसदीय कार्य विभाग में उपमंत्री (श्री कल्प नाथ राय) : आदरणीय उपसभाध्यक्ष महोदया, आदरणीय डा. भाई महाबीर ने कहा कि उत्तर प्रदेश के मुख्य मंत्री ने खुद कही है यह बात ?

डा. भाई महाबीर : अगर मेरे मननीय मित्र को उत्तर प्रदेश के मुख्य मंत्री ने जो बयान दिया और जो इतनी बार कोट किया गया है उसका पता नहीं तो मेहरबानी करके उसका पता कर लें। अगर आपको न मिला तो उसका सोर्स मैं बता दूंगा। मैं यों ही नहीं कर रहा हूँ। लेकिन मैं इस वक्त तो उनका बयान कहाँ हुआ है, कहाँ हुआ है उस सब के आंकड़े और संदर्भ लेकर यहां नहीं आया; इसलिये मुझे कठिनाई है। मेरे मित्रों ने उधर से कई इसको पढ़ा होगा और आपको वही याद दिलाने के लिये काफी रहेगा।

परन्तु महोदया यह उत्तर प्रदेश की बात है, दिल्ली की बात है लेकिन आज

चर्चा आसाम पर है। आसाम एक ऐसा राज्य है जहाँ पर सरकारें या मुख्यमंत्री बहुत स्थिरता के साथ काम करते रहे। बाकी राज्यों में जिस तरह से आसामी से मुख्य मंत्री बदलते रहे, लुढ़कते रहे, नये आते रहे, आसाम में ऐसा नहीं हुआ। लेकिन आसाम में लम्बे काल तक वहाँ मुख्य मंत्री चलते रहे यह इतिहास होने के बाद भी 1979 से जो हो रहा है उसको जिस तरह से उचित ठहराया जा रहा है और उसके बारे में क्या सफाई दे रहे हैं, मैं सचमुच में इसे देखकर हैरत में हूँ कि जो कुछ वहाँ पर आज किया जा रहा है क्या उसको कोई सही ठहरा सकता है। कहा गया कि जनता पार्टी जब शासन में आई तब लोक उकता गये। सच्ची बात यह है कि वहाँ पर जो समस्या पैदा हुई वह बहुत पुरानी है। उस पुरानी समस्या की तरफ ध्यान न देकर जो लोग सत्ता में थे उन्होंने चंद वोटों की खातिर, उन लोगों का समर्थन लेने की खातिर न केवल उसको चलने दिया बल्कि उसको बढ़ावा दिया। आज जब समस्या इस उग्र रूप में सामने आ गई और वहाँ के नौजवानों को लगा कि हमारा अस्तित्व और हमारा सांस्कृतिक जीवन मटियामेट हो जायेगा तब उन्होंने आन्दोलन का रास्ता पकड़ा। यह स्थिति कोई बहुत अच्छी नहीं थी। हम कई वर्षों से इस बारे में चेतावनी देते रहे और सरकार को बताते रहे कि वहाँ पर यह हो रहा है और वहाँ की जनसंख्या के पूरे अनुपात को बदलने की कोशिश हो रही है, इसकी तरफ सरकार ध्यान दे। लेकिन न सरकार ने इस ओर ध्यान देना था और न दिया। सरकार को केवल एक बात या चिन्ना थी। आज केन्द्र के नेताओं की सबसे बड़ी फिक्र यह है कि किसी भी जगह किसी दूसरे दल की सरकार न बन पाये। यहां भी जो सरकार है उनकी पार्टी

[डा० भा० महावीर]

की वह उनकी योग्यता के बल पर नहीं बनती बल्कि इस बात पर बनती है कि वह कितना लायक है। वह कितना आखें बन्द करके और कान पकड़ कर (समय की घंटो)।

उपसभाध्यक्ष महोदय, मैं थोड़े से समय में खत्म कर दगा। (व्यवधान)... आपको कोई बुराई नहीं दिखाई देती। कान पकड़ कर उठक बैठक लगात यह सबसे बड़ी बात है, इसमें कोई बुराई नहीं है। यही तो सोचने का स्तर आपका है, इस बात पर मुझे रंज है।

श्रीमती उषा महोत्रा (हिमाचल प्रदेश) : यह कह रहे हैं कि लायल्टी बुरी चीज है। मुझे बतलाइए कि जो आपने सबक सीखा है उसके आधार पर आप कह सकते हैं कि यह बुरी चीज है। कहां जाकर आपको बैठना पड़ा है इस को छोड़कर... (व्यवधान)

डा भाई महावीर : लीडर की लायल्टी यही सबसे बड़ी कसौटी है, आपके यहां योग्यता का...

