

SHRI OM MEHTA : This is a vital question. We will go into it. About the other thing, I again assure the House that time permitting, we will consider having a discussion on Bihar also. If time is there, it may be in the first week of September ....

(Interruptions)

MR. DEPUTY CHAIRMAN : It was श्री महावीर त्यागी : ..... काश्मीर के सीडर के साथ जो बातचीत हो रही है एन्टी नेशनल है, यह कांस्पिरेसी है, बातचीत इतने दिनों से चल रही है लेकिन ....

only a suggestion .... (Interruptions). It was very clear that it was only a suggestion for business, and the Minister is not obliged to give you an answer ....

श्री महावीर त्यागी : ..... हाऊस को कन्फिडेंस में नहीं लिया गया। क्या काश्मीर को डिपेंडेंट स्टेट बनाने का इरादा है या काश्मीर को स्विट्जरलैंड की तरह बनाने का विचार है?

MR. DEPUTY CHAIRMAN : Mr. Tyagi, what is it you want? ....

(Interruptions)

श्री महावीर त्यागी : काश्मीर के बारे में एक बार जो फैसला हो चुका उसके खिलाफ कोई फैसला करना, बिना हाऊस की मर्जी के, यह भली नहीं माना जाएगा।

MR. DEPUTY CHAIRMAN : The House will sit on the 31st August and from 2nd to 5th September, 1974 ....

(Interruptions)

#### REFERENCE TO UNUSUAL DELAY IN INDIA-USSR TALKS ON LONG TERM TRADE AGREEMENT

SHRI NIREN GHOSH (West Bengal): Sir, through you. I would call the attention of this House as well as the Government to a very urgent, extremely urgent, thing. It is reported that unusual

delay is taking place in the meeting that is scheduled to take place between India and Soviet Union to finalize the long-term trade agreement. Generally this schedule is announced months in advance so that both sides can prepare. Last time when Mr. Chavan went to Moscow, he wanted long-term agreements, particularly for specific, rare commodities that India will need. India has also said that there should be re-scheduling of debt repayment just as other countries have done. We welcome the Indo-Soviet Agreement. There are better terms now. The soft credit of the International Development Association (IDA), an affiliate of the World Bank, amounts to 85 per cent. Of the Canadian credit, 90 per cent is grant. Swedish credits 65 per cent grant; West German credits 60 per cent grant; from the Soviet Union we do not want grants because it is a socialist country and they are also in difficulty. So I understand Mr. Chavan requested a marginal reduction of interest rate and payment, that is now scheduled for twelve years, to be spread over to twenty years. One-third has already been spread over. I think this is a matter of urgent importance because Soviet credits are generally for machine building industry and tied to definite projects .... (time-bell) We have to import larger amounts of commodities from them. This unusual delay may cause India harm in its economic planning. Already the economy is in shambles. Perhaps it will never come out of the ditch into which you have thrown it. This is an important matter and I wanted the Government and the people know this.

#### STATUTORY RESOLUTION SEEKING APPROVAL OF CONTINUANCE OF THE PROCLAMATION ISSUED BY THE PRESIDENT IN RELATION TO THE STATE OF GUJARAT

j THE MTNISTFR OF HOME AFFAIRS (SHRI UMASHANKAR DIKSHIT) : Sir, with your permission I beg to move:—

That this House approves the continuance in force of the proclamation issued by the President on the 9th February 1974, under article 356 of the Constitution, in relation to the State of Gujarat, for a further period of six months with effect from the 11th September, 1974.

The House is aware of the circumstances in which the Proclamation under Article 356 of the Constitution in relation to the State of Gujarat was issued by the President in February last, and the State Assembly was dissolved subsequently. Unless Parliament approves its extension, the Proclamation will cease to be in force from the 11th September 1974. It is clearly not possible to restore during this short period the normal constitutional machinery. Therefore, the continuance in force of the Proclamation beyond September 1974 is unavoidable. I do not wish to take much time of the House over details but would like very briefly to refer to some of the most salient features of the work done by the State Administration.

After the travails through which the State had passed earlier this year the process of restoration of peace and order has made steady progress. There has also been a continuing improvement in the law and order situation and the Administration has generally acted with promptness and firmness. The agitation in the State had led to the closure of educational institutions and the disruption of academic life. As soon as the agitation was called off, the State Administration took steps to revive normal academic life and activities. Arrangements were made to enable the students to appear at the examinations which were conducted in a peaceful atmosphere. One of the main grievances of the students was the rising cost of meals in the hostels. Special arrangements have been made for supplying foodgrains and edible oils to the student hostels and this grievance has been largely eliminated.

The State Government have been equally alive to the need for ensuring adequate food supplies to the weaker sections of the society through public distribution system. A population of about 244 lakhs has been covered by over 8300 fair price shops. Stringent measures have been launched by the State Government to bring out hidden stocks of foodgrains, edible oils and other essential commodities by launching over 13000 de-hoarding raids and to unearth essential commodities worth about Rs. 3.5 crores. The State Government had also undertaken distribution of limited quantities of groundnut oil to vulnerable sections of the population at a subsidised price. Due attention has been paid to scarcity relief operations in the conditions of scarcity and semi-scarcity created by inadequate rainfall. One thousand two hundred and twentythree villages were declared as scarcity affected and another 1363 villages were declared as having semi-scarcity conditions. A number of relief works which employed over 95,000 people have been started in these villages.

The Collectors have also been authorised to start scarcity relief works and distribute drought relief in areas in which the rainfall is less than 55 million metres and acute distress is being felt. Old and infirm persons and those who are not able to do any relief works are being paid cash doles. According to the latest reports from the State Government, over 8,000 persons were receiving such doles. In respect of water supply for villages, arrangements have been made to supply water through tankers or bullock carts. To 172 villages, arrangements have also been made for supply of fodder to the cattle. The State Government have continued to pay special attention to the conferment of occupancy rights on tenants. As a result of special efforts, over 31,000 cases were disposed of by the 30th of June last, and occupancy rights were conferred on 14,006 tenants. The developmental activities have also received the attention of the State Government.

Recently, the Prime Minister visited Gujarat to review the position in respect of

[Shri Umashankar Dikshit]

agricultural production. Special schemes have been taken up to make optimum use of agricultural inputs. All restrictions on the use of power has been lifted from the 18th lune, 1974, and active steps are being taken to ensure adequate power supply during the Fifth Plan. The State Government has taken initiative to set up important industrial projects through the agency of various Corporations under the Industries Department. A number of letters of intent have been obtained by some Corporations. And 11 industrial licences have been granted for setting up co-operative spinning mills. The Gujarat State Fertilizer Corporation has been granted a letter of intent for setting up a new fertilizer plant costing about Rs. 120 crores. The proposed plant, when commissioned, will produce 1600 tonnes of urea and 1350 tonnes of ammonia daily.

The welfare of the backward classes has received special attention of the State Government and the stipends of the students have been increased.

Sir, we have circulated for the information of the hon. Members a booklet giving more detailed information. I have virtually summarized the information here.

The Parliamentary Consultative Committee for Gujarat has already met once and is due to meet again in a few days' time. I am sure, the problems of the State Administration would be reviewed at that meeting also. Since it will not be possible to restore the normal constitutional Government by the 11th of September, 1974, Sir, I commend the Resolution for the acceptance of this House.

*The Question was proposed.*

MR. DEPUTY CHAIRMAN : Shri Inder Deep Singh.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Sir, I want to put a question to the Minister.

MR. DEPUTY CHAIRMAN : Not now. There will be a debate ....

SHRI MAHAVIR TYAGI : That is a permanent attitude of yours . . .

MR. DEPUTY CHAIRMAN : No, no. You cannot just get up at any time. That is a permanent trouble with you, Mr. Tyagi.

SHRI MAHAVIR TYAGI ; I want a clarification from the Minister.

MR. DEPUTY CHAIRMAN : You cannot just get up at any time.

SHRI MAHAVIR TYAGI : What do you mean?

MR. DEPUTY CHAIRMAN : I mean what I say . . .

*(Interruptions)*

SHRI MAHAVIR TYAGI : I am not starting any discussion. I am only asking to let us know when the elections will be held.

MR. DEPUTY CHAIRMAN : He is going to reply . . .

SHRI MAHAVIR TYAGI : I know your attitude; I am accustomed to it . . .

श्री लाल अडवाणी : उपसभापति जी, त्यागी जी बहुत बरिष्ठ सदस्य हैं..

MR. DEPUTY CHAIRMAN : I know. Mr. Advani, Let me make myself very clear. Whether it is Mr. Tyagi or Mr. Advani or any other Member of the House. I cannot make a distinction.

*(Interruptions)*

SHRI MAHAVIR TYAGI : There is no politeness. There must be some politeness.

MR. DEPUTY CHAIRMAN : I am very polite but you do not listen to me at all.

SHRI MAHAVIR TYAGI : That is not the way.

MR. DEPUTY CHAIRMAN : ... If somebody gets up and says "Point of order", I just cannot prevent him.

The Home Minister has argued that within a few days it cannot be done; we all know that within a few days elections cannot be held. But if the Government were serious and if they wanted, elections could have been held. Sir, my suspicion as to why elections have not been held is, perhaps one of the important reasons is, that the Congress Party which was the ruling party in Gujarat, is unable yet to sort out its own internal differences and efforts are being made to rope in all kinds of people.

[Shri I. D. Singh]

The Home Minister has referred to this booklet which has been circulated to Members of Parliament—"Six Months of President's Rule in Gujarat". Now this booklet has made a revealing statement. I will read out one sentence from page 28 of this booklet:

"The honorarium paid to Sanchalaks of Sarvodaya Yagna has been increased from Rs. 320 per month to Rs. 400 per month and an *ad hoc* increase of Rs. 40 per month has been sanctioned to Karya-kartas of the Yagna".

Now, here is a State Government which says that it pays honorarium to organisers of Sarvodaya Yagna. I do not know what is "Sarvodaya Yagna".

There is a Bhoodan Yagna; there is a Sarvodaya Mandal; there is a Sarvodaya movement; there is a Bhoodan Yagna movement but here it is written Sarvodaya Yagna. Perhaps the officer who wrote it does not understand the distinction between the two. But that apart, the workers of the Bhoodan movement and the Sarvodaya movement headed by Shri Jayaprakash Narayan are being paid have been paid all these years out of the Government Treasury in Gujarat. Not only have they been paid all these years but their honorarium has now been increased. Now, what are they doing? What for are they being paid? Are they doing anything in the interests of the State? Is it permissible to make these payments? They are not servants of the State; they are not employees of the State. Why are they being paid? They are being paid perhaps because they are former Congressmen but the tragedy of the thing is that the majority of them who are being paid are sympathetic not to the ruling party but to the Congress (O).

MR. DEPUTY CHAIRMAN : I would like to ask the House whether we should sit till 1.30 and adjourn till 2.30 or whether we should adjourn now in which case he can continue after lunch.

SOME HON. MEMBERS: Let us adjourn now.

SHRIMATI SUMITRA G. KULKARNI: My submission is now that he has started let him finish.

MR. DEPUTY CHAIRMAN : Some Members wanted to go to the airport to see off the ex-President. And they wanted that the adjournment should be between 1.30 and 2.30.

SHRI SHYAM LAL YADAV : A few Members who want can go.

MR. DEPUTY CHAIRMAN : All right; we disperse now and meet at 2.00. You can continue after lunch.

The House stands adjourned till 2.00 P.M.

The House then adjourned for lunch at two minutes past one of the clock.

The House reassembled after lunch at two minutes past two of the clock, Mr. Deputy Chairman in the Chair.

MR. DEPUTY CHAIRMAN : Mr. I. D. Singh, you may continue.

SHRI I.D. SINGH : I was referring to the extraordinary situation in Gujarat where regular payment is being made out of the Consolidated Fund of the State to the Sarvodaya workers and I was just trying to draw your attention to the result that such payment has produced. Now, according to a despatch to the "Deccan Herald" the position is this. I will read out just one paragraph:—

"In Gujarat, the bulk of the Sarvodaya workers and leaders are sympathetic to Congress (O) and at a convention during last week voted for the dissolution of the Assembly though Mr. Prabodh Chokshi, a respected Sarvodaya leader and one of the editors of "Bhoomi Putra," the State organ of the Sarvodaya

movement, opposed any political approach to the problem. He said that the Sarvodaya workers required to keep aloof from party politics and that the demand for a fresh poll was patently political and partisan. He might possibly have succeeded in persuading the convention not to take any stand at all but for the forceful intervention of Mr. Iyappa Prakash Narayan, who believes that the present composition of the Assembly is irrelevant and that the people have made clear their views that they have no faith in the MLAs." (February 18, 1974).

