

DR. K. MATHEW KURIAN : Sir, I agree with what Shri Bhupesh Gupta has stated that it is not correct for a Committee of which Members of both the Houses are involved. Here is Mr. T. N. Singh, who has been authorized by the Committee to present it. It is up to you to ascertain from him. He has already placed it on the Table of the House. It is up to you to ascertain from him and from the Chairman of the Public Accounts Committee about the facts, and the Speaker of the other House cannot be an arbiter on this matter.

MR. CHAIRMAN: It is not a question of arbitration. It is for consideration. I am sending it not for arbitration. That is my view.

DR. K. MATHEW KURIAN: You can write to the Chairman of the Public Accounts Committee.

SHRI T. N. SINGH: Sir, I think, it is a matter of procedure. I think first it should be taken up by the Secretariat. Let the Secretariat take it up. Then, later on you can decide if you think in your wisdom. First, let it be taken up at the Secretariat level.

MR. CHAIRMAN: I will follow the correct procedure.

REPORTS OF THE COMMITTEE ON PUBLIC UNDERTAKINGS (1974-75)

SHRI HARSH DEO MALAVIYA (Uttar Pradesh) : Sir, I beg to lay on the Table a copy each of the following Reports of the Committee on Public Undertakings (1974-75) :

(a) (i) Sixty-second Report on Rural Electrification Corporation Limited.

(ii) Minutes of the Sitting of the Committee relating to the above Report.

(b) (i) Sixty-sixth Report on National Seeds Corporation Limited.

(ii) Minutes of the Sittings of the Committee relating to the above Report.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Attack on Shri Jayaprakash Narain's Car in Calcutta

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh) : Sir, I beg to call the attention of the Minister of Home Affairs to the recent violent incident in Calcutta in which Shri Jayaprakash Narayan's car was attacked and a member of Parliament and his colleagues sustained injuries.

[Mr. Deputy Chairman in the Chair]

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY) :

Sir, According to information received from the Government of West Bengal, Shri Jayaprakash Narayan arrived at Calcutta from Bhubaneswar on the night of the 1st April, 1975 by a plane chartered by Kalinga Airlines and held a number of meetings in the forenoon on the 2nd April. There was no disturbance during these meetings. In the afternoon, he was to address two meetings—one at the Students Hall organised by some teachers including those owing allegiance to the CPI(M) and the other at the Calcutta University Institute arranged by the Nav Nirman Samiti. Both these places are in the University area at a distance of about 200 yards of each other. The Chhatra Parishad and the Yuba Congress had also organised a mass rally of students and youth at the University Campus the same day to protest against Shri Jayaprakash Narayan's activities. At about 16.35 hours. Shri Jayaprakash Narayan arrived at the Students Hall escorted by the police. Elaborate police arrangements had been made for maintenance of peace in the area. The meeting started and proceeded peacefully. Meanwhile, Chhatra Parishad and the Yuba Congress meeting at the University Campus terminated at about 16.15 hours and a big procession of Youth Congress and Chhatra Parishad led by Shri P. R. Das Munshi, M. P., Shri Subrata Mukherji, Minister of State and many other leaders,

was taken out. A section of the procession—about 100 strong—went towards the University Institute followed by Shri Subrata Mukherji and a few other leaders. They demonstrated at the gate of the University Institute and there was a counter demonstration which led to tension. Shri Subrata Mukherjee thereupon addressed the crowd persuading them to disperse. Some went away but some remained and Shri Mukherjee left the place. Owing to the intervention of Shri Mukherjee, tension subsided. Later, however, tension increased again owing to the speeches made at the meeting at the Students Hall and counter-demonstration by the followers of the Nav Nirman Samiti. In the meanwhile, on peaceful conclusion of his earlier meeting, Shri Jayaprakash Narayan came out of the Students Hall and boarded his car to go the next venue. When his car reached the gate of the University Institute, it was surrounded by the demonstrators, some of whom pounded and thumped the car. The police pushed them back with great difficulty. Tension ran high at this stage when the supporters of Nav Nirman Samiti raised slogans and made many disparaging remarks about the Chief Minister and the Prime Minister. A few pieces of brickbats and one or two chappals were thrown in the direction of the University Institute. A lady demonstrator followed by a couple of others climbed the bonnet of Shri Jayaprakash Narayan's car. They were immediately brought down by the police. Shri Samar Guha, M. P., then climbed on the bonnet of the car and began castigating the Congress, the Chhatra Parishad and the Yuba Congress. Irritated by his utterances, some of the demonstrators surged towards the car and in the melce, Shri Guha's spectacles fell on the ground and his *punjabi* was torn. The spectacles were immediately picked up by the police on the spot and restored to Shri Guha. The members of the Nav Nirman Samiti requested Shri Jayaprakash Narayan to come down and attend the meeting, but Shri Jayaprakash Narayan did not get down from the car and asked the driver to move away. His car was escorted by the police. A case was registered at Amherst

Street police station in connection with this incident and is under investigation. The State Government have observed that there was no fighting or clash in the course of the entire incident and that meeting of the Nav Nirman Samiti was held later at the University Institute Hall till about 8.00 PM.

SHRI SUBRAMANIAN SWAMY : Sir, I think much time has elapsed since the incident of April 2 and the Government has at no place expressed regret over the incident. Sir, the fundamental question is whether the Government is going to take a selective attitude towards violence. We hear and we read about interviews given by the Prime Minister daily to foreign correspondents about how violence mars the image of the country. Now, Sir, when this appears in the Press all over the world that when Mr. Jayaprakash Narayan went to address a meeting, the demonstrators surrounded him, climbed on the bonnet of his car, brickbats flew around and that he was ultimately prevented from attending the meeting, what image of the country does it create? Why is the Government taking this selective attitude towards violence? This is one of the questions that I want to ask the hon. Minister.

Sir, whenever there has been an incident, a stray incident of violence, this House has never hesitated in passing resolutions in condemning such an act. So, I would like to read out what you yourself said last time when the Allahabad High Court incident took place. You may remember that when we were discussing the Budget, one member of the ruling Congress came and announced to this House that an attempt had been made on the life of the Prime Minister and I had at that stage said that the Home Minister should make clear the facts. A lot of heat was generated and in conclusion you said that I think that the whole House will join me in condemning this unfortunate incident and join me not only in condemning this incident but the very psychology behind this kind of a thing because if we are to take to violence as a means to solve our political

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problems, I suppose there will be no democracy left in the country. Therefore, I would very strongly condemn this kind of a thing.

Sir, this is what you said on the basis of a P.T.I. report from Allahabad stating that one Mr. Govind Mishra had been caught with a pistol. Sir, at that time the House did not hesitate to condemn this act of violence or attempted violence without going into the merits of the case and without going into the facts. But, the mere fact that this kind of a thing was done, we condemned it. Here, Sir, it has now been clearly established that Shri Jayaprakash Narayan was physically prevented from addressing a meeting. You yourself say that his car was battered, his wind-screen was shattered and brickbats flew. This the Minister himself admits. Shri Jayaprakash Narayan in a Press conference stated that one brickbat missed him narrowly and he could have been hit by it. A C.B.I. plain-clothesman, who was by Mr. Jayaprakash Narayan, has been hurt in the incident. Several young men, including the son of our independent Member, Mr. D. L. Sen Gupta, have been badly beaten. He has been admitted in the hospital. There has been not a word from Government on this score. Have you arrested anybody? You have registered a case but for how long and what are you going to do, I would like to know from the Government. So, it is not too late to condemn this violence. We ought to do it right now. I would urge the Minister to take this opportunity and condemn the incident. After all, the ruling Congress must realise that violence does not pay. The Communist Party (Marxists) do now, I am sure, realise what happened between 1966 and 1970. (*Interruption*). This will boomerang. I was as much against the climate created there at that time as I am against the climate created in Bengal today. So, Mr. Deputy Chairman, the issue of relevance is not the attack on JP as such although JP is a

very revered figure respected all over the country, a gentle person and an aged person. Now the issue is not so much as that. The issue is the moral bankruptcy of the ruling Congress with its mind perverted by the CPI theologians who are today guiding its mental process. So, it is significant that this assault has taken place after the slogan that was raised by the CPI in Bihar :

‘जयप्रकाश को क्या दवाई ।

जूता चपल और पिटाई ।

After that and the Vijayawada session, it is indeed significant that these incidents are taking place in those States which have a reputation for leaning heavily on the elements of CPI such as in Orissa, such as in Bengal. (*Time-bell rings*). The attacks in Bengal and Orissa make clear that JP's message is so potent that the ruling Congress thinks that the people should be denied the opportunity to listen to it. Is the Congress personality so convoluted that they cannot see the ditch to which CPI is dragging them ? They stone J. P., intimidate him, gag him and then call this gentleman a Fascist.

I wish to draw the Minister's attention to the attitude of some Members of the ruling Congress. Mr. P. R. Das Munsi in the other House has said : “We will do it, we will do it, we will do it, again and again.” I would read out to you from Mr. Unnikrishnan's speech in the same House which again shows the mental attitude of the ruling Congress. He says :—

“...a hundred times I would say, cheers to Priyo and cheers to Subroto. I can also say that the same fate awaits this Colossus Mahant, if he comes to Kerala. I am telling you today, in advance.”

Sir, I want to know whether you are going to allow this forging of goonda power and the State apparatus. If you do, I ask you to inform your colleagues that violence is a doubleedged weapon. We are a peaceful people but we are not docile.

If this kind of intimidation continues, our patience will be exhausted. Then it will be tit for tat, massive retaliation. Let not the Minister be complacent. Let him discipline the ruling Congress members. And I want you to assure this House that all steps will be taken to maintain peace and freedom of speech. Thank you.

SHRI K. BRAHMANANDA REDDY : Sir, I may, at the outset, say that so far as Government is concerned, there is nothing like any selective approach towards violence. We deplore violence in any form.

DR. K. MATHEW KURIAN (Kerala) : Then you deplore the Youth Congress also.

SHRI K. BRAHMANANDA REDDY : We deplore violence in public life.

SHRI MAHAVIR TYAGI : (Uttar Pradesh) : Irrespective of party ?

SHRI K. BRAHMANANDA REDDY : Of course. It has been our endeavour, Sir, and it will continue to be our endeavour to see that all reasonable protection is given to peaceful, legitimate political activities of publicmen, political leaders, even others. But, at the same time, it should be our duty—all of us—to observe restraint in the speeches that we make. If speeches are inflammatory, if speeches lead to emotions amongst the listeners, then, Sir, irrespective of whatever care we may take, whatever precautions we may take, passions are roused, emotions are roused and then scuffles or small incidents do happen. We have been in the public life of this country—many of us on this side and in the Opposition—and therefore there should be a code of conduct for all the political parties not to disturb others when they engage themselves in legitimate political activity. And therefore we feel, so far as the Government is concerned, it will be a characteristic of maturity of our democracy if political parties indulged in legitimate activity without disturbance without violence from any quarter and it has been

our attitude. In fact, Shri Jayaprakash Narayan has gone to several States including Delhi Union Territory and he has addressed, I do not know, 18 or 19 or a hundred meetings. No violence has happened anywhere but if you had heard my statement which was based on the information of the West Bengal Government, the meeting at the Students Hall went on and at about a hundred yards' distance there was another meeting of the youth Congress and Chattra Parishad there. The Students Hall and the University institute is within a 200-yard distance and they were having a meeting there, a big rally. Some speeches seem to have been made at the Students Hall which have aroused some passion and commotion and, therefore, there was some demonstration when Shri Jayaprakash Narayan was going to the University institute. In fact the police was there and I have mentioned to you what has happened that. I therefore, wanted to assure the hon. Member and through the hon. Member everybody that there is nothing like a selective approach. In fact I have said in the other House also that when the Congress President went to Ahmedabad and Baroda there was some stone throwing, some attempted violence and violence also.

DR. K. MATHEW KURIAN : Was it because the Congress President made inflammatory statement ?

SHRI K. BRAHMANANDA REDDY : You think you are too intelligent. If you wait you will find your place. Even without inflammatory speeches it could happen just because the Congress President was addressing a meeting and just because some people did not like it. If a disturbance could be there on this account what would happen when inflammatory speeches are made, you should realise that. Therefore, my submission to the House is that it is a thing which has to be absorbed by all political parties.

SHRI SUBRAMANIAN SWAMY : You keep on saying about inflammatory speeches but you see what Mr. Munsli has

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uttered in the other House. Some of the slogans were uttered against Shri Jayaprakash Narayan. He says: Hitler has got three friends, JP, P. C. Sen and Jyoti Basu. The other slogan is: JP, Prafulla and Sushil Dhara will be turned out from Bengal. These are the provocative slogans. You can say something but you cannot be having brickbats on the old man.

SHRI K. BRAHMANANDA REDDY : What I remember from the speeches made there, I can say that it is an inherent right of any political party to counter the propaganda for other political parties.

SHRI RABI RAY (Orissa) : Not through violence.

SHRI K. BRAHMANANDA REDDY : Certainly not. I have not said violence. It is the legitimate activity of any political party to counter the propanganda for any other political party if it so wishes and, therefore, what he seems to have said is to counter with all effectiveness what Shri Jayaprakash Narayan has been preaching and that you cannot object to provided he does not indulge in violence. Therefore, now Sir, the case is under investigation and naturally . . .

SHRI P. K. KUNJACHEN (Kerala) : How long will it take to conduct investigations

SHRI VISWANATHA MENON (Kerala): Why nobody was arrested?

SHRI K. BRAHMANANDA REDDY : Investigation will take some time. There are sections like 148, 149, 328 and others.

SHRI SUBRAMANIAN SWAMY : Why is he not giving a reply to the question? Why nobody was arrested?

SHRI K. BRAHMANANDA REDDY : I have no information on that point but I know that the matter is under investigation by the police.

SHRI P. K. KUNJACHEN : Is the Calcutta police so ineffective. Why Shri Subrata Mukherjee and Shri Munsii were not arrested?

SHRI K. BRAHMANANDA REDDY : I do not know why Subrata Mukherji should be arrested. According to the information given to me by the West Bengal Government, Subrata Mukherji got up the parapet wall and addressed the crowd and requested them to disperse and requested them to be . . .

SHRI RABI RAY : A cock and bun story.

SHRI K. BRAHMANANDA REDDY : May be in your opinion it is so. But so far as the information I got from West Bengal Government is concerned, he tried to pacify the crowd, and in fact a part of the crowd dispersed. (*Interruptions.*) It is very good of the House, when somebody brought it to your notice that an attempt by somebody at Allahabad was made with a revolver in his brief case, or something like that, you have condemned that.

AN HON'BLE MEMBER : Was Mishra your man?

SHRI K. BRAHMANANDA REDDY : That is very wrong to say. These belated stories come out subsequently due to something else. We do not know what goes on behind the curtains. In any case, you need not be sorry for having passed that resolution. Certainly you have done well in passing a resolution on that.

SHRI SALIL KUMAR GANGULI (West Bengal) : Sir, the hon'ble Minister is referring only to the reports he received from the West Bengal Government. Certainly, he has got his own intelligence report. Will he be content with sharing those reports with us?

Secondly, he says that minor things were happening. Respectfully I would submit that rioting was going on and Subrata Mukherji and Priya Das Munshi

were instigating these riots. Rioting is a very serious offence and in this context I would say the official version of the Congress Party of West Bengal is reflected by the statement of the wife of the Chief Minister herself. I am reading from the Lok Sabha report. She says : "I am not apologising on their behalf : I do not apologise for what they had done ; it should be done again if he comes to Bengal . . .". Then she says : "Anyway a woman climbed a car ; he should have considered it an achievement. Why should there be such a hue and cry in this House on that ?"

AN HON'BLE MEMBER : This statement is more fantastic than of the Chief Minister.

MR. DEPUTY CHAIRMAN : You need not comment on that.

SHRI SALIL KUMAR GANGULI : Now it is not a fact that J. P. went away on his own. The policemen expressed their inability to touch even the hairs of the Congress hoodlums. They said, "You go away ; otherwise, your life will be in danger". The Assistant Commissioner of Police said so, and J.P. made that statement also. There were others, Members of Parliament, who were present and who also saw the whole incident. Now the police is so helpless that they cannot touch the hairs of the Congress hoodlums because a State Minister who was former Home Minister was present there and leading the demonstrations.

Now, Sir, J. P. later on said that it is not the duty of the police and the military to be mere onlookers while illegal things were going on. It is not their duty to carry out illegal orders. Of course, it is their duty to enforce law. I may read out certain important decisions without taking much of the time. Under Section 76 of the Indian Penal Code it reads : "Nothing is an offence which is done by a person who is, or who by reason of a mistake of fact and not by reason of a mistake of

law in good faith believes himself to be, bound by law to do it". Later on, there are numerous cases by way of illustration. This law is more than 100 years old. It says : "It may be said that it is the duty of the soldier to obey his command, it is not for him to reason why." That is true, but only true within limits. The soldier obeying his command only throws the responsibility on his commandant who has to justify his action. He is not entitled to discharge his duty at his discretion. If this were the law, there would be no difference between a country being placed under martial-law which is no law at all and one in which the military are merely called in to perform the police duty. It is, therefore, settled that in such a case the military must put their conduct to the touchstone of the following two principles, namely (a) they must act in good faith, i.e. with due care and caution, and (b) they must not use more force or destroy more life and property than absolutely justified by the necessities of the case . . .

The same rules apply to the private whose subjection to military discipline is not higher than his subjection to the higher law in favour of public safety when the act which the military discipline attempts to enforce or to justify is one which affects the person or property of another. In such a case a soldier, for the purpose of establishing civil order, is only a citizen armed in a particular manner. In judging of his action the civil law looks to the surrounding circumstances to see whether they are of such a character as would lead a man of ordinary intelligence to entertain a reasonable belief that he is bound by law to obey the commands of his superior.

MR. DEPUTY CHAIRMAN : Now please, do not take too much time on that.

SHRI SALIL KUMAR GANGULI : "A person who knowingly obeys an illegal order abets the illegal act of his superior, and as the latter, so is the former without any justification. So where three sepoy

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of a regiment were cognizant of a quarrel which their Naik had with a mob . . .”

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Sir, let him put the question.

SHRI SALIL KUMAR GANGULI: The law is well-settled that a soldier or a policeman is not bound to carry illegal orders. J. P. has said in this context, finding his experience in Calcutta which was that the police were mere onlookers while the hoodlums were carrying their assault, and when he says that the police and military are not to carry on illegal orders, he stated the existing law and nothing more. In that context Prime Minister has gone on to say that it is against democracy. Was it very democratic for one Minister and a Member of Parliament of the Congress Party to go and incite a mob and create a situation of riot and in spite of that, is it proper for the Home Minister to come here and say that so far as the West Bengal Government report is concerned, he feels that there was nothing much more serious than a mere case of Section 323 or so? Has not he got any report? I want to ask one particular question. Will he accept a parliamentary inquiry or a probe into this whole question?

SHRI K. BRAHMANANDA REDDY: Sir, at the outset, my friend Mr. Ganguli must understand that the information I have received is from the West Bengal Government, not the Congress Party . . .

AN HONOURABLE MEMBER: It is the same.

SHRI K. BRAHMANANDA REDDY: It is also incorrect, absolutely incorrect to say that the police expressed their inability. In fact, Sir, if you have noted what the police has been doing during the past in the several States is, the police

had been giving him protection and more protection and more caution is taken to see that nothing happens. And even here after reaching Calcutta, the next morning when he had several meetings with some people, there was police around him and even at the Students Hall, there was sufficient police. In fact, probably J. P. Narayan would not have been able to go without the police protection and, therefore, the police were not keeping quiet and were not mere onlookers. They in fact prevented people from closing in around his car.

SHRI SALIL KUMAR GANGULI: They were carrying illegal orders of Subrata Mukherji

SHRI K. BRAHMANANDA REDDY: I do not know. Therefore, it would be very wrong and incorrect to say that the police have expressed their inability. In fact they did what all they could do in the circumstances.

Secondly, my friend made some feverish attempt to read something. I do not know what he wanted to say. Perhaps he wanted to justify Jayaprakash Narayan's statement.

SHRI SALIL KUMAR GANGULI: I merely said that while J. P. said that the police and military are not bound to carry out the illegal orders, he was merely stating the law which is in vogue in this country for the last 100 years under the Penal Code.

SHRI K. BRAHMANANDA REDDY: I do not know.

SHRI SALIL KUMAR GANGULI: You should know it.

SHRI K. BRAHMANANDA REDDY: I do not know if Mr. Ganguli knows anything about the law.

SHRI SALIL KUMAR GANGULI: I am reading from a book written by Dr. Sir Hari Singh Gour, 9th Edition. He knew the law.

SHRI K. BRAHMANANDA REDDY : That we have taken the trouble to unearth the book. What he says is not correctly appreciated. The point is: it is absolutely incorrect to say that anybody
1. P.M. has the legal authority to give a call or encourage the Army or the Police to disobey orders...

SHRI SALIL KUMAR GANGULI : Disobey illegal orders.

SHRI K. BRAHMANANDA REDDY : Please, who are you to say or who is Mr. Ganguli to say whether it is an illegal order or not...

SHRI SALIL KUMAR GANGULI : There is a well-settled law.

SHRI K. BRAHMANANDA REDDY : Let us not go into that.

SHRI SALIL KUMAR GANGULI : Please do not try to distort things...

MR. DEPUTY CHAIRMAN : Mr. Ganguli, you have made your point. Now, you are arguing as if in a court of law.

SHRI K. BRAHMANANDA REDDY : I know some law, but you seem to know some stories. That is the only difference.

SHRI SALIL KUMAR GANGULI : Unfortunately I am a practising lawyer, but I do not know how long you have practised law.

SHRI K. BRAHMANANDA REDDY : I am so sorry. That is all right

SHRI MAHAVIR TYAGI : I want to ask you...

MR. DEPUTY CHAIRMAN : Let him finish.

SHRI K. BRAHMANANDA REDDY : You can ask me later.

SHRI MAHAVIR TYAGI : I want you to make this thing clear as to whether Mr. Jayaprakash Narayan's car was attacked or not and whether a Member of Parliament and his colleagues sustained injuries. Give a definite answer to these two points.

SHRI K. BRAHMANANDA REDDY : You were not here when I read the statement.

SHRI MAHAVIR TYAGI : I am sorry.

SHRI K. BRAHMANANDA REDDY : It is true that there was a demonstration and the crowd gathered round his car. I have said also that a MP got on the bonnet of the car and made some remark. I have already said that the spectacles of Shri Samar Guha fell down on the ground and they were picked up by the police and given back to him. His shirt was torn. I have already said it. You were not here. In any case, Mr. Ganguli, please revise your opinions on law and the sooner you do it the better.

SHRI SALIL KUMAR GANGULI : I am sorry. You should amend the law. If a soldier or policeman on duty see that the order is manifestly illegal, he is the inherent judge of the situation and he is not bound to carry out the illegal order. Otherwise, he will be punished as an abettor.

SHRI K. BRAHMANANDA REDDY : I do not object to his having his own impressions about what the law is.

SHRI SALIL KUMAR GANGULI : Please do not distort. Either you do not know the law or you are not interested in knowing the law...

MR. DEPUTY CHAIRMAN : Mr. Ganguli, please take your seat. You had your say. You listen to him

SHRI SALIL KUMAR GANGULI : The hon. Minister should know how to answer questions. If he does not know the law, he should not distort...

MR. DEPUTY CHAIRMAN: I think both of you know law. (*Interruptions*) The whole trouble is you know law and the Home Minister also knows law...

SHRI SALIL KUMAR GANGULI: He knows the law of the jungle.

MR. DEPUTY CHAIRMAN: But when it comes to quoting, you quote it according to your convenience. That is the whole trouble.

DR. K. MATHEW KURIAN: He cannot even quote.

MR. DEPUTY CHAIRMAN: There is nothing to quote.

SHRI K. BRAHMANANDA REDDY: I need not quote.

SHRI SALIL KUMAR GANGULI: So long as you are in brute majority you need not quote, but a day will come when you have to quote.

MR. DEPUTY CHAIRMAN: Mr. Ganguli, you had your say. You cannot get up again and again.

DR. K. MATHEW KURIAN: What about MISA?

MR. DEPUTY CHAIRMAN: You need not pass any comments now.

SHRI K. BRAHMANANDA REDDY: You think you are very intelligent in passing some remarks. After all, I am a more mature person, I do not want to rebut whatever he has said.

SHRI RABI RAY: That does not mean that you are wise.

SHRI K. BRAHMANANDA REDDY: Much wiser also. You may have your own impression of law. But all of you must have seen from the papers what Shri Gajendragadkar, the ex-Chief Justice of India, has said with regard to this matter. It is subversive, he has said. Therefore, I need not go into it. This is not...

(*Interruptions*)

MR. DEPUTY CHAIRMAN: Let him speak. Let us not be in the habit as if we are arguing in a court of law.

SHRI SALIL KUMAR GANGULI: It is the rule of the jungle.

MR. DEPUTY CHAIRMAN: This is not a court of law. You have made your point.

SHRI K. BRAHMANANDA REDDY: You can make your law; you can have your own impression. But do not do it because law's arms are big enough.

Therefore, what I would try to submit here is, it has been enunciated, it is clear, and there is no doubt about it. And learned people in law have also expressed the same opinion as ex-Chief Justice Gajendragadkar has said. Therefore, I am not going into it because that is not the matter under issue just now.

Now, I think there is a rule that naturally whenever the police or anybody has to use some force, they must use the force depending upon the occasion; they must not use excessive force. That is an obvious thing which everybody knows.

And so far as his request for a parliamentary probe is concerned, I do not think there is any case at all for even considering whether any parliamentary probe is necessary into this matter.

SHRI S. S. MARISWAMY (Tamil Nadu): Sir, I would crave your indulgence to quote one item that has got relevance to this matter.

MR. DEPUTY CHAIRMAN: Again, you want to quote?

SHRI S. S. MARISWAMY: I have got before me three newspaper cuttings, all from very widely circulated, reliable and

most authentic newspapers. One is, Kanpur, April 27. It says—

"Twenty-four Youth Congress workers were arrested at the Central railway station here today..."

MR. DEPUTY CHAIRMAN. That is not relevant. Please keep the subject in mind.

SHRI S. S. MARISWAMY: I have requested you to bear with me for some time.

MR. DEPUTY CHAIRMAN: I will bear with you. But the point is whether what you read is relevant.

SHRI S. S. MARISWAMY: It is relevant.

"... after a scuffle with the supporters of Mr. Jayaprakash Narayan."

Another news item is from Patna—

"Seven supporters of the students' action committee were injured in Arrah yesterday when they were 'attacked' by Youth Congress workers at a meeting held to celebrate the birthday of the late Kunwar Singh, a well-known revolutionary."

The third news item is from Lucknow—

"Pressing an adjournment motion in the Vidhan Sabha today, the opposition charged the Youth Congress with violence and molestation of girls in the Nauchandi fair of Meerut."

I do not want to quote any more. The Youth Congress people wherever they exist always indulge in goondaism and hooliganism. This matter should be borne in mind by the Home Minister. Very recently, one of the non-political associations in Madras called the Young Men's Indian Association invited important Members of Parliament like Mr. Dharia and Mr. Krishan Kant to give speeches at the Association. When they were there, the moment Mr. Dharia got up to speak, Youth

Congress members threw chappals and also raised slogans. They were immediately apprehended and they were put behind bars. Later on, they were let off on bail.

Now, what I want to say is this. This is a concerted move on the part of the Youth Congress, with the active connivance of the Government of India—may be, Mr. Brahmananda Reddy may not be in it. But without Government support, this sort of rowdism would not take place wherever the Youth Congress is there. Sir, we had a heated discussion in the House when there was a Youth Congress rally in Delhi. A delegation from Bombay came. But it earned not the name of Youth Congress but 'loot Congress' because of what they did at Bulsar Station and other places.

Sir, what we witnessed in the early 30s in Germany and Italy we are witnessing that in India now. They are feeding a Frankstern. What Hitler did with his storm-troopers and Mussolini with his Black Shirts in the same manner the Congress, which has lost its credibility, is encouraging this Youth Congress to create trouble and pandemonium in the country. So, Sir, if the hon'ble Minister is serious about what he says he must immediately ban this Youth Congress, otherwise it will become a great menace and I am sure if the thing is allowed to go on, there will be a civil war in the country. It is not that the Youth Congress alone have got muscles. Others too have got muscles. They will also come forward and have an open clash. Where will be your law and order then? So, Sir, the hon'able Home Minister should take it very seriously.

He has referred about a Minister coming and appealing to the demonstrators. I do not know what kind of a man this Mr. Subroto Mukherjee is. I am told that he is the former Home Minister and now he is the Minister in charge of Municipal Affairs. Our Home Minister is an experienced Member. He has held very responsible positions before becoming the Central Home Minister. He has enjoyed a long

[Shri S. S. Mariswamy]
public life. Let me ask, through you, Sir, whether in his long experience as a Minister and a public man he has ever seen a Minister leading a demonstration. Suppose if Mr. Brahmananda Reddy or, for that matter, some Minister from Delhi, comes to Madras and if the State Home Minister or some other Minister leads a procession and there is some brickbatting, will the police catch hold of the Minister? I am putting this simply as a question. When a Minister leads a procession it means the police hands are tied. They cannot take any action. This has happened with Mr. Jayaparkash Narayan. Really now I would think twice before I make a trip to Calcutta because the way things are happening there we may be butchered. They come with girls and other anti-social elements and smash window screens I have seen with my own eyes photographs which have appeared in the papers. Ladies are not standing in the doors but on the roofs of the cars. It has appeared in the Illustrated Weekly and in a paper called "Business Standard" from Calcutta. It was previously known as the Hindustan Standard. This paper publishes a supplement called the Sunday. There I saw an article along with a picture. I had never heard of such atrocities being committed even in the days of Jallianwalla Bagh. What is happening today? A person of the stature of J. P. is being abused by Ministers. Chappals are thrown at him. A Minister leads the procession and the Chief Minister's wife speaks wildly in an obnoxious manner in the other House.

Sir, where do we live? Are we living in the land of Mahatma Gandhi or are we living in the land of goondas and hooligans? This is a very burning question and I want the Home Minister to come out with a statement.

Sir, I am a student of politics. So far as I know, for the last 35 years never in my life have I seen an official, let alone a Minister, leading a procession. The Minister takes law into his own hands and goes towards J. P. of all, a feeble, old

man. The other day I saw him. He could not even stand up and walk straight. He has been treated in this manner.

Now, the Times of India is not my party's paper. It is not his party's paper or any other party's paper. The paper is not a lover or admirer of J. P. That paper has published two slogans from the leader, the Chairman of the Youth Congress, Mr. Munshi. It was supported by Mr. Subroto Mukherjee. Let me read :

"We will cut you to pieces. This is not Bihar. J. P. Go Back".

These are the slogans. It has appeared on the first page, in a very prominent position. If this happens where are we heading to? He is an experienced politician. Could he give an example where a Minister has led a procession attacking a peace-loving person like J. P.?

Then he said he incited the police and the military. Mr. Jayaprakash Narayan has denied it. After his denial, I am very sorry to say, in spite of my love and affection for Mr. Brahmananda Reddy, that he has no business to quote Mr. Narayan. He has denied it. He is not an ordinary person.

MR. DEPUTY CHAIRMAN : Please wind up.

SHRI S. S. MARISWAMY: I would say that if the hon. Home Minister is sincere in what he said, that he is opposed to the cult of violence, he must be in a position to ban this Youth Congress which has become a "Loot Congress", which has become a great menace to the girls, women, peace and law in this country. Would you ban it here and now?

SHRI K. BRAHMANANDA REDDY: I am sorry, Sir, that Shri Mariswamy, usually a quiet person, feels so much against the Youth Congress. In fact, I am very sorry that in his emotion, he has used some words which he should not have used.

SHRI S. S. MARISWAMY: What are those, Sir?

SHRI K. BRAHMANANDA REDDY : However, there is no question of banning the Youth Congress. It does not arise at all.

SHRI S. S. MARISWAMY: You should.

SHRI K. BRAHMANANDA REDDY: If members of the Youth Congress or members of the youth wing of any other organisation indulge in any excesses, certainly it is a matter which has got to be investigated, looked into. But to say that a wide organisation like the Youth Congress which is here and in some States should be banned just because some incident is alleged to have happened somewhere—the truth of it is to be known—would be very wrong, Sir, and I do not think it can happen. Secondly, Mr. Mariswamy also is wrong in saying that there is an active connivance of the Central Government in encouraging the Youth Congress to do any unlawful thing. Certainly not. The Government does not encourage any organisation, even the Youth Congress or the Congress organisation or anybody.

SHRI SASANKASEKHAR SANYAL (West Bengal): Nobody has condemned it.

SHRI K. BRAHMANANDA REDDY: ... to indulge in unlawful activities. Therefore, ...

SHRI S. S. MARISWAMY: Excuse me, Sir. On a point of order. In a democratic set up like ours, the Congress is an organisation and one of the wings of the Congress is the Government.

MR. DEPUTY CHAIRMAN: No, I am very sorry, let me make it very clear that the Government is not a wing of the Congress; it can never be.

SHRI S. S. MARISWAMY: It belongs to the party. It is being guided by the

party. Has the Congress President condemned what has happened in Calcutta? May I also bring it to the notice of the hon. Home Minister that J.P. is visiting Madras on May, 6 and 7, and the Youth Congress has issued a statement saying that the Government should not provide police protection to J.P. ? This is what they have said in Madras. They want to kill him there.

SHRI K. BRAHMANANDA REDDY: Please do not scare people like that. *(Interruption)* Now, Sir, Subrata Mukherjee has not led the demonstration. There was a meeting of theirs, a rally of theirs ...

SHRI RABI RAY: On that very day?

SHRI K. BRAHMANANDA REDDY: ... at that place near the University Hall where he addressed them and when he saw some commotion, he felt it his duty to get over the parapet wall and advise people not to get unnecessarily charged with emotion but to disperse. Therefore the question of Mr. Subrata Mukherjee having led the demonstration does not arise.

SHRI S. S. MARISWAMY: You are guided by the report of the West Bengal Government. Of course, the West Bengal Government will not own their mistakes.

MR. DEPUTY CHAIRMAN: Let him complete.

SHRI K. BRAHMANANDA REDDY: Mr. Mariswamy was not a witness ...

SHRI S. S. MARISWAMY: But I am guided by the newspapers. You are guided by the report of the West Bengal Government. What about your own agencies?

SHRI K. BRAHMANANDA REDDY: Please listen. You are not a witness, neither am I, neither many Members sitting here. It is the report of the West Bengal Government ...

SHRI SUBRAMANIAN SWAMY: A CBI man was in the car. What was he doing?

SHRI K. BRAHMANANDA REDDY: When the law and order question comes up, certainly as we all know, law and order is a State subject. Therefore, it is the convention that we get the information from the local State Govt., whatever that Government may be, and give the information to this House.

SHRI SUBRAMANIAN SWAMY: It is not an exclusive State subject under article 247. Parliament can discuss law and order.

SHRI K. BRAHMANANDA REDDY: Therefore, the question raised by Shri Mariswamy that the Minister led a demonstration is not factually correct. But what prevents a Minister from addressing a gathering? If Ministers and other public men are prevented from addressing their own gatherings, what else they are to do? Therefore, his addressing a meeting is not wrong. If he attends a rally that also is not wrong. If he addresses the rally that is not wrong. What seems to have happened according to the information given to us by the West Bengal Government is that when he saw some commotion and when he saw people getting emotionally tense, he seems to have got up on a parapet wall and asked them to disperse. That is the advice that he seems to have given.

SHRI K. CHANDRASEKHARAN (Kerala): Facts and circumstances cannot lie. A sense of complacency is writ large in the clarifications given by the hon. Minister. The hon. Minister has stated that it is the usual procedure for the Central Government to rely on those matters on the reports of State Governments. But the hon. Minister has overlooked the aspect vital in this case that the West Bengal Government itself is assuaged as a party to the whole incident and therefore I should think the hon. Minister ought to have departed from the convention. These conventions have been departed from in previous cases in regard to other States and he ought to have utilised a Central agency to investigate into the matter and report to the Central Government.

The hon. Shri Sen Gupta, who is a senior Member of this House, was directly involved in the sense that his son was there near J.P.'s car. His son was a prominent member of the Chatra Parishad. He had resigned from the Chatra Parishad and joined in support of J.P.'s movement. He was mercilessly beaten up. The Police were onlookers. Why is it that Priyadas Munshi and the Minister Subroto Mukherjee were there? The hon. Minister explained by stating that there was another meeting which they were trying to address some 200 meters away. It is something shocking and surprising that when a mass meeting of the kind J. P. was addressing everywhere including Calcutta, the Police could have given permission for another meeting so nearby. Suddenly double standards cannot be adopted in the matter of security measures. The Prime Minister's security is important and security of Government people is important . . .

SHRI K. BRAHMANANDA REDDY. There was no mass meeting . . .

SHRI K. CHANDRASEKHARAN : . . . but opposition members' security is also important.

He has said that there was a meeting in the hall or somewhere. Whether it is a mass meeting or not is a matter of words. Sometimes in a hall also you can hold a mass meeting by converging people outside the building. That is what has happened in this case.

Sir, photograph has come of the sweet-looking girl who had gone to the top of J.P.'s car dancing with a lathi. It was really strange that up till now not a single arrest has been made.

Sir, when the Prime Minister was there recently in my State, dwelling houses around Vaikom T.B. were got vacated as a security measure. I am not opposing any security measure for the Prime Minister.

But I am only saying that double standards should not be adopted by the Government, either the Central Government or the State Government, and the security of the Opposition leaders and respectable public men should also be taken care of by the Government. I should think, Sir, that the facts and the circumstances go to show that here was a pre-planned, West Bengal Government-aided incident. In Calcutta, Sir, You will see that the constables are having revolvers. It is the only State in which the traffic constables are given revolvers. At every traffic point there are four constables and one head constable, all with revolvers. You do not find that sight anywhere else in the country. But the West Bengal policemen, who have been efficient and who have been effective, were mere onlookers at the whole show on that forenoon and I should think that it is a case of a conspiracy on the part of the West Bengal Government.

SHRI K. BRAHMANANDA REDDY: Sir, I have already submitted that the policemen were not mere onlookers. They, in fact, afforded the necessary protection, etc. to Mr. Jayaparkash Narayan and what they were able to do at this place also, I have already submitted. And, Sir, it is incorrect also for my friend, Shri Chandrasekharan, to say that there was a mass meeting of Mr. Jayaprakash Narayan. In fact, the earlier meeting was in the students' hall the capacity of which was only 400 or 500 and he was going to enter the University Institute where also it was not supposed to be a mass meeting. In between these two places, there was a rally by the Chattra Parishad or the Youth Congress and it was there earlier. They had a meeting. Probably they held a meeting there. Leaders like Mr. Priya Ranjan Das Munshi, may be Mr. Subroto Mukherji, may be some other friends, addressed the rally and this demonstration took place after Mr. Jayaparkash Narayan completed his meeting in the students' hall and he was going to the University Institute. Therefore, to say that the police gave them permission to hold the meeting there is wrong; that

impression is wrong. Also, to say that the West Bengal Government is a party to it is, I do not think, correct. It is not a party. May be that the Youth Congress or the Chattra Parishad people are the supporters of the Government. Just because the demonstration or the mass rally was held by the Congress organisation, it does not mean that the West Bengal Government becomes a party to it. Certainly not. Therefore, Sir, in matters of this type, I do not think that there is any case at all for any Central agency to investigate into the matter.

MR. DEPUTY CHAIRMAN: Yes, Mr. H. D. Malaviya.

श्री सोताराम सिंह (बिहार) : श्रीमान, मैं गृह मंत्री जी का ध्यान

(Interruptions)

MR. DEPUTY CHAIRMAN: Mr. Sitaran Singh, please sit down. I am calling Mr. Malaviya.

श्री हर्षदेव मालवीय (उत्तर प्रदेश) : मान्यवर, यहां तो आप मुझसे सहमत होंगे कि आज श्री सुब्रह्मण्यम स्वामी जी ने जितना गरम-गरम भाषण दिया, ऐसा भाषण प्रायः वह कम देते हैं। आज इनको जो बहुत गरमी आई स्पष्ट है कि वह किसी और स्वामी को प्रसन्न करना चाहते हैं। मगर सवाल यह है, जैसे कि एक कहावत है कि—खाली हो गई सब तदबीर, कुछ न दवा ने काम किया—एक बड़ी कोशिश हमारे स्वामी जी ने और बहुत दोस्तों ने की कि जयप्रकाश बाबू को घेर-घारकर अपना मतलब साधे और अब जब वे देख रहे हैं कि जयप्रकाश जी का आन्दोलन कुछ ठंडा पड़ रहा है तो इनको गुस्सा आना स्वाभाविक है। अंग्रेजी में एक कहावत है—

"Those who sow the wind, will have to reap the whirlwind."

जहाँ तक श्री जयप्रकाश जी का सम्बन्ध है, मैं उनका आदर करता हूँ, वे बुजुर्ग मगर उन्होंने

[श्री हर्षदेव मालवीय]

विड को बोया तो वर्लविड को उनको रीप करना पड़ेगा।

जब ओखली में सिर दिया तो फिर मूसलों से क्यों डरें। आज के अखबार में खबर छपी है कि कानपुर में उनको 2 लाख 30 हजार की थैली देने के लिये बुलाया गया था और मिले उनको 3 हजार। इसपर जयप्रकाश जी बिगड़ गये, नाराज हो गये। कहने लगे कि मुझे 'लोकनायक जिन्दाबाद' मत कहिये। मेरा कहना है कि इसमें कांग्रेस का क्या दोष है? इसमें हमारा क्या दोष है? उन्होंने खुद कह दिया कि गुजरात के चुनाव में मैं नहीं जाऊंगा तो इससे भी हमारे जनसंघी भाइयों को, हमारे स्वामी साहब को बिस-अपाएंटमेंट हो गई। तीसरे, आज अखबारों में चरण सिंह जी का भाषण छपा है। चरण सिंह जी ने साफ-साफ कह दिया कि मैं तो घबरा गया हूँ, जयप्रकाश जी का आन्दोलन कुछ नहीं है, बेकार है।

MR. DEPUTY CHAIRMAN: Now, come to the relevant point... (Interruptions).

श्री हर्ष देव मालवीय: मैं बिल्कुल वहीं आ रहा हूँ। अब सवाल यह है कि जयप्रकाश जी का आन्दोलन समाप्त हो रहा है। स्वाभाविक ही था, क्योंकि उन्होंने भानुमति का कुनवा जोड़ा था। कहीं का ईटा कहीं का रोड़ा भानुमति ने कुनवा जोड़ा। उसमें जनसंघ भी आ गया, मार्क्सिस्ट भी आ गये, सोशलिस्ट भी आ गये। पर फल जब कुछ न बनेगा तो खिसयानी बिल्ली खम्बा नीचे वाली बात ही होगी।

जहाँ तक जयप्रकाश जी के कलकत्ता जाने का सवाल है मैं चाहता था कि उनके मस्तिष्क का बैंक-आउण्ड थोड़ा दे दूँ। यह है हालत इनकी। कांग्रेस तो चलती रही है और चलती रहेगी। मैं यह भी कहना चाहता हूँ कि गुजरात में कांग्रेस ही जीतने वाली है।

सवाल यह है कि वहाँ पर जयप्रकाश जी को जितनी प्रोटेक्शन पुलिस दे सकती थी उतनी दी

या नहीं? इससे इन्कार नहीं किया जा सकता। बंगाली मुद्द तो तेज होता है। कहते हैं कि हिंसाते चीन और हुज्जते बंगाल। प्रिय रंजन मुशी और सुभ्रतो मुखर्जी के बारे में आपने पढ़ा है। प्रिय रंजन को मार्क्सिस्टों ने मार कर फेंक दिया और वे समझे कि यह मर गया लेकिन वह अस्पताल में जा कर जिन्दा हो गया। यह वह नौजवान है जिन्होंने बंगाल में मार्क्सिस्टों की ताकतों को समाप्त कर दिया और कांग्रेस को पुनः शक्ति में ला दिया।

श्री सुब्रह्मण्यम: जय प्रकाश जी से बदला ले रहे है।

श्री हर्ष देव मालवीय: बदला नहीं ले रहे है। पता नहीं आपके दिमाग में यह बात कैसे आई।

इन लोगों की कहावत है कि जो हम से टकरायेगा वह चूर-चूर हो जायेगा।

मैं कहना चाहता हूँ कि प्रिय रंजन मुशी और सुभ्रतो मुखर्जी से जो टकरायेगा वह चूर-चूर हो जायेगा। यह आपने बंगाल में, कलकत्ता में देख लिया।

हम जयप्रकाश जी का आदर करते हैं और उनकी शान के खिलाफ मैं कुछ नहीं कहना चाहता। पता नहीं क्यों पिछले कुछ समय से कुछ गलत किस्म की पाटियों के हाथ में वे मोहरा बन रहे हैं। बंगाल में उनकी पूरी प्रोटेक्शन हुई और जहाँ भी वे जाते उनकी पूरी सुरक्षा का प्रबन्ध किया जाता रहा। यू०पी० में भी उनका इसी प्रकार प्रबन्ध किया जाता रहा है।

मैं चाहूंगा माननीय मंत्री जी कृपा करके यह बताये कि कितना रुपया आपने अभी तक जय-प्रकाश जी की सुरक्षा में खर्च किया। मैं इस संबंध में दो-तीन सवाल पूछना चाहता हूँ।

यह पुलिस की बगावत करा रहे हैं, फौज की बगावत करा रहे हैं। मैं उनसे कहना चाहता हूँ कि दुश्मन बैठा हुआ है दरवाजे पर और हथियार आ रहे हैं। आज जब बिफैंस पर डिबेट होगी तब

पता लगेगा कि कितने हथियार चीन दे रहा है और कितने हथियार अमेरिका दे रहा है। आप कहते हैं कि पुलिस की बगावत करो मेरा कहना है कि इसका मुकाबला तो देश का नौजवान करेगा। मैं दो-तीन सवाल यह पूछना चाहता हूँ कि पहले तो यह बताया जाये कि कलिंग एयरलाइंस का जो चार्टर्ड प्लेन था जिसमें जयप्रकाश जी वहाँ पहुँचे उसका खर्चा किसने दिया। मैं यह इसलिये पूछना चाहता हूँ क्योंकि कुछ अखबारों में खबर छपी थी और शायद दूसरे सदन में इसकी चर्चा भी आई थी कि उड़ीसा के सर्वोदय संघ के नाम एक चैक विदेशी करेंसी में किसी विदेश से आया था। क्या यह बात सही है कि ऐसा कोई फंड आया विदेश से और वह उड़ीसा के सर्वोदय संघ के नाम था? क्या उड़ीसा के सर्वोदय संघ ने इस कलिंग एयरलाइंस का खर्चा दिया?

आपने यह भी कहा कि वहाँ पर प्रधान मंत्री के खिलाफ और मुख्य मंत्री के खिलाफ उन्होंने कुछ अशोभनीय बातें कही। वह क्या बातें थी जो जयप्रकाश जी ने कही, समर गुह जी ने कही या किसी और ने कही। प्रधान मंत्री जी की क्या बेइज्जती की? उनको यह समझा दिया जाना चाहिये कि प्रधान मंत्री जी की अग्रर बेइज्जती होगी तो कांग्रेस का जवान चुपचाप बैठने वाला नहीं है। मैं यह चाहूँगा कि तफसील में बताया जाये कि जयप्रकाश जी की सुरक्षा के लिये क्या-क्या इंतजाम सरकार की तरफ से किये गये?

और दूसरी बात मैं यह कहना चाहता हूँ कि जब श्री जयप्रकाश नारायण जी के साथ यह सब कुछ हुआ तो इसके बाद उन्होंने कहा कि मई के महीने में वे फिर कलकत्ता आयेंगे। चूँकि मई का महीना आ रहा है और श्री समर गुह और अन्य दो तीन व्यक्तियों को उन्होंने पटना बुलाया भी है—ऐसा लगता है कि श्री जयप्रकाश जी फिर कलकत्ता जाने की योजना बना रहे हैं—ऐसी स्थिति में मैं माननीय मंत्री जी से यह

पूछ सकता हूँ कि जब श्री जयप्रकाश नारायण जी वेस्ट बंगाल जाने की अपनी जिद पर अड़े रहे तो क्या सरकार इस बात का अश्वासन देगी कि वहाँ पर श्री जयप्रकाश नारायण जी की सुरक्षा के लिये समुचित प्रबन्ध किया जायेगा?

SHRI K. BRAHMANANDA REDDY: Sir, I have heard Shri Malaviya Ji. He seems to have answered the political part of the speech of Shri Subramanian Swamy. I have submitted to you that he travelled by a plane chartered by Kalinga Airlines. I have not got the information just now as to who arranged this and who paid for it. I have information that a cheque for about Rs. 45,000/- in foreign currency was received from Netherlands in favour of Utkar Sarvodaya Mandal.

SHRI HARSH DEO MALAVIYA: Did the Utkal Sarvodaya Mandal pay for the chartered plane? Can you please enlighten us on that? which party from Netherlands sent the money?

SHRI K. BRAHMANANDA REDDY: We have some information.

SHRI YOGENDRA SHARMA (Bihar): Why are you withholding this information?

SHRI K. BRAHMANANDA REDDY: Whatever information I have got, I have given to the House.

SHRI HARSH DEO MALAVIYA: Who is the man who sent the money?

SHRI YOGENDRA SHARMA: The Minister says that a foreign agency has financed. He is not disclosing the identity. It is a very serious matter. He should take House into confidence.

श्री रबी राय : उपमहापति जी, मेरा प्वाइंट ऑफ ऑर्डर है। मैं इस बात को जानता हूँ कि सर्वोदय मंडल को जो रुपया मिलता है उसका जे० पी० मूवमेंट से कोई ताल्लुक नहीं है... (Interruptions)। मैं यह भी कहना चाहता हूँ कि सर्वोदय मंडल को दूसरे देशों से जो रुपया मिलता है उसके संबंध में माननीय मंत्री महोदय पूरी जानकारी दे। यह कहना ठीक नहीं है कि जे० पी० मूवमेंट को विदेशों से धन मिलता है।

श्री हर्ष देव मालवीय : मान्यवर, यह बात पहले भी कही जा चुकी है और हम लोगों को इस बात की खुशी है कि इस बारे में स्थिति स्पष्ट हो रही है। हम लोग बहुत दिनों से इस बात को कहते रहे हैं कि श्री जयप्रकाश जी के आन्दोलन के लिये धन बहुत गलत तरीकों से आता है। अब यह विदेशों के संबंध में बात मानने आई है। इसलिये हम यह जानना चाहते हैं कि नीदरलैंड के किस आदमी ने, किस पार्टी ने और किस संगठन ने यह रुपया भेजा है? हम लोगों की सूचना यह है कि सी०आई०ए० का बहुत ज्यादा धन नीदरलैंड और वेस्ट जर्मनी से ओपरेट होता है। इस संबंध में स्थिति को स्पष्ट करना बहुत आवश्यक हो गया है और अब पूरी तफसील में यह बताया जाना चाहिये कि यह धन कहा से आ रहा है?

SHRI CHANDRA SHEKHAR : Sir, I rise on a point of order. Shri Malaviya has raised a very valid point. I support him and I think that the Minister should not keep mum over this matter because when any foreign money comes, the Government is fully informed about the purpose and the person who has sent the money. If the Minister keeps quiet on this, then either he is shielding Mr. Jayaprakash Narayan or he is providing an opportunity to malign JP deliberately. Both things are untenable in a parliamentary democracy. So, now it is incumbent on the Minister as he has said that money has come that he should make a statement before the House. From whom it has come and for what purpose? If the Minister keeps quiet, it will be construed that the Minister is

an accessory to the maligning campaign against a certain individual or he is shielding an individual who has some foreign links. So, Mr. Deputy Chairman, Sir, you should ask the Minister to make a categorical statement on this issue.

MR. DEPUTY CHAIRMAN : I think, Mr. Minister, if you do not have the information now, please collect the information...

श्री रबी राय : यह स्पष्टीकरण हो जाये कि जयप्रकाश नारायण के आंदोलन के साथ उसका कोई ताल्लुक नहीं था, जो रुपया उन्होंने भेजा...

SHRI CHANDRA SHEKHAR : Now the Minister has said that JP has got the money. The Minister cannot go back on his words,

SHRI K. BRAHMANANDA REDDY : I have not said that.

SHRI CHANDRA SHEKHAR : You have said it.

SHRI K. BRAHMANANDA REDDY : No. Without hearing what I have said, for my friend, Mr. Chandra Shekhar, to get into a rage is not necessary. I said that there is some information that a cheque for about Rs. 45,000 in foreign currency was received from the Netherlands in favour of the Utkal Sarvodaya Mandal.

SHRI RABI RAY : What has it to do with JP?

SHRI HARSH DEO MALAVIYA : Through which bank was it received?

MR. DEPUTY CHAIRMAN : Mr. Harsh Deo Malaviya, there is nothing in a bank. All foreign exchange transactions are done through a particular bank and you know that.

SHRI CHANDRA SHEKHAR : I am sorry now that you have clarified the position.

SHRI K. BRAHMANANDA REDDY : If you are sorry, I am happy.

SHRI RABI RAY: Please do not give incomplete information.

SHRI K. BRAHMANANDA REDDY: I am not giving any incorrect information.

SHRI A. G. KULKARNI (Maharashtra): What is this Utkal Sarvodaya Mandal for?

SHRI K. BRAHMANANDA REDDY: Sir, there is no question of either supporting JP or maligning JP. I only tried to give to the House, on a pointed question raised by Shri Malaviya, the information which is in my possession...

(Interruptions)

MR. DEPUTY CHAIRMAN: Order please.

SHRI K. BRAHMANANDA REDDY: I have already given the information that I have, namely, Shri Jayaprakash Narayan arrived at Calcutta from Bhubaneswar on the night of 1st April, 1975 by a plane chartered by the Kalinga Airlines. I have said that. Therefore...

SHRI HARSH DEO MALAVIYA: Excuse me, Sir, I put a clear question, who paid the money for it? Was it Utkal Sarvodaya Mandal?

MR. DEPUTY CHAIRMAN: Mr. Harsh Deo Malaviya, that information is evidently not with the Minister. What is the use of your persisting on that question?

SHRI YOGENDRA SHARMA: With what information he has just now in possession, will the hon. Minister say whether the Utkal Sarvodaya Mandal has financed the JP movement. That is number one. Secondly, which is the agency that has sent the cheque of which the hon. Minister has just now made a mention?

SHRI K. BRAHMANANDA REDDY: The matter, according to my information, is being investigated. Therefore, after it is investigated, if those facts come to our notice, then, certainly we can consider. Sir, so far as the cost on affording the secu-

rity arrangement during JP's tour is concerned, I cannot just now give it off-hand. But it is a fairly big amount that is incurred by several State Governments. This information will have to be collected from several States where he went. But I have already said in the Lok Sabha that huge amounts are being spent by the State Governments in trying to make the necessary security arrangements, etc.

SHRI K. A. KRISHNASWAMY (Tamil Nadu): Mr. Deputy Chairman, Sir, I would like to bring one vital aspect of this issue before the House and for the consideration of the Home Minister. Hon. DMK Member, Mr. Mariswamy, while he spoke, referred to an incident, and that is Dharia episode of Madras. So far as that is concerned, I think he has suppressed a few aspects of the problem.

What actually happens in Tamil Nadu is that there is no security for the opposition parties. In Mohan Dharia's meeting it seems that some unpleasant thing has happened; but it is not an isolated event. It is a common thing that is happening in Tamil Nadu today. I may bring to the attention of the Home Minister one instance. One Mr. Venga, Anna D.M.K. M.L.C. was assaulted in broad daylight. You know that Mount Road in Madras is in the heart of the city. The M.L.A.s. hostel is located there. In that hostel the Anna D.M.K. M.L.C. was assaulted in day-light. During the last 30 months more than three political murders have taken place. This also includes one Sukumaran from Pullavari village in Salem District. But the culprits have not been arrested by the Madras police. Why? Mr. Mariswamy has said that he was attacked because somebody misbehaved in that meeting. It is the partisan picture of the Tamil Nadu Government. But, you know that Tamil Nadu Government is run on corruption and by robbers. You know recently in Vellore the principal of the C.M.C. college hospital, which is run by the minority community, was arrested by the aggressive Chief Minister Karunanidhi. All these things reveal how the violence is rampant in Tamil Nadu.

[Shri K. A. Krishnaswamy.]

I would like to bring to the notice of the House one more incident. Swamiji has also brought out that aspect, namely, that the Calcutta incident is not an isolated incident; it is an event in a continuous process. It is an off-shoot of the miscalculated move of the J.P. In this connection I would like to bring forth one aspect. Jayaprakash Narayan is likely to visit Madras in the course of the first week of May. I think the people are bewildered and perturbed because he is going to shield corrupt Karunanidhi in the course of his tour. I fear and apprehend that another Calcutta would repeat if he supported that corrupt and repressive Government. I am not exaggerating. People are restless there. It is an undisputed fact that Karunanidhi Government is a corrupt and repressive Government. Jayaprakash Narayan says that he is for clean administration, he is the champion for avoidance and elimination of corruption. But he is going to support that corrupt Government. This is the position in Tamil Nadu.

You are aware, hon. Minister,—You come from Andhra and you have studied in Madras—that Tamil Nadu people are the most sensitive people. They are now very angry because Mr. Jayaprakash Narayan is going to support that corrupt Government and that repressive Government. So I would request you to kindly intervene and take necessary steps to keep peace in Tamil Nadu. My hon. friend, Swamiji, also belongs to Tamil Nadu as he comes from Madurai. He knows very well the political situation in Tamil Nadu.

The way in which the Government is behaving with the common people is an undisputed fact. In spite of all these things, knowing all these things if Jayaprakash Narayan supports that corrupt and repressive Government, the result would be unpleasant. So I would say that it would be unethical and inequitable on the part of Jayaprakash Narayan to support this corrupt Government and finally I would say that the way in which he conducts his tour would only create doubts in the minds of the people about the integrity and

honesty of Jayaprakash Narayan. Thank you.

SHRI K. BRAHMANANDA REDDY:

Sir, there is nothing much for me to answer except to say that I was listening to him with attention. The point is, Sir, what Shri Jayaprakash Narayan is going to say against what and whom, I do not know. But it will be proper for the Government of Tamil Nadu to take necessary precautions if, according to what he says, the people are worked up. Then it will be necessary for the Tamil Nadu Government to take more precautions so that no unhealthy incidents happen.

श्री रवी राय . डिप्टी चैयरमैन सर, 2 अप्रैल को जो घटना घटी उसकी पृष्ठभूमि में क्या है वह मैं आपकी खिदमत में कहना चाहता हूँ ताकि सारी चीज को उस पर्सपेक्टिव से देखा जाये। दो तारीखें हैं 4 नवम्बर और 30 मार्च। जयप्रकाश जी के खिलाफ जान बूझकर वाइलेंस की क्लाइमेट खड़ी की जाती है। 4 नवम्बर, को जब पटना शहर में जयप्रकाश जी डिमांस्ट्रेशन लीड कर रहे थे तब जो कुछ हुआ उस पर ब्रह्मानन्द रेड्डी जी, जो घर मंत्री हैं, क्षमा मांग चुके हैं। सरकार की पुलिस द्वारा उनके ऊपर लाठी प्रहार हुआ था, 'स्टेट्समैन' में तस्वीर छपी थी। जयप्रकाश जी का खुद ब्यान है कि नाना देशमुख न होते तो हमको मार डाला गया होता। 4 नवम्बर की पटना शहर की घटना है। दूसरी घटना 30 मार्च की है। दो तारीख को कलकत्ता पहुंचने से पहले 30 तारीख को वे सम्भलपुर से कटक जा रहे थे। बैंकानाल शहर में 11 बजे दिन में उनकी सभा थी। वहां एक कांग्रेसी एम० एल० ए० के नेतृत्व में यूथ कांग्रेस के गुन्डा लोग आये और उनकी मीटिंग को डिस्टर्ब करना चाहा। उनको पुलिस ने बहुत डील दी। जयप्रकाश का भाषण खत्म होने के समय उनको फिजीकली मारने के लिये पुलिस कार्डन को उन्होंने भंग किया। वह चीफ मिनिस्टर की कांस्टीट्यून्सी है। फिर पुलिस को लाठी चार्ज करना पड़ा गुन्डा लोगो को भगाने के लिये। 2 अप्रैल की घटना इस लिये

बता रहा हूँ कि कांग्रेस सरकार के प्रोत्साहन से यूथ कांग्रेस के लोगों ने जानबूझ कर जयप्रकाश पर हमला किया, जो शांतिमय तरीके पर विश्वास करते हैं, अहिंसात्मक तरीके पर विश्वास करते हैं। 2 तारीख की घटना के बारे में मैं जो प्रमाण सदन की खिदमत में रखूंगा उनसे साफ जाहिर है...

"The whole thing was pre-arranged and masterminded by the Chief Minister of West Bengal."

मैं कहता हूँ कि सारी पुलिस को जानबूझकर इम्मोबिलाइज कर दिया गया था। सुब्रतो मुकर्जी खुद वहाँ की केबिनेट के मंत्री हैं और एक एम० पी० साहब वहाँ जयप्रकाश जी के खिलाफ डिमांडेशन कर रहे थे और इस का कोई जवाब रेड्डी साहब ने नहीं दिया है कि पुलिस को क्यों इम्मोबिलाइज कर दिया गया था। यह सारी की सारी चीजें इस लिये हुई कि, वैस्ट बंगाल गवर्नमेंट के एक मंत्री वहाँ मौजूद थे और प्रियदास मुभी के साथ वह वहाँ प्रदर्शन कर रहे थे। दूसरा प्रमाण यह है कि 3 तारीख को वहाँ की असेम्बली में आर० एस० पी० के सदस्य शेख मुहम्मद ने इस पर बहस शुरू की और 25 मेम्बरस जब सी० पी० आई० और कांग्रेस के इस पर बोले तो उस समय वहाँ श्री सिद्धार्थ शंकर राय जी मौजूद थे लेकिन उन्होंने इस घटना पर कोई खेद जाहिर नहीं किया। मैं इस का जिक्र इस लिये कर रहा हूँ कि उस समय सिद्धार्थ शंकर जी का यह कर्तव्य था, वह वहाँ के मुख्य मंत्री हैं वह खेद जाहिर करते, लेकिन वह खुद और सरकार वहाँ रूल आफ ला को भंग करने के लिये कनाइव किये हैं। तीसरी बात मैं यह कहता हूँ कि कई सदस्यों ने और श्री लाल मित्र जी जो सी० पी० आई० के एम० एल० ए० हैं उन्होंने कहा कि 'आई० एम० प्राउड आफ दैम'। तो यह तीन बातें, तीन सबूत जो मैंने रखे हैं उनमें कांग्रेस दल का सवाल नहीं है। मैं तो यह सवाल उठा रहा हूँ कि वैस्ट बंगाल सरकार को श्री जयप्रकाश नारायण के स्वास्थ्य और सेक्योरिटी की तरफ ध्यान देना चाहिये था लेकिन उसके बजाय आज सारे देश में इस तरह की एक कांस्पिरेसी

बन रही है और बंगाल में तो कोई रूल आफ ला नहीं रह गया है और वहाँ वायलेंस युवा कांग्रेस और कांग्रेस फैला रही है। आज जयप्रकाश जी देश में जो जनअसंतोष है उस के प्रतीक हो गये हैं इसीलिये आप सब उन के खिलाफ हैं। मैं घर मंत्री जी को आगाह करना चाहता हूँ कि आज मारे देश में वायलेंस का वातावरण बनता जा रहा है ताकि Jayaprakashji Narain should be crippled physically, so that he cannot move about the country. और मैं अन्त में कहना चाहता हूँ कि जय प्रकाश जी दो तीन दिनों में ही दक्षिण में जाने वाले हैं, वहाँ के दोरे पर और वे आंध्र प्रदेश भी जायेंगे। रेड्डी साहब वहाँ से आते हैं। हैदराबाद में सभा करने के लिये उन को कोई स्टेडियम नहीं मिल रहा है, कोई मैदान नहीं मिल रहा है। तो मैं चाहता हूँ कि रेड्डी साहब हमें आश्वासन दें कि 2 तारीख को बंगाल में जो घटना घटी है उसकी पुनरावृत्ति फिर बंगाल में नहीं होगी और 15 या बीस दिन के बाद जब वे वहाँ लौट कर आयेंगे तो वहाँ शान्ति रहेगी और दक्षिण जो वह जा रहे हैं वहाँ जैसी सरकार ने यहाँ साजिश की है वैसी साजिश वहाँ नहीं होगी और सरकार की तरफ से वहाँ अमन चैन रखने के लिए और उन की सेक्योरिटी के लिए पूरा इन्जाम किया जायगा इस प्रकार का आश्वासन रेड्डी साहब को इस सदन को देना चाहिए।

SHRI K. BRAHMANANDA REDDY :
Sir, the boot is on the other leg. It is in fact the climate of violence or atmosphere of hatred that is being created by the activities of some of the political parties, some of the opposition groups.

श्री रबी राय : आप सबूत के साथ कहिए। मैं अपनी बात सबूत के साथ कह रहा हूँ।

SHRI K. BRAHMANANDA REDDY :
But to say that the climate of violence against Shri Jayaprakash Narayan is being created is wrong. Now it is also wrong to

[Shri K. Brahmananda Reddy.]

say that the police have been immobilised. In fact the whole story as I have read, not to speak of other States, right from the time Shri Jayaprakash Narayan arrived at Calcutta Airport, how friends of Shri Jayaprakash Narayan wanted to invite him, welcome him were taken to the VIP area and even when some Yuvak Congress people raised some slogans, nothing happened. Police were there and subsequently also when he lodged himself in an separate place, there were several meetings inside the building. The police were there, the protection was there and he went to the Students Hall and there also there was a sufficient police.

To say that they were immobilised under instructions of the Chief Minister, West Bengal would be very uncharitable. Now, the Chief Minister, West Bengal seems to have expressed his regret for what happened.

SHRI RABI RAY : When ?

SHRI K. BRAHMANANDA REDDY : Whenever that may be. He seems to have expressed his regret.

श्री रबी राय : तीन तारीख को विधान सभा की बैठक हुई, उसमें सिद्धार्थ शंकर रे मौजूद थे, उस पर बहस हुई, तो उसमें रिप्रेट करने का मौका नहीं मिला उनको ?

SHRI K. BRAHMANANDA REDDY : Probably he said it later. I do not know what he said, but it appeared in the press, and therefore...

SHRI RABI RAY : You should have known it when he expressed his regret.

SHRI K. BRAHMANANDA REDDY : Then so far as Andhra Pradesh is concerned, it is not my jurisdiction to give permission or not to give it. But it was in news somewhere—I saw it in newspapers that permission...

SHRI RABI RAY : Mr. Vengal Rao is following in the footsteps of the British Government, not allowing fields, not allowing halls and stadiums, like that.

SHRI K. BRAHMANANDA REDDY :

What I saw in the newspapers was that in a particular place like Lal Bahadur Stadium—which probably is not generally given for political activities—it had been refused probably. I do not know the facts, but I do not think in other areas wherever that meeting is sought to be held, there will be any objection. I do not know because I am not the man to consider that. However, Sir, I wish to repeat that it has been our endeavour to see that all legitimate activity is not hindered by any acts of hooliganism or violence. Therefore, in this process very political party will have to make its own contribution.

Thank you.

RE ACUTE SHORTAGE OF WATER IN TAMIL NADU

SHRI T. V. ANANDAM (Tamil Nadu) :

Sir, thank you very much for giving me this opportunity to make an urgent and important mention regarding Tamil Nadu. Sir, Tamil Nadu is suffering for want of water and also power. This morning newspapers said that about 10 lakhs of workers are laid off, they are jobless, and the people of Madras city are migrating to Andhra Pradesh or Karnataka, or even to Kerala. Here I may point out that we may call ourselves citizens of this great nation and we want national integration, but the people in the adjacent places do not come to the rescue of the Tamil Nadu people. Whether the people of Tamil Nadu request them or not, it is their duty to see that instead of allowing waters to flow to the Arabian Sea or Bay of Bengal, water is given to Tamil Nadu. It is a very critical situation. People are suffering. Jaundice, cholera, small-pox—all types of diseases are prevalent. There is a dispute between the State Minister and the Central Finance Minister in the matter of grant. I hope the Home Minister would bring it to the notice of the Prime Minister or the Minister concerned to see that immediate steps are taken to relieve the