उपसभाध्यक्ष [डा० (श्रीमती) नाजमा हेपतुल्ला] आ जो बात कहना चाहते हैं जल्दी से कह दीजिये। आपका टाइम खत्म हो रहा है।

डा भाई महावीर : यह जो टाइम इन्होंने लिया है, इसको मेरे हिस्से में से आप नहीं काटेंगी। अब उषा जी को अगर आपने नेता की लायल्टी दिखाने का मौका मिल रहा है तो उनको लेने दीजिए... (व्यवधान)

श्रीमती उषा महोत्रा : मैं यह कहूंगी कि सबक सीखिये हम लोगों से... (व्यवधान)

उपसभाध्यक्ष [डा० (श्रीमती) नाजमा हेपतुल्ला] : आप अपना भाषण करिये।

डा० भाई महावीर : हम सबक नहीं सीख सके चापलूसी, साईकोपैसी का और सब दुनियां की बाकी बातों को छोड़कर सिर्फ जी हजूरी ही दुनिया का एक बहुत बड़ा गुण है तो यह बात आपके यहां होती होगी, हमने यह सबक सीखा नहीं और न ही हम सीखना चाहते हैं। महोदय, जिस तरह से आपकी महान नेता के बनाये, नियुक्त किये हुई मुख्य मंत्रियों का हाल, राजस्थान, आंध्र प्रदेश और महाराष्ट्र में हुआ तथा और जो आगे आने वाले दिनों में बाकी राज्यों में भी होता दिखाई देता है, उसके बाद भी आपका कोई अपना काम करने में... (व्यवधान)... अब देखिये, यह लोकतंत्र का परिचय दे रही हैं। यह आप अपने डेमोक्रेटिक नेचर का परिचय दे रही हैं... (व्यवधान) आप आराम से बैठ नहीं सकतीं... ये हिमाचल से आई हैं।

उपसभाध्यक्ष (डा० श्रीमती) नाजमा हेपतुल्ला : उषा जी उनको बोल लेने दीजिए, समय कम है।

श्रीमती उषा महोत्रा : ये अटैक कम करें।

उपसभाध्यक्ष (डा० श्रीमती) नाजमा हेपतुल्ला : वे अपनी बात कह रही हैं, उन्हें कहने दीजिए।

You finish your Bhashan

डा० भाई महावीर : दलबदल सरकार हिमाचल में है या हरियाणा में

है, उस तरह के जमीरप रोशों के बल पर खड़े हो करके इनको कमी यह नहीं लगता कि कोई इनकी पार्टी ने गलती की है ?

उपसभाध्यक्ष [डा० (श्रीमती) नाजमा हेपतुल्ला] : आप भाषण खत्म करिए ।

डा० भाई महावीर : हिमाचल की बात (व्यवधान)

उपसभाध्यक्ष [डा० (श्रीमती) नाजमा हेपतुल्ला] : आसाम की बात कहिए ।
Let us go to Assam. Forget about Himachal Pradesh.