Such is the situation. The State Government is paying to the Sarvodaya workers and the majority of them are linked to Congress-O. They were participating in the movement demanding the dissolution of the Assembly. And still the payment is being continued. Perhaps this is a continuation of an earlier practice. The payment must have started long ago, but what is surprising is that the payment is not only being continued, but the honorarium has been increased. Now, what is the justification?

What has the Home Minister to say regarding this payment? Even earlier it was not justified because it was a payment by the ruling party to workers of its own party out of the State's funds for doing their own partisan, political propaganda. Now, it seems, the ruling party never took any clear-cut stand regarding the Gujarat movement and the aims and objects of the movement. In the booklet circulated, "Six Months of President's Rule in Gujarat," we have been informed that the Nava Nirman Samiti has split and a new organisation called the Yuva Bharat has been formed. What is this Yuva Bharat? The leader of this Yuva Bharat is Mukesh Patel, son of a police officer, who was one of the leaders of the Nava Nirman Samiti. This Yuva Bharat, if I understand correctly, is linked with the Youth Congress of the ruling party and it is trying to create a faction and to win over a section of the Nava Nirman'

Samiti's leadership. I will read out to you a small dispatch from the Indian Express, dated February 3 —

"A local law student, Mr. Nirupam Nanavati, son of Gujarat's Law Minister, Mr. Divyakant Nanavati, has staged a come-back in the present agitation from which he had withdrawn a few days ago. In a statement, Mr. Nirupam Nanavati said it was wrong to describe the agitation in the State as food riots." etc.

At the end, it is stated that during his visit to Ahmedabad, the Union Irrigation Minister, Mr. K. C. Pant, is reported to have chided the Law Minister for asking his son to withdraw from the agitation.

So, this is the truth. Sons of Ministers of Chamanbhai Patel Ministry were planted in the Nava Nirman Samiti so that after the agitation was over, they would be able to get back a chunk of the students. This is being done through the Yuva Bharat. With such a policy, right reaction cannot be fought; with such a policy, the country cannot take a straight road towards democracy and social progress. So, what is needed is not a mere change in personnel, not a mere extension of the President's rule, but a change in policy.

I am sorry to say that, even after the imposition of the President's rule, the same policy continues, and there has been no change. I will cite just a few instances. According to figures supplied by the Government itself, the prices of rice have risen by 35 per cent; that of groundnut oil again by 50 per cent. Now, groundnut oil has correctly been described as a very "sensitive thing" in Gujarat. It led to a big flare-up last year. Again, the prices are rising. Now, once again, there is some agitation among the students. There is a strike, I think, going on at the School of Planning, and the boys are on the move. And the authorities, instead of meeting their demands, are again threatening to close down the institution or to restitute the boys. (*Time bell rings.*) I will take a few more minutes.

MR. DEPUTY CHAIRMAN: You have taken already 16 minutes.

SHRI I. D. SINGH: I will point out a few things about Gujarat.

MR. DEPUTY CHAIRMAN: I will give you another two minutes.

SHRI I. D. SINGH: Only two minutes?  
Five minutes please.

MR. DEPUTY CHAIRMAN: There are nine more speakers. The total time allotted . . .

SHRI I. D. SINGH: My party does not have any representative from Gujarat. I will have to mention some local things.

MR. DEPUTY CHAIRMAN: That is no reason.

SHRI I. D. SINGH : I will do it quickly.

About agrarian reforms, according to the statement made by the Home Minister, a number of tenancy cases have been disposed of. But in the booklet supplied to us, cases of 2,24,906 tenants are still undecided, and only 31,000 cases have been disposed of. Even out of the cases disposed of, as many as 23,335 tenants are finding it impossible to make the payments of the purchase price, and I do not understand why the Government is not in a position to persuade the nationalised banks to advance loans to the tenants so that they can pay the purchase price and save their ownership rights. Similarly, there are about 17,000 tenants in Kutch, who have not been able to pay their purchase price. Similar loans have to be provided to them as well.

Now, as regards land ceilings, I would only wish to draw the attention of the Home Minister once again to the fact that the amended Land Ceiling Act has been stayed by a writ in the High Court. Unless a Constitutional Amendment is enacted by Parliament land reforms in terms of ceilings cannot progress in Gujarat or in any other State.

Recently, Sir, when I went to Ahmedabad I was told by the journalists present at a press conference that a number of journalists who went to see one of the Advisers to the Governor, Mr. Sarin, were assaulted by the police at the gate of Mr. Sarin's residence. This is an atrocious behaviour at any time. But after all that has happened in Gujarat and after the President's Rule has been imposed, if the police continues to behave like this, this provocative behaviour is likely to lead to another outburst of a powerful movement. Unfortunately, the Home Minister is not here. I hope somebody is there on his behalf.

SHRI LAL K. ADVANI (Delhi): Mr. Mohsin is there.

SHRI I. D. SINGH: I hope Mr. Mohsin will take note of it and take adequate steps.

Now, Sir, a small problem that is agitating the pedal rickshaws and autorickshaw drivers in Ahmedabad and other cities of Gujarat is the levy of Sixteen paise per litre in sales tax on petrol. A concessional sales tax is allowed for trailers of tractors owned by agriculturists. Why the autorickshaw drivers are not allowed this concessional sales tax. Are they rich? They have to pay sales tax at 16 paise per litre which is higher than that paid by even the Indian Airlines. I would request that concessional sales tax facility be extended to autorickshaw drivers also coming to pedal rickshaws I wish to point out that though the Government has laid down also that they will licence them but unfortunately so far even rules have not been framed. So I would request that rules may be framed quickly so that the existing pedal rickshaws are licensed.

Sir, only one point I wish to make in the end in the hope that the Government may kindly look into it. I have been informed that before the agitation was launched in Gujarat a number of so-called American scholars visited that State,

and they visited two Universities, Ahmedabad and Baroda. They stayed there for quite a few weeks. They are reported also to have circulated a document. In that document the blueprint of the whole agitation to be spearheaded by students leading to the dissolution of the Assembly not only in Gujarat but in other States as well.

MR. DEPUTY CHAIRMAN: Now you will have to wind up.

SHRI I. D. SINGH: This document is reported to be have laid down *some* of the forms to be adopted which is very, very intriguing. It is on the pattern of Chile where a death-kneel was sounded. In Ahmedabad also the same pattern was adopted. I read out the other day an extract from an American writer how in Italy Mussolini's fascists used to surround elected representatives of the workers belonging at that time to the Socialist Party. Mr. Goray will listen how the Socialist representatives of the workers used to be surrounded and compelled to resign.

SHRI N. G. GORAY (Maharashtra): Whenever you talk of America I listen to you very carefully.

SHRI I. D. SINGH: I am talking of Chile and Italy and not of America. I want you to take equal interest in other countries also.

SHRI LAL K. ADVANI: I anticipate what you are going to say.

SHRI I. D. SINGH: In Italy socialists elected by the working people were surrounded by the Fascists and made to resign, and if they did not resign they were shot dead.

MR. DEPUTY CHAIRMAN: You must wind up now.

SHRI I. D. SINGH: I could read out these extracts. This form of agitation was developed in Gujarat and Ahmedabad and this has been extended to Bihar. I would like the Home Minister to state whether

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they have information of any hand of any international agency or any foreign agency behind these disturbances.

SHRI YOGENDRAMAKWANA

(Gujarat): Sir, the extension by six months of President's rule in Gujarat has come at a time when Gujarat is facing so many problems. There is no rain in most parts of Gujarat and famine has casted its shadow on the State. There is flood in the Narmada also. Sir, Gujarat is facing many serious problems at present, and the Centre has to rush all possible aid to Gujarat at this stage. I request the Government, and particularly the Home Minister, to order immediate relief works in Gujarat in order to give jobs to the landless labourers and small farmers in Gujarat.

Sir, it is a sad experience of Gujarat that during the last drought of 1972-73, there was a lot of misappropriation of the money in the district of Banaskantha. This bureaucracy has misappropriated lakhs of rupees from the relief works. I appeal to the Home Minister that the same story should not be repeated this time and I request him to appoint popular committees at the district level to supervise the relief works and to supervise the work done by the bureaucracy.

The bureaucracy has become very powerful in Gujarat now-a-days and they do not listen to even ex-MLAs or the key public workers of Gujarat. Sir, I can give some instances about this bureaucracy in Gujarat, of which I had some experience during my work with them. During my visit to Gandhinagar, the Capital of Gujarat, in the Secretariat it was widely said that in Gujarat there is the rule of "Sad, Dad and Bad". By "Sad", they mean Sadhwani, the Chief Secretary of Gujarat. By "Dad", they mean Dudani, the Agriculture Secretary of Gujarat. And by "Bad", they mean Badlani, the Home Secretary in Gujarat. Now these Trimurti (f^n) "sad", "Dad" and "Bad", have played havoc in Gujarat. Almost all the Gujarati officers have been removed from the key positions and most of the important positions are occupied by this Trimurti—"Sad",



[Shri Yogendra Makwana]

"Dad" and "Bad". Most of the corporations are also flooded with bureaucrats. I will give you some examples. Take the case of the Gujarat State Fertiliser Corporation. Most of its directors are from the bureaucracy—Mr. Sadhwani, IAS, Mr. Dudani, IAS, Mr. Rana, ICS, Mr. Dalai, ICS and Mr. H. M. Patel, ICS. And Mr. Rajpal is the Managing Director. All these bureaucrats have occupied the key positions in the corporation whereas the public workers, the representatives of the people are ignored.

Sir, during these six months, the police became the main target of criticism because the law and order situation has deteriorated to a great extent. During this period, we faced two riots, one at Borsad and the other at Modasa. In Borsad the police opened fire and six persons were killed, all belonging to one community. I do not understand how this happened. This requires to be investigated. I request the Home Minister once again to investigate the matter and to see that those who are responsible for this are punished. In Modasa also the same story was repeated. Some persons belonging to a particular community were harassed. They were arrested under the MISA.

There were lot of representations from them. We and other workers of Gujarat requested the Home Minister and on our request they were released. Then there are lot of atrocities committed on Harijans in Gujarat. That is also an example of the inaction of the police in Gujarat during these six months. The other day I gave the example of village Ranmalpura where two Harijans were killed and village Mithaguda where one Harijan was killed. I do not want to go into the details of those incidents, because this has been discussed in the House at length. However, I would request the Home Minister to see that the police in Gujarat becomes active and behaves properly. The last incident which I want to refer to is about the conflict between the police and the press. Some press reporters went to meet Mr. Sarin, Adviser to the Governor, and they were

subjected to lathi charge. All these incidents prove that the police is not as active as it is required to be.

Now I want to give few examples about bureaucracy to show how it is acting and how it is protecting the corrupt and weak officers who are in the administration. Gujarat State Textile Corporation is a dazzling example in this connection. It has been published in several newspapers about this Corporation. Here is a "Blitz" dated 17th August, 1974 wherein it is stated that Director Buch managed to ins-tal himself in the purchase committee, the supervision committee and the personnel committee of the GSTC so that no dealing of the Corporation could be clinched without his consent or knowledge. Now this Buch is siding some of his friends, the sons of the late Mr. Vasavada, who was chairman of the National Textile Corporation. These Vasavada brothers have supplied so many materials which are of inferior quality and of spurious nature. When the Chief Chemist pointed out these things, it is said, he was also warned by Mr. Buch and others that he would be driven away from the Corporation. This is the position of this Corporation.

Now there is one other Corporation, Gujarat State Fertilizer Corporation. A lot of things have been published in the newspapers about this Corporation also. I request the honourable Home Minister to investigate the affairs of these two Corporations.

Sir, we have a coastal line of 1,500 kms and we have 100 minor ports, six medium ports and one major port. In order to see that the affairs of these ports are managed properly and these ports are utilised in the interests of the State, a committee was appointed by the State Government under the chairmanship of Shri H. M. Trivedi, M.P. This committee has recommended to the State Government that a statutory board, Gujarat State Maritime Board, should be formed. I request the Home Minister to see that this statutory board is also formed in the near future.

