

[श्री सुन्दर सिंह भंडारी]

हवा है। वहां पर सारा ट्रिकिंग वाटर का कम्प्लेक्स डिस्टर्ब हो गया है। यह इलाका साउथ कलकत्ता में आसुतोप मुकर्जी रोड पर स्थिति इलाके में है। मैं चाहता हूं कि केन्द्रीय सरकार इस मामले में तुरन्त दखल दे और एक्सपर्ट इंजीनियरों को वहां भेजा जाय और कलकत्ता के लिए ट्रिकिंग वाटर का प्रबन्ध किया जाय और उस मेट्रोलाइन को जो इस पानी में लगभग डूब गई है, खराब हो गई है, ठह गई है, उसको बचाने का इंतजाम किया जाए।

I. MOTION SEEKING REVOCATION OF THE PROCLAMATION ISSUED BY THE PRESIDENT OF THE 21ST OCTOBER, 1981 IN RELATION TO THE STATE OF KERALA

II. STATUTORY RESOLUTION SEEKING APPROVAL OF THE PROCLAMATION ISSUED BY THE PRESIDENT OF THE 21ST OCTOBER, 1981 IN RELATION TO THE STATE OF KERALA

SHRI SYED SHAHABUDDIN (Bihar) : Mr. Deputy Chairman, Sir, with your permission I rise to move the following motion;

"That this House recommends to the President that the Proclamation issued by the President on the 21st October 1981, under article 356 of the Constitution, in relation to the State of Kerala, be revoked."

In support of my motion, I make the following submission to the House.

Sir, I have read very carefully the message from the Governor of Kerala, dated 20th October 1981, from Trivandrum, addressed to the President. It was copied to the Prime Minister, the Home Minister and the Home Secretary. There the operative part says:

"The Chief Minister, Shri E. K. Nayanar, met me today at 6.45 p.m.,

and submitted the resignation of the Council of Ministers headed by him."

My first submission is this. The Chief Minister met the Governor at 6.45 p.m. on the 20th October, 1981. And the same evening the Governor rushed with a message to the President, recommending that the President may by a proclamation under article 356 of the Constitution assume the functions of the State Government, etc., and also recommending that the Legislature need not, however, be dissolved but kept under suspended animation. She added; I have requested Shri Nayanar to continue in office till alternative arrangements are made.

The period granted to Mr. Nayanar was rather brief, because the Government, the very next day accepted the recommendation made by the Governor and issued a proclamation. As you can see, the proclamation is dated 21st October.

Sir, I cannot see the urgency behind such action and, therefore, I feel that the Presidential Proclamation at that stage, at that point of time, was uncalled for, unnecessary, and premature. It is my view, Sir, that the Governor should have applied her mind to the situation, before coming to the final conclusion. She does talk about 'assessment'. I cannot understand what degree of consideration went into making that assessment when, within a few hours of the receipt of the resignation by the Chief Minister, she rushed with a message giving her 'considered views' as to what needs to be done in that situation. And, therefore, Sir, I am sorry and I am constrained to say this—that this entire situation looks like a prearranged drama, a drama in which the script was prepared in advance and in which the various actors in the drama were just supposed to speak their piece as and when their turn came on the stage. I feel, Sir, this is a distortion of the spirit of the

Constitution. I say this, Sir, because we have *no* details at all in this letter whether, between the time when the Chief Minister called on the Governor and the time letter was sent, the Governor met any other political leader of the State at that stage. We had a coalition government which the Communist Party of India (Marxist), with 35 Members in the Assembly, was heading. Now, apart from this party, there were four other parties with a sizeable number of Members in the Assembly. The next in line were Congress (U) with 22, the Communist Party of India with 17, the Congress (I) with 17 and the Indian Muslim League with 14 members. I am leaving out the others which had less than 10 Members—all this in a House of 141. I would imagine that the appropriate course for the Governor—even if she were to omit the C.P.I. for the time being because the C.P.I. and the C.P.I. (M) were part of the same coalition—was to call upon the leader of the Congress (U) to explore the possibilities of forming a viable Government. She should have given him an opportunity to do it. Subsequently, if he had professed his inability to form a Government after due exploration, then the opportunity should have been provided, in my view, to Congress (I) and subsequently to the Indian Union Muslim League. After all these groups were unable to form a viable alternative and a coalition which could be sustained in the House, if and when it met, the Governor would have been justified in concluding that the constitutional process in the State had broken down and she would have been absolutely right in recommending to the President not only the proclamation under Article 356 imposing President's *raj* over the State but also dissolving the Legislature. All this exercise has not been gone through. What were the facts? At least, they have not been mentioned here in this letter. I feel that the absence of any such procedure in this instance violates the principles of the supremacy of the legislature. It is, under the Constitu-

tion, the light, the responsibility and the privilege of the Legislature to establish or to de-establish governments. The stability of a party and whether it enjoys the majority or not can always be tested on the floor of the House. It is the legislature which is the master of the Government. We know that there are political situations in which the minority governments have been sustained. We have the example of Kerala itself. The example that comes to my mind is that of the Government led by Shri Pattam Thanu Pillai in 1954 who had only 19 M.L. As in a House of 120 and he carried on the Government for over a year and he could have carried on even longer had he not been transferred out of the State as a Governor. Assam is another example. We have also the example of the Central Government. Mrs. Gandhi, at one point of time, headed a minority Government for more than nearly two years. Therefore, all these precedents have been swept aside. The Governor has taken a decision abruptly without due consideration, without application of mind, without assessing the political situation, without consulting the political leaders of the State and without taking the Assembly into confidence. Therefore, I feel that the advice was not rendered in the true spirit of the Constitution. Therefore, my conclusion is that the proclamation of the President was premature, was not called for and was unnecessary. In fact, in my view, the proclamation has precipitated a political crisis in the State.

Now, what was the motive behind this proclamation? Permit me to say, Sir, that it is a sad reflection on the way we are working the Constitution. This proclamation was motivated primarily to engineer defections in the State Legislature. We know that the present Government is a master of this art. They not only deal with defections in retail, but they deal in defections wholesale. We have the example of Mr. Bhajan Lal of Haryana and we have another exam-

[Shri Syed Shahabuddin]

ple of Shri Ram Lal in Himachal Pradesh. Of course, we have the example of Assam in Assam, the President's proclamation gave the power in the hands of the bureaucracy, unrestricted and without any political control, who used that power in order to apply pressure on the weaklings among the opposition to win the over to the side of the ruling party. This very thing was the main motivating force behind the advice of the Governor and behind the decision of the President or the decision of the Central Government to establish President's *raj*. Sir, I have a feeling that the Kerala people are politically very conscious and that they shall not be taken in. .

If any body defects in Kerala, he will be taken care of during the coming elections. I hope so. But I would like to put one more point before you, Sir, because I don't think I have taken too much of time. Let us see the national picture. As I see the national picture. Sir, faced as we are, confronted as we are by the rising tide of authoritarianism and dynastic dictatorship in our country, we can see the menace on the horizon. The clouds are gathering, they are visible to everybody. I feel and I am sure this House will support me if I say that every Opposition Government is a citadel of democracy in this country and therefore, Sir, the Central Government considers its duty and purpose to demolish the Opposition Governments, to topple them. Mrs. Gandhi had a continuing war since the beginning of 1980 with Sheikh Abdullah in Jammu and Kashmir, with Jyoti Basu in West Bengal, and with the Government in Kerala. Now, she has succeeded in one. I hope it is not the beginning of a process...

SHRIMATI KANAK MUKHERJEE (West Bengal): And Tripura also.

SHRI SYED SHAHABUDDIN:... and I hope it does not lead to the end

of democracy in the country. Yes Tripura also: that is another example.

Sir, we cannot permit the federal structure to be eroded. We cannot permit political monolithism to be imposed over the country. Our Constitution presupposes and envisages a situation in which different political parties and groupings shall rule over different parts of the country, and they may be different in political complexions from the Central Government. And this we should not permit to be eroded.

Sir, I would like to say one more sentence before I conclude. As far as the stand of the Janata Party is concerned, we have an independent group of MLAs there. They are very few in number. Keeping this national picture in view, our Group has decided that they cannot support a Government in which the Congress (I) participates in Kerala. And they shall not support a Government which depends on the Congress (I) not only for its existence but also for its survival. Thank you, Sir.

The question was proposed.

THE MINISTER OF HOME AFFAIRS (GIANI ZAIL SINGH): Sir, I rise to move the following Resolution:

"That this House approves the Proclamation issued by the President on the 21st October, 1981, under article 356 of the Constitution, in relation to the State of Kerala."

Sir, during October, 1981, in the wake of sudden political developments, the Coalition Government of Left Democratic Front, headed by Shri E. K. Nayanar was reduced to a minority and, accordingly, the Chief Minister of Kerala submitted the resignation of his Ministry to the Governor of Kerala. On the 20th October, 1981, in her Report to the President dated 20th October, 1981, copies of which were laid on the Table of both Houses of Parliament

and also circulated amongst the Members, the Governor recommended issue of Proclamation under article 356 of the Constitution in respect of the State of Kerala by the President. She also recommended that the State Assembly be kept under suspended animation.

The political situation in Kerala is still fluid. Accordingly, no Ministry may be able to assume office by 21st December, 1981, by which time the present Proclamation will expire unless approved by Resolution by both the Houses of Parliament. I would, therefore, request the House to accord this approval to the Proclamation issued by the President on 21st October, 1981, in relation to the State of Kerala.

The question was proposed.

MR. DEPUTY CHAIRMAN: The Motion and the Resolution are now open for discussion. Shri K. K. Madhavan.

SHRI K. K. MADHAVAN (Kerala): Mr. Deputy Chairman, Sir, coming as I do from the concerned State, Kerala, I am fully aware of the entire facts. Sir, this Proclamation under article 356 by a notification of the Ministry of Home Affairs, dated the 21st October, 1981, is based on a teleprinter message Report No. 3719 dated the 20th October, 1981, by the Governor of Kerala. Sir, going through the report of the Governor it looks very strange to read the concluding part of the Letter at page 2, last paragraph, which is very important. Sir, I quote:

"In view of the circumstances mentioned above and in view of my assessment of the situation"

what assessment it is, I cannot say,

"a viable alternative Ministry is not immediately possible".

That is one part.

[The Vice-Chairman, (Dr. Rafio Zakaria in the Chair]

Then, another part also I quote:

"I further recommend that the Legislature need not, however, be dissolved but be kept under suspended animation".

So, these are the two relevant parts. The second part is only a consequence of the first part. What is mentioned there? "a viable alternative Ministry is not immediately possible". Does the Governor mean that a viable alternative Ministry is possible in the long run or after some time? This report is silent about it. The report is also silent as to whether the Governor of Kerala is exploring the possibilities. But, that is not the point. The most important question is whether the Governor is justified in making a recommendation of the latter part, namely, that the Legislature need not, however, be dissolved but be kept in suspended animation. Sir, this is questionable. If the Governor is convinced that a popular Government is not possible in the near future or in the remote future, what is the justification for this part of the recommendation which says that the Assembly need not be dissolved? That is my point. Sir, I am one of those people who have at the earliest demanded that the Assembly should be dissolved, not for political angling but for an immediate election to be followed by. Sir, what prevents this Government from doing that? You have got an Election Commission which will tailor to the requirements of those who are in power. Here is an Election Commission which will not conduct elections for indefinite periods. Here is an Election Commission which can and will conduct elections within the shortest possible time as has been already done last year. We have the lesson of Mr. Bahuguna's election. Nobody knows when that will be conducted or whether that election will be conducted at all or not. But here in Kerala a dubious method, a strange method, a wonderful method has been adopted now for nearly two months. The

[Shri K. K. Madhavan] Ministry had resigned on the 20th October. We are now discussing on the 16th of December, a little less than two months. All this time, you must have gone through the newspaper reports pouring in everyday, coming from Central Ministers, coming from General Secretaries of Congress-I party at Delhi going roundabout and making statements, and from a leader of the former opposition party in Kerala with a following of only 16 members. It may be sweet-16, I have no quarrel. A leader who has got a following of only 16 member, was preaching to the enlight-tended people of Kerala; Look here, you have to elect a Government which is in tune with the political complexions of the Central Government. Sir, Central Ministers also have gone there and made public speeches that a minority Government can be fully justified to be in power; and it was no less a person than a Cabinet Minister who is not supposed to be representing Kerala but who is representing some other State; I am not worried where he is elected from; but he does not represent Kerala.

SHRI SYED SHAHABUDDIN: He has run away from his State.

SHRI K. K. MADHAVAN: Here is a gentleman who makes speeches and statements about the Government of Kerala, on behalf of the Government of India, a person who has nothing to do with Kerala. So, he comes there, makes a statement that in the present circumstances even a minority Government will be justified. And he claims to be a lawyer. I don't know what type of Constitutional law he has learnt. If that is the law he has learnt, I think it will be the end of Constitutional law.

Sir the position is this. Here is a case for immediate dissolution of the legislature. Why is it that the legislature is in suspended animation of the legislature. Why is

the Assembly suspended only? Why is it not dissolved? It was to suit your requirements, to suit the requirements of those who are in power in Delhi. It was only for that purpose.

Let us, Sir, go through the party position as reported by the Governor. Before that, I may be permitted to state a word about the election that was conducted on the 21st of January 1980, exactly 15 days after elections to Lok Sabha, which were conducted on the 6th of January 1980. The so-called Indira *taranga* could not enter Kerala and only a small number of Members they could elect to Lok Sabha, whereas Indira-wave had set in and entered the whole of India. Immediately 15 days after that, elections to Kerala State Assembly were conducted and what was the result? The Assembly has a strength of 140 members; the figure here is 141 because that one member is only a nominated member from Anglo-Indian community. So, Kerala Assembly has got a strength of only 140 elected members, and in the House of that 140 members, your so-called United Democratic Front led by the leader of the sweet-17, got a total following of only 41 members belonging to 5 parties. Congress-I had 17, Indian Union Muslim League had 14, Kerala Congress (Joseph Group) had 6, National Democratic Party that is the feudal party of Nair and Menons and all these people, a dominant community there, had 3, and Praja Socialist Party had 1 solitary member. The Left Democratic Front had 94. It was a massive strength of 94. The polls had given a massive mandate to the LDF. Immediately after the assumption of this Government, the LDF Government in Kerala, all reactionary elements, all reactionary forces, inside the State outside the State, as well as outside this country, were conducting tirades and a merciless propaganda in a massive way, just to see that this Government was pulled down. And they have succeeded, ed. I have to congratulate the reac-

tionary elements operating at the international level. I have to congratulate international reaction for the fall of this Government.

Unfortunately, Sir, members of my Party also have betrayed. I am one of those people, who differed on the question whether my Party should or should not withdraw from the LDF Government. I said 'No'. I was opposed to do it. Not only myself. There were other Members, senior Members, there were six MLAs, including two Ministers in the earlier Cabinet, who were opposed to it. My Party took a decision, sitting two days and two nights, on the 14th and 15th October at Trivandrum, sitting very late, round the clock even, beyond zero hour on the night of 15th and till half past four on the 16th morning; just before day break, we concluded our deliberations. We arrived at a majority decision. This was not a unanimous decision. The decision was to withdraw from the Government. This was only a majority decision. The opinion was divided. We decided to sit in the opposition. On the 16th, I was present at Trivandrum at the place where the President of my unit of Congress (S) along with the Leader of the Legislature Party, declared at a Press Conference in unambiguous terms that my Party will sit in opposition. Opposition means opposition. This solemn declaration was made to the people that we would withdraw from the Government and that we would sit in the opposition. This was also published in all the newspapers, through all the news agencies. But after this, one section of the power hungry people felt as if they are like fish out of water. They thought, they cannot live without power. They began to think in terms of power. They began to speak in terms of coalition and all that. But actually, they were attracted by the baits which were extended by the people who are in power. It was an attempt to divide my Party. Here is a Party at the Centre, in power, which came into existence and which flourished and

which took nourishment by defections and defections only; a party formed by defections and a Party which has developed by defections and deceptions. This Party has come to power through an election last time; I agree. But I would like to know whether that Party and that Government has got the right or the justification to put political baits before other people for defection, before other people for coalition. This offer is wrong. What justification is there to invite people and say 'Come on; let us have a coalition'. It is equally wrong to accept the offer and talk in terms of coalition. This is nothing but misuse of official power, administrative power and official position enjoyed by the Central Government. A very important personality asked me—he had the audacity to ask me—"Mr. Madhavan, why should you object to the merger of your party with my party? If you do not object to this merger of your party, if you agree to the merger of your party, I shall propose your name—that was the language used—and you will be elected to this Rajya Sabha for one more term."