डा० भाई महावीर : आसाम की बात कह रहा हूँ कि आसाम में इनकी चिता खाली यह है कि 119 में से 40 मेम्बर किसी तरह से इधर उधर करके, दलबदलू इकट्ठे करके उन्होंने कहा था कि उनके बल पर अगर सरकार बन सके तब तो चलेगी नहीं, तो सरकार नहीं चल सकेगी । विधान सभा को भंग कर दिया जायेगा । दो मुख्य मंत्रियों को ये लिये और दोनों के सामने यही समस्या थी कि माइनारिटी गवर्नमेंट है कितना भी ऊपर से तिकड़म लगा कर थोपिए, जब तक विधान सभा में बहुमत नहीं है, वे गाड़ी नहीं चला सकेंगे । अनवरा तैमूर जी ने जब इस्तीफा दिया तो उनके बारे में यह खबर छपी कि इस्तीफा देने के रहने उन्होंने आखिरी काम यह किया, कि मैं 'आन लुकर' मैग्जीन को कोट कर रहा हूँ :

"One of her master acts as Chief Minister of Assam, the last one, was for Mrs. Taimur, to appoint herself as the Chairmar of the Assam Khadi and Village Industries Board, a post widely conside ed as sinecure for

retired politicians. According to the informed sources, she signed the appointment letter on 26th June. The next thing she did was to pass a number of orders as Chairman the very same day before flying to Delhi to consult the party high command about the fate of her 205-day old Ministry. The sources say, Taimur gave herself a Rs. 500 pay hike and sanctioned herself a new official car in the official order appointing herself as Chairman"

यह अपने आपको चेयरमैन एप्वाइंट करना, अपनी ही तनख्वाह बढ़ाना, यह काम मुख्य मंत्री महोदया ने वहां पर किया आखिरी दिन, जब गद्दी छोड़ने की नौबत आ रही थी । एक बात और कहना चाहता हूँ, यह बार बार कहा जा रहा है कि . . .

SHRI BIPINPAL DAS: Did you check up this report, whether it was true or not?

DR. BHAI MAHAVIR: I do not have to check up. It is for you to contradict if it is wrong. I am quoting the source. This journal is the ON LOOKER. It is not my journal. If it is wrong, you are there to contradict it. If you want, I will add something more:

"There were reports that even after resigning the job, even months after that, she still continued to order about people with instruction. She holds Governments facilities also which she hold as Chief Minister."

महोदया, कहा जा रहा है कि जो फारेनस आ गये और जिनकी समस्या के कारण यह सब कुछ हो रहा है और वे इतनी देर से आये हुए हैं, गृह मंत्री जी बार बार कहते हैं कि उनको कैसे हटाया जायेगा । मेरे पास महोदया, एक उदाहरण है, मैं चाहता हूँ कि गृह मंत्री जी इसको सुनें और बतायें कि राजस्थान में अगर यह

[Dr. Bhaji Mahavir]

हो सकता है तो आसाम में क्यों नहीं हो सकता है । मेरे पास इलेक्टोरल डिपार्टमेंट, राजस्थान का एक सरकुलर नम्बर : 3(1) (5) Rols/Elect./79/4620, from the Chief Electoral Officer, Rajasthan, Jaipur, to the Electoral Registration Officer, SDM, Bhinmal, Jaipur, dated 13-10-79.

"I am enclosing herewith a list of the Pak refugees residing in Bhinmal Assembly Constituency in different areas. The list gives the names of the heads of families. The families at serial numbers 3, 4, 66 to 69 have already obtained the certificate of Indian citizenship and rightly enrolled in the electoral rolls, the rest of the persons are said to be not in possession of any citizenship rights in India, and hence their families, if enrolled, in the present draft electoral rolls of Bhinmal Assembly Constituency are to be struck off by you after inquiry of this that they are not citizens of India. Action taken may kindly be intimated immediately.

Depuly Chief Election Officer."

महोदया, फारेनर्ज को आईडेंटिफाई करने में सरकार को दिक्कत क्यों आ रही है, क्यों इस मामले को इतना खींचा जा रहा है ? फारेनर्ज को आईडेंटिफाई कीजिए । उसके बाद उनका क्या करना है, वह वहां रहेंगे या नहीं रहेंगे, किसी और स्टेट में जायेंगे, वापिस भेजे जायेंगे, यह सब सवाल बाद में आ सकते हैं और . . . (व्यवधान)

उपसभाध्यक्ष [डा. (श्रीमती) नाजमा हेपतुल्ला] : अगर आप कृपया अपना भाषण खत्म कर दें, तो बेहतर होगा . . . (व्यवधान)