Sir, my last but very important point is regarding evolving a long-term fuel policy in Gujarat. As you know Gujarat is far away from coal fields. It requires trains of coal daily for its thermal power stations. In the absence of Narmada valley project and the nuclear power station in Saurashtra, we will have to rely on thermal power for at least one decade. In these circumstances, I request the Central Government to take a lenient view regarding the fuel policy for the State. In this connection I want to bring to the notice of the House that different prices are being charged by the ONGC from different customers in Gujarat and to that extent the fuel policy is not consistent. Dr. Rao had given an award at Rs. 90 per 1,000 cubic metre of gas. Different industries were getting at this rate. Gujarat has always demanded that price of gas should be comparable with pithead price of coal which is Rs. 46 per tonne. But now recently the ONGC has supplied at Rs. 235 per 1,000 cubic metre and a further rate of Rs. 300 for 1,000 cubic metre with a 6 per cent, annual increase which means that in some cases it will be Rs. 380 and even more by 1980.

Now I will give some examples of how unrealistic is the price of ONGC. They supply at Rs. 138 for 1,000 cubic metre to Kalol industry; they supply at Rs. 115 for 1,000 cubic metre to EFFCO and they supply at Rs. 210 to Gujarat State Industrial Development Corporation and their latest price is Rs. 300 for 1,000 cubic metre. Is there anything like a price policy? ONGC wants to take advantage of the bad fuel situation in Gujarat. It is now high time that the Central Government evolves a reasonable policy in regard to fuel. *(Time bell rings)* I will not take much time of the House. I would only request the Home Minister to help the State of Gujarat which is passing through a critical situation at present. With these words, I support the Resolution moved by the Home Minister.

**श्री लाल आडवाणी :** उपसभापति महोदय, गुजरात में राष्ट्रपति शासन का कार्य-काल 6 महीने के लिए जो और बढ़ाने का

प्रस्ताव गृह मंत्री ने प्रस्तुत किया है मैं उस का विरोध करने के लिए खड़ा हुआ हूँ। मैं समझता हूँ कि यह प्रस्ताव अनावश्यक है, अनुचित है और अलोकतंत्रीय है। गृह मंत्री जी ने अपने आरंभिक वक्तव्य में कहा कि :

It is clearly not possible to restore the elected Assembly during the brief period that remains.

सितम्बर की 11 तारीख तक 6 महीने समाप्त हो जायेंगे और सितम्बर 11 से पूर्व हम विधान सभा कैसे गठित कर सकते हैं, चुनाव कैसे हो सकते हैं, इसलिए मैं यह प्रस्ताव रख रहा हूँ। यह सदन अपेक्षा करता था कि गृह मंत्री हम को यह बतलायेंगे कि यह जो 6 महीने बीते हैं, उन 6 महीनों में यह जो वैधानिक दायित्व है सरकार का कि कहीं पर भी विधान सभा की रिक्तता को स्वीकार न करना, सारे संविधान की रचना इसी आधार पर हुई है, पूरे समय संसद भी रहेगी और सारी विधान सभायें भी रहेंगी और अगर किसी भी समय किसी इमरजेंट सिचुएशन के कारण किसी विधान सभा को भंग करना पड़ता है तो संविधान यह जिम्मेदारी भी केन्द्रीय सरकार पर डालता है कि वह जल्दी से जल्दी वहाँ पर चुनाव करवा दे। इसका कोई स्पष्टीकरण गृह मंत्री जी ने अपने आरंभिक वक्तव्य में नहीं दिया। अगर वह देते और हम को बताते कि क्यों 6 महीनों के अंदर चुनाव करवाना संभव नहीं हुआ, तो शायद स्वयं मैं ही उन के इस प्रस्ताव का समर्थन करता। लेकिन जैसा है, मैं यह मानता हूँ कि यह प्रस्ताव 6 महीने के लिए अर्थात् और बढ़ाने का जैसा कि सामने है, आगामी अधिवेशन में जब हमारा शीतकालीन अधिवेशन होगा, उस समय आकर फिर से कहेंगे कि जनवरी या फरवरी में चुनाव नहीं हो सकते, इसलिए फिर से 6 महीने बढ़ाने की अनुमति चाहते हैं। यह भी हो सकता है। मैं समझता हूँ कि यह प्रवृत्ति लोकतंत्र के खिलाफ है।

अभी पिछले दिनों में रोटेरी क्लब, अहमदाबाद में इसी विषय पर वहाँ के जो हमारे राज्यपाल के सलाहकार हैं, श्री सरीन, उनका भाषण हुआ

[श्री लाल आधवानी]  
"President's Rule and Democracy"  
श्री विनय या राष्ट्रपति शासन और लोकतंत्र—

जिसमें उनके भाषण का सार था, इसमें उन्होंने समझाने की कोशिश की थी कि राष्ट्रपति शासन उसके और पहलू भी थे, इधर-उधर क्वालिफिकेशन थी। लेकिन मुख्य त्रस्त था उनके भाषण का वह यह था—

President's rule is not a negation of democracy.

SHRI N. G. GORAY: You must know that it was Mr. Sarin who was speaking.

SHRI LAL K. ADVANI: I can understand Mr. Sarin and I can understand any bureaucrat having this kind of an approach. But I cannot understand the Home Minister.

कोई भी चुना हुआ प्रतिनिधि, निर्वाचित प्रतिनिधि इस प्रकार की एप्रोच को स्वीकार करता है? मैं समझता हूँ कि नहीं। मैं ही नहीं करता हूँ बल्कि जिन्होंने संविधान बनाया वह भी नहीं करते हैं। जब संविधान सभा में धारा 356 स्वीकार की जा रही थी—मैं चाहूँगा कि आज की सरकार, गृह मंत्री यहां हैं, मैं उनसे नम्रतापूर्वक निवेदन करूँगा कि उसको विस्तार से पढ़ें—संविधान सभा को उस चर्चा में बार-बार यह कहा गया है कि धारा 356 लोकतंत्र की भावना को कमजोर करती है। धारा 356 हिन्दुस्तान का जो संघात्मक संविधान है, फ़ैडरल कंस्टिट्यूशन है उसके फ़ैडरलिज्म के प्रिंसिपल को कमजोर करती है। इसलिए डा० अम्बेडकर ने उसकी वकालत की तो वकालत इस नाते से नहीं की कि यह अच्छा है, इसमें फ़ैडरलिज्म को कोई नुकसान नहीं होता है, उन्होंने कहा कि मैं आपकी आपत्तियों, आपकी शंकाओं में बजन पाता हूँ, लेकिन मैं यह मानता हूँ कि धारा 356 का उपयोग बिलकुल

"President's rule is not a negation of democracy"

दूर के अपवाद के रूप में होगा। उनके जो शब्द हैं—  
"I hope that this article will remain a dead letter".

यह प्रावधान संविधान का एक निर्जीव प्रावधान रहेगा जो कभी प्रयोग में नहीं लाया जाएगा। यह उन्होंने कहा था। अब क्या हुआ पिछले 24 सालों में? राष्ट्रपति शासन का 33 बार प्रयोग हुआ है। 16 राज्य जो इसकी चपेट में आये गुजरात उनमें से एक ऐसा राज्य है जो सबसे अभागा राज्य है बाकी राज्यों की दृष्टि से। मैं गुजरात को इस दृष्टि से अभागा राज्य मान रहा हूँ कि पहली बार यह हुआ है। हिन्दुस्तान में राष्ट्रपति का चुनाव 6 बार हो चुका है, 1952 में, 1957 में, 1962 में, 1967 में, 1969 में हुआ बीच में और छठी बार 1974 में हुआ है। इतने राज्य हैं, जैसा मैंने अभी बताया कि 33 बार राष्ट्रपति शासन का प्रयोग हुआ है, लेकिन किसी राज्य को ऐसे दुर्भाग्य का भागी नहीं बनना पड़ा जैसे गुजरात को होना पड़ा कि 1974 के राष्ट्रपति के चुनाव में गुजरात की विधान सभा और गुजरात के विधायक उसमें भाग लेने से वंचित रह गये। वह इस समय अगर कहें, वहां के प्रतिनिधि कहें कि हमने फखरुद्दीन, जो हमारे राष्ट्रपति हैं, उनके चुनाव में भाग नहीं लिया तो उनके कहने में बजन है। यहां पर कोई कहे अगर कि पार्लियामेंट में गुजरात के मੈम्बर बैठते हैं तो मैंने सुप्रीम कोर्ट में बहस चुनी है, यहां तक कहा गया कि यहां तो प्रतिनिधि किसी न किसी रूप में बैठे हैं, विधान सभा की कोई आवश्यकता ही नहीं है। मुझे स्मरण है जो अबसर्ड कंक्लूजन ड्रा किया था हमारे अटार्नी जनरल ने हमने जब आगंयू किया था कि इलैक्टोरल कालेज कम्प्लीट नहीं है, वह कम्प्लीट होना चाहिए तो उन्होंने यह कंक्लूजन ड्रा किया था—

"The electoral college comprises not the Assemblies or the Parliament; but it comprises the elected members of the Assemblies and the elected members of the Parliament".

और अगर उनमें ने कोई विधान सभा नहीं है तो क्या हुआ। उन्होंने तो यहां तक कहा है कि अगर लोकसभा भी नहीं है तो भी चुनाव

हो सकते हैं। मैं इससे बिलकुल सहमत नहीं हूँ। मैं आज इस बात का उल्लेख इसलिए कर रहा हूँ, क्योंकि कभी-कभी यह कहा जाता है सुप्रीम कोर्ट ने इस मामले में गवर्नमेंट का समर्थन किया। समय-समय पर रिफ़रेन्स के लिए सुप्रीम कोर्ट का हवाला भी दिया जाएगा कि सुप्रीम कोर्ट ने धरणी राय दे दी कि गुजरात की विधान सभा नहीं है तो भी चुनाव कराए जा सकते हैं और हमने चुनाव कराए। मैं कहना चाहता हूँ कि वह रिफ़रेन्स, जिसमें यह कहा गया था कि अगर गुजरात में विधान सभा नहीं है तो भी राष्ट्रपति का चुनाव हो सकता है, मिसलौडिंग रिफ़रेन्स था। मैं एक्सपैक्ट करता था कि माननीय गृह मंत्री जी कुछ बताएंगे परन्तु उन्होंने नहीं बनाया। अपने उत्तर में बता देंगे, ऐसी मैं अपेक्षा करता हूँ। सुप्रीम कोर्ट ने हम को कहा है कि हम क्या करें, हम हैल्पलेस हैं :

"We cannot become a court of inquiry. We cannot go back to the reference and enquire whether the facts given are correct or not ....."

हम को जो सरकार ने कहा है और राष्ट्रपति जी ने रिफ़रेन्स दिया है, उसमें कहा गया है :

"Whereas it will be impossible to complete the General Election to the Legislative Assembly for the State of Gujarat before the expiration of the term of the President of India, as aforesaid, namely, the 24th day of August. 1974:

"Therefore . . .".

यह जो प्रिण्मल पैराग्राफ है उसमें कहा गया है कि 24 अगस्त तक गुजरात विधान सभा का चुनाव कराना असंभव है। क्यों असंभव है, क्यों संभव नहीं है इस बारे में कुछ नहीं कहा है। हाँ, क्यों असंभव है इसका थोड़ा सा वर्णन है। वह यह है कि वहाँ पर कांस्टीट्यूएन्सी का डेलिमिटेशन नहीं हुआ है। 1971 के सैन्स के अनुसार धारा 170 के अनुसार हम चुनाव नहीं करा सकते। मैंने सुप्रीम कोर्ट में इनका विस्तार से विश्लेषण किया और इस व्याख्या के धूटेपन और मिश्रण को कोर्ट के सामने रखने की

कोशिश की। कोर्ट ने हमको यह कहा कि आप तो फैक्ट्स की बात कर रहे हैं, हो सकता है आप जो कुछ कहते हैं वह सही हो। मैं इस संसद् को बताना चाहूँगा कि फैक्ट्स क्या हैं। गवर्नमेंट का स्टैंड यह है कि चुनाव नहीं हो सकते। चुनाव इस आधार पर नहीं हो सकते, क्योंकि 24 अगस्त तक राष्ट्रपति का समय है और 9 सितम्बर को वहाँ का कार्यकाल समाप्त होता है, तो 9 सितम्बर तक चुनाव इसलिए नहीं हो सकते, क्योंकि डेलिमिटेशन प्रोसेस बहुत लम्बा प्रोसेस है। उसमें काफी समय लगता है और कोर्ट की लैक्शन कमीशन ने बताया है कि कितना समय लगता है और क्यों लगता है। उन्होंने बताया कि पहले कांस्टीट्यूएन्सी बनानी पड़ती है। यह तय करना पड़ता है कि जितनी सीटें हैं उनको बढ़ाया जाए या नहीं। मेरा कहना है कि यह हमने तय कर लिया है कि 169 की बजाय 182 सीटें की जाए। उसके आगे जो प्रोसेस है वह भी लम्बा है। 25 फरवरी के गजट में कहा गया है : that the total number of seats in Gujarat State will hereafter be 182.