SHRI PATTIAM RAJAN (Kerala): That personality may be Mr. Makwana.

SHRI K. K. MADHAVAN: No, no, can't say. There are very eminent people, very intelligent people, making foolish promises. So, Sir, if this is the promise that can be extended to a Member of the Rajya Sabha, you can imagine what the type of promises will be extended to the members of the Kerala Legislative Assembly. Is it not political immorality?

SHRI ARVIND GANESH KUL-KARNT (Maharashtra): To whom are you addressing? That party is already thriving on defections. (*Interruptions*).

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Kulkarni, please sit down. What is this talk

[Dr. Rafiq Zakaria] across the table? (*Interruptions*). You are showing back to the Chair and while facing him you are saying something. This is a very funny situation.

SHRI ARVIND GANESH KUL-KARNI: I am advising him not to waste his time unnecessarily over such things.

SHRI K. K. MADHAVAN: My party cannot join the coalition because the highest authority of my party, the only competent authority in the All India Congress Party, has passed a resolution against that move. The Congress Working Committee(s) passed a resolution on the 18th and 19th October at Bombay and that resolution was adopted on the 20th and 21st of October by the AICC at Bombay, Pro-hibiting my party from making any sort of cooperation with the Congress (I) under any circumstances, at any level or in any form. So, there is the blanket ban on my party, on my party MLAs *to have* a coalition with the Congress (I). Then, how can they make a Government? The present position is, the six MLAs including two former Ministers are completely in agreement with the Congress Working Committee's mandate. Now here is the latest person Rajiv, the prince of Allahabad. Here is the new prince of Allahabad, not the Prince of Wales, who is extending weight through Mr. Stephen and Mr. Karunakaran. All sorts of patronise will be given—that is the new political *sanvidhan* of the Sanjay cult.

SHRI U. R. KRISHNAN (Tamil Nadu): How can the Chair allow this? Can we discuss any other member of the House, whoever he may be?

SHRI K. K. MADHAVAN: I think the hon. Member does not understand what I said.

SHRI U. R. KRISHNAN: It is the convention that we should not discuss any member of the other House.

SHRI PATTIAM RAJAN: Not discussing.

SHRI U. R. KRISHNAN: This is most immoral. This should be expunged.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): There is a point of order, Mr. Madhavan.

SHRI P. N. SUKUL (Uttar Pradesh): Sir, Mr. Sanjay Gandhi is now no more. Mr. Rajiv Gandhi is not a Member of this House.

SHRI K. K. MADHAVAN: I did not say Sanjay Gandhi. Sanjay is a Mahabharata figure. Have you read Mahabharata? He is a Hindu.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Order please Mr. Madhavan, please confine yourself to the subject under discussion.

SHRI K. K. MADHAVAN: Yes, yes, I am related to my subject and I am relevant to my subject. I do not deviate.

SHRI JAGDISH PRASAD MATHUR (Uttar Pradesh): Come back to Mahabharata.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): As Mr. Mathur has reminded you, you come back to Mahabharata now.

SHRI K. K. MADHAVAN: This is Mahabharata.

SHRI U. R. KRISHNAN: Sir, the references to Rajiv Gandhi should be expunged.

SHRI K. K. MADHAVAN: Now to attract the people. ...

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Please conclude now.

SHRI K. K. MADHAVAN: How can a political group or alliance consisting of 41 persons form a government without attracting at least 30 or 31 members from the other groups? That is the point, You cannot get 30 persons

All that you can get is just 23, 24 or 25 or something like that.

SHRI SYED SIBTE RAZI (Uttar Pradesh): Who are you to calculate these things? I think it is all irrelevant what you are talking.

SHRI K. K. MADHAVAN: Usually such questions originate from fools. Therefore, I do not expect a question like that from my learned friend.

In any case, by any calculation, by any method of arithmetical calculation 71 members cannot be there in coalition. So that being the arithmetical reality that even a primary school boy can understand, I do not know how the so-called political pandits sitting in Delhi, their counterparts sitting at Cochin or Trivandrum and their numerous counterparts moving around from Shillong to Gujarat and from Srinagar to the Cape, are all talking every day, day in and day out, of only one slogan: "An elected Government will be installed in power very shortly". Very shortly", as if they are going to give a Christmas present to the people of Kerala. Let them give a Christmas present to the people of Kerala by ensuring equitable distribution of essential commodities. We have done it. Sir. The former popular Government in Kerala had done it during the Onam festival. I challenge whether they can do it now. So their Christmas present is that a popular government will be brought into existence. Somebody told me that they are sitting there at Trivandrum or Cochin today to snake a government. And when they are reported to be sitting today for making a government, yesterday this Government brought in Supplementary Grants. That is much stranger. (*Time bell rings*).

In essence, it is an immoral practice, an illegal practice, constitutionally unlawful, politically immoral to instal a minority government in Kerala led by your small party. At what cost Kerala is prepared for an election. Are you -ready for an election? All that Kerala wants is to have immediate election

after the dissolution of the Assembly. That is all. Nothing less than that is practicable.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Thank you, Mr. Madha-van.

SHRI K. K. MADHAVAN: So, my demand is that instead of keeping this Assembly in suspended animation just to angle members by offers of political patronages, the Kerala Assembly should be dissolved with a view to having an expeditious election according to law and fully based on political morality. You have the Election Commission who will do your job. Let him do it. Ask him to do it. That is all. I oppose the suspended animation of the Assembly.

SHRI M. S. RAMACHANDRAN (Tamil Nadu): Mr. Vice-Chairman, Sir I rise to support the motion for approval and oppose the motion recommending to the President to revoke the proclamation. Sir, I have been listening with interest to the arguments of the previous speaker who claimed to have the sole knowledge about Keraia. Sir, though I do not possess that sole knowledge ' about Kerala....

SHRI PATTIAM RAJAN: He is from Kerala.

SHRI M. S. RAMACHANDRAN: I know. I am coming from a State which is near Kerala, which is very close to Kerala. (*Interruptions*).

SHRI SYED SHAHABUDDIN: That way the Home Minister should know very little about Kerala.

SHRI M. S. RAMACHANDRAN: A person cannot see around himself, but with the help of somebody who is close to him, he will be able to have a closer and better look about himself.

SHRI LAL K. ADVANI (Gujarat): By that token, Mr. Stephen would know nothing about Kerala.

SHRI M. S. RAMACHANDRAN: I do not say that. Just like that, Mr.

[Shri M. S. Ramachandran] Madhavan, coming from Kerala, has not been able to see his own back. As I am coming from a nearby State. I am in a position to see the backside of Kerala also.

SHRI K. K. MADHAVAN: Because you come through the backdoor.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): No interruptions, please.

SHRI M. S. RAMACHANDRAN: Mr. Madhavan, we allowed you to speak without interruptions. Sir, this is not the first time that the State of Kerala has been brought under President's rule.

SHRI PATTIAM RAJAN: This is the first time that the Assembly has been kept in suspended animation.

(Interruptions)

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Madhavan, you spoke for almost 25 minutes uninterruptedly. Nobody interrupted you. You please allow the other side to have its say.

SHRI K. K. MADHAVAN: I was interrupted so many times.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): No, you were not interrupted at all.

SHRI M. S. RAMACHANDRAN: In the whole country, Kerala is the only State which has been brought under President's rule so many times. It is really unfortunate for any democratic society. But though unfortunate, the conditions in Kerala are like that. We should learn to live with realities also. That way, in Kerala it has become a common tradition that Governments are formed with majority, sometimes without majority, and these Governments fall within a few months. Very few Governments in Kerala have lived their whole term of office. But, Sir, it is really surprising that of all people Mr. Madhavan has chosen to oppose this motion. Sir, I would like to remind the hon. Members of this House that this proclamation is there because

of the resignation of Mr. Nayanar's Ministry. But for Mr. Madhavan's party, that Ministry would not have resigned. The same party, the same people who brought about the collapse of the Ministry, are now coming and complaining against this proclamation. Mr. Madhavan himself admitted "We unanimously resolved to come out of the Ministry".

SHRI K. K. MADHAVAN: No, no.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Rama-chandran, why are you referring to Mr. Madhavan all the time and getting yourself interrupted? You go on factual positions.

SHRI M. S. RAMACHANDRAN: All right, I will speak without quoting anybody. The point is this. The Congress-S in Kerala Legislature decided to come out of the Ministry and it was that which brought the fall of that Ministry. It is not the Central Government or my party which was responsible for it. It is the weight of their own friends, the combination of group who have nothing in common among themselves. They were not able to carry on as a team. The so-called United Front had everything except unity among themselves. And it was that which brought about the fall. It is not our choice or desire that Nayanar Ministry should go.

Another complaint made against the Proclamation is that the Governor sent her recommendation on the very same day, within a few hours, that within that short period she could not have assessed the situation well, within that short period it could not have been possible for the Governor to come to a conclusion that no alternative Ministry was possible. I would like to ask my friends on the other side; It is true Nayanar Ministry resigned that evening. It is also true that the Governor sent her recommendation the same night or the same day. But did all the happenings take place overnight? Is it not a fact that weeks before, the people who wanted to come out of the Ministry, the same parties which were part of the GOT-

ernment, were making mutual accusations against each other and were saying "We have decided to come out and for that purpose we are convening our party meeting where we are going to take the decision"? Is it not a fact that for so many weeks and days these developments were taking place?, Is the Governor expected to make an assessment only after the actual resignation is handed over? Is the Governor expected to close her eyes and ears to all the developments taking place both inside and outside the Legislature and through all those meetings and all that? Therefore, the argument that the Governor's recommendation came too soon and therefore it was *mala fide*, is nothing but a formal argument and there is no sub-stance in it. Everybody knew even one month before the resignation was actually handed over, as to what was going to happen to the Ministry. Not only the Congress-S, there were several other constituents of the United Front. They openly criticised the Government, though the official fall was brought about by the congress-S. Kerala Congress (Mani Group) were also part of the Government....

AN HON. MEMBER: Not Mani, Maani.

SHRI M. S. RAMACHANDRAN: Whatever it is; I only read from English Mani, M-a-n-i. Anyway, thanks for your correction. They were also criticising the Government. Were any of those people induced by us to come out of the Government? Are we the people who made this United Front? Are we the people who brought this United Front to power? We are not the people who made the United Front and we are not the people who made them to form the Ministry. It is those parties who constituted the United Front....

SHRI HAREKRUSHNA MALLICK (Orissa): Is it English Mani or Malayalam Mani?

SHRI M. S. RAMACHANDRAN: Whether it is Maani or Mani is not a relevant factor. The point is that the

Nayanar Ministry went out of power by the weight of their own accumulated misdeeds, their inability to keep the United Front together and their inability to carry on as a team and to carry their other partners with them. It is because of these reasons that the Nayanar Ministry fell. As was stated earlier, more time is spent here not in opposing the Motion or in supporting the Motion, but on the question of forming an alternative Ministry. That is not the issue now. Whether an alternative Ministry is going to be there or not going to be there, is for the Members of the Kerala Legislative Assembly. This Motion has nothing to do with that. If any Party or any group of Parties is strong enough to satisfy the Governor, there will be a Ministry. But that is not the question here. The question here is whether the Proclamation was necessary or not and whether the Proclamation was recommended or not by the Governor after the voluntary resignation of the Nayanar Ministry. That is the only question. The question of alternative Ministry or its feasibility or otherwise is not relevant for this purpose. Secondly, objection is taken about not dissolving the Assembly and that too by the people belonging to the Party which has tried to form the alternative Government. Now, they are not in favour of dissolving the Assembly.. .

SHRI HAREKRUSHNA MALLICK: The question arises, how?

SHRI M. S. RAMACHANDRAN: I am not expected to answer you.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Do not reply to him.

SHRI M. S. RAMACHANDRAN: Certain parties who were in the Government, who were part of the United Front are as disunited as they are today. That is a different thing. But there is a considerable section of the Kerala Legislative Assembly who do not want dissolution of the Assembly and they want to probe the chances of forming an alternative Government..

SHRI HAREKRUSHNA MALLICK: Who are they?

SHRI M. S. RAMACHANDRAN: It is their right.

SHRI PATTIAM RAJAN: You want to purchase them.

SHRI M. S. RAMACHANDRAN: I am not speaking of these leaders of the Party who are nothing more than Dutch Generals without Army. I am not speaking of that General without the Army. I am speaking of the legislators who have a vote, who have a voice. The question is whether they want it or not the leaders who are not able to take their own people with them....

SHRI PATTIAM RAJAN: And you are going to purchase somebody.

SHRI M. S. RAMACHANDRAN: I am able to purchase somebody, it is because they are able to sell somebody. It is not my fault.

SHRI PATTIAM RAJAN: That is your politics. That is your Party's politics....
(Interruptions).

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Order, order.

SHRI M. S. RAMACHANDRAN: Unless they are willing to sell, I will not be able to purchase anybody

(Interruptions) I

seek your protection.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Order, order. What is your idea? Have you come here to disturb the proceedings? You will have your opportunity to reply to him. Let us conduct ourselves in a more orderly manner, please.

SHRI M. S. RAMACHANDRAN: Mr. Vice-Chairman, Sir, the first speaker touched upon certain things I am not touching upon any subject which was not touched upon by him. If he has got a right to refer to all those things, I have also got an equal right. I am now trying to reply to all the points sought to be made by him. When he is accusing

me of purchasing, I am telling him that unless he is a commodity which has come to the market for sale, I cannot purchase. (Interruptions). Are you a commodity available for sale in the market?
(Interruptions).

SHRI HAREKRUSHNA MALLICK: Sir, the honourable Member is saying that the legislators are a commodity which has come to the market for sale and he wants to purchase. It is wrong, Sir. (Interruptions).

SHRI SHRIDHAR WASUDEO DHABE (Maharashtra): Sir, is it parliamentary to refer to legislators as commodities? Sir, you are a senior parliamentarian and you should know whether this is to be allowed or not.

SHRI HAREKRUSHNA MALLICK: Sir, this is the Council of States, We represent the States and he is referring here to the State legislators as commodities. (Interruptions). This should not be allowed.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Ramachandran, may I request you not to go to the market business? Let us not talk of purchase or sale. You are making a good point and, therefore, confine yourself to saying that it is for the State Legislature to decide whether a group of parties can form the Government there or cannot form. That is enough. How this is done or this is not done, let us not go into that question.

SHRI M. S. RAMACHANDRAN: Mr. Vice-Chairman, Sir,

SHRI SYED SHAHABUDDIN: Mr. Vice-Chairman, Sir, I am on a point of order. My contention is that all references to the sale and purchase of legislators should be.....

SHRI HAREKRUSHNA MALLICK: Off the record.

SHRI SYED SHAHABUDDIN: taken off the record.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I will go through the proceedings.

SHRI SHRIDHAR WASUDEO DHABE: Sir, he has said that just now only. Can he say that the legislators are commodities to be purchased in the market? (*Interruptions*).

श्री शरीकुद्दीन शारिक (जम्मू और
काश्मीर): श्रीमान्दरेन साहब ने जो कहा
है उससे मेरा आश्चर्यजनक है। यह रिकार्ड
में आना चाहिए। दस्तावेजों ने सबित कर
दिया है कि वह कमोडिटी हैं।

[+ شری شریف الدین شاریق :
شہاب الدین صاحب نے جو کہا ہے
اس سے میرا اوجھکشن ہے - یہ
ریکارڈ میں آنا چاہئے - دل
بدلوں نے ثابت کر دیا ہے کہ یہ
کمڈٹی ہیں -]

"SHRI"" NARASINGHA PRASAD
NANDA: Sir, how can he say that?. .
(*Interruptions*).

THE VICE-CHAIRMAN (DR. RAFIQ
ZAKARIA): Please sit down. (*In-
terruptions*). Please sit down. I am on my
legs.

SHRI NARASINGHA PRASAD
NANDA: Kindly listen to me, Sir.

THE VICE-CHAIRMAN (DR. RAFIQ
ZAKARIA): Please sit down. I am standing. I
think it is a healthy development. But, to
decide whether certain things can be
expunged or cannot be expunged, I will have
to go according to the parliamentary
practices,....

SHRI LAL K. ADVANI: Yes.

THE VICE-CHAIRMAN (DR. RAFIQ
ZAKARIA): . . and only if I am satisfied that
those practices have in any

way been violated, the question of ex-
punction will arise. I think the debate has
been going on at a very high level and let us
keep it at that and let us not indulge in any
such exchanges.

SHRI NARASINGHA PRASAD
NANDA: Let him not take it to the market
place!

THE VICE-CHAIRMAN (DR. RAFIQ
ZAKARIA): Therefore, I would request you,
Mr. Ramachandran, to wind up now.