डा. भाई महावीर : . . . ताकि वहां जो चुनी हुई सरकार है, लोगों को जिस पर विश्वास है, आपकी कठपुतलियां लागू करके वहां आप उनसे गलत काम करने की कोशिश न करें । चुनी हुई सरकार को दीजिए कि वह फैसला

करें कि ये जो फारेनर्ज हैं, उनका क्या हल किया जाए। इसके बजाय यहां पर केन्द्र में सारी समस्याओं को अगर आप अपने ऊपर लादते जायेंगे—असम की भी, केरल की भी, सभी जगहों की, इससे आपका अविश्वास जो लोकतंत्र की प्रणाली पर है और वहां की जनता पर है, यही प्रकट होगा इससे, और कोई बात आप इससे सिद्ध नहीं कर सकते ।

इन्हीं शब्दों के साथ मैं मंत्री जी के इस प्रस्ताव का विरोध करता हूं और इधर से जो प्रस्ताव दिया गया है, उसका समर्थन करता हूं ।

SHRI BIJOY KRISHNA HANDIQUE (Assam): Madam Vice-Chairman, I rise to support the Statutory Resolution moved by the honourable Home Minister. It is not only today but very often it has been stated in the House that both Congress-I Ministries of Assam, one led by Mrs. Anwara Taimur and the other by Mr. Keshav Chandra Gogoi, were minority Governments. I raise this point because I find there is a method behind stating this half truth leaving a number of missing links in the whole chain of events, secondly, this complaint is very conveniently made. What I mean is that sometimes this complaint is heard, sometimes not heard, depending upon the occasion as it suits them. The honourable Member Mr. Bipinpal Das cited cases about 30 to 32 years ago. Public memory is proverbially short and for some it is quite a job to brush up their memory. I do not want to go that far. I want to go back to the recent history. I want to lead you back to the time when the present Assam Assembly, now dissolved, was constituted and its first Ministry, the first Janata Ministry was formed in 1978. Unless you know the salient features, you cannot objectively assess the Ministry-making exercise done in these last four years. From the very beginning

you will notice things got off to a wrong start. In a House of 126 members, in the General Elections of 1978 the Janata secured 51 seats. I would like Mr. Goswami to check. The Janata secured 51 seats, a case of clear minority. Then four members of Tribal Council joined them making the tally 55, that is, still short of 9 members to get a bare majority in a House of 126, needing 64. Then the most interesting drama of defections started. Now the allegation of defection is made against us. But if they remember correctly, the drama of defections dates back to 1978, the drama for the first time enacted in Assam politics. We never heard of defections earlier. The craze to form Governments by any means was so overpowering that it had thrown baits to 5 independent members. I am quoting from the record. If anyone wants to challenge, they might. Baits were thrown to five independent members and before these five members formally joined them, the Janata Government in Assam came into existence which was still short of four members to secure a bare majority in a House of 126. Then the left parties, particularly the CPM and the RCPI came to their rescue because the Ministry was short of its requisite strength to claim a bare majority in the House. They decided to support the Janata Ministry to keep them in the saddle and to support it in a crisis. This fact is significant and we shall revert to it in the course of discussion.

In the meantime two more members of the Congress Party led by Shri Brahmananda Reddy were bagged and that is how the drama of defection continued. Yet the Ministry was just short of two members to get a bare majority. A minority Government—if we could call it a minority Government—was installed in 1978. This Ministry fell in 17 months.

And there came Ministry formed by the breakaway group of the Janata Party—called the Assam Janata. How many members were there at that time? Would you believe, Madam,

that there were just 18 members in a House of 123 members because by that time two members were dead and one member was unseated. The old story was repeated with the support of 23 members belonging to the Congress led by Shri Devraj Urs, 6 members from the CPI and 8 members from the Congress (I). This Ministry was just in office for three months.

One hon. Member who is not present here now—I would not name him—ridiculed the Gogoi Ministry for not facing the Assembly. I do not know whether he is aware that this is not the first instance of such a thing happening. What happened to the Charan Singh Government of which his own party was a partner? They did not face the Parliament.