संख्या बढ़ानी चाहिए। मुझे ऐसा लगता है इसमें अब ज्यादा काम नहीं है। आफिम टेबल बर्क रह गया है और इसमें दिक्कत की कोई बात नहीं रह गई है। सबसे अधिक दिक्कत की जो बात थी वह हमने कर ली है यानी कांस्टीट्यूएन्सी की बैठकर सीमा निर्धारण करना, उसके परपोजल्स बनाना, उस पर आब्जेक्शंस इन्वाइट करना। आब्जेक्शंस इन्वाइट करने के लिए समय निर्धारित है एक महीने का। मुझको आश्चर्य हुआ कि 28 फरवरी को, राष्ट्रपति जासन लागू होने से पहले की बात है, जो लबोरियस काम है यानी 182 कांस्टीट्यूएन्सीज को तैयार करना, वह गवर्नमेंट आफ इंडिया ने तैयार कर लिया था और उसके बाद प्रपोज्ड डेलिमिटेशन आर्डर भी गजट में इशू हो गया। 28 फरवरी का जब गजट मुझे मिला तो मुझे लगा कि यह सरकार बिलकुल बेइमानी के आधार पर निर्णय कर रही है और पालिटिकल निर्णय है। इसको जस्टीफाई करने के लिए वैधानिक और संवैधानिक कारण

[श्री लाल आडवाणी]

बताए जा रहे हैं। मैंने 28 फरवरी का गजट सुप्रीम कोर्ट के सामने पेश किया। मैं आपको यह सब इसलिए बताना चाहता हूँ ताकि आप इसको एक्सप्लेन करें। 28 फरवरी को गजट में आने के बाद 31 मार्च तक यानी एक महीने का समय लोगों को आपत्ति देने का मिल गया। मुझे जहाँ तक जानकारी है आपत्तियाँ जो आई हैं उनकी संख्या भी ज्यादा नहीं हैं। मैं चाहूँगा गृह मंत्री जी इस बारे में जानकारी दें। मैं आपको यह भी बताना चाहूँगा कि वह मार्च का महीना भी ऐसा था जिसमें कि काफी आन्दोलन चल रहे थे और इन आन्दोलनों के समय में भी ज्यादा आपत्तियाँ नहीं आईं। उसके बाद अगर सरकार ईमानदारी से चाहती कि गुजरात के प्रतिनिधि राष्ट्रपति के चुनाव में भाग लें तो राष्ट्रपति शासन वहाँ जल्दी से जल्दी समाप्त होता और चुने हुए प्रतिनिधि उसमें भाग लेते। श्री मकवाणा ने भी शिकायत की है कि व्यूरोक्रेट्स ऐसे हैं जो यह करते हैं। तो मेरा कहना यह है कि इस सारे तंत्र को जो एक डेमोक्रेटिक स्ट्रक्चर है, उसमें सुपरविजन करने वाली, ओवरसी करने वाली कोई जन-प्रतिनिधि सभा होनी चाहिए और जनता के चुने हुए प्रतिनिधियों को अपने अधिकारों का उपयोग करने का पूरा अवसर मिलना चाहिए। ऐसा करना, मैं समझता हूँ कि सरकार का डेमोक्रेटिक कर्तव्य है। लेकिन इस सरकार ने वह काम नहीं किया और अप्रैल में उसकी व्यवस्था करने के बजाय 30 अप्रैल को राष्ट्रपति शासन के संबंध में सुप्रीम कोर्ट को एक रेफरेंस भेज दिया ताकि इनको छूट मिल जाय कि अभी राष्ट्रपति का शासन लागू रहे और चुनाव न कराने पड़े। मैं समझता हूँ कि गुजरात के साथ यह एक भारी अन्याय हुआ। राष्ट्रपति के चुनाव में गुजरात का भी भाग होना चाहिए था और इस चुनाव में भाग का मतलब यह है कि विधान के अनुसार एक विधायक को अपने डेमोक्रेटिक राइट का उपयोग करने का जो अधिकार है, वह गुजरात को नहीं दिया गया। उसका परिणाम चाहे जो भी निकलता, हो सकता है कि परिणाम अभी निकला है, वही निकलता,

लेकिन प्रश्न इसका नहीं है। जैसा श्री शिवराम ने कहा है कि यह जो परम्परा प्रेसीडेंस कायम किया गया है, उसका दुरुपयोग भविष्य में हो सकता है और एक ऐसे समय में जब कि केन्द्र में एक सरकार बैठी हो तो वह, अपने दल के दृष्टिकोण से किसी विधान सभा को भंग कर सकती है और राष्ट्रपति का चुनाव करा सकती है। आखिर सन् 1969 में राष्ट्रपति का जो चुनाव हुआ था उसमें जीतने वाले और हारने वाले उम्मीदवार के बीच में अन्तर बहुत कम था और कुल मिलाकर गुजरात की विधान सभा में प्रत्येक विधायक के वोट की जो वैल्यू है उससे उसका मार्जिन कम था। इसलिए आगे चल कर जो यह परम्परा का निर्माण किया गया है, इसका दुरुपयोग कोई कर सकता है।

श्रीमन्, थोड़ा विस्तार से इस संवैधानिक पहलू पर मैं इसलिए कह गया कि राष्ट्रपति शासन अगर कहीं लागू हो तो यह अपवाद होना चाहिए, एज ए रूल नहीं होना चाहिए। If it is used as a rule, then I call it undemocratic. But if it is an exception, I am prepared to compromise with it as a necessary evil in certain circumstances.

लेकिन यहाँ ऐसा लगता है कि राष्ट्रपति का शासन लागू करना एक ऐसा डिवाइस हो गया है कि जहाँ कहीं पार्टी का आपसी झगड़ा हो, वहाँ पर राष्ट्रपति शासन लगा दो।

श्री ओम मेहता : जहाँ एम० एल० एज० खुद ही रिजाइन कर दें तो फिर क्या होगा ?

श्री लाल आडवाणी : देखिये, मैं राष्ट्रपति शासन लागू करने पर आपत्ति नहीं कर रहा हूँ, मैं उसके कॉन्टिन्जन्स पर आपत्ति कर रहा हूँ। उस समय आपने राष्ट्रपति शासन लागू किया, इसके अलावा कोई चारा नहीं था, क्योंकि सारी विधान सभा खत्म हो गई थी। वैसे तो आपने पूरी-पूरी कोशिश की, पूरा-पूरा जोर लगाया और यहाँ तक लोगों को मार दिया और सौ आदमियों को मोत के घाट उतार दिया। मुझे याद है जिस समय गोलीबारी हो रही थी, यहाँ पर खड़े होकर दीक्षित जी ने कहा कि :

No, we are not going to succumb to violence, and no President's rule unless normalacy is restored. And when was President's rule imposed?

आपने राष्ट्रपति शासन तब इम्पोज किया जब 17 और 18 मार्च को वहाँ पर वायलेन्स अपने पीक पर थी। (Interruption) हाँ, हो सकता है कि राष्ट्रपति शासन 9 करवरो को लागू हुआ हो। लेकिन बता रहा हूँ कि दीक्षित जी ने यहाँ पर कहा कि जब तक वहाँ पर नार्मलसी नहीं होगी विधान सभा का डिजोल्यूशन नहीं करेंगे। बहुत समझाया गया कि अगर आपको नार्मलसी लानी है तो विधान सभा को डिजोल्व करिये, लेकिन नहीं माने। अन्त में आपने असेम्बली को डिजोल्व किया और वहाँ पर नार्मलसी आई।

इसके साथ-साथ मैं यह भी निवेदन करना चाहता हूँ कि जितने भी आँकड़े आपने दिये हैं, उसके आधार पर आपने कहा कि वहाँ पर सामान्य स्थिति है, साधारण स्थिति है। मैं पूछना चाहता हूँ कि अगर वहाँ पर सामान्य स्थिति है तो आपने चुनाव क्यों नहीं कराये? इसके लिए आपके पास कोई उत्तर नहीं है। शुरू में कहा गया कि डिलिमिटेशन नहीं हुआ है। डिलिमिटेशन कैसे हो सकता है और अगर आप चाहें तो वह दिसम्बर तक भी नहीं होगा। दूसरी बात आप यह कहते हैं कि वहाँ पर बारिश हो गई, पलह्स आ गये। मैं कहता हूँ कि यह तो वर्षा का मौसम है और सचमुच मैं आज गुजरात में अगर सबसे बड़ी कोई समस्या इस समय है तो वह अकाल की स्थिति है। तो बारिश कम है, बहुत कम है, कई खिले हैं जहाँ पर बारिश हुई नहीं और कुछ ही जिलों में आम तौर से हल्की बारिश हुई है। भयंकर अकाल की स्थिति है और अभी तक किसी जिले में अकाल की स्थिति घोषित नहीं की गई है। अलग-अलग इलाके को अकालग्रस्त घोषित किया गया है, लेकिन किसी एक जिले को ऐसा घोषित नहीं किया गया। मैं आज तो दिल्ली का निवासी हूँ और दिल्ली से ही निर्वाचित भी हूँ, लेकिन मूल निवासी सिध का हूँ, परन्तु मेरा घर कच्छ में है। मेरे पिता जी और परिवार वहीं

है और पिछले 4 सालों से कच्छ में लगातार सूखा पड़ रहा है। इतनी भयंकर स्थिति है कि वहाँ पशुपालक इतने परेशान हैं कि इधर उधर से हजारों की संख्या में माइग्रेशन हो रहा है। फिर माइग्रेशन बंद हो जाता, वहाँ के लोग फिर फारेस्ट में जाना चाहते हैं, लेकिन नहीं जा सकते और ऐसी स्थिति में वहाँ की रिपोर्ट्स हैं कि 3,000 मवेशी मर जाएंगे अभी और गिर फारेस्ट्स में न जाने देने के कारण और सरकारी गोदामों से घास उनको न मिलने के कारण हालत और बिगड़ गई है। सरकारी गोदाम वाले कहते हैं कि हम किसान को घास देंगे, ये जो पशुपालक हैं उनको घास नहीं देंगे और नतीजा यह है कि आज उनकी बहुत दयनीय स्थिति है, घास बहुत महंगी है और खास कर सौराष्ट्र और कच्छ एरियाज में इतनी दर्दनाक स्थिति है—मैं अभी पढ़ रहा था वहाँ के पालिताना नगर का कि वहाँ बाजरे का भाव भी एक रुपए और घास का भाव भी एक रुपए है। उसकी व्यवस्था भी राष्ट्रपति शासन नहीं कर पाया। ये आँकड़े देकर हमें संतुष्ट मत कीजिए, वहाँ की स्थिति बहुत दयनीय है।

(Time bell rings)

उपसभापति जी, मैं एक आध बात ही और कहूँगा क्योंकि दो-तीन बार वहाँ के पत्रकारों की चर्चा हुई है। अभी मकवाना जी ने भी चर्चा की है। मैं समझता हूँ यह एक आइसोलेटेड घटना नहीं है जो उस दिन नरीम साहब के मकान के सामने घटता हुई, जिसमें पत्रकारों के ऊपर आक्रमण हुआ, लाठी चार्ज हुआ और जिसके बाद वहाँ के पत्रकार एसोसिएशन ने मांग की कि वहाँ के आई० जी० को हटाया जाए और उसके बाद जो इन्क्वायरी हो रही है वह जुडीशियल इन्क्वायरी की जाए। मुझे लगता है पुलिस के खिलाफ जितनी शिकायतें बढ़ती जा रही हैं, उससे पुलिस और जनता के बीच की खाई हमेशा बढ़ती जा रही है और उस खाई को पाटने की जबाबदेही और जिम्मेदारी होम मिनिस्ट्री के ऊपर आती है, लेकिन उसने जो एक युनाइटेड प्रयास करना चाहिए था वह नहीं किया। इससे जनता और

पुलिस, दोनों को नुकसान है। आज वहाँ की जनता पुलिस के खिलाफ है, और फिर पत्रकार भी उनके खिलाफ हो गए। विद्यार्थियों तक घटना नहीं समाप्त हो गई। (Time bell rings)

उसके बाद सूरत की घटना हुई। सूरत में स्मगलर्स को चोरी करते हुए दिखाने के लिए प्रेस फोटोग्राफर कोई गया तो स्मगलर्स ने उस प्रेस फोटोग्राफर को पकड़ लिया और उसकी बहुत पिटाई हुई, उस पर बहुत मार पड़ी और उसे वहाँ के पत्रकारों के मुखिया को भी पुलिस ने जान बूझ कर पिटने दिया। इसी तरह से हमारे अहमदाबाद फोटोग्राफर्स एसोसिएशन के अध्यक्ष हैं उनका कहना है कि हमारा विक्टिमाइजेशन किया जा रहा है, उनके खिलाफ पुलिस ताना प्रकार के आरोप लगा कर, घर की तलाशी करती है, यह करती है, वह करती है। इस प्रकार टेन्शंस बढ़ते जा रहे हैं। मैं समझता हूँ मोहसिन साहब और उनके गृह मंत्रालय को इस बारे में कुछ न कुछ करना चाहिए।

एक बात मुझे और कहनी है काण्डला फ्री पोर्ट के बारे में। मैं स्वयं वहाँ से होकर आया हूँ और मैं जानता हूँ वहाँ पर जो काम करते हैं उनकी कितनी खराब स्थिति है; इस पर चर्चा भी कई बार हो चुकी है। मैं सचमुच सोचने में असमर्थ हूँ, एक तरफ सान्ता क्रूज एक्सपोर्ट प्रोसेसिंग ज़ोन को सब प्रकार की सुविधाएँ मिलती हैं, दूसरी ओर काण्डला फ्री पोर्ट को वे सुविधाएँ नहीं दे रहे। एक तरफ सान्ता क्रूज एक्सपोर्ट प्रोसेसिंग ज़ोन में यह एडवर्टाइजमेंट करते हैं—

"Single point clearance : All your I applications for industrial capital goods and raw materials and import licences are handled at one point".

यह एक बहुत बड़ा आकर्षण है, यही व्यवस्था, यही सुविधा अगर काण्डला फ्री पोर्ट ज़ोन को भी मिल जाए, वहाँ पर जो थोड़े से उद्योग रहे हैं, वैसे तो खत्म हो रहे हैं, लेकिन जो भी रह गए हैं, उनको वह सुविधा मिल जाए तो उनको बहुत बड़ा लाभ होगा, साथ ही साथ

उनकी बहुत दिनों से मांग रही है कि कच्छ आर्थिक दृष्टि से पिछड़ा हुआ जिला है और जो पिछड़े हुए जिलों को सुविधाएँ मिलती हैं, वे काण्डला फ्री पोर्ट ज़ोन में जो उद्योग लगे हुए हैं, उनको क्यों नहीं मिलती हैं? मैं नहीं जानता कि इसको क्यों नहीं स्वीकार किया जाता?

एक बात कह कर मैं अपना भाषण समाप्त कर दूंगा। आन्दोलन के समय जो लोग मारे गये, उनकी संख्या 100 से ऊपर है। जो भी वहाँ पर कांड हुए तब से लेकर यह परम्परा बन जानी चाहिये थी कि कहीं भी गोलाबारी होती है, तो उस गोलाबारी की ज्यूडिशियल इन्क्वायरी होनी चाहिये, लेकिन नहीं हुई है।

**श्री महावीर त्यागी :** किस जगह मारे गये ?

**श्री लाल आडवाणी :** सारे गुजरात में 100 से अधिक लोग मारे गये। इन सब 100 लोगों तथा उनके परिवार वालों को पूरा मुआवजा दिया जाना चाहिये। यह जानकारी जनता को दी जानी चाहिये कि सरकार की ओर से इन लोगों को कितना मुआवजा दिया गया है और उनकी क्षति पूर्ति किस तरह से की गई है? जब मैं उन दिनों वहाँ पर गया था तो जनता ने मिल कर उन लोगों को सहायता के लिए कहा और हमने उन पीड़ित लोगों को सहायता देना तय किया। जब हमने यह बात तय की तो सरकार ने भी इस संबंध में घोषणा की और इस तरह से सहायता का आधार बढ़ा। तो मेरी सरकार से मांग है कि जो लोग मारे गये हैं, उनको पूरा मुआवजा दिया जाना चाहिये और साथ ही साथ ज्यूडिशियल इन्क्वायरी की जो मेरी डिमांड है, उसके संबंध में सरकार को निर्णय करना चाहिये।

मैं इन शब्दों के साथ इस प्रस्ताव का विरोध करता हूँ। मैं समझता हूँ कि इस प्रस्ताव को स्वीकार करने की स्थिति में यह सदन तब ही होगा, जब सरकार यहाँ पर आश्वसन देगी कि छः महीने के पहिले ही वहाँ पर चुनाव करायेगी ताकि वहाँ पर जनता की प्रतिनिधि सरकार बन

सके। जब वह इस तरह का आश्वासन मदन में देगी तब ही हम इस प्रस्ताव को स्वीकार कर सकते हैं अन्यथा नहीं।

SHRIMATI SUMITRA G. KULKARNI (Maharashtra): (Translation of speech in Gujarati—as supplied by the hon. Member).

Mr. Deputy Chairman, Sir, I seek your permission to speak in Gujarati. You know I represent Gujarat in this House. The magnanimous public of Gujarat selected me with great aspirations. This public of Gujarat understands only Gujarati and to express their aspirations, I, as their representative, want to speak in mine and their mother tongue.

First thing, Sir, I want to draw your attention to is the acute scarcity conditions that are prevailing in the State. As you know, in 1972, Gujarat passed through unprecedented drought with greatest difficulty and we lived through those harrowing days. In 1973 we had hoped for a little comfortable position but then the ravages of flood and excessive rain brought on its own disaster and now till 20th August most parts of Gujarat are without any rain. Nine out of the 18 districts north of Narmada have not had a drop of rain. Other parts had some scattered showers. In view of this I would like to urge the Home Minister to declare Gujarat as famine stricken State and at once famine code should be implemented.

The animals are dying for want of fodder and, therefore, fodder should be rushed to Gujarat.

It is true that Gujarat Government has opened 8300 fair price shops but they are all short of stocks and whatever ration is issued is almost inedible.

Sir, traditionally Gujarat is a deficit State. Gujarat soil is more suitable for cash crops like oil seeds and cotton. With these commercial crops we serve not only the whole of India but also earn foreign

exchange. In view of this, it is incumbent on the Central Government to supply adequate food grain to Gujarat. I hope the Home Minister will bear this in mind and ensure that adequate food grains will be supplied so that Gujarat is prepared to face another famine.

Second point that I would like to make is about education. Sir, the January-February agitations in Gujarat were started by students and teachers.

Teachers are known for their docile temperament and disciplined conduct and yet it is this section that went on rampage which not only brought down the popularly elected Government but also led to the dissolution of the Legislative Council. Sir, obviously, these two sections had some deep grievances. Unless we handle these problems we will always be exposed to the danger of such violent agitations and, therefore, I suggest that an educational consultative committee should be formed which should go into all aspects of educational problems of this State so that we can solve them satisfactorily.

My third point is about the administration. In any government police is meant for the protection and assistance of the citizens. The recent incidents that have taken place are rather alarming.

Sir, a fortnight back 25 journalists were beaten up in front of the residence of the Governor's Advisor. Sir, I have repeatedly requested that an enquiry should be made in this incident. After all, journalists are responsible, persons and any such incidence with them is an adverse reflection on the police administration.

Sir, smuggling is becoming rampant in Gujarat. Vapi, Diu, Daman are the flourishing centres of these nefarious activities. Sir, to control these activities, I suggest that we should have a coastal highway so that we can keep a strict vigil on one-third coast of India on Gujarat borders. Sir, all these smuggled



[Shrimati Sumitra G. Kulkarni] goods are passing through railways or roads that connect Vapi etc. with Bombay. Why can't we control these two points? If we are serious, certainly this should not be difficult. Luckily the Government has become more alert on this front and I would like to urge them not to slacken. Sir, people of Gujarat are very Industrious. They will never shirk from any kind of work. They prefer to work rather than live on doles. Sir, such people need basic help Gujarat has no coal and no water power. It is far away from any coal centre and industrialisation needs power. Sir, some of us requested the hon. Prime Minister to consider the claim of Gujarat for atomic power plant. Sir, 30 miles from Bhavnagar there is a site called Balana and it is considered a very suitable site and the Prime Minister has assured us. She will consider it favourably. Sir, I would like that during the President's Rule this proposal should not be neglected by default and it should be duly pursued.

Sir, Gujarat procures large quantity of crude oil and even though since November 1973 the price of crude has gone up three times the royalty on Gujarat continues to be at the old rate. This should be revised and the royalty rates suitably increased, so that Gujarat can undertake its development projects.

Another point that I have in mind is about drinking water. Out of 18642 villages of Gujarat only 1000 villages have water facility. Rest of the villages have to depend on tanker water. Sir, tankers go out of order and for small repairs these tankers have to go to Bhuj or Ahmedabad and for days together villages of Kutch have to go without water and trek four or five miles to get pitcher full of water. Sir, is it too much to expect at least steady drinking water supply after 25 years of Independence? At least this should be ensured.

Sir, if we want to develop Kutch, we should declare Kandla as backward area. Then only we can pay priority attention to this badly neglected and mineral rich area with vast potentials.

Lastly, Sir, Ahmedabad is a city of 2 million population with 94 textile mills located in proper Ahmedabad. Naturally, half of the population is composed of these textile labourer, and we have not taken care of their welfare. They live in slums and they are huddled up in small jhuggies. Sir, if we want Ahmedabad to provide the country with adequate supply of textiles and at the same time earn foreign exchange by exporting our textile, we must take care and provide for this labour class. Unless that is done their productivity will remain stunted and they are important section of the society.

Lastly, Sir, a word about Harijans. The type of atrocities that are committed on them is unspeakable and puts us all to shame. Sir, one way of atoning for the atrocities perpetrated on Harijans is to impose punitive tax on the Caste Hindus of such a village. The community as a whole has to be made aware of their responsibility towards Harijans and as a mark of their repentance and atonement let all other communities pay a punishment tax. I am sure this will ensure community safeguards for Harijans.

Sir, one more suggestion and that is about the Consultative Committee on Gujarat. It should meet more frequently and it should meet in Ahmedabad or some other towns of Gujarat. Then only we can highlight the difficulties of this State without a popular Government.

With one word to Shri Advani I will finish. He has very vehemently mentioned about elections in Gujarat. Sir, which party does not want to form a Government? WV also want that speedy elections should take place. And let me assure the hon. Member that we are capable of winning the elections and forming a Government even today. I think the responsibility for rendering the State without a popular Government and their popularly elected representatives lies with the Opposition parties. Unfortunately they are not able to win majority in elections and they are far from forming a Government. So out of frustration they resort to such tactics of

inciting agitations and breaking Government-1  
ments leading to the dissolution of the )  
legislative assemblies. Sir, if they co-operate  
we can better preserve the Constitution and  
democratic and popular Governments all  
over India.

Once again I would like to urge upon the  
hon. Minister to take serious note of all the  
points that I have made and particularly to  
start implementing the Famine Code and  
start relief camps and relief works.

Thank you.

श्री श्याम लाल यादव (उत्तर प्रदेश) : माननीय  
उप-सभापति जी, मैंने गृह मंत्री के भाषण को बड़े  
ध्यानपूर्वक सुना। लेकिन उस तमाम भाषण से  
यह बात स्पष्ट नहीं होती कि क्यों राष्ट्रपति का  
शासन अपने 6 महीनों के लिए बढ़ाया जाए।  
उन परिस्थितियों का उन्हें वर्णन करना चाहिए या  
जिनकी उपस्थिति के कारण निर्वाचन नहीं हो सके।  
मैं समझता हूँ कि, मान्यवर, जहाँ तक अनुच्छेद  
356 का सवाल है आज जो सरकार भारत की  
है वह उसका समय-समय पर उपयोग करती है।  
उसके साथ ही जनता की तरफ से भी जब किसी  
प्रदेश में ऐसी विषम परिस्थिति उत्पन्न हो जाती  
है वहाँ का सारा शासन जनता के हित में नहीं  
चलाया जाता। वहाँ पर जनता की कठिनाइयाँ  
चरम सीमा को पहुँच जाती हैं। जहाँ पर भ्रष्टा-  
चार है, उन प्रदेशों में जनता कभी-कभी यह माँग  
उठाती है कि राष्ट्रपति शासन लागू किया जाए,  
विधान सभा भंग की जाए। ऐसा ही गुजरात में भी  
हुआ। लेकिन जिन बातों को लेकर गुजरात में  
यह आन्दोलन चला, मैं बड़ी नम्रतापूर्वक निवेदन  
करना चाहता हूँ कि उन बातों को दूर करने का  
कोई प्रयास पिछले 6 महीनों में सरकार की तरफ  
से नहीं किया गया। उस आन्दोलन का जो मुख्य  
आधार था वह भ्रष्टाचार था। गृह मंत्री जी  
ने अपने वक्तव्य में इस संबंध में एक शब्द भी  
नहीं कहा कि भ्रष्टाचार में कमी लाने के लिए,  
जो भ्रष्टाचार के आरोप लगाये जा रहे थे उन दोनों  
के सम्बन्ध में आवश्यक जाँच पड़ताल कराने के  
लिए आयोग नियुक्त करने के लिए क्या कदम  
उठाये गये, क्या नहीं उठाये गये, इस सम्बन्ध में

भी बिलकुल वह मौन रहे। गुजरात में मान्यवर,  
अभी हमारी जो माननीय सदस्या बोल रही थी उन्होंने  
बताया कि वहाँ पर बहुत तस्कर व्यापार चलता है।  
समुद्र सटा हुआ है। उस सम्बन्ध में भी क्या  
आवश्यक कदम उठाये गये इसका कोई खिन्न नहीं  
हुआ। मैं इस सम्बन्ध में, मान्यवर, कहना चाहता हूँ  
कि टाइम्स आफ इंडिया के 18 अगस्त में जो लेख  
छपा है नारायणदास टक्कर का वह कोट करना  
चाहता हूँ कि किस प्रकार से अधिकारियों को  
प्रत्यक्ष भ्रष्टाचार में दिया जाता है :—

"The authorities are aware that several  
politicians in the State have made use of their  
position as a cover for their smuggling  
rackets, but the customs allege they are  
subjected to pressure and cannot take action  
against the offenders. Honest officers who  
proceed against them are themselves  
penalised in one way or the other."

यह स्थिति आज भी गुजरात में मौजूद है।  
हमारे वित्त मंत्री श्री गणेश जी मौजूद हैं। उन्होंने  
अभी दूसरे सदन में कहा कि वह एंटी स्मगलिंग  
के मिनिस्टर हैं, वह बतायें कि गुजरात में इस  
समय में भी कौन सा पोलिटिकल लीडर है जो  
प्रेसर डालता है, कौन से कर्मचारी हैं, अधिकारी  
हैं, शासनतंत्र के कौन से अंग हैं जो इस प्रकार  
का प्रभाव डालते हैं। इस बात का स्पष्टीकरण  
होना चाहिए। उनके विरुद्ध क्या नहीं कार्यवाही  
की जाती है यह बात समझ में नहीं आई।

दूसरी बात मैं यह निवेदन करना चाहता था  
कि अनुच्छेद 356 में, वह समय आ गया है कि  
इस प्रकार से संशोधन होना चाहिए कि जब राष्ट्र-  
पति शासन जिन किसी प्रदेश में लागू हो उस घोषणा  
में साथ ही साथ इस बात का भी ज़िक्र किया  
जाए कि कितने समय में और कब निर्वाचन किया  
जा सकता है। निर्वाचन करने के लिए जैसा  
अभी श्री अडवाणी जी ने कहा—बिलकुल सही  
बात कही—सारा चीजें पूरी हो चुकी  
हैं। अगर यह सरकार चाहे तो गुजरात में  
चुनाव शीघ्र से शीघ्र कराये जा सकते हैं। अगर  
नहीं चाहती तो चुनाव 6 महीने में क्या एक साल

[श्री श्याम लाल यादव]

में भी नहीं होंगे। जिस प्रकार की भंगा अभी सरकार की प्रकट होती है उससे मुझे लगता है कि 6 महीने में भी गुजरात में विधान सभा के चुनाव नहीं होते। अगर चुनाव नहीं होते तो वहां पर नौकरशाही रहेगी, राष्ट्रपति शासन केवल एक शब्द की विडम्बना है और जनता की आंखों में एक प्रकार से भ्रम पैदा करना है। यह राष्ट्रपति का शासन नहीं बल्कि नौकरशाही का शासन है। नौकरशाही के शासन का अनुभव मान्यवर, हमने भी अपने प्रदेश उत्तर प्रदेश में किया। जो शासन कभी कमलापति जी का था, बहुत से लोग उसकी निन्दा करते थे। उसके बाद वहां पर राष्ट्रपति शासन लागू हुआ, उस जमाने में उत्तर प्रदेश की जो दुर्दशा हुई कि कांग्रेस के भी लोग इस बात को कहने लगे कि इससे अच्छी तो पिछली सरकार थी। ठीक वही स्थिति आज गुजरात में हुई है। आज कांग्रेस के जो सदस्य बोले हैं और जो समाचार पत्र में हमने पढ़ा उससे स्पष्ट हो गया है कि नौकरशाही संगीनों के बल पर गुजरात में शासन कर रही है। न तो उसके सामने जनता की कठिनाइयों को दूर करने का सवाल है और न उस को यह भय है कि जनता के सामने उसे जाकर अपने कार्यों के लिए स्पष्टीकरण देना होगा। उसे अपने निर्वाचन क्षेत्र में जाना होगा इसका भी उसे भय नहीं है बल्कि वह अपने अधिकारों का पूर्णरूपेण दुरुपयोग करके अपने को बनाए रखना चाहती है। और जब राष्ट्रपति शासन समाप्त होगा तो ये जो गवर्नर के परामर्शदाता हैं वे अच्छी जगहों पर नियुक्त हो जाएंगे। जैसा सरोज साहू को कई राज्यों में काम करने का अनुभव प्राप्त है तो सरकार उन्हें अच्छी जगहों पर भेज देगी। लेकिन क्या कारण है कि पुलिस वहां पर जनता के साथ दुर्व्यवहार कर रही है। पुलिस और जनता के बीच में दुर्भावना बारबार बढ़ती चली जा रही है। जनतांत्रिक शासन में यह होता है कि जो भी मंत्री होता है, विधायक होता है वह जनता के बीच जाता है और जनता के बीच जाकर उसको जनता की कठिनाइयां सुनने का मौका मिलता है और जनता भी अपनी बात कह सकती है लेकिन इस राष्ट्रपति के शासन में नौकरशाही राज्य में जनता किसी अफसर

से मिल नहीं सकती। विधान भवनों में साधारण जनता जा नहीं सकती। अधिकारियों के पास जाकर अपनी बात जनता कह नहीं सकती इसलिए मेरा निवेदन है कि वहां पर शीघ्र से शीघ्र चुनाव कराएं। यह उचित होगा।

दूसरी बात, मान्यवर मैं खाद्य समस्या के बारे में कहना चाहता हूं। गुजरात कमी का प्रदेश है और माननीय गृह मंत्री जी ने जो नोट दिया है उससे स्पष्ट होता है कि वहां की तमाम जनता को खाने के लिए अनाज नहीं मिल रहा है और पशुओं को चारा भी नहीं मिल पा रहा है। मैं जानना चाहता हूं ऐसी परिस्थिति में सरकार ने कोई विशेष प्रयास किया है। माननीय मंत्री जी से कहूंगा कि वे यह बताएं कि जब वहां राष्ट्रपति शासन है, भारत सरकार यानी केन्द्रीय सरकार का शासन है तो वहां क्यों नहीं गल्ला एकत्रित हो सका, वहां क्यों उत्पादन नहीं बढ़ा और जो कमी है उसकी पूर्ति आपने क्यों नहीं की। मैं जानना चाहता हूं कि उस कमी की पूर्ति आप कब और किस प्रकार करने जा रहें हैं?

तीसरे मैं यह कहना चाहता हूं कि गुजरात से देश के सामने एक नई परम्परा उत्पन्न हो गई है। कुछ हद तक मैं उसे नई परम्परा नहीं मानता क्योंकि केरल में भी इसी प्रकार से राष्ट्रपति शासन लागू हुआ था। बिहार में जो छात्रों ने सज्ज प्रदर्शन किया और जिस प्रकार का नेतृत्व वहां के छात्रों ने दिया वह तमाम बिहार में तो बढ़ ही रहा है साथ ही साथ देश के अन्य प्रदेशों में भी जैसे, उड़ीसा, पंजाब और हरियाणा में फैल रहा है और कश्मीर में भी यह बात उठ रही है कि विधान सभा भंग करो।

[उपाध्यक्ष (श्रीमती पूरबी मुखोपाध्याय) पीठासीन हुए।]

मैं यह कहना चाहता हूं कि सरकार अपनी एक स्पष्ट नीति बनाये। हमने पाया है कि एक दिन तो सरकार कहती है कि हम किसी भी हालत में विधान सभा भंग नहीं करेंगे और दूसरे ही दिन वह उसे भंग करने को तैयार हो जाती

है। मेरा ऐसा ख्याल है कि सरकार अपने दल में जो अन्दरूनी फूट पैदा हो जाती है, जो विषम परिस्थिति पैदा हो जाती है उससे निपटने के लिए इस आर्टिकल का ज्यादा उपयोग कर रही है। मैं समझता हूँ इसी कारण से गुजरात में राष्ट्रपति शासन लागू हुआ और अभी भी सरकार इस प्रकार का कोई कार्य नहीं कर रही है जिससे यह बात हमारी समझ में आ सके कि वहाँ पर राष्ट्रपति शासन शीघ्र समाप्त हो जाएगा। अगर ऐसा नहीं होता तो राष्ट्रपति शासन लागू करने की मंशा थी मैं समझता हूँ कि वह पूरी नहीं हो सकती। आम जनता की यह मांग है कि यह राष्ट्रपति शासन हटाओ। थोड़े समय के लिए वहाँ की जनता चाहती थी कि राष्ट्रपति शासन होगा और उसके बाद निर्वाचन होगा। जब निर्वाचन नहीं हुआ तो उनके मन में निराशा पैदा हुई। आज जो देश में स्थिति पैदा हो रही है उसका मुख्य कारण यही है कि सरकार जनता की कठिनाइयों को दूर नहीं कर पा रही है। मंहगाई बढ़ती चली जा रही है और बेकारी में बेतहासा वृद्धि हो रही है, छात्रों में अपने भविष्य के प्रति निराशा पैदा होती जा रही है जिसका परिणाम यह हो रहा है कि छात्र समाज में आगे आ कर इस प्रकार के आन्दोलन करने को उमड़ पड़ा है। और फिर उसके साथ दुर्व्यवहार भी हो जाता है, राजनैतिक दल तो इस प्रकार के आन्दोलनों में पीछे हो जाते हैं और छात्र आगे चले जाते हैं। ऐसी स्थिति में मैं सरकार के सामने एक दो बातें सुझाव के रूप में रखना चाहता हूँ। पहले तो मैं यह पूछना चाहता हूँ कि गुजरात के अन्दर जिन बातों को लेकर यह आन्दोलन चला, उस संबंध में गृह मंत्री यह स्पष्ट करें कि उन्होंने इन छः महीनों के अन्दर किस हद तक वहाँ पर परिवर्तन लाने का प्रयास किया और क्या सुधार उन्होंने वहाँ पर किये? खाद्य की स्थिति वहाँ पर बहुत ही खराब हो रही है। आज हालत यह है कि राष्ट्रपति शासन से पहले जो स्थिति वहाँ पर थी उससे ज्यादा स्थिति खराब हो रही है। वहाँ पर सिर्फ यह कर दिया गया है कि नौकरशाही को बैठा दिया गया है और नौकरशाही की स्थिति

यह है कि उनकी नुस्ताचीनी करना भी नामुमकिन हो गया है। जो पत्रकार आवाज उठाते हैं तो उनके साथ दुर्व्यवहार हो रहा है। एक जगह नहीं, अनेकों जगहों पर ऐसा हुआ है।

दूसरी बात जो मैं कहना चाहता हूँ वह भूमि सुधार के बारे में है। भूमि सुधार के बारे में गृह मंत्री जी ने कुछ बातें बताई हैं। मैं यह कहना चाहता हूँ कि वहाँ पर भूमि सुधार हो और किसानों को वे तमाम सुविधाएँ दी जाय जो खेती के लिए आवश्यक हैं। ऐसी कामों में नौकरशाही आमतौर पर पीछे रहती है। उसका झुकाव तो अपने तंत्र को मजबूत करने में और अपने आपको प्रभावी बनाने की तरफ ही रहता है, यही उनका प्रयास होता है और इसी में वे समय लगाते हैं। इसलिए मेरा निवेदन है कि अधिक उत्पादन के लिए किसानों को सुविधाएँ दी जाय, उनके लिए सिंचाई के साधन उपलब्ध कराये जाय और जो अकाल की स्थिति वहाँ पर पैदा हो रही है उसमें लोगों की ज्यादा से ज्यादा मदद की जाय। हमारे देश में और जगहों पर बाढ़ आ रही है, लेकिन गुजरात में अकाल की स्थिति हो रही है। मैं यह भी कहना चाहता हूँ कि वहाँ पर जो भयंकर अकाल पड़ा हुआ है, उसका असर गुजरात के साथ-साथ जो बड़े-बड़े शहर हैं, जैसे बम्बई है, उनपर भी पड़ेगा। आज वहाँ पर भारत सरकार के हाथ में शासन है, लेकिन सरकार ने इस दिशा में कोई ठोस कदम नहीं उठाये हैं और अपनी जिम्मेदारी को नहीं निभाया है। इसलिए मेरा सुझाव है कि इस प्रकार से गुजरात के अन्दर गृह मंत्री को जो एक मौका मिला है उसका उपयोग नहीं किया गया है और मैं चाहता हूँ कि इन आने वाले छः महीनों में कुछ सुधार करें जिससे वे कह सकें कि हमने वहाँ पर फलांफलां सुधार किये हैं। इसके साथ-साथ एक अंतिम बात मैं यह भी कहना चाहता हूँ कि संविधान में इस संबंध में जो अनुच्छेद है उसमें अगर हम परिवर्तन नहीं करते हैं तो भविष्य

[श्री श्याम लाल यादव]

में इस अनुच्छेद का दुरुपयोग होना और जनता की कठिनाइयाँ नौकरशाही में और भी बढ़ती जाएंगी।

SHRI HIMMAT SINH (Gujarat) : Madam Vice-Chairman, it is a sad commentary on our political and public functioning to be faced with an example which was pointed out by my colleague, Mr. I. D. Singh with a discerning eye of an ex-Minister when he pointed out that the Sar-vodaya workers were being paid Rs. 320 per month and that recently their emoluments were increased to Rs. 400. I challenge the propriety of such payments and I do feel that these are gestures which are ill-conceived and they are given to people in whom your confidence is misplaced. This is just one instance which was pointed out. Several other instances of agencies enjoying official patronage in Gujarat, which agencies have been working to the detriment of our political institutions of our democratic institutions, of our parliamentary system, of functioning have been given. There is yet another report which is available to Members of Parliament. It is said that hundred acres of land have been donated to the Vidya-pith with which Mahatma Gandhi's sacred name has been associated. Normally I would have no objection to any donation being given to an institution of such a reputation. But I am sorry to say that if an institution is reduced to be a forum of intrigues and functioning of foreign agencies to pollute our academic life then that institution ceases to have any importance ; it ceases to have any meaning and it should not be given any patronage of any kind by any government worth its name. I am sorry to say that. But I do think that if the formulations which have been made in the preamble to this report which has been given by the Government on the President's Rule in Gujarat for six months are true, then I am afraid these formulations will be challenged and will be brought to naught.

The first thing that has been mentioned in the preamble says that the President's

Rule is to provide a clean and efficient administration and to be responsive to the needs of the people.

To what extent the administration has been responsive to the needs, to the urges and to the aspirations of the people is a matter of opinion. I shall presently point out instances as to how these needs and aspirations and urges of the people have been completely undermined even during this President's rule of six months. The report further states in the Preamble :

"Provision of adequate quantities of foodgrains and other essential commodities would be given the highest priority and that every effort would be made to secure . . ."

I am underlying these words—

"all-round development of the State, with particular reference to industry and agriculture."

How far this all-round development of the State has been secured, has been enforced, has been strengthened, is also a matter of opinion. And I shall presently give instances to show how these very things have been undermined during the six months of President's rule. On page 3, it is further stated:

"A committee headed by the Chief Secretary has been constituted to evolve measures to bring about economy in Government expenditure. Simultaneously, vigorous efforts have been initiated to make recoveries of all outstanding Government dues and to review and reform the system relating to the recovery of such dues."

Now, if ever there was a sense of economy and austerity which is called for in the present critical situation in our country, then this Report itself is an example of glaring violation of that sense of austerity and economy. A much simpler report, a less ostentatious report, a more modest report was called for, which would have been

factually more correct, which would have been a little more realistic about the situation in Gujarat and which would have paid sufficient heed to the need for economy and austerity in the country today. It has further stated, regarding scarcity relief :

"A water supply scheme at a cost of nearly Rs. 2 crores was executed in record time for supply of water to Rajkot through a 65 km. pipe-line from Bhadar dam."

This is an instance of glaring violation of all norms of works undertaken under the authority of the Public Works Department. No doubt, whatever was done was done in record time. But what was done in record time was maximum amount of corruption and nothing else. The pipe-line which was laid was full of defects. The water never reached Rajkot from Bhadar. And today to what extent that pipeline would serve any purpose whatsoever is a question which the Government alone can answer. On para 4, it is stated :

"In order to make the administration more responsive to the people's needs, the Governor has been holding periodical meetings with Members of the Parliament representing the State to discuss with them the various problems of the State and the measures for their solution. Soon after the dissolution of the Legislative Assembly, the Governor convened a meeting of the Citizens' Council which was composed of a cross-section of the society and enlisted its help in reviving academic activities and restoring complete normalcy in the State. The representatives of academic bodies, teachers and students were also invited to this meeting. These meetings have proved very useful."

Very useful certainly, but for whom and for what purpose ? I have written a long letter to the Governor of Gujarat in which I have offered my own comments and observations, my own suggestions, my own recommendations and my own views on the subject of Citizens' Councils and how they should function and how a Citizen's Coun-

cil can be regarded as representative of all sections of the people ; and then alone, it can fulfil the functions required of a Citizens' Council in the absence of an elected legislature. Unfortunately, to this day I have not received any acknowledgement to my letter.

The Citizens' Council, as it is constituted, is nothing but a revival of all the discredited people in Gujarat, people who have lost their image in Gujarat, people who have no standing in public life in Gujarat. And those who represent the real values of life in Gujarat, who represent the Gujarati ethos, as I may call it, those representatives have not been given any place in the Citizens' Council, I make bold to say.

Then on page 4, it has been stated that a special review was undertaken of all boards, committees and corporations constituted previously.

"Those which were considered unnecessary were abolished and the others were reconstituted in order to make them more efficient and effective and their terms and conditions or terms of reference were re-defined to better observe their objective." My friend, the young Member from Gujarat, Mr. Yogendrabhai Makwana, gave instances of the functioning of Gujarat State Fertilizer Corporation. I would like to add a word or two more about this Corporation. Apart from the fact that the board of directors of the Corporation has been loaded with superannuated IAS and ICS officers, the Chairman of the Corporation himself is a person who is involved personally in foreign exchange violations. What is the justification, what is the need, for continuing such a Chairman on such an important Corporation ? It was mentioned by the Home Minister that a programme of expansion has been given to this Corporation and some Rs. 120 crores are intended to be spent on this programme of expansion. How that amount of Rs. 120 crores will be spent, who will be the beneficiaries of this spending, what will be the actual worth of things that the State will get in reality as a result of this spending, these

[Shri Himmat Singh] are matters not of speculation, but of personal knowledge, if past experience is any guide. I therefore, in all humility, suggest that such discredited persons in public corporations have no right to remain there. They must be thrown out if reconstitution of boards has any meaning ; otherwise, like old wine in a new bottle or new wine in an old bottle or whatever you call it, old things continue and we are not able to project that image of our vision about the country's future for which we have received such a massive mandate and for which each one of us is required to show some responsibility. This is as far as Gujarat State Fertilizer Corporation is concerned.

There is another Corporation which is known as Gujarat State Export Development Corporation. In that Corporation there is a chairman who also runs his own personal, individual, private sector export house and through that export house all the business that is canvassed on behalf of the public sector corporation is channelised. Here is a chairman of a public sector corporation, a chairman who is supposed to handle crores and crores of rupees worth of business to earn foreign exchange for this country. He is conducting his own private export business and he is in charge of this export corporation. Now, what efficiency in the administration of this Corporation he is likely to bring to bear, it is not a matter of very great imagination.

Then, again on page 8 of this report a very laudable assertion has been made. The assertion is that the Government of India has sanctioned an amount of Rs. 320.27 lakhs for Gujarat under the half a million jobs programme with employment potential of 24,397 educated persons. The State Government has implemented 43 schemes generating employment for 10,699 persons by the end of March; the remaining target is expected to be achieved "in the early months of the current year." Where are the early months left now ? These are now the latter months of the current year and not early months. I hope

this is a typographical error. Whatever it is, the performance as has been shown is hopelessly poor, if I were to put it very mildly.

On page 19 of this report again it is stated that a study group has been instituted in order to go into the question of existing systems in the various departments for assessment and accounting of Government dues of various types, particularly loans and advances. This sort of assertion, in my opinion, is most scandalous, because I know in Gujarat, State Corporations have advanced loans to parties which are worth nothing, for activities which can only be regarded as dubious, loans which have not been returned, no instalment has been paid, no interest has also been paid. This is the type of functioning that has gone on over the years. I am not holding the President's rule as responsible for it.

What I mean to say is that if over the past years certain things have been done in a particular fashion, are we to continue with that inheritance ? Are we not going to challenge that dubious inheritance which we have received in Gujarat from the Syndicate rule and their various activities ? Are we not going to challenge it or to give some assurance for the realisation of the new hopes, inspirations and new urges of the ' population to which a reference has been made in the beginning of this report.

Another instance is the Gujarat Slum Clearance Board. This is also a statutory board. It came into existence as a result of the State Act of 1973. The official member there is the PWD Secretary who does not attend the Board meetings at all. This Secretary, under the authority of the Governor's rule, refuses to attend the meetings of the Board. In Ahmedabad alone one-third of the population live in slum dwellings. This corporation, in my opinion, should have been given the highest priority. There are quite a good number of big cities in Gujarat where slum dwellers have gone on increasing. Their total number is about 20 lakhs or so. Yet, the Board cannot function without it being declared a

prescribed Authority. The Government refuses to declare it as a prescribed authority. If the constituted members of (he Board are not very palatable to the Advisers, they can certainly change them. I have nothing personal for or against any such members. But they should at least be wedded to the ethos and spirit of the functioning of public sector corporations. I think it is a matter of grave concern that with the present Advisers in Gujarat which claims to be under President's rule we are not able to get things which should be regarded as ordinary, normal things expected of any administration.

The Board asserts that it has received an assurance of full finances by HUDCO—Housing and Urban Development Corporation. Yet, the construction of houses and purchases of land cannot be undertaken because of the handicaps with which this Corporation has been saddled.

But the gravest instance in my opinion is that of the Textile Corporation. This State Textile Corporation is a public body in which there is involvement of National Textile Corporation also because 51 per cent finance of this Corporation is made available by the Central Government. This Corporation is supposed to honour and implement the State legislative measures. And yet, what does this Corporation do? My young friend has given instances about some members of the Board conducting themselves in a manner objectionable and as a result of which some pertinent details about corruption have been submitted to the Governor. A copy of which was also sent to me and I have forwarded it to the Governor with my own comments.

Here is a Corporation which has filed a writ petition against the State Government's own legislation for the formation of Joint Management Councils. This Joint Management Councils are supposed to be instituted for the purpose of creating healthy and harmonious atmosphere for the working of those units where they employ more than 500 workers. Yet, the Corporation has gone and filed a writ petition—

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which has been granted. I do not know why poor Gujarat is caddled with two Advisers? One Advisor with his experience in the past of dealing with things in President's rule is good enough. Why two Advisers for Gujarat? And where does the poor Governor hang in between these two Advisers? I personally think that Gujarat can ill afford this luxury.

Gujarat is half the size of Andhra, more or less, and if one Adviser could be good enough for Andhra, why should then there be two Advisers for Gujarat? (*Time bell rings*) Madam, I will finish in a minute or two.

Now, Madam, these Management Councils are supposed to "promote cordial relations between the employer and the employees, to build better understanding and trust between them, to promote measures which would lead to a substantial increase in productivity, to secure better administration of the welfare measures and adequate safety measures, to train the employees in understanding the responsibilities of the management of the undertaking and in sharing such responsibilities to the extent considered feasible and to do such other things as may be prescribed". Now, such a laudable measure is countered by this public sector Corporation for reasons which are not far to seek, because you saddle such a Corporation with people who have no understanding of the concept of a public sector, who do not want to understand the spirit of the public sector, who are not interested in the healthier relations between the workers and the employers and who are not simply interested in getting workers to participate in the management. Therefore, Madam, they take such action as I have mentioned. I have written to the Governor again and I have requested him to instruct the Board to withdraw this writ and I am yet to see the results of my plea.

Lastly, Madam, before I wind up, I want to say a word about the journalists there. My friend, Shri Makwana, narrated the ugly episode of the lathi charge which was conducted, which was resorted



[Shri Himmat Sinh] to, against some journalists before the Adviser's house. I think it is the most deplorable thing to have been allowed to happen. And, Madam, why did it happen? We shall wait for a full report on that. But this brings me to the question of the plight of the working journalists in Gujarat. Madam, Vice-Chairman, you know what type of newspapers are mere in Gujarat. The other day, Madam, there was a small incident in Bulsar and the arly papers, the only language papers which were concerned about highlighting this event, in all its lurid form, were the Gujarati papers, with a view to discrediting the Youth Congress, with a view to discrediting the whole move, and with a view to discrediting the whole spirit behind such a big rally. And, Madam, what this rally, after all ? It was the spontaneous expression . . .

SHRI N. G. GORAY : Spontaneous ?

SHRI HIMMAT SINH: It was the spontaneous expression of powerful feelings of the youngsters of India who wanted the Government to fulfil the programme they promised, who said, "You fulfil the programmes; otherwise, you have no right to say that you are interested in our welfare." Now, Madam, these papers are handled by certain individuals who are not interested in journalism because they cannot write two lines, some of the proprietors cannot write two lines in Gujarati . . .

SHRI LAL K. ADVANI : Do not malign the newspapers.

SHRI HIMMAT SINH: I am not maligning anybody. I am only stating the truth and nobody is going to stop me from telling the truth. A deal was undertaken which was exposed rather prematurely and, therefore, it was denied, of one set of newspapers which were being passed on from one hand to another *sub rosa* . . .

SHRI BABUBHAI M. CHINAI: Who was responsible for it?

SHRI HIMMAT SINH: Kindly listen to me. I challenge the propriety of such journals which undermine the interests of the working journalists and which behave as if the working journalists are in chattels. Of course, the newspapers concerned have said that for the present there is no such move. Mind the words "for the present". But I think it is the responsibility of a popular administration to ensure that no such deal is allowed to take place and they must take the working journalists into confidence and find out from them about the way in which the newspapers are conducted in Gujarat. There are a few other things which I would like to mention. But now I will say a few words about the question of smuggling.

My honourable friend, the Minister of State in the Ministry of Finance, Shri K. R. Ganesh, waxed eloquent about prevention of smuggling through satyagraha. Let me advise him that this is a venture which he should never undertake because the smugglers' net is very wide and this net cannot be destroyed so easily by pleadings and by preachings and by talking about moral rectitude. This snare of smuggling can only be removed through direct action with the help of the military on the land and the navy on the seas. I say this because Gujarat has a bigger responsibility as far as smuggling is concerned. Probably, one-third of the coastline of the country is in Gujarat and if this sort of smuggling is not checked, the economy of the country will be affected. Somebody mentioned about 2,000 bags, mentioned in an article by my friend, Shri Narandas Thacker, from Rajkot, on the activities of smuggling.

Two thousand bags of foodgrains are being smuggled out of Gujarat every day. These are some of the big problems. The hon. Minister who is in charge of the administration should project a sense of new policies, the new programmes backed by a new vision, for which the people have been pining, or else I am afraid the President's rule will not be able to deliver the goods, which is expected of it. Nonetheless, in the present circumstances, I think

despite all the glorification of popular institutions which my friend, Mr. Advani, and others have waxed eloquence about, I would say why do you first destroy the legislature and then you demand reconstitution of the legislature. But this has to take its own time, and when elections are held Gujarat will give the verdict expected of it, and throw out those very reactionaries who were advocating for dissolution of the Assembly.

SHRI NIREN GHOSH (West Bengal) : Madam, Vice-Chairman, a spectacle is hunting the Government of India—the spectacle of Gujarat. So they have brought forward this politically motivated Resolution for the extension of President's rule for another six months. I say it is politically motivated—deliberately choosing the words.

Just now, I will begin from where my good friends, Mr. Himmat Singhji left: Why after the ouster of the Ministry and dissolution of the Ministry you ask for election? I counterpose the question: Why not? No Assemblies or Parliament in India are based on proportional representation. They are all minority governments. And after the Government has become thoroughly corrupt and is detested by the people, as averred by Himmat Singhji also, why should not the people agitate for the dissolution of the Assembly and for having immediate election so that the newly elected representatives of the people come to the fore? They might have a chance to come to the fore. I say that there must not be any President's rule anywhere in India. Wherever an Assembly is dissolved, a caretaker government should be there, with no powers to pass any important legislation, and election should be held within a month or two. That is how democracies function all over the world. That is being scuttled, and deliberately Congress rule is being perpetuated in Gujarat in order to enter into some sort of collusion or even to make up with Chimanbhai Patel, as they did open-handed, or as they took the Syndicate fellows into their ranks ...

This is the corruption rampant. This is corruption. This is political opportunism. This is the worst sort of political corruption, I can say. So I do not see why we should not call for an immediate election. That is the democratic practice that is followed everywhere in the world where democracy exists. But democracy here is in danger. Democracy here is threatened. That's why President's rule has been extended. Why not election in November? They say that delimitation of constituencies was to be done. Cannot the Chief Election Commissioner finish it within six months? He could do this. I do say that the Chief Election Commission is a partisan body. It is not an independent authority. As long as the Chief Election Commission or the Commissioner is appointed by the President on the advice of the Council of Ministers, that follows the Government line. It has been our experience, beginning from 1952 onwards up till now.

These are not independent bodies. They have become partisan and corrupt bodies.. That is why the Chief Election Commissioner is not holding the elections in Gujarat. A time has come when the Comptroller and Auditor General or the Chief Election Commissioner or the Chief Justice of the Supreme Court must not be appointed on the advice of the Council of Ministers. Some other forum should be devised in which the consensus of all sections of the people and the Members of Parliament should be taken into account. These people are there only to grease the ruling party. I accuse Mr. Swaminathan that he is doing it.

SHRI BABUBHAI M. CHINAI : Madam, can anybody, without the permission of the Chair, name those who are outside this House and who cannot answer the charges? Mr. Swaminathan has no opportunity to answer the charges. Here is this officer who holds the office on appointment by the President of India. I would like to know whether any officer can be charged like this by a Member of Parliament. Is it not necessary for the

[Shri Babubhai M. Chinai.] Member concerned to take the permission of the Chairman before naming him ?

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : Since the officers are appointed by the Council of Ministers, it is the Council of Ministers who are held responsible and they can reply. As the Election Commission is an independent organisation having the confidence of the people at large, it is unfortunate that wild allegations are being made against it. I would request the Member to restrain his speech and he should not malign the whole institution.

SHRI NIREN GHOSH : I would humbly submit to the Vice-Chairman that the Chair should be well advised not to pass these sorts of remarks.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : I would request you also to restrain when you refer to the Chair.

SHRI NIREN GHOSH : These persons of so-called independent authorities are appointed, in actual fact, by the Council of Ministers. This is the trouble. The 1972 elections have been completely rigged. They are a fraud on the democracy as much in West Bengal as they have been in Kashmir for the last 25 years. The Chief Election Commissioner is known to me. He comes from my own village. So matters stand there. I would like to say that the Congress misrule has spread to Gujarat and worsened. What is there to rub one's eyes in wonder? There is the stinking disease of corruption allround throughout India. We are in the Centre. But the condition of Gujarat is bound to worsen. Therefore, I demand that this Resolution should not be passed. Let them pass it with their so-called majority. It is another thing. But in all fairness, elections should have been held long ago. Elections could have been held in November at least. Even now, they are trying to regroup their forces with black money. Gujarat has 1,500 kilometers of coast and I should say that 366 crores of rupees worth of gold has been smuggled through

the Gujarat coast. I should say that foreign textiles, watches, radio sets, etc. are coming here. I would say that clandestine export of Hindi films and new luxury items has been taking place. Even blue films are being smuggled into India.

And he has quoted something. It is worth Rs. 100 crores a year, and Rs. 6 crores worth of liquor. And a former Customs officer has now become a big smuggler. And the Minister says that he will stage a satyagraha. He knows all the big smugglers. If he does not know, there is the Economic Intelligence under the Prime Minister herself. The Prime Minister knows about it. Why did the Prime Minister condescendingly or graciously allowed herself to meet Coolji Mastah, the smuggler king of Bombay ? How can you expect that this smuggling can be stopped? Some Customs officials do something. And nothing can stop it under the present Government because these people are connected with the highly placed bureaucrats and many of the Ministers, and the Central Ministers are also concerned. So, how can you stop it ? So, the entire smuggling operation is going on. Basmati rice, groundnut oil, wheat, cloth, etc. are still going out of India. And Dubai is the free port in the Persian Gulf and it is acting like that for this purpose. And this activity has threatened the whole of Gujarat. Under the Central Congress Government, the things have come to such a pass that all the vulnerable sections of the society—I am using their word—that means, the poorer sections of the society, 90 per cent of the society are being exploited. I need not go into it. But you know how the Press has been handled—The CBI enquiry or something is going on. President Giri has advised the Press in his valedictory address to identify the black marketeers and hoarders and expose them in the Parliament and Legislatures. I say, identify the blackmarketeers and the hoarders. The source of corruption is the Central Government. Unless they change, how can you change ? You cannot. This is bound to worsen. Now, it has worsened<sup>1</sup> ed. I name another person specifically.

Pema Tandell. Will Mr. Ganesh kindly take note of this name ? He is the smug- j gler king. And, unfortunately—how it j happens, I do not know—this fellow is connected with the Maruti also. Wonder-ful! Maruti seems to have percolated to all sorts of dubious places. That is how things happen in this country. That is how things are happening in this country. As regards the press, I have already said. The Gujarati press has rendered a signal service. Now that press is being sought to be throttled. The working journalists are insulted under the Central Congress rule. That is what is happening there. And the press is sought to be throttled down. I say, why the Chief Secretaries. Secretaries and big guys in various Departments of Gujarat are not exposed ? If the Chimanbhai Patel Ministry did all sorts of things, were these people innocent babes and angels ? I suppose not. I suppose they were very much in league with the Chimanbhai Patel Ministry. Many of them had got flats purchased with unaccounted money. And everyone has been kept there and no one has been transferred. The lesson that the Central Government should have learnt from Gujarat is to change the bureaucratic structure wholly.

They ruled the roost in combination with the Chimanbhai Patel Ministry. Naturally the things will worsen, they cannot brighten. That is what is going on.

Now, about corporations etc. many things have been said. I need not go into them because they have already been spoken about. But, I would say one thing. I suppose our friend Mr. Makwana said something about the lack of coal. Who said it ? Somebody from there said it. Coal is not being supplied to them. I would like to say that coal is subsidized. Transport of coal over long distances is heavily subsidized. It is not reaching Gujarat. Coal is produced in West Bengal, very close to Calcutta but it does not reach Calcutta.

AN HON. MEMBER : It does not stark.

SHRI NIREN GHOSH : It is an inorganic matter. It does not stark. So, it staples there. It does not reach Calcutta. This