SHRI M. S. RAMACHANDRAN: Mr.
Vice-Chairman, Sir, with due respect to you,
I would like to say that you have been unfair
to me. I did not use the words "purchase" or
"sale" or "commodity" until I was accused of
purchasing.

THE VICE-CHAIRMAN (DR. RAFIQ
ZAKARIA): That is all right.

SHRI M. S. RAMACHANDRAN: Until I
was accused of that, I did not say that and I
only asked how there could be a purchase
without there being a commodity. I only
asked how there could be any purchase
without any market. I did not agree with their
argument.

THE VICE-CHAIRMAN (DR. RAFIQ
ZAKARIA): I agree with you that this
provocation came from that side. But the
provocation came unauthoris-edly. Bat your
speech is authorised. Therefore, please do not
react to these unauthorised interruptions. You
are absolutely justified in saying that you
only reacted.

SHRI M. S. RAMACHANDRAN: I only
reacted, Sir.

SHRI HAREKRUSHNA MALLICK: Sir.
I rise on a point of order.

THE VICE-CHAIRMAN (DR. RAFIQ
ZAKARIA): Dr. Mallick I will not allow
you. You have been interrupting the debate
all the time.

SHRI HAREKRUSHNA MALLICK: Sir.
you have said that these interruptions are
unauthorised. It is not a healthy thing. I say
this because the business of the Opposition
Members is to interrupt and interruptions
also

issued in

contribute to the debate. (*Interruptions*). Therefore, Sir, they cannot be called unauthorised. I would request you not to call them as unauthorised.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Of course, they are unauthorised. So, your point of order is overruled. Unless you catch the eye of the presiding officer and he has permitted it, it is unauthorised. The Rules are quite clear.

SHRI M. S. RAMACHANDRAN: Mr. Vice-Chairman, Sir, in conclusion, I submit that the formation of an alternate Ministry is irrelevant. The elected Government resigned on their own, on account of their inability to continue to keep as united as they wanted to be. After the resignation of the Ministry it was the duty of the Governor to make a suitable recommendation to the Central Government and accordingly the recommendation was received, and the Central Government, in a bona fide manner, have acted on that recommendation. Therefore, that motion is valid.

With these words, I support the Resolution and oppose the motion of my hon. colleague. (*Interruptions*).

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Advani.

**श्री लालकृष्ण आडवानी : उप-भाष्य
महोदय . . .**

AN HON. MEMBER: Why can't you speak in English?

(*Interruptions*)

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Since it concerns Kerala where the other language is better understood... (*Interruptions*)

SHRI V. GOPALSAMY (Tamil Nadu): You are well-versed in English.

SHRI LAL K. ADVANI: Mr. Vice-Chairman, Sir, I have been thinking all the while in Hindi.

Sir, I rise to oppose the Resolution that has been moved by the Union Home Minister, though I found myself *lightly hesitant in endorsing the motion that has been moved by Mr. Shahabuddin, for a reason I would like

to explain, and for a reason which I would like the Rajya Sabha Secretariat to take cognizance of. Unlike the case of Ordinances where a statutory motion can be given notice of for disapproval of the Ordinance, in case of Proclamation for President's rule in a State a Member of this House is not entitled to give notice of disapproval of that motion, and instead, we are required to move a motion for revocation of the Proclamation. This is the Secretariat procedure because of which, I am sure, my colleague, Mr. Shahabuddin, has had to move that motion. But my stand is not that President's rule should be revoked from Kerala. That is not my stand, because if I am going to endorse that motion that would mean that President's rule has to be lifted from Kerala, whereas I would start by saying that in Kerala, following the resignation of the Nayanar Government, a constitutional crisis did arise, warranting Central intervention. My objection is, and that objection has already been voiced by Mr. Shahabuddin and Mr. Madhavan, that in this particular case, when the situation was very clear, crystal clear, I with my friend Mr. Nayanar, before he had resigned, had formally given his advice also. It would not have been heeded; in many cases in the past, I know an outgoing government has given that advice and the Governor has not accepted it; it has been rejected. Here also I have a little doubt that Mr. Nayanar had formally given the advice for dissolution and holding fresh election, the Governor would have rejected it and done exactly what she has done now. But perhaps the case of the Nayanar Government, in so far as we are concerned, would have been stronger. I view it from the point of view that Mr. Nayanar also, after tendering his /resignation, made an announcement that I am of the view that in this particular situation the only way out is, fresh election. It happens that on both the days—first, when the Congress (S) decided to withdraw its support to the Nayanar Government, and subsequently, again, when the Mani Group decided to withdraw its sup-

[Shri Lal K. Advani] port to the Nayanar Government—he wanted to tender his resignation.

On both these days I happened to be in Kerala and my natural reaction on both the occasions was that **here** is a situation in which any new Government that is formed will have no mandate of the people and secondly it was unlikely to last. Therefore, President's rule should be imposed and fresh election held. Now, **Sir**, first of all I start with this particular point. Mr. Madhavan said that keeping the Assembly in animated suspension is illegal and unconstitutional. He used all these words. I do not know if this matter has been tested in a court of law. I would certainly say that it may be unconstitutional or not, but this device of keeping the Assembly in animated suspension is an extraconstitutional device. It may not be illegal and it may not be unconstitutional. But it is certainly an extra-constitutional device, never even contemplated by the makers of the Constitution. You go through the entire Constituent Assembly's proceedings and you will never find any reference to this kind of a situation where a constitutional crisis develops in a State and the Central Government proceeds to keep the Assembly in animated suspension. This is, something that was never envisaged and never contemplated. It was only in the late sixties that they started it.

SHRI NARASINGHA PRASAD NANDA: This is the crux. That is why we are opposing it.

SHRI LAL K. ADVANI; Mr. -Vice-Chairman Sir, I would suggest that in this particular situation, instead of the formal motion for revoking,

the Union Home Minister, if he is willing to accept our advice, can take recourse to Article 356(2) under which he can either revoke a proclamation or vary a proclamation. My insistence would be that he should vary this proclamation and dissolve the State Assembly and go in for fresh elections. He should ask the people to elect the Government of their choice. Last year, in 1980, they elected the Government. At that time, there were two broad camps in Kerala. One was the camp headed by the Marxists and the other camp was headed by Congress (I). At that time, Congress (S) was in the Marxist camp. The people of Kerala voted for the Left Democratic Front. They formed a Government and this Government lasted hardly 21 months. In fact, I notice that this is the **11th** Kerala Government to fall during the last 25 years. This year, the Kerala State is observing its Silver Jubilee. Twenty-five years are over and during these 25 years, then have been 11 Governments till now out of which the only Government which lasted its full term or which lasted more than its full tenure was the Achuta Menon Government. It had a life of 6-1/2 years or 7 years, thanks to the emergency. That is a different matter. But all the others had an average life span of less than 2 years invariably. I am referring to this because this is the first time when the Assembly is kept in animated suspension. In all the other cases, the Assembly was straightaway dissolved. This is the first time when it was not dissolved and kept in animated suspension. There have been occasions in the past when the advice of dissolution given by **the** Governor has been opposed by the opposition Members here. I remember that in 1971 when the Orissa Assembly was dissolved many of us criticised it because we felt that the opposition was in a position to form the Government. Sir, at that time, the Minister of State for Home Affairs was Mr. K. C. Pant and what he

[Shri Lal K. Advani] said while replying to the objections raised by the opposition was very significant. It was in 1971 in Orissa. He said:

"If the Governor had recommended suspension of the Assembly thereby giving a chance to the various parties to do some horse-trading, I think, the House would have taken objection to that. That I can understand. But I cannot understand how any advice given by the Governor that the House be dissolved straight away—not giving any chance for horse-trading, and all parties should go back to the people and then come back and form the Government—how can this be called undemocratic?" This is the reply given to the objections raised from this side by the Minister of State for Home Affairs, Mr. K. C. Pant. This itself would clearly show that the Government did realise that when you keep an Assembly under suspended animation which on the basis of the figures before the Governor should have made it obvious that in this situation no stable Government is possible. Perhaps Nayanar's Government, if it had decided to continue as a minority Government, I would have said that it had every right to say, 'unless we are defeated in the Assembly, we are not going to resign; we can muster support even from the non-Marxists'. They did not say it, and they tendered their resignation. In a way, they did the right thing. I will come to that part of why they resigned and why the Government fell later on. I will certainly deal with it very briefly because my friend from the other side spoke something that the Marxists were to be blamed. I also agree with him. We are not discussing that part so much today as what the Central Government has done. And, so, Sir, I would like to point out that in almost all cases of suspended animation, in almost all cases—there may be one or two exceptions, I do not

know; I have been going through the Library trying to identify which are the cases where the Central Government decided to dissolve an Assembly and which are the cases where the Central Government decided to go in for suspended animation—what I find is that in 1967, there was the Manipur Government headed by L. Thombo Singh. He was the Chief Minister. That Government resigned. The Assembly was kept in suspended animation. In February, 1968 the SVD Government headed by Mr. Charan Singh resigned. It was placed under suspended animation. In July, 1969, the SVD Government headed by Shri Bhola Paswan Shastri—he is not there—fell. And the Assembly was placed under suspended animation. In March, 1970, the Ajoy Mukherjee Government of West Bengal resigned and it was kept in suspended animation. In October, 1970, another SVD Government headed by Mr. Charan Singh was dismissed and the Assembly was kept under suspended animation. In 1971, the Veerendra Patil Government of Mysore—it was Congress (U)—fell and the Assembly was kept in suspended animation. In 1971, another Opposition non-Congress Government, headed by Singh Deo in Orissa resigned and the Assembly was kept under suspended animation. All these cases referred to cases headed by non-Congress parties, non-Congress Chief Ministers, where there is a possibility of a Congress Government coming in its place. Wherever there is a possibility of a Congress Government coming in its place this is the device that is resorted to. And in all other cases, almost invariably, the Assembly was dissolved, so much so it appears that even after three or four months of the elections, the Assembly was dissolved. I can tell you such cases. It is a very interesting study. This is the treatise prepared by the Indian Institute of Advanced Studies in Simla. And it is certainly very disturbing how this distinction between the dissolution

and the suspended animation is drawn purely for partisan reasons. Absolutely there is nothing else. In fact, in West Bengal, the Assembly was dissolved in 1971 just three months after the elections. The elections had taken place. And three months after the elections the Assembly was dissolved. Otherwise, at least, at that particular point of time, there was justification that, only recently the elections have been held and let us see if there is a possibility of another Government being formed.

Sir, an objection was taken to what Shri Shahabuddin said that after all what had taken place did not take place overnight. Shri Ramachandran was saying that after all there was a course of events started from the withdrawal of support by the Congress (S) Party and that Mrs. Jyoti Venkatachalam, the Governor of the State was familiar with the goings on. And, therefore, when she got the resignation, something that she was aware of, she took a prompt decision, because what is more crucial is whether, between the receipt of the resignation and submitting of a report to the President she at all tried to contact any political party other than the Congress (I) as to whether there is any possibility. Did she try to do that? And, so far as I am aware, nothing was done; absolutely nothing was done. Straightaway, it was, in a way, a command performance, so it seems to us. It was a command performance and it was executed. Sir it is, therefore, that I strongly object to this device of keeping an Assembly in animated suspension. I strongly object to it. I regard it as constitutionally dubious and politically immoral, particularly if it had not been applied in all cases. All right, if an election has been held within six months and the Government falls, we will keep the Assembly in animated suspension only to ensure that the people are not put to the bother of another election so soon. So many cases I can cite out. It has been given in this book. But

my submission is that in the case of Kerala, particularly when the outgoing Chief Minister also was of the view that the Assembly should be dissolved and elections should be held, in that given situation it is transparent it is very obvious that the Government wanted to do some horse-trading and wheeling-dealing and encourage defectors. Now, I have been shocked to hear that when there are people willing to be bought, why should he not buy them. This is the attitude. It is like this: If there are officials in the Government, in the bureaucracy, willing to be corrupted, why should we not corrupt them. This is that kind of an argument. I would say that if there are legislators who are willing to be bought, this itself is shameful that the ruling party should be willing to buy them, the ruling party which commands the whole country today, which is in office at the Centre and which is in office in so many States. That it should be wanting to buy them that is even more disgraceful and more shameful. Therefore, this kind of an argument should never be advanced.

SHRI M. S. RAMACHANDRAN: That is not how I said it. I did not react in that manner when they were accusing me of buying. I said, unless you were willing to be sold, I cannot buy. I never said, I am out in the market for purchasing. I want to be corrected.

(Interruptions)

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Advani will take care of it, you do not worry.

SHRI NARASINGHA PRASAD NANDA (Orissa): Are you sure Mr. Advani will be able to take care of it without the help of Dr. Mallick? He is an eminent parliamentarian.

SHRI LAL K. ADVANI: I remember it was in the month of April earlier this year that my party held a Convention in Kerala and at that

[Shri Lal K. Advani]

Convention we had drawn the attention of the Government to the fact that law and order was likely to prove its Achilles' heel. We differ in ideologies with the Marxists. But right from the time that Mr. Stephen made that statement about throwing the Marxists Governments in the Arabian Sea or something like that, or another Minister from Bengal making a statement about the West Bengal Government, several statements were made, right since then we have been very clear that in our political set up, under our Constitution, a Government that has been duly elected by the people, whether we agree with it or not, whether we like its ideology or not, it must be allowed its full term, and the Central Government should not use its leverage to topple that Government. And, therefore, even though in Kerala my party has had to bear the brunt of the physical assaults of the violence, even then right up to the end we said, no, there is no question of our agreeing to Central intervention in Kerala. In April 1981 this year we advised the Marxist Government of Kerala that the politics of violence that was being indulged in there was likely to alienate that Government not only from the people but also from its front partners. Perhaps, if they had heeded this advice, this thing would not have come about.

But it did come about and I have not the slightest doubt that the Congress (I) may be wanting what has happened long back, but at least they did not do it and it was the Marxist Government itself that is responsible for the ultimate collapse of the Government there.

So far as the Congress (S) is concerned, I have been very happy to hear the spokesman of the party here today saying in very categorical term that he is opposed to the formation of a Congress (I) Govern-

ment assisted by Congress (S). Some of his colleagues in Kerala itself may not agree with it, they are going in a different direction. Yet that is the official position of the party and I welcome it. I appreciate it because there is such a thing as political mandate and the Congress (S) cannot forget that its political mandate in 1980 was an anti-Congress (I) mandate and it was elected against Congress (I). So, when it decided that in protest against the politics of violence being indulged in Kerala, it would walk out of the Government, it was perfectly justified. When they made the statement that they will sit in the opposition in Kerala, I appreciated it. But the day these goings-on started that they were likely to form a Government along with Congress (I), I said that this is against the mandate given by the people and there is no justification for it. I am very happy that the party as such as disapproved of it and has made a very categorical statement in this regard.

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS AND
DEPARTMENT OF PARLIAMENTARY
AFFAIRS (SHRI P.
VENKATASUBBAIAH): There is no party
there.

श्री लाल कृष्ण आडवाणी : कुछ
कीमत चुकाने को तैयार हैं तो सब कुछ हो
जाता है। यह तो इच्छा होती है न कि भाई
कुछ भी हो जाय, कम्प्रोमाईज करना
पड़े कर लो लेकिन किसी न किसी रूप से
अपने लोगों को बचाये रखो। इसी के कारण
बहुत सारे नुकसान हुए हैं। ... (अवधान)

Sir, I hope that everyone learns from what happened in Kerala that when a political party, particularly a political party in power, tries to induct antisocial elements for promotion of its political ends and a nexus develops between the ruling party and the underworld, as has developed in very many States wherever Congress (I) is in office, that underworld and those

anti-social elements are one day going to put you to trouble. I know that very many people in the Marxist Government and in the Marxist party at the leadership level did not want that situation to come up, but a stage arrived when it was absolutely beyond their control. And if this kind of situation has arisen in Kerala, it can arise elsewhere also, in other States also where Congress (I) happens to be in power. This is one of the most important lessons one should draw from the happenings in Kerala.

Sir, in this context I would also like to say that after all, how long is this suspense going to last? Mr. Stephen says by the end of November, Congress (I) Government will be in office. Then he says, by the end of December, first it was November and then by the end of December, his party will be in power. And today someone said here that it may not be possible in December, it may be next year. Sir, is there any end to this? After all, everyone is perturbed by what has happened in Kerala and they think that because there are no hard and fast rules as to the time limit within which an election has to be held, the executive and the Government are determined to avail of these loopholes to the maximum and to ensure that elections are postponed indefinitely again and again. It has happened in Garhwal, it has happened in Delhi itself under the nose of the Central Government. The Union Home Minister is responsible for it. For the last more than 1^{1/2} years, Delhi is without any democratic institution. Neither the Metropolitan Council is there nor the Corporation is there. In this context, Sir, I would like to point out that there are elections due next year which are scheduled to be held. Election in Haryana is scheduled, election in Himachal Pradesh is scheduled and election in West Bengal is scheduled, and already there is a talk that perhaps some of these elections may not be held even after the term expires. I would particularly refer to West Bengal and

I would like the Home Minister to make a categorical declaration here in this House that by the end of June, all these three elections would be held and there will be no postponement of the elections under any flimsy pretext.

AN HON. MEMBER: What about Delhi?

SHRI LAL K. ADVANI: Delhi, of course, is long overdue. I am not talking about Delhi, because in the case of Delhi, it is obvious, that for the last one and a half years, the Government says that it is not possible to carry on the administration of Delhi in accordance with the provisions of the Delhi Administration Act. When we were in power in March 1980, at that time, it was said, this justification was given. It was a partisan thing. But at least it was said that it is not possible. After 1980, you have been in office. Your Government has been ruling Delhi. Even then when you say that it is not possible to carry on the administration of Delhi, in accordance with the provisions of the Delhi Administration Act, what is it except a confession of total incompetence and failure which it is not really speaking, it is only your reluctance to face the electorate, the fear that you will be ousted and defeated in Delhi. This fear is so overwhelming that you feel that if Garhwal or Delhi or some such crucial elections go against you, then, the whole world will be over and there will be a fiasco. This kind of fear it is which really makes you take this stand.

Therefore, first of all, I would like the Assembly in Kerala to be dissolved, and the people of Kerala given a fresh opportunity to elect a Government of their choice. Secondly, so far as the elections due are concerned namely, in Haryana, Himachal Pradesh and West Bengal, and those which are overdue, namely, Delhi and others, it should be stated in this House very clearly as to when they propose to hold the elections. Thank you, Sir.

SHRI K. CHATHUNNI MASTER (Kerala); Mr. Vice-Chairman, Sir, I rise to oppose the Resolution moved by +he hon. Home Minister. First of all, I agree with the views and opinions expressed by hon. friends from this side. Sir, as a consequence of the Proclamation by the President, the Kerala Assembly has been kept under suspended animation. For what? What is going on there? A naked horse-trading, as explained by Mr. Advani. A complete, naked horse-trading is going on there, which is being abetted by the Home Ministry, under the leadership of the Home Minister, especially, Mr. Makwana and especially by our hon. Mr. Stephen. The Assembly in Kerala has been kept under suspended animation only for the purpose of horse-trading. But is this a credible stand, according to our Constitution? No Sir. This is not consistent with the spirit of the Constitution and this is opposed to all the traditions and conventions of Parliamentary practice. They are using it for horse-trading, so that they can form an alternative Ministry, even if it is a minority Ministry. Our hon. Minister, Mr. Stephen, has widely quoted from Ivor Jennings, that a minority Ministry can be formed. Sir, the intention of this Duryodana Swarga, this suspended animation, is clearly for a naked horse-trading.

Therefore, Sir, first of all, I want that the Kerala Assembly should be dissolved immediately and a mid-term election should be held in Kerala. This is our first demand. Sir, the Nayanar Government has been toppled, abetted by the Home Ministry. The Home Ministry used its fertile resources, including the CBI, to topple the Government in Kerala. They tried to encourage defections from other Parties and they tried to endanger the left and democratic unity in Kerala. You are most illegally and Immorally using the Home Ministry, its resources and the CBI.

I charge this Government that it is playing with fire. This is not good for our democratic set-up. Mr. Makwana is especially in charge of that. He came to Kerala many a time. He was one of the leaders who raised the question of the break-down of law and order in Kerala. Is there any comparison in the law and order of Kerala with the other Congress-ruled States? Will you say it from your heart?

AN HON. MEMBER: There is no heart.

SHRI K. CHATHUNNI MASTER: Is there any comparison? The law and order situation in Kerala, particularly during the Nayanar Ministry, was thousand times better than in any other Congress-I ruled States in our country. Of course, I express my regret also, there were some political murders even when the Nayanar Ministry was in power, but this is the problem of Kerala alone. What is the position in U.P., Bihar and all other Congress-I ruled States? I ask Mr. Makwana, after the presidential rule was imposed in Kerala, what has happened there? Within seven weeks forty murders have taken place there. Out of these 40 murders 23 were political murders. Out of these 23, 18 of the victims were Marxist workers and sympathisers. The head of one Marxist worker has been chopped off in Tengappa. Cruelty is going on there. You are only shedding crocodile tears. Within seven weeks of the President's rule 40 murders have taken place. This hue and cry has been raised under the leadership of our Home Minister, Mr. Makwana, to topple the Government. This propaganda has resulted in top-pling of the Government. The second art of toppling is the so-called suspended animation of the Assembly to purchase, to do horse-trading and to form another government under the leadership of the Congress-I. The main animosity or the main fury against the

Nayanar Ministry comes from the policy of that Government.

(Interruptions). I am not yielding.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI YOGENDRA MAKWANA): Sir, the reply is to be given by the Home Minister. I would like to point out to the hon. Member that it was Congress (S) and particularly those who were in the Cabinet, who started saying that there was no law and order. The demand was made by the youth president of the Congress(S). I can give the name of the youth president.

SHRI PATTIAM RAJAN: I am on a point of order. This is not correct. When a Member is speaking, he cannot get up. ..

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): If he is making an in-corect statement.... (Interruptions). Order, order please. Please sit down. I have allowed him.

SHRI YOGENDRA MAKWANA: And, Sir, this CPM leader and the former Chief Minister, Mr. Achutha Menon, has written an article in the 'Mainstream' in which he has said. ..

SHRI PATTIAM RAJAN: This is a political statement which he is making. This is not a fair thing.

SHRI YOGENDRA MAKWANA: So, it is not I but it is they who started it.

SHRI HUKMDEO NARAYAN YADAV (Bihar): On a point of order.

SHRI K. CHATHUNNI MASTER: Home Minister was the first man to raise the hue and cry on the law and order problem. Then somebody in the ruling Front also did it. But he is culprit No. 1.

(Interruptions)

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): You please sit down. I do not allow you. He is replying to it.

SHRI K. CHATHUNNI MASTER: So we demand that you immediately dissolve the Assembly and order an interim election. The Central Government has taken animosity to the Nayanar Ministry because of the policies that that Government pursued. Take, for example, the pension for the agricultural workers. Is there any comparison in any other State? Then its public distribution system has been acclaimed all over India. This kind of pro-people policy that the Government pursued there is not to the liking of the Central Government. That Government also pursued a policy which was especially pro-people to the weaker sections of the society. We know what is going on in Bihar, Orissa, UP and other Congress I ruled States and what attacks are being made on the weaker sections. Was there any attack against the Harijans in Kerala like the ones that took place in U.P. or Bihar? So this kind of pro-people Policies had taken ground under that Government and you have toppled that Ministry and the United Front. You feared that if such a united Front came on the national plane, what will happen to you at the Centre? Your party will be finished. So calculatingly you toppled that Government and the United Front. Are you prepared to have the guts to dissolve the Assembly immediately and hold interim elections? The people of Kerala will once again teach you a lesson. The people of Kerala will once again emerge united under the Left Democratic Front, with added strength, with added people's support and teach you a lesson once again. This is the challenge. Are you prepared to take this challenge? Please have guts, dissolve the Assembly and hold interim elections.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Thank you for having finished the speech.

SHRI SADASHIV BAGAITKAR (Maharashtra): Before I say anything,

my good friend, trade-unionist, Mr. Ramachandran, is not here, I am so sorry that in his enthusiasm he supported the political black-legs, which no trade-unionist should ever do.

श्रीमन्, जो प्रस्ताव रखा गया है और जिस के बारे में बहस चल रही है असल में यह समस्या राज्य सभा में आर्टिकल 356 की हमेशा आती रहती है और उसकी शुरुआत 1967 के चुनाव के बाद हो गयी थी जब राज्यों में अलग-अलग दलों की सरकारें आयीं और सही मायनों में हमारे संविधान का फेडरल स्ट्रक्चर कैसा हो, कैसा रहना चाहिए, उस पर अनन्त जैसे होगा, यह बात सामने आयी, तब से जो बातें आडवाणी जी ने कहीं या हमारे दूसरे मित्रों ने कही, वे बातें शुरू हो गयीं और आर्टिकल 356 का इस्तेमाल खुलेआम राजनीतिक दृष्टि से होने लगा। वरना कोई कारण नहीं है। मैं यह मंत्री जी से पूछना चाहता हूँ कि इसमें कौन सी नैतिकता को आपने बढ़ावा दिया है। जब केरल की सरकार एक हाँ टिकट पर चुनकर आई थी, वह ऐसा नहीं बनी थी कि अलग-अलग दलों के लिए चुनकर आई है और मेजारिटो पेश करने के लिए उन्होंने ऐसेम्बली पार्टी कायम की हो। वह स्थिति नहीं थी। केरल में लेफ्ट डेमोक्रेटिक फ्रंट के टिकट पर कांग्रेस, सी० पी० एम० और दूसरे लोग चुनकर आये हैं तो क्या लोक तंत्र का यह तकाजा नहीं है कि जब मेन्डेट लोगों ने कामना आदमी को दिया है, लेफ्ट डेमोक्रेटिक फ्रंट को दिया है तो इसमें कौन सी राजनीतिक नैतिकता है कि आपने यह बहाना किया कि मेजारिटो नहीं है, इसलिए ऐसेम्बली एनिग्रेशन में रहेगी और दुबारा चुनाव

नहीं होगा? अगर आपके मन में राजनीतिक ईमानदारी थी तो तकाजा यह था कि आप दुबारा चुनाव कराते। लेकिन यह उसके लिए तैयार नहीं और इसका कारण यह है कि जो घटनायें केरल में हुई हैं, इनकी लम्बी पृष्ठभूमि है और आप लोगों को जो मंशा है कि आप देश के बहुत सारे राज्यों में आप आधिपत्य जमाये हुए हैं, इससे आपको सन्तोष नहीं है और आप को ऐसा लग रहा है कि देश के हर राज्य में आपका आधिपत्य होना चाहिए।

श्री पी० एन० सुकुल : आप नहीं चाहते हैं क्या ऐसा ? सब चाहते हैं ?

श्री सदाशिव बागाईतकर : दल के आधिपत्य की बात नहीं है। दल के आधिपत्य से आप खातदान के आधिपत्य की तरफ जाते हैं, आप आगे बढ़ गये हैं। इसीलिए मैं आज आपको आगाह कर रहा हूँ कि जो भाषण परसों प्रधान मंत्री जी ने शान्तिनिकेतन में दिया और प्रधान मंत्री जी ने वहाँ जाकर यह बयान किया कि बंगाल में ला एण्ड आर्डर की स्थिति खतरनाक बन चुकी है...

श्री पी० एन० सुकुल : सही बात है।

E VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Sukul, please. I have to get the Bill passed.

श्री सदाशिव बागाईतकर : सही आपको पता है, सच्चाई दूसरी है। अभी बताया गया कि राष्ट्रपति शासन के दो महीने के अन्दर 40 लोगों का कदल केरल में हो गया है। तो यह कहा जाता है कि राष्ट्रपति शासन आये और आपका शासन आये तो ला एण्ड आर्डर की स्थिति सुधर जाती है, यह आप जरा दबी हुई आवाज में बोलिए।

आपको जो करना है वह तो राजनीतिक फैसला आपका है। लेकिन दुर्भाग्य हम लोगों का यह है कि जब संविधान बनाने वालों ने संविधान बनाया तो दुर्भाग्यवश यह नहीं सोचा था कि आगे चलकर जो राज्यपाल आयेंगे, जो राजनीतिज्ञ नए आयेंगे, यह, इस किस्म के होंगे कि जिन मूल्यों पर, जिन व्यवस्था पर, जिस राजनीतिक नैतिकता व आचरण पर उनका विश्वास था, उससे विपरीत दिशा में जाने वाले लोग आयेंगे।... (व्यवधान)

उपसभापति (डा० रफीक जकारिया):
गवर्नर तो आपका ही बनाये हुए है।
(व्यवधान)

SHRI SYED SIBTE RAZI: Point of order. I would like to remind my colleague that in June, 1977 with a stroke of pen nine elected Assemblies were dissolved. I think he has forgotten it. I would like to remind him about it. (Interruptions) He talked of morality and so I had to get up.

THE VICE-CHAIRMAN (DR. RAEIQ ZAKARIA): You should have reminded Mr. Advani. He was a part of that Government.

श्री सदाशिव बागाईतकर : श्रीमन्, इसका जस्टिफिकेशन इसमें आपको मिल गया। आइवाशो जो ने उल्लेख किया था कि संविधान में जो आर्टिकल 356 रखा गया था तब यह उम्मीद नहीं की गई थी कि इसका उपयोग इस तरह से राजनीतिक दलगत स्वार्थ के लिये किया जाएगा। इसलिये मैं कहना चाहता हूँ कि संविधान बनाने वाले जो हमारे लोग थे, नेता लोग थे, उन्होंने कभी यह नहीं सोचा था कि इतना विपरीत दिशा में जाने वाला कोई राजनीतिक दल देश में बनेगा, सत्ता पर रहेगा, केन्द्र में आएगा और इन सब धाराओं का विपरीत दृष्टि से अर्थ लगाकर इस्तेमाल करेगा। यह समस्या शुरू हुई 67 में।

पहली बार यह समस्या खड़ी हुई जब केन्द्र में किसी दल का शासन था और 7 या 8 राज्यों में किसी और दल का शासन था।

एक माननीय सदस्य : डिफेंशन से पैदा हुआ।

श्री सदाशिव बागाईतकर : संविधान का जो फ्रेमवर्क, संघीय ढांचा है उस संघीय ढांचे की परीक्षा इन्हीं स्थितियों में हो सकती है। संविधान का कोई यह अर्थ लगाये कि चूंकि केन्द्र में बहुमत है वही बहुमत सब जगह अंगर नहीं होता है तो संविधान के विपरीत है तो यह ठीक नहीं है। यह किया जा रहा है। माधवन साहब ने बताया था कि केरल में यह किया जा रहा है इसलिये वहां की सरकार बर्खास्त की गई। यह कहा जा रहा है कि वहां ऐसी कोई सरकार नहीं रह सकती जिसका नजरिया, केन्द्र में जो सरकार है, उसके नजरिये से अलग हो। ऐसी सरकार का रखना लोगों के हित में नहीं है। यह जो बुला प्रचार केरल में किया जा रहा है इस तरफ आपका ध्यान खींचना चाहता हूँ। इसका यह मतलब होता है कि आज के शासक दल ने, आज की कॉलिंग पार्टी ने, कांग्रेस (आई) ने यह कहा है कि हमारी सरकार केन्द्र में है इसलिये हर किसी राज्य में हमारे ही लोगों का शासन रहेगा और किसी को शासन में रहने का अधिकार नहीं है। यह है विपरीत दृष्टि। आधिपत्य की मने बात कहो है। आधिपत्य की जो कल्पना है अब उसका दोबारा बढ़ते-बढ़ते ऐसा बढ़ रहा है कि आज की कॉलिंग पार्टी भी नाम के वास्ते रह गई है। आपको कोई डिस्ट्रिक्ट कांग्रेस कमेटी नहीं है। मकवाणा साहब आपकी पुराना इतिहास याद होगा।

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): You address me, Mr. Bagaitkar.

श्री सदाशिव बागाईतकर : हम इनको पुराना इतिहास याद दिला रहे हैं। (व्यवधान)
आप लोगों की जो पुरानी संस्थाएं थीं वे लोक-

[श्री सदाशिव बागईतकर]

संघ को बनाए रखने में मदद कर सकते थीं। आप ही पुराने जो भी डिस्ट्रिक्ट कांग्रेस कमेटो, मांवे में कांग्रेस कमेटो में लेकर आल इंडिया कांग्रेस कमेटो और पार्लियामेंटरी बोर्ड तक जो संस्थाएं थी वे लोकतंत्र की नीति को, लोकतंत्र के माहौल को, लोकतंत्र के अधिकार को सुरक्षित करने में मदद कर सकती थीं। क्या आप कह सकते हैं कि जब किसी दल के अंदर लोकतंत्र मर जाए तब वह दल देश में लोकतंत्र कायम रख सकेगा? (व्यवधान) यह कभी नहीं हो सकता। लोकतंत्र तभी बननेगा, तभी मजबूत होगा जब लोकतंत्र में काम करने वाले दलों के अंदर लोकतंत्र की चाह रहे, लोकतंत्र को कार्यपद्धति रहे। आपके स्टोफन साहब ने वहां जाकर कुछ उल्लेख किया है। वह कौन है? उनका उल्लेख करने का क्या मतलब है? उन्होंने केरल में यह फर्माया है 1 have brought a red carpet for defectors. लोकतंत्र में जो आपको आस्था है उसका यह सबूत है। (व्यवधान) आपके कैबिनेट के मंत्रों, कुछ नेता जो स्वयं दल-बदल रहे हैं, वह कह रहे हैं कि पार्टी टूटेगी और पार्टी से जो छलग होकर हमारे पास आयेंगे उनका स्वागत करने के लिये हम खड़े हैं। ओमन, आपने राज्यपाला को नियुक्त किया। ये राज्यपाल किसके लिये काम कर रहे हैं? क्या वे प्रेजिडेंट के नुमाइन्दे हैं? क्या वे प्रधानमंत्री के नुमाइन्दे हैं? राज्यपाला का जो नियुक्ति का जा रही है, मैं पूछना चाहता हूं वे राज्यपाल किस के प्रतिनिधित्व करते हैं? (व्यवधान) संविधान में जो रखा गया है राज्यपालों को वह किस 3.00 के लिये रखा गया है? राज्यपालों को राज्यों P.M. में इसलिए नहीं रखा गया है कि वे प्रधान मंत्री के एजेंट के रूप में जासूसी का काम करें। राज्यों में राज्यपालों को नियुक्ति इसलिए की गई है कि वे इंडिपेंडेंट रह कर एक आन-जेक्टिव तरीके से स्थिति का अवलोकन और मूल्यांकन करें। ऐसी हालत में यह सवाल

पैदा होता है कि यह सारा फ्राइसेस क्यों पैदा हुआ है? अगर शासक दल के मन में लोकतंत्री मूल्यों के प्रति आस्था है तो मैं उसका समर्थन करता हूं। लेकिन ऐसा लगता है कि लोकतंत्री मूल्यों के प्रति आपके मन में कोई आस्था नहीं है। अगर आप में हिम्मत है तो आप केरल में चुनाव क्यों नहीं कराते हैं? आपने जिस तरीके से नयनार की मिनिसट्री का अन्त किया है और वहां पर राष्ट्रपति का शासन लागू किया है उससे लोगों के मन में एक शक पैदा होता है। हमारा यह दावा है कि केरल में आप जब भी चुनावों पर जाएं, आपको सफलता नहीं मिलने वाली है। चाहें आप केरल में आज चुनाव कराएँ या छः महीने बाद चुनाव कराएँ, केरल के लोग आपका समर्थन करने वाले नहीं हैं। अगर आप चार महीने बाद केरल में चुनाव कराते हैं और आपको मेजोरिटी नहीं मिलती है या आपके अभी जितने सदस्य वहां पर हैं वे भी घट जाते हैं तो क्या यह सदन और इस देश की जनता आपका जवाब-तलब कर सकेगी और जो काम आपने किये हैं, क्या देश की जनता उनको कुकरा नहीं देगी? इसलिए आज आप जिन अधिकारों को लेकर यहां पर बैठे हुए हैं, क्या आप उनको छोड़ देंगे? इसलिए शासक दल को इस बात पर विचार करना चाहिए कि जो सही रास्ता है और जो संविधान का रास्ता है उस पर उसको चलना चाहिए। श्री स्थिति यह है कि शासक दल को यह नीति है कि जो दूसरे दलों के प्रतिबंधित है उनके साथ वह विपरीत नीति का पालन करती है। किसी भी राज्य में किसी भी सरकार को जब तक जनता का समर्थन प्राप्त है तब तक उसको अधिकार में रहने का हक हासिल है। इसी संदर्भ में आपको सेन्ट्रल और स्टेट के रिलेशन पर विचार करना चाहिए। मैं चाहता हूं कि आपने केरल में सबसे बड़ा जो घृणित काम किया है उसको आप समाप्त करिये।

• issued in

आपको चाहिए था कि जब तक आप राज्यपाल के साथ कंसलटेशन करते तब तक नयनार की गवर्नमेन्ट को रहने देते। आपने उनकी सरकार को हटा दिया। बाद में आप सारा कंसलटेशन करते रहे। नयनार वाज दी इलेक्टेड लीडर आफ दी स्टेट एसेम्बली। उसको आपने हटा दिया। राज्यपाल को आपने अपनी पार्टी का राज्य स्थापित करने के लिए एक हथकंडे के रूप में स्तेमाल किया है। आज वहाँ पर आप डिफेक्शन कराने जा रहे हैं। लेकिन मैं यह कहना चाहता हूँ कि इस डिफेक्शन से भी आपको सफलता मिलने वाली नहीं है। राज्य में एसेम्बली में जो मेम्बरस हैं उनमें से सिर्फ 69 ही आपके साथ रहने वाले हैं। उनकी संख्या आपकी इच्छा के मुताबिक नहीं होने वाली है। इसलिए मैं साफ तौर पर कहना चाहता हूँ कि एल० डी० एफ० के पास उतने मेम्बर नहीं होने वाले हैं जितने आप चाहते हैं। यह मैं इसलिये कह रहा हूँ कि 1954 में पट्टनयानु पिल्ले ने 11 लोगों की मेजोरिटी पर माइनोरिटी की गवर्नमेन्ट चलाई है। जिनके पास 69 सदस्य हैं वे आपसे ज्यादा सक्षम कम से कम हैं। जिनके पास 49-39 हैं उनसे ज्यादा 69 वालों को मौका मिलना चाहिए, इस लाजिक को आप अमान्य कर रहे हैं। इसलिये मैं श्रीमन्, इसका विरोध कर रहा हूँ क्योंकि शासनदल, कांग्रेस (आई) के अधिपत्य की तस्क बढ़ते हुए कदम अखिरकार देश के लोकतंत्र को मिटा देंगे और इतना ही नहीं दल भी आपका नहीं रहेगा और एक खानदान के हाथ में आप देश को फंसा देंगे। इसलिये उसका विरोध करने के लिये मैं इसका विरोध कर रहा हूँ। इतनी बात कहकर मैं अपनी बात समाप्त करता हूँ।

SHRI M. KALYANASUNDARAM (Tamil Nadu): Sir, I rise to oppose the motion moved by the honourable Home Minister and I have no other *go* but to support the motion moved by my friend on this side, because that is the way in which we can give our amendment. That is the reason why I have also signed it. The fact that Mr. Nayanar tendered his resignation the moment some of the constituent par-ties left the Front shows that we Com-munists want to function this democratic system as conceived by our Constitution ...

SHRI RAMANAND YADAV (Bihar): Which system? With your ulterior mo-tives ...

SHRI M. KALYANASUNDARAM: Democratic system. Democracy for the people, our democracy is for the people, not democracy for the exploiters.

The point is we have to take strong objection to keeping the Assembly in the so-called animated suspension—a new term conceived only recently. That was forcefully explained by my honourable friend, Mr. L. K. Advani I do not want to repeat ...

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Not recently. Mr. Advani traced the whole history.

SHRI M. KALYANASUNDARAM—He has very emphatically put it, how it has been used as a contrivance. Now, the President of India should *suo motu*—I think Mr. Advani and others will join with me on this point—refer this matter to the Supreme Court and get its legal opinion as to whether such a thing was allowed under our Constitution. I leave it at that. Now what can possibly be done? Mr. Makwana protests when we say that his skilful hand has been there behind it. It is a process. Con-gress-I Government here does not

[Shri M. Kalyanasundaram]
want any other party to rule in any State. That seems to be their stand— whether it is run by the Janata Party or the congress Party. It is against our Constitution, against the objective of Indian Union ...

SHRI RAMANAND YADAV: What about Tripura and West Bengal?

SHRI M. KALYANASUNDARAM: You cannot do it. My dear friend Yadav, please wait ...

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Kalyanasundaram, you pleased confine yourself to your speech.

SHRI M. KALYANASUNDARAM: Let them learn at least from Tamil Nadu. What happened there? In Tamil Nadu also the same thing happened. That Ministry was dismissed. In the Parliamentary elections the party was defeated. But in the Assembly again the Anna-DMK Ministry, with the support of all our parties, came to power. So, in Kerala also the same thing will happen, a stronger left and democratic front will emerge there and come to power. Therefore, don't play with it. At least have respect for the Constitution, at least have concern for Indian unity. Under the Constitution ours is a federal structure (*Interruptions*) . Do not interrupt me. When you get a chance, you can speak.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Why do you interrupt the speaker?

SHRI M. KALYANASUNDARAM: The time is coming when my friend, Mr. Gopalsamy, will also repent for what he is doing.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Do not get discribed. Your trend of thinking gets unnecessarily discribed.

SHRI M. KALYANASUNDARAM: I thank you for the advice.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): You ignore the interruption.

SHRI M. KALYANASUNDARAM: We believe in unity in diversity. Do not interfere with Governments of the States run by different parties. That principle should be adhered to. We are being asked; Are we responsible for the resignation of the Ministry?, He asked like that. I do not say that you were responsible. But what was the attitude right from the date when the Left Democratic Government came to power? It was one of confrontation. The tallest leader of Kerala—not now—did not get even a seat there and for that he wants to take vengeance against the people of Kerala. I appeal to people like Mr. Stephen— Mr. Makwana may not be interested in Kerala ...

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): But he will be happy to know that you have called him the tallest leader of Kerala.

SHRI M. KALYANASUNDARAM: Physically.

SHRI LAL K. ADVANI: That statement is being questioned from the Chair.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I am not questioning. I am questioning because it comes from that side.

SHRI M. KALYANASUNDARAM: I have qualified it. He wants to take vengeance against people of Kerala.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I am not on that. That is your opinion.

SHRI M. KALYANASUNDARAM: It is not possible for the Congress(I), however much they try, to impose a minority Ministry on Kerala people, with all their skill in horse trading. It is a pity that a section of the Congress (S) got annoyed with their senior partner for some reason or other and left the United Front. ..

AN HON. MEMBER; What about the political murders there?

SHRI M. KALYANASUNDARAM: It is happening in other places also.

SHRI SYED SHAHABUDDIN: Not more than in Bihar at any rate.

SHRI K. K. MADHAVAN: You see today's Indian Express editorial under the heading; "In Mishra's Bihar.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Madhavan, please do not interrupt. I am sorry I will have to ask you to finish your speech, If you are disturbed by these interruptions.

SHRI M. KALYANASUNDARAM: But you must protect me from these interruptions.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I am protecting you by requesting you not to react to the interruptions.

SHRI M. KALYANASUNDARAM: All I can say is that I will not reply to interruptions. But I cannot speak when they are speaking.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): There I will come to your protection.

SHRI SYED SIBTE RAZI: If he reacts he will be a reactionary.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Ignore it. Hereafter, no interruption made without my consent, will be recorded. Please go ahead.

SHRI M. KALYANASUNDARAM: I was saying that anger should be avoided in politics. To spite their faces, they are cutting their noses. Some of the people who left the Left Democratic Front in Kerala will soon repent their action. I leave it at that. But it is impossible to foist a minority Government there. If the Home Minister had brought forward a Motion for dissolving the Assembly

or if the Notification contained a clause dissolving the Assembly also, we would have supported it. It is because that was our demand. Both the CPI and the CPM, which have a membership of 52 in that House, have demanded the dissolution of the Assembly. Although Mr. Nayanar did not send a letter alongwith his resignation for the dissolution, immediatery thereafter, the very next day, both the Communist Parties have demanded the dissolution of the Assembly there. So, if it had been done, there would have been no difficulty. That would have been in the best interest of Kerala. Whether this Front comes or that Front comes is not the point now. Even for the Cong. (s)-led group, led by my friend, Mr. Anthony, it would have been better and it would have been better for Mr. Anthony. We have always held him in high esteem for his integrity. But, unfortunately, he has taken this extreme step and under what pressure, I do not know.

SHRI K. K. MADHAVAN: He has walked into the parlour of reaction.

SHRI M. KALYANASUNDARAM: Perhaps.
(Interruptions)

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Now you are reacting. Don't react.

SHRI M. KALYANASUNDARAM: All right. Sir, this is an extreme step and for this extreme step, he will regret. It is not in his interest and it is not the interest of his party and it is not in the interest of the State of Kerala. Sir, the Kerala people have a glorious tradition and it is a State of which all of us should be proud. It cannot move to the right at all, whatever may happen. No Government, which does not get the support of the left parties in Kerala, can last even for three months, even if it comes to power. That is the position there and that is the people of Kerala. So, don't try all these things and thus bring disgrace to our Constitution. So, Sir, I appeal to the Gover-

[Shri M. Kalyanasundaram] nor to dissolve the Assembly immediately. Even if you succeed in producing a majority—they are trying nearly for the past two months—it will not last. They have been trying for this for the last two months and they could get only 61 whereas this combination, our combination, although we do not have a majority, has 67.

SHRI PATTIAM RAJAN: It is 69.

SHRI M. KALYANASUNDARAM: We have a strength of 69 and yet we have not said that we would form the Government there. We have not said that. The CPM and the CPI could have said that they would form the Ministry there. We are 69. Why not then? But we did not say that because we did not want to do that. We wanted only the dissolution of the Assembly and the holding of the elections immediately, within the next three months. That is our demand. Because the Government is refusing that, because the Government is resorting to this kind of intrigues, political intrigues, we are opposing the Resolution moved by the Home Minister. Let the Home Minister reply and then we will tell you about our further course of action.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Now, the last speaker is Mr. Kulkarni. Yes, Mr. Kulkarni. Please be very brief

SHRI ARVIND GANESH KULKARNI: Mr. Vice-Chairman, Sir, I stand here to oppose the Resolution moved by the Home Minister. In this connection, Sir, I have to place before the Home Minister . . .

SHRI V. GOPALSAMY: Sir, the lady Members are laughing.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Gopalsamy, Please do not interrupt. We are already late and unnecessarily you delay the pro-ceedings.

SHRI ARVIND GANESH KULKARNI: Sir, I have not yet spoken a word even.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): That is all right. Do not react to interruptions.

SHRI ARVIND GANESH KULKARNI: It seems that the whole House loves me. I will take it that way only, Sir. Now, Sir, let me make out a case for opposing the Resolution moved by the Home Minister.

Sir, at the outset, I would like to say that the Home Ministry is itself, what you call, the ninth or tenth wonder of the world. Its outfit is the tenth wonder of the world. (Interruptions). Here is the Home Minister. (Interruptions). I cannot listen to you properly. If you want me to react, I will put on the earphones.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Don't do that.

SHRI ARVIND GANESH KULKARNI: I will use them. Otherwise, I cannot listen to what they are saying.

SHRI V. GOPALSAMY: They are simply laughing.

SHRI ARVIND GANESH KULKARNI: I do not mind that. Ladies are my good friends and I will take care of them.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I do not understand what objection you can have. When you described the Home Ministry as the tenth wonder of this world, you meant it as a humorous remark only and so they are laughing.

(Interruptions)

SHRI ARVIND GANESH KULKARNI: Yes, What is wrong with

that? (*Interruptions*). I think the Vice-Chairman also agrees that it is the tenth wonder of this world. (*Interruptions*) But, Sir, you also liked it. (*Interruptions*) The point is, you are also laughing. (*Interruptions*). It is the tenth wonder of the world, in the sense that personally I have great respect for my friend, Mr. Zail Singh, and I really like him, he is a very good man, but the way in which he is running the Home Ministry is the 10th wonder of the world. As I said, he creates more problems than he can solve. Second, Sir, his lieutenant, Mr. Makwana, is another good friend of mine—a young man. Sir, he is creating problems for all the other States, including his own State. (*Interruptions*) But the strategy adopted by him he has taken to other States. In his own State, his wife and other MLAs join together and create problems for him—Thakurs or Rajputs (*Interruptions*) Madam, what are you talking? You come here and sit here so that I will give you all the replies, (*Interruptions*).

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Kulkarni, please.... (*Interruptions*).

SHRI ARVIND GANESH KULKARNI: At the outset, Sir, Mr. Makwana created problems by going and visiting Kerala and saying that the law and order problem is the greatest menace in Kerala. Sir, I would also quote from the 'Sunday'. But you have no time for me. Here it is Bihar. Just see your Chief Minister eating some 'laddus' or something like that and...

एक माननीय सदस्य : हलुआ ।
श्री अरविन्द गणेश कुलकर्णी : वह
हलुआ बोलो, लड्डू बोलो, कुछ भी बोलो ।

— (*Interruptions*) Anything. Some thing he is eating which is sweet. He is not eating poison which he should have eaten. (*Interruptions*) Here the picture and the information given has been really summarised by Mr. Prem Shankar Jha. He says: "The Congress...,"

It means the ruling Congress, not our Congress.

"The Congress ... is seeking the help of dacoits and criminals in Uttar Pradesh, Bihar and Madhya Pradesh."

This is the certificate given by. ..

AN HON. MEMBER: What is it?

SHRI ARVIND GANESH KULKARNI: This is 'Times of India' dated 7th December. Sir, this is how the Home Ministry is working. That is why, Sir, I made this comment for consideration.

Then, Sir, I now come to a serious part, and it is an appeal to all my friends on that side. Somebody said here that the Janata Government also has dissolved various State Governments. Sir, it was not the Congress which I belong to. Sir, on that occasion we criticized the attitude of the Central Government to dissolve the Assemblies for their own partisan purposes. I think, a person like Mr. Morarji Desai, who preaches morality in and out of season, has had no reason to dissolve the Governments at that time being run by the Congress Party. (*Interruptions*) Whatever it is, he has had no reason at all. What morality is he going to talk when he himself has succumbed in this connection. Sir, I am not pleading for that type of political morality. No political party adopt such morality. Mr. Advani has given us a really very important information. I think I also as a Congressman share some responsibility, because I was in the United Congress at that time. It seems now, very lately the use of article 356 or whatever it is, has been more misused than properly used. What is the sum total of this? The sum total of this is that the credibility of the political system is in doubt, the credibility of the political parties is in doubt, whether it is the ruling Congress party or any other political party. Do we desire in this country that our government should go on and let the country go to dogs and our posterity, our children, will

[Shri Arvind Ganesh Kulkarni]

take from us and they will have to apply their shoulders to the development and growth of this country? This country has such potential of development and such potential of technical knowledge, that it can have a place of pride in the comity of the world. I do think that the ruling Congress Party and the other parties would apply their minds and decide whether the time has not come to act seriously and create an atmosphere of credibility in the people. Otherwise, the entire democratic structure will collapse. I am not one of those who allege that Mrs. Indira Gandhi is interested in authoritarianism. she is the daughter of Pandit Jawaharlal Nehru and I do believe that she has faith in the democratic set-up. In administration sometimes some hard decisions and actions have to be taken. The point is that the credibility of the system is in doubt. That is why I also mention the point raised by Mr. Advani and other friends about using the political machinery, dacoits, goondas, unsocial elements, anti-social elements, smugglers and all those who look for political benefits. This will lead us to dooms-day whereby the count will be completely lost to all the values which we have inherited and which Mahatama Gandhi and Pandit Nehru have given to us. (*Time Bell sings*) I require at least 10 minutes. For heaven's sake, please.

VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): All right.

SHRI ARVIND GANESH KULKARNI: Let me make my point. This is a serious discussion. Another point about which I want to talk is defections. I am really embarrassed to talk about defections. What can I talk of defections when 30 per cent of the membership of that party now in Rajya Sabha belongs to the defectors? I can understand those Members who have come on Congress(I) ticket. I have no quarrel with them. Let them have their ideology. But they have induced

Members from various parties and the biggest contribution has been made by my party. I am aware of that. This is a party of defectors and what type of morality or political credibility it will have.

श्रीमती उषा मल्होत्रा (हिमाचल प्रदेश):
आप ग्रैंड एलाएंस की बात कर रहे हैं
या हमारी पार्टी की कर रहे हैं?

SHRI ARVIND GANESH KUL-KARNI: Madam, what you have to do with that grand alliance? You will be just like a joker there. You have no place in that.

SHRIMATI USHA MALHOTRA: We do not want a grand alliance. We have enough Members and we are in majority.

SHRI ARVIND GANESH KUL-KARNI: Madam, my party does not require sycophants.

SHRIMATI USHA MALHOTRA: You are talking about the Government at the Centre. We are talking about the States.

SHRI RAMANAND YADAV: Point of order.

उपसभाध्यक्ष जी, श्री कलकर्णी
साहब जो बहुत सीजन्ड पार्लियामेंट मेंबर हैं,
संसद के माने-जाने सदस्य हैं, संसदीय
शब्दों के जानकार आदमी हैं उन्होंने
एक सम्प्रान्त महिला सदस्या के लिए
जो इस हाउस में उन की कुलीन हैं
'जोकर' शब्द का प्रयोग किया है जो
अनपार्लियामेंटरी है ।

SHRIMATI USHA MALHOTRA: Take back your words.

SHRI NARASINGHA PRASAD NANDA: Sir, Mr. Yadav's objection is that it has been used against a wrong person and it should have been used against the right person.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Yadav, I would like to go through the proceedings and see if it is unparliamentary or not. But I do not know exactly. Mr. Kulkarni speaks in half sentences very often. So, whether it was for the Party or for

the Lady Member, I will have to go through the proceedings. But, may I request Mr. Kulkarni to leave the subject and go to the other subject now?

(Interruptions) SHRIMATI

USHA MALHOTRA: You have no right to say that.

SHRI RAMANAND YADAV: It is hitting below the belt.

(Interruptions)

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I will go through the proceedings.

श्री लाडलो मोहन निगम (मध्य प्रदेश):
राम नन्द जी ने कहा है कि "जोकर" शब्द
सम्बन्धी है या नहीं। केवल यही अभिव्यक्ति
उन्होंने किया है।

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Nigam, please sit down. I will request Mr. Kulkarni to show a little more chivalry towards lady Members.

SHRI NARASINGHA PRASAD NANDA: Sir, I fully agree with you that...

SHRI ARVIND GANESH KULKARNI: Sir, I want to. . . .(Interruptions) sir, in fact, I have always been chivalrous. I always use good words for all my friends, whether on this side or on that side. Sir, I never said and I never meant what you call any disrespect for anybody. But, Sir, these are the parliamentary repartees. Sir, here is a book of the Secretariat about what is unparliamentary. Whatever I used is not unparliamentary.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I will go through the proceedings.

SHRI ARVIND GANESH KULKARNI: 'Joker' is of a party as such; it is not an individual. That is what I wanted to say.

SHRIMATI MONIKA DAS (Karnataka): Sir, I am on a point of order. What he said was unparliamentary.

SHRIMATI USHA MALHOTRA: What does he mean?

"कि आपकी पार्टी ने जोकर जैसा व्यवहार किया।"

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Never mind. Mrs. Malhotra, as far as I remember, Mr. Kulkarni said that in the Grand Alliance, you will be a joker. This is what Mr. Kulkarni has said. That I would like to go through, as I said, whether it is unparliamentary or not. I request Mr. Kulkarni to show a little more chivalry towards lady Members. (Interruptions) Please sit down. I think, for any of us, to describe our sisters sitting on any side of the House as jokers is not in good taste. Whether it is unparliamentary or not, I do not know. Whether it has to be expunged or not, I do not know. But certainly we can avoid such expressions.

SHRIMATI MONIKA DAS: Sir, I am on a point of order.

(Interruptions)

SHRI ARVIND GANESH KULKARNI: Sir, it is very kind of you to say that. I was on the contrary giving, what you call, a compliment to my hon. friend, the lady Member, that she will look as a joker because the Grand Alliance might be of jokers also, and if you want to come into that, it is your choice, Madam. So, Sir, I never said that. That was never my wish.

SHRIMATI MONIKA DAS: Some time back he was calling her 'Mataji'. Now, he is telling joker. What is this?

(Interruptions)

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Kulkarni, you have invited this. Please go to the other subject.

(Interruptions)

SHRIMATI USHA MALHOTRA: Sir, I will not allow him to proceed. He will have to take it back. (Interruptions)

[Shrimati Ushs Malhotra] This is the level of your debate. I am shocked. (*Interruptions*). Sir, I am on a point of order. I will not allow him.

श्री जे० के० जैन (मध्य प्रदेश) :
श्रीमान्, मेरा प्वाइंट ऑफ आर्डर है । मेरा आपसे निवेदन यह है कि जरा आप प्रोसीडिंग्स देख लीजिए यदि कोई ऐसी घटिया बात इन्होंने कही है जो कि ये हमेशा कहते रहते हैं और ये आदी हो गये हैं, अभी 8-10 रोज पहले की बात है, इन्हीं के माननीय सदस्य पील मोदी, जो सभासद से यहाँ नहीं हैं, ने ऐसे शब्द कहे थे और इन्होंने माफी मांगी थी । इनको महिलाओं का सम्मान करना ही चाहिए । इसलिए आप इनको कहिये कि क्षमायाचना करें और क्षमायाचना करने के साथ साथ प्रोसीडिंग्स से इनके शब्दों को निकाल दें ।

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I will go through the proceedings. Now, Mr. Kulkarni, please start.

SHRI J. K. JAIN: Sir, please go through the proceedings first. We all would like to know your decision.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Jain, I have said that I will go through the proceedings. I have already asked for the proceedings. (*Interruptions*). But, in the mean time don't you want the House to proceed? Let Mr. Kulkarni proceed.

SHRI J. K. JAIN: Ask him what did he say? Sir, my humble submission is that you may kindly go through the proceedings.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Mr. Jain, it is not a question of asking Mr. Kulkarni what he said. It is a question of going through the proceedings. We will have to see the record. As soon as the record comes before me, I will go through it. Mr. Kulkarni may say that he did not say it. Let us see the record.

SHRI J. K. JAIN: Then it will be possible only tomorrow.

• THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): No, no, I will decide it now. Yes, Mr. Kulkarni.

SHRI ARVIND GANESH KULKARNI: Sir, I take objection to what my colleague, Mr. Jain has said. He has said that I am in the habit of speaking like this. Sir, I may point out that I have not got that habit. I am always chivalrous and I have got the highest respect for all those Members sitting there. We may have a difference of opinion . . .

SHRI J. K. JAIN: You go on abusing and accusing, that is not chivalry. You go on abusing and accusing anybody and everybody, that is not chivalry.

(*Interruptions*)

SHRI ARVIND GANESH KULKARNI: Sir, what I was discussing was the credibility of the political systems for which all the parties, including the ruling party, and all the Members had to be very careful in nursing this democracy for which the credibility of the political parties is very much necessary. In that connection, Sir, I would again object to the Proclamation and say that this animated suspension of the Assembly is nothing else but a device to kill political parties and entire defectors in the ruling party. That is why I do request the Government that such play and such use of strong arm methods in encouraging defection in political parties is a very nefarious act and will ultimately kill democracy and the political system in our country.

As regards my party's attitude, Mr. Madhavan has rightly elaborated it. But I would request Mr. Antony, who holds the highest respect in our party, that he may take proper care and separate chaff from the grain and does not play in the hands of the ruling party because the ruling party has got the habit of finishing the political parties and personalities whoever have joined

them afterwards. But all those who have joined, will face it one day or the other.

Sir, I now want to make the last two points. Sir, here is an article again in the Times of India. I want to quote but not the whole quotation. Here, Sir, they say: Why the defections, particularly of M.Ps. and M.L.As.? Here is the quotation. Members here will agree that *Times of India* is a very responsible paper and they will at least think one hundred times before criticising the M.L.As. and M.Ps. I need not go through it. It is a problem not related to what they say. Actually, the loyalty which has been assured to the ruling party from the MLAs. and the MPs. etc. is due to distribution of favours. And, Sir, they are playing the same game in Kerala. I may allege that the ruling Congress is playing the same game in Kerala of distributing favours to gain the allegiance of the MLAs. who are going to sustain the Government run by the ruling party. What is there if you had dissolved the Assembly? I do not find anything what comes in the way of your dissolution. If you think that your rule is not only democratic, but constructive and developmental, why are you afraid of having elections in Kerala?

I don't mention here the law and order situation. What happened in Deholi? They talk of Janata rule and what happened in Belchi and on the Harijans. Now what happened in Deholi? What is happening in Delhi? And the Home Minister is sitting here. You take out any page of the newspaper everyday. I do not want to mention each and every newspaper here. What is the law and order position today? What is happening to ladies, to children? What is the position with regard to dacoits, and other gangs? So, I think this is another attempt on the part of the Government and if they order for elections in Kerala, at least, we can ap-

preciate that the democratic traditions laid down by our predecessors are upheld.

We are left-of-the-centre, we claim we are socialists. We may differ on certain points with Marxists but that does not mean that Marxists are anti-national. We may differ on some points with the BJP, but I never claim that the BJP are an anti-national party. We also differ with you on certain matters. We may be a small party, I do not boast that my party is a big party but I do claim that my party has got some moral, some credibility, some motivation for the highest standards in public life and in political life of the country. In this connection . . .

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA); Please conclude, you have taken 25 minutes.

SHRI ARVIND GANESH KUL-KARNI: Total 25 minutes, out of which 15 minutes were taken by my friends on that side and Poor Kul-karni got only 10 minutes. I will just finish.

So, I would request the Home Minister to once for all make up your mind whether it is in regard to Kerala or Assam. But the acid test will now come in Assam. If you allow a Government in Kerala, here is an opposition party—all the opposition parties are united—in Assam claiming near majority but they are not allowed because that does not suit you because you have got a different prescription for Assam. You have got a different motivation there. I am not against any minority Government or any minority class but their prescription is to woo a certain class of people. In Kerala you have got a different prescription because you want to break Congress (S). This type of opportunism, this type of attitude will harm democracy and it will be bad for the country that under Shrimati Indira Gandhi's leadership, the country was not allowed to cherish and nourish the

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democratic practices laid down by Pandit Nehru and Mahatma Gandhi.

SHRI SYED SHAHABUDDIN: Mr. Vice-Chairman, Sir, I listened carefully to the Home Minister's statement moving the Statutory Resolution for the approval of the President's Proclamation. I sought, in vain,—he was speaking after me—that he would rebut the points I had made. He did not. Indeed, the only point he made was that the Proclamation should be approved because the Constitutional deadline of two months is about to be over. As you know, this started on the 21st October and we are very close to 21st December. But I do not suppose, this is an adequate reason for the House to approve this Proclamation.

Sir, two issues, two very concrete issues, have crystallized in the course of this debate. The first issue is, what was the time interval between the submission of resignation by the Nayanar Government and the advice, tendering of the advice, by the Governor to the President? Does the Constitution presuppose some application of mind some effort, on the part of the Governor?; to satisfy himself or herself? I am yet to know from anyone whether any such effort was made, whether there was any application of mind? Relevant also is the time interval between the tendering of the advice by the Governor and the Proclamation by the President. Again, was there an application of mind? Was everything set, a stage was set, for the take-over? Nobody has yet defended the action of the Central Government this action which was taken in haste. '

The second point which has crystallized during this debate is, the question of suspended animation of the Assembly. Why did the Government choose not to dissolve the Assembly, but rather to keep it under suspended animation?. This term 'suspended animation' is rather interesting. This reminds me of puppets. You know puppets are animated from time to time and sometimes, their animation is sus-

pending. I hope, the Constitutional vision of this Government or that of the Home Minister does not presuppose that legislators and State Governments are like puppets, to be admitted and deanimated at will. I think, my distinguished colleague, Mr. Advani, has rendered a signal service to this House and to Parliament by bringing to our attention the occasions in the past, on which the Party which is ruling today, kept Assemblies under suspended animation. And, he brought it out very clearly that every time the choice between dissolution and suspended animation was politically guided. It was based on the consideration, whether, in a given situation in a particular State, at a time when the Government in that State had lost its majority, was there or was there not a possibility of the ruling Party, the Congress I, forming a Government. It was purely a political decision. It had nothing to do with the Constitution. In fact, as Mr. Advani has said, the Constitution does not speak of suspended animation at all. If the practice has come into being, it is purely an extra-Constitutional practice. This is the second point which has emerged from this debate.

My submission, however, is, that on receipt of resignation from the Nayanar Government, the Governor should have within the shortest possible time, made an effort to And out whether an alternative Government, a viable alternative Government, could be formed by any other Party in the State. He could have given, or she could have given, some time to each of them in succession. After going through this exercise within ten days perhaps, within a week perhaps, the Governor would have been justified in advising the President "No; I see no possibility that this Assembly, with its present political structure, can sustain a viable and a stable Government. Then, the Governor's advice would have been 'Impose President's Raj; let the Proclamation be issued and the Assembly be dissolved." That would have been the correct practice. That was not followed. So, Sir, that is Why I allege that the action of the Governor and the action

of the Government in this instance is mala fide. It was a premature decision, a decision based on political considerations and I feel that in a situation which demanded caution, in a situation where angels would have been afraid to tread, the Governor acted in haste, the Government acted in haste. Heavens would not have fallen. I do not think that the political violence in Kerala would have reached unimaginable proportions if the Government had acted with some caution, with some patience and given a little time for the political situation to re-crystallise in the best interest of democracy. You are not giving the people of Kerala their democratic right to choose a new Government. What you are trying to do is to impose a Government especially through defections, through horse-trading and through political bargaining. That is not the way of serving democracy or serving the political system.

That is why, Sir, I submit to the House and I once again appeal to the House that they should reject the Motion for the approval of the Statutory Resolution moved by the hon. Home Minister and support the motion for revocation that I have moved.

ज्ञानी जैल सिंह : माननीय वाइस चैयरमैन साहब, मैं उस के सम्माननीय सदस्यों...

श्री जे० के० जैन : मेरा व्यवस्था का प्रश्न है। कुलकर्णी साहब से हिताब करना है। उस प्रिण्ट आफ आर्डर का क्या हुआ ?

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I have called for the proceedings. They are getting typed. They will come to me and before the House is adjourned I shall see to it that I give my ruling.

श्री जे० के० जैन : मेरा निवेदन है कि मंत्री जी का बयान होने से पहले आप यह पढ़कर सुना दें। क्या कहा है उन्होंने ?

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I haven't got the record. How can I give the ruling? Yes, Mr. Home Minister please.

ज्ञानी जैल सिंह : आनरेबल मेम्बर साहबान ने इस डिबेट में बहुत कुछ कंट्राडिक्ट किया। मैं सब का मशकूर हूँ। जो बहुत का, डिस्कशन का एंड है, उनमें मैंने यह पाया है, आपने भी यह पाया होगा कि हाउस के हर बाल के मेम्बर ने प्रेसीडेंट रूल के खिलाफ नहीं कहा। उन्होंने सिर्फ एक बात कही है कि यह रेजोल्यूशन क्यों नहीं किया। सस्पेंशन एनीमेशन नहीं चाहते थे और उसके बाद भी उन्होंने कहा कि नहीं, दुस्त किया है। तो मैं समझता हूँ कि जो रेजोल्यूशन जनाब साहबुद्दीन साहब ने पेश किया मेरे खाल से मैं उनका बड़ा अदब करता हूँ क्योंकि वे एडमिनिस्ट्रेटर भी रहे हैं और पोलिटीशियन भी रहे हैं हम लोग पोलिटीशियन एडमिनिस्ट्रेशन की गलती कर दें, तो जुदा बात है लेकिन जिन्होंने सारी उम्र एडमिनिस्ट्रेशन में गुजारी हो और आखिरी उम्र में पोलिटीशियन बन गये हों ... (व्यवधान) ... उनको दोनों बातों का खाल रखना चाहिए था, एक तरफ वे कहते हैं कि रिवोक कर दो प्रेसीडेंट रूल, रिवोक करने की बात करेंगे, उनका रेजोल्यूशन यह है। अगर आज उन के रेजोल्यूशन के हक में वोट दे दें और प्रेसीडेंट को कहा जाय कि वे रिवोक करें प्रेसीडेंट रूल तो केरल का क्या होगा ? केरल में कोई पार्टी गवर्नमेंट तो नहीं बना सकती। फिर क्या होगा, फिर क्या होगा, कोई रास्ता होगा ? यानी यह कभी-कभी होता है ऐसा कि भाई प्रेसीडेंट रूल रिवोक करो मगर रिवोक करने के बाद यह उपदेश न दो कि आप इलेक्शन करा दो। मैं आडवाणी जी का बड़ा मशकूर हूँ कि उन्होंने इस बात को स्पष्ट किया

[शानी जैल सिंह]

हम सस्पेंडिड एनीमेशन के हक में नहीं हैं और उन्होंने यह भी कहा कि प्रजोडेंट रून रहना चाहिये। क्योंकि यह यथार्थ बात है प्रेजोडेंट रून होगा तभी इलेक्शन होगा और कोई रास्ता नहीं है। इसलिए...

श्री लाल कृष्ण आडवाणी: तो आप मान लीजिये।

शानी जैल सिंह: मैं अभी तक मानने तक नहीं पहुँचा हूँ मैं आपकी बुद्धिमानी की प्रशंसा करता हूँ। एक रोजनेबल बात, जो होती है जरूरी नहीं कि वह एक्स्पेक्टबल होती है। बात आपको एक्स्पेक्टबल नहीं है लेकिन रोजनेबल है। इसलिए मेरा उपादा काम तो इन्होंने कर दिया है।

SHRI M. KALYANASUNDARAM: The Minister will not accept what is reasonable.

शानी जैल सिंह: रामचन्द्रन जो, जो केरल के बहुत नजदोक हैं उन्होंने जितनी दलोलें थीं हमारे महाबुद्धीन जो को उनको डिमोलिश कर दिया और अब मैं दोबारा कुछ कहूँ तो हाउस का वक्त जाया होगा। इसलिए मैं महाबुद्धीन साहब से कहूँगा कि आपको तो गवर्नर की श्लाघा करनी चाहिये थी
that she is a very efficient Governor.

उन्होंने डिले नहीं किया, पेंडिंग नहीं रखा। कोई काम पेंडिंग रखना अच्छी बात नहीं है। हमारे कुलकर्णी जो बड़े बुजुर्ग आदमी देखने में लगते हैं शायद उम्र में न हों। लेकिन उन्होंने बड़ा मेहरबानी कर के मेरी श्लाघा कर दी और श्लाघा करने के बाद खपाल आया कि पार्टी वाले पूछेंगे कि इस तरफ बैठ कर होम मिनिस्टर को श्लाघा करते हो। तो फिर उन्होंने कह दिया कि प्रोब्लम सासव नहीं करते बल्कि क्रियेट

करते हैं। खैर शक्ति को तो मानते हो यह तो उनकी बात है हो। मगर मैं मशकूर हूँ इनकी पार्टी का जिसकी वजह से वहाँ पर प्रेजोडेंट रून आया। सरकार टूटती नहीं थी, लेकिन इनके आपस में मतभेद हो गये। हमारे दोस्त केरल से आए हुए माधवन जो ने बड़ी लम्बी चाँड़ी तकरीर पेश की। मैं सोच रहा था यह कांग्रेस (एस) में तकरीर कर रहे हैं या हाउस में कर रहे हैं, अपनी पार्टी का रोना रो रहे हैं, वह बुरा था, वह भला था हमने फैसला किया। फैसले में तो बात थी कि इस गवर्नमेंट से बाहर निकल आओ। जो बेचारे छोड़ कर निकल आए, चार मसीहों को छोड़ कर उनको कहते हैं पावर हंगरी। मता पास करा के आए...

SHRI SYED SIBTE RAZI: Sir, the Member concerned is sleeping. He should be reminded.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Never mind if he is sleeping.

GIANI ZAIL SINGH: Who is sleeping?

SHRI SYED SIBTE RAZI: Mr. Madhavan.

शानी जैल सिंह: नहीं नहीं, माधवन जो सोये हुए नहीं हैं। लगता है जैसे सोये हुए हैं। तो मैं इन बातों को समझने में कासिर हूँ कि कौन सी बात इनकी मानी जाए। तो कुलकर्णी जी को मैं राय दूँगा। उन्होंने हमको राय दी मैं उनको भी राय देता हूँ। जब पार्टी गिरावट की तरफ चली जाए। जो डिफेक्शन का एक्सपर्ट हो, उस पार्टी का प्रेजोडेंट हो जिन्होंने यही पार्टी छोड़ी हो और फिर उसी के प्रेजोडेंट हों। कल ही सकता है यह केरल वाले आपकी पार्टी के प्रेजोडेंट बन जाएं। मैं आपकी पार्टी का अदव करता हूँ।

कांग्रेस (एस) लिख दिया तो कोई बात नहीं कांग्रेस तो है । लेकिन एक बात मैं कहता हूँ जो खानदान इन्फ्लुएंस हो जाए उनके बजुर्गों को अपना ज़ायदाद पर बहुत कब्ज़ा नहीं करना चाहिए । सब को राय देनी चाहिये । हालत आपको पार्टी की कुलकर्णी जो ऐसी हो गई है । आप एडवाइस बहुत अच्छी कर सकते हैं । आप अब एडवाइस करने का काम सम्भाल लीजिये । हम को भी एडवाइस कर दें और अपना पार्टी को भी कर दें तभी इस हाउस में काम चलेगा । आपको याद है एक परम्परा चली आई है । दुर्योधन एक बहुत बड़ा शहनशाह था । जंग में वह हार गया और हारने के बाद जब उसके प्राण निकलने वाले थे तो लोगों ने कहा कि उससे राजनोति पूछ लो । तब दुर्योधन ने कहा मैं राजनोति बताऊँगा जिन्होंने मुझ को मारा है, जो मेरे दुश्मन हैं उनको भी मैं बताऊँगा । तो दुर्योधन वाला पार्ट आप कुलकर्णी जो प्ले कर सकते हो । उनको एक तुक मेरे याद है जो दुर्योधन ने कहा । जब दुर्योधन से पूछा कि राजनोति क्या है तो उसने कहा था—

“आज का काम न कल पर धरिये,
बैरो ऊपर दया न करिए ।”

यह उनको बताई हुई राजनोति थी कि आज का काम कल 6.00 P.M. पर न धरिये । हमारे गवर्नर ने यह काम किया कि जो

आज का काम था उनको उसी रोज कर दिया । उन्होंने कोई बुराई तो नहीं की । आपके खिलाफ कुछ नहीं कहा । फिर मौका दे दिया आपको कि मैं इसको डिमिट नहीं करता हूँ ताकि आप ट्राई कर सकें । वे जो मुख्य मंत्री हैं जिन्होंने इस्तोफा दिया था उनको सोचना चाहिए था । वे कहते थे मैं तो हाउस में ट्रायल करूँगा । मैं देखूँगा कि मेरी माइनारिटी

है या मेजोरिटी है, मैं इस्तोफा क्यों दूँ । मैं कहता हूँ कि आपके मुख्य मंत्री भी बड़े इंपेक्षिवेट थे उन्होंने भी पटाफट इस्तोफा दे दिया और प्रजोडेंट ने भी परवान कर लिया । बजाय इसके कि हम दोनों को प्रशंसा करें, उन पर गुस्सा क्यों करते हैं... (व्यवधान) प्रशंसा क्यों नहीं करते ।

फिर आडवाणी साहब की तकरीर बड़ी अच्छी हुई । लेकिन आखिर में गाड़ो पटरो से उतर गये और आखिर में वे दूसरी तरफ चले गये । मैं उन बातों की चर्चा करने को जरूरत नहीं समझता हूँ, आडवाणी जी को प्रार्थना करूँगा और प्रेजोडेंट क्लॉ तो शहाबुद्दीन जी भी मानते हैं आप कहते हैं कि छेतो हुई, जल्दो हुई, हेस्ट हुई और वागेलेंस का बहाना बनाया गया... (व्यवधान)

SHRI SYED SHAHABUDDIN: Let me explain my position.

जानी जैल सिंह : आपके खिलाफ इल्जाम कोई नहीं लाया है... (व्यवधान)

श्री सयद शहाबुद्दीन : मुझे दो मिनट कहने दीजिए । चूँकि ये बहुत सी बातें कह रहे हैं, उनको संमुख कर रहे हैं जो मैंने नहीं कहीं... (व्यवधान)

जानी जैल सिंह : आपने नहीं कहीं, बहुत अच्छा हुआ... (व्यवधान)

श्री सयद शहाबुद्दीन : आप एक मिनट बैठ जाइये मैं बता दूँ ।

जानी जैल सिंह : मैं आपको गुनाहगार नहीं कहता हूँ । शुकिया... (व्यवधान)

श्री सयद शहाबुद्दीन : मैंने ऐसी बातें नहीं कहीं... (व्यवधान)

जानी जैल सिंह : आपने यह नहीं कहा कि सरकार पपेट गवर्नमेंट चाहती है यह

[जानी जैल सिंह]

आपने नहीं कहा कि वायलेंस का बहाना बनाया गया, यह आपने नहीं कहा कि अनइयू हेस्ट की गयी है क्या आपने यह नहीं कहा कि मोटोवेटेड थी। ये सारी बातें आपने कहीं हैं। अब आपने कहा कि नहीं कहा, तो मैं मानता हूँ... (व्यवधान)

श्री सैयद शहाबुद्दीन : मैंने 21 अक्टूबर को रागू होने की बात नहीं कही... (व्यवधान) मैंने उसके खिलाफ कहा। मैंने कहा कि सुरते हाथ ऐसी उभर सकती थी सारी कार्यवाहियों के बाद कि जितमें यही रास्ता आखिर में होता है कि वहाँ प्रजोडेन्ट का राज लागू हो, असेम्बली डिसाल्व हो ! लेकिन ऐसा नहीं किया गया, जल्दबाजी में काम लेकर शियासत को सामने रखकर, अपनी पार्टी का रास्ता साफ करने के लिये वहाँ पर... (व्यवधान) ऐसा किया गया।

जानी जैल सिंह : फिर वही बात। मौका तो इतना दे दिया कि आपने खुद कहा है कि दो महीने होन वाले हैं। वाकई मौका दिया है। क्या मुख्य मंत्री को रोका कि तुम अपनी मजोरिटी बना कर नहीं ले जा सकते हो। वे ले आ सकते थे... (व्यवधान)

श्री सैयद शहाबुद्दीन : श्रीमन्, ... (व्यवधान)

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): I won't allow It, Mr. Shahabuddin, (Interruptions) Order, please. Mr. Shahabuddin, you have made your position clear. I do not allow any more interruptions.

जानी जैल सिंह : शहाबुद्दीन साहब, इतनी आपको तकरीर दो बार चुनी, बड़ी शांति से सुनी जो कुछ आपके पास था आपने कह दिया। अब जरा हिम्मत से, दिरौरी से सुनना भी सीखो। पुराने सेक्रेटरी वाली बात मत करो। सेक्रेटरी

नहीं चुना करते थे, पार्लामेंटेशन दूसरों की भी बात सुनते हैं। मेरे दास्त, कम्युनिस्ट भाई कहते हैं कि डेमोक्रेसी का भला कट गया। एक हमारे दोस्त ने कहा कि ये रिप्रेजेंटरी है। अगर डेमोक्रेटिक फ्रन्ट बन जाये तो रिप्रेजेंटरी हैं ? अगर कम्युनिस्टों की रहनुमाई में बन जाये तो वह प्रोग्रेसिव होता है। यह सर्टिफिकेट खुद ही दे देते हैं अपने आपको। लेकिन अभी इन्होंने देखा नहीं कि इंडियन कास्टीट्यूशन के मुताबिक जो डेमोक्रेसी है, यह कम्युनिस्टों को, कम्युनिज्म को सूट नहीं करती। हमारे हिन्दुस्तान के कम्युनिस्ट भाई सोशलिस्ट तो हैं और सेक्यूलर भी हैं लेकिन इनकी डेमोक्रेसी और किस्म की है। अगर ईमानदारी से बात करें तो डेमोक्रेटिक लोगों को डेमोक्रेसी की बात करने दो, आप कोई और बात कर लो। अब डेमोक्रेसी की बात ये कहें, मैं तो ऐसे देख रहा था जैसे कोई शीतान कुरान शरीफ को आयत पढ़ने लग गया हो। हमारे खिलाफ और दोष लगा सकते हैं, लगा लीजिये आप भी। मैं कम्युनिस्ट पार्टी को राय देता हूँ, जैसे मैं कूलकर्णी जी की पार्टी को राय दी, उनको भी देता हूँ। यह बहुत एफिशेंट है, काम करने वाले हैं।

श्री कल्पनाथ राय (उत्तर प्रदेश) : बेचारे ऐसे ही हैं।

जानी जैल सिंह : नहीं, जरूरी नहीं होता कि एफिशेंट आनेस्ट भी हो। यह एफिशेंट हैं, और हार्ड वर्किंग हैं। हर बात को गौर करके, विचार करके कहते हैं। मैंने कई बार इनके लीडरों को कहा है कि जिस इंकलाब का इंतजार करते हो, अगर यह इंकलाब आ भी गया, तो आपन कहना है कि हमारा रेजोल्यूशन ठीक नहीं हुआ है, तुम ठहरो बाहर क्योंकि यह बहुत देख-रेख करके रेजोल्यूशन को पास करते हैं

एक एक लफ्फ को देखते हैं छुविघा हैं, लेकिन क्या करें हिन्दुस्तान के लोगों का सेंटिमेंट इनके साथ नहीं आ सका। न माओतसे तुम ला सकता है। बड़े ग्रेट आदमी थे। मैं कार्ल मार्क्स का प्रदब करता थे, सत्कार करता हूँ, लेकिन का सत्कार करता हूँ, बहुत बोट थे। लेकिन वह देख लें कि उनके साथ हिन्दुस्तानियों का सेंटिमेंट नहीं जा सकता।

यह हिन्दुस्तान के लोगों का सेंटिमेंट भगवान कृष्ण जी के साथ है, राम जी के साथ है, हजरत मुहम्मद के साथ है, गुरु गोविन्दसिंह जी के साथ है। वह जो सबको मानने वाला महात्मा गांधी था, उसके साथ है, जवाहरलाल नेहरू के साथ है। वह आपके पास जायदाद है नहीं। थोड़ी सी जायदाद तो वह भारतीय जनता वाले छोन रहे हैं इनसे और यह तो बचारे मैं तो कहता हूँ कि परमात्मा इन को किन्दा रखे और यह काम करते रहें, सेक्यूलरिज्म का काम बहुत प्रच्छा करते हैं, मकदूरों में भो जाते हैं, और अब तो खीर आगे ज्यादा वक्त मैंने नहीं लगाना है, मेन बातें जो हैं वही कहनी हैं।

यह एक विचित्र चीज है और आडवाणी जो न. भारतीय जनता पार्टी के नेता ने अपना और भी काम किया है। वह किसी दिन डिमिशन के लिये भी आवेंगे, तो वह दिल्ली भी आ आवेंगे उसमें और भी आवेगा। तो उनका भी जरा विचार करके ठीक-ठोक तरीके से उत्तर भी दूंगा। (व्यवधान)

एक माननीय सदस्य : प्रोसोडिंग पढ़वा रहे हैं (व्यवधान)

शानी जैल सिंह : मैं नहीं चाहता कि रजोल्यूशन के साथ जिन बातों का संबंध नहीं है, उनके लिये हाउस का वक्त लू। हाउस में अब छह बजने वाले हैं। मेरे लिए आधा घंटा, उपाध्यक्ष जी,

आपने रखा था, लेकिन उस आधे घंटे में से कुलकर्णी जी के वह जो श्लोक से यह जो बेचारी औरतों को जोकर कह दिया उसी में वक्त चला गया। फिर उसके बाद शहाबुद्दीन साहब ने भी मेरा टाइम ले लिया।

मैं आपका ज्यादा वक्त नहीं गुजरना चाहता। हमारे एक मंत्री, माधवन साहब जी ने कहा कि मैं प्रतिक्रियावादियों को बधाई देता हूँ और यह मैं समझ नहीं पाया कि किसको बधाई देते हैं। प्रतिक्रियावादी हम हैं, या कांग्रेस "एस" वाले मंत्री थे या कम्युनिस्टों को बधाई देते ही, मैं नहीं समझ पाया। लेकिन आखिर मैं एक बात म माधवन जी को कहूंगा कि माधवन जी एक रास्ता अख्तियार करो, या तो इसको ताइद करो, तुम्हारी पार्टी ने सरकार तुडवाई है, हमारा इस में कोई गुनाह नहीं है।

श्री जे० के० जैन : कुलकर्णी जी, ऐसे किताब नहीं देखो, अब फंस गये हो।
(व्यवधान)

शानी जैल सिंह : यह तो उसके खिलाफ कहो, हमारा इसमें कोई कसूर नहीं है। बल्कि हमने एक महान प्रजातंत्रों उसूलों को पालना की है। यह जो मंत्री हैं, लोगों ने पांच पांच साल के लिये चुने हैं। पांच साल के चुने हुए किसी हाउस को डिजाल्व करते वक्त सोचना पड़ेगा कि क्या एक या दो आदमियों की गलती से, एक ग्रुप की गलती से, दूसरे लोगी को सजा तो सजा तो नहीं दी जाती? यह नुकसानदेह बात होगी, अगर उन को सजा दी जाये।

उपसभाध्यक्ष जी, अब केरल की पोलिटिकल पार्टियों की यह हालत है। बाल कृष्ण आडवाणी जी बहुत दूरन्देष्ट हैं। उनको जरूर इलैक्शन मानना चाहिए था, क्योंकि उनकी पार्टी का एक भी मंत्री

[श्रीमती जल सिंह]

वहाँ नहीं है, भारतीय जनता पार्टी का वहाँ पर एक भी मੈम्बर नहीं था, तो इन को डिजोल्गेशन हो सूट करता है। मगर कम्यूनिस्ट पार्टी, यह जो "एम" है, इन के 35 हैं, प्रीर कांग्रेस (पू) के 22, सी० पी० आई० के 17, केरल कांग्रेस (मनो ग्रुप) के 8, केरल कांग्रेस (पिल्ले ग्रुप) का 1, रिवोल्यूशनरी सोशलिस्ट पार्टी के 6, मुस्लिम लीग के 5 यह तो ये जिन का फ्रंट था। फ्रंट में से आये कौन? कांग्रेस के 22 छोड़ गये, केरल कांग्रेस (मनो ग्रुप) के 8 छोड़ गये, 1 था केरल कांग्रेस (पिल्ले ग्रुप) का, वह भी छोड़ गये। उन कांग्रेसियों जो 94 था वह कम हो गयी, माइतारिडो में आ गये। अब आप अन्दाजा लगा लीजिये। हमारे खिलाफ सभी लड़ते थे, लेकिन वह सभी छोड़ गये। उन के छोड़ने के बाद गवर्नमेंट ने गिरना था हो। यूनाइटेड डेमोक्रेटिक फ्रंट ने कांग्रेस (आई) के 17 आये, मुस्लिम लीग के 14 आये, केरल कांग्रेस (जोइन्ट ग्रुप) के 6 आये, नेशनल डेमोक्रेटिक पार्टी के 9, प्रजा सोशलिस्ट पार्टी के 1—यह हो गये 41। जो इंडिपेंडेंट है वह प्रीर जनता पार्टी, जिन के साथ भारतीय जनता पार्टी नहीं लगता, कुछ उन के हैं, वह मिला कर 6 बनते हैं। टोटल 141 मੈम्बर थे। 141 मੈम्बरों को संग देना कहाँ को डेमोक्रेसी है। डेमोक्रेसी का मतलब यह है कि दो-चार आदमियों को गड़बड़ से गवर्नमेंट न चल सके? केरल ने कांशेशन गवर्नमेंट बड़ी देर तक चलायो। केरल ट्रेनिंग सेंटर है फार कोलेशन गवर्नमेंट, केरल ट्रेनिंग सेंटर है फार डिफेंशन, केरल ट्रेनिंग सेंटर है फार स्पलिटिंग पार्टीज। वहाँ 4 कांग्रेस हैं, 2 मुस्लिम लीग हैं, सोशलिस्ट भी दो तीन हैं, हर पार्टी टुकड़ों में है। इस के बावजूद केरल के लोगों को बचाई देना चाहता हूँ कि वह कोलेशन सरकारों

को भी बचा सकते हैं। कहाँ का न्याय था कि हम ह, उस को डिजोल्ग कर देते। लोग कहते कि यह हमारे साथ बेइंसाफी है, हम इन्तजार करेंगे। मैं आइवाणी जी से अदब से कहूँगा कि 2 महीने होने वाले हैं, बाकी 10 महीने रह जाते हैं। उस के बाद हम प्रेसिडेंट क्ल रख हो नहीं सकते। या तो हम लोग अपनी सरकार बना लेंगे, नहीं बनायेंगे तो फिर इलैक्शन हो जायेगा। इस लिये कोई जरूरी नहीं है कि हरियाणा के साथ इलैक्शन करवाना है या वेस्ट बंगाल के साथ करवाना है। डेमोक्रेटिक रवायत को किसी पार्टी कंसोडेशन से कल कर देने को मैं बहुत बड़ा गुनाह समझता हूँ।

एक मੈम्बर ने बड़े जोर से कहा कि जो कांग्रेस (आई) वाले हैं यह सब पोलिटिकल पार्टीज को डिमार्लाइज करना चाहते हैं, मੈम्बरों को खरीदना चाहते हैं। मैं नहीं समझ सका। अगर हम मੈम्बरों को खरीदने वाले होते तो यह कोलीशन सरकार पहले क्यों बनती। हम ने किसी का डिफेक्शन नहीं करवाया। यह हूँस ट्रेडिंग की बात करते हैं। कांग्रेस (आई) इस तरफ दिलचस्पी नहीं रखती। लेकिन एक बात जरूर अपने माइंड में रखिए। जिन लोगों ने कांग्रेस (आई) को अछूत समझा उन का क्या हाल हुआ। चौधरी चरण सिंह को देख लीजिए। प्राइम मिनिस्टर बनने के बाद उन्होंने कह दिया कि मैं कांग्रेस (आई) के पास नहीं जाऊँगा कुछ भी हो जाय अब कहाँ पहुँच गये। फिर हमारे कब्ज़ाण साहब कांग्रेस के नेता थे, हमारे भी नेता थे, उन को प्रेसिडेंट ने बुलाया तुम्हारी पार्टी सब से बड़ी है, तुम गवर्नमेंट बना लो। उन्होंने कहा कि कांग्रेस (आई) के पास नहीं जायेंगे, इंदिरा के पास नहीं जायेंगे। अब मिस्टर माधवन कहते हैं कि हम कांग्रेस (आई) के पास नहीं जायेंगे

तो जायेंगे कहां जब कोई पोलिटिकल पार्टी रखने के लिये तैयार नहीं है ?

चूंकि आप के पास वर्कर्स की स्ट्रेंथ नहीं है और लीडर बहुत हैं तो आडवाणी जी जैसे लोगों को यह क्यों लेंगे। यह तो वर्कर्स को लेंगे। इसी तरह से कम्युनिस्ट वालों को नहीं ले रहे हैं। यह आप का स्लोगन है कि हम नान-कम्युनिस्ट पार्टियों को इकट्ठा करेंगे। तो आप ने कसम खा ली कि हम कांग्रेस आई के साथ नहीं जायेंगे। तो माधवन जी आखिर आप जायेंगे कहां। वैसे आप की मर्जी है, जहां चाहे जायें...

एक माननीय सदस्य : सोच रहे हैं कि जायें तो जायें कहां ?

शानी जैल सिंह : माधवन जी बड़े शरीफ आदमी हैं। सब से सुन रहे हैं। हमारे सम्मानयोग्य मंत्री कुलकर्णी जी ने कहा और अपनी स्पीच में उपदेश दे दिया मोरारजी को। वह हाउस में नहीं हैं, लेकिन एकस प्राइम मिनिस्टर हैं। वह कहते हैं कि मोरेलिटी की बात मत करो। मोरार जी को रोकते हैं। कुलकर्णी जी को उन की हिम्मत के लिये मैं दाद देता हूँ। जो मोरेलिटी पर विश्वास भी नहीं रखते उन्होंने ऐसी दिलेरी की बात कह दी। इस के लिये मैं उन को बधाई देता हूँ और मेरा ख्याल है कि आप का मन भी मोरेलिटी से बदल गया है। मोरेलिटी का अगर आप ध्यान रखते तो इन देवियों के लिये आपवैसी बात नहीं कहते।

श्री अरविन्द गणेश कुलकर्णी : आप की मोरेलिटी भी तो बदल रही है।

शानी जैल सिंह : अगर मेरी मोरेलिटी बदल गयी है तो मैं समझता हूँ कि हम ने बहुत कुछ कांटीब्यूट भी किया है कि कुलकर्णी जी जैसे आदमी के विचारों को बदल दिया। मैं तो कहता हूँ कि :

“बदल नहीं सकते अपने ख्याल,
बदल दगे दुनिया ने ख्याल।”

आप के ख्याल बदल गया। बड़ी खुशी की बात है। भगवान कृपा कर और जितनी जल्दी आप उस पार्टी से नज़ात पा लें उतना ही अच्छा रहेगा। यही मेरी राय है आप को। चूंकि आप ने मुझे राय दी है इस लिये ही मैं कह रहा हूँ। चेयरमैन साहब, आप की मेहरबानी है कि आप ने उन को राय देने का अधिकार दिया और मुझे भी राय देने का अधिकार दिया। इन शब्दों के साथ मैं अपनी बात समाप्त करता हूँ और आप से प्रार्थना करता हूँ कि शहाबुद्दीन साहब का जो प्रेसीडेंट रूल को रिवोक करने का मुद्दा है उस को वापस लें क्योंकि वह खूद कहते हैं और आडवाणी जी भी कहते हैं कि एलेक्शन करवायें तो वोट डालने का कोई फायदा नहीं लेकिन अगर वोट डालवाने ही हो तो इस बात पर डलवाने चाहिए कि एनीमेटेड सस्पेंशन रहना चाहिए या हाउस को डिजाल्व कर दिया जाय। इसमें हाउस की दो रायें हैं। लेकिन वे बुद्धिमान आदमी हैं और इसलिये शहाबुद्दीन साहब खूद ही उस को रिवोक करने की बात को नहीं कहना चाहेंगे और वे एलेक्शन की मांग करते हैं इसलिये आप समझ गए होंगे कि प्रेसीडेंट रूल को रिवोक करने का जो रेजोल्यूशन है उस को यह मान जाये तो अच्छा है और नहीं तो जितने अवलमंद आदमी हैं वह इस को वोट नहीं देंगे और यह रिजेक्ट हो जायगा।

SHRI LAL K. ADVANI: Mr. Vice-Chairman, you will notice that the entire debate was hanged around why it was kept in animated suspension and why not dissolved. There is no answer to that. Our charge is that the animated suspension device is purely for partisan reasons, entirely for parti-san reasons in order to enable the formation of Congress-I Government. Therefore, we would like to protest against this attitude of the Government. We are totally dissatisfied with the reply and in protest we would like to walk out of the House.

(At this stage some hon. Members left the Chamber.)

ज्ञानी जैल सिंह : वाइस चेयरमैन साहब, मैं आप से कहता हूँ कि यह बात बिल्कुल बेबुनियाद है। पार्टिजन की कोई बात नहीं है। डेमोक्रेसी के महान उमूलों का पालन करने के लिये हम ने यह किया है और वह 140 आदमियों की बात करना चाहते हैं लेकिन एक भी आदमी उन की पार्टी का नहीं है जिसने यह कहा हो। तो उधर चलने वालों की अक्ल में मुझे हैरानी है। तुम्हारे तो मेम्बरों को वह मरवाना चाहते हैं। उधर चले गये आप भी तो ठीक है, यूनैनीमस जायेंगे।

SHRI SYED SHAHABUDDIN: Mr. Vice-Chairman, the Home Minister made an appeal to me. I have a feeling that he simply has not understood the position. I enunciated. I have the feeling sometimes that these fine points of the Constitution are totally beyond the understanding of the Home Minister; and I think that this attitude can be traced to a tendency not to understand and not to try to understand the opposition at all. With these words, I protest and walk out of the House.

(At this stage the hon. Member left the Chamber).

ज्ञानी जैल सिंह : यह बहाना बहुत अच्छा है।

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Before I put the Resolutions to vote, I have got to give my ruling on the point of order that was raised in regard to the expression used by Mr. Kulkarni. I have gone through the proceedings. The words used by Mr. Kulkarni are;

"Madam, what you have to do with that grand alliance? You will be just like a joker there. You have no place in that".

In the first place the word 'joker' is not unparliamentary. Secondly, Mr. Kulkarni explained that he used the word in relation to the grand alliance

and not to Shrimati Usha Malhotra. But since the word can have a double meaning, I have already told Mr. Kulkarni that he should be more courteous and considerate while referring to lady Members. However, since the word 'joker' is not unparliamentary I cannot order its expunction.

SHRI J. K. JAIN: I am on a point of order. I would "like to know whether the word 'clown' is unparliamentary or not. I have serious objection to this. If the word clown is not unparliamentary, then I can agree with you. But if the word 'clown' is unparliamentary, then the word 'joker' is also unparliamentary. Therefore, please look into the dictionary and then give the ruling. What is the meaning of the word 'clown'? Clown means joker. It is definitely unparliamentary as far as my knowledge goes.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): The word used is 'joker'. You cannot go from 'joker' to 'clown'. And, in the context in which it is used, it can also mean grand alliance of jokers in which Mrs. Malhotra will have no place. Now, I have given the ruling.

Now I will first put the Resolution moved by Shri Shahabuddin. to vote. The question is:

That this House recommends to the President that the Proclamation issued by the President on the 21st October, 1981, under article 356 of the Constitution, in relation to the State of Kerala, be revoked".

The motion was negatived.

THE VICE-CHAIRMAN (DR. RAFIQ ZAKARIA): Now, I will put the Resolution of the Home Minister to vote. The question is:

That this House approves the Proclamation issued by the President on the 21st October, 1981, under article 356 of the Constitution, in relation to the State of Kerala".

The motion was adopted.