Then came the Congress(I) Ministry headed by Mrs. Taimur with 50 members plus 2 associate members plus four Plane Tribal Council members who were partners of the Janata Ministry. They had thus 56 members. The left parties consisting of CPM, the CPI the RCPI and the JCCI declared that they were neither for the Ministry nor against it. Their number was twenty-three. Madam, in such a situation is there anything wrong to expect a workable majority in the House so as to allow the democratic process to go on? Besides, there was the Constitutional obligation that we cannot have the President's rule beyond one year. This Ministry came into being or was formed on the eve of the expiry of that period. It was just because of the intention of avoiding Constitutional complications that may arise. In the Assembly this Ministry survived a 'no confidence' motion which many hon. Members have failed to mention. It defeated the 'no confidence' motion by a margin of ten votes. Not only that, there were as many as six divisions resulting in the same voting pattern. Every time there was a difference of ten votes. After seven months the CPI and other left parties decided to oppose the

[Shri Bijoy Krishna Handique]

Ministry and I do agree that some members also left our party. And the Ministry fell. Then the recent Congress Ministry headed by Mr. Gogoi was formed. It fell recently. It was said here that the opposition alliance claiming 63 members was ignored. Madam, the honourable Member, Mr. Bipinpal Das, made it very clear that they did not have that figure. What happened actually? At the time of the formation of the Ministry, when Mr. Gogoi furnished a list of 63 members, they also said that they had a list of equal number. How could it be possible. It is simple arithmetic, nay, it is an impossible arithmetic. 63 members signed, as it was called, a memorandum....

THE VICE-CHAIRMAN [DR. (SHRIMATI) NAJMA HEPTULLA]: Mr. Handique, I have to interrupt you now. We have on the agenda an item for 6 o'clock, that is, a statement to be made by the Minister of State for Home Affairs, Shri Laskar. So, he will make the statement now and then the discussion will continue. You can speak after the Minister makes the statement. Yes, Mr. Laskar.

STATEMENT BY MINISTER

ATTACK ON US CONSULATE GENERAL'S OFFICE IN BOMBAY ON 25TH MARCH, 1982.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RANJAN LASKAR): Madam, I had made a *suo-motu* statement in this House on 26th March, 1982, regarding the attack on U.S. Consulate General's Office on 25th March, 1982. Some further reports have been received in the matter from the Government of Maharashtra. According to information furnished by the State Government 4 persons went to the U.S. Consul General's Office at Bombay at about 4.45 P.M. on 25th

March, 1982 and asked for some import-export forms. When told that no such forms were available, one of the persons started attacking the Security Supervisor with plastic containers with lighted wicks. Another person took out similar container and rushed towards main door of Consul General's Residence. The Security Supervisor kicked out the container and closed the door of Consul General's Residence. The Security Supervisor called the police on guard duty. In the meantime, the miscreants escaped from Reception Room of the Consulate and asked their companions to join them. 40 other persons joined them and started breaking window-panes of parked cars and threw plastic containers, containing petrol, inside the cars. 4 cars were burnt and 7 were damaged. They also damaged furniture, flower pots and window-panes of the building. The police guard on duty opened fire to disperse the miscreants. As a result of firing, one person named Shailesh Rajaram Pawar, who is reported to be an active member of 'Hindu Ek'a Andolan', was killed. The miscreants threw leaflets purporting to have been issued by an organisation called Azad Hind Sena. No official of the Consulate was injured. The police have registered a case under IPC and Indian Explosives Substances Act in this connection. 34 persons including the leader of the miscreants have been arrested so far. The case is under investigation.

Preliminary inquiries made by State authorities have revealed that the leader of the group Shri Digamber alias Bandu Shantaram Shingare formed an organisation known as Azad Hind Sena at Bombay last year. During preliminary enquiries he has admitted that he wanted publicity for his organisation. Further detailed inquiries are being made in this regard by the State authorities.

The Government of Maharashtra have assured the U.S. Consul General at Bombay of full protection. They have taken adequate measures in this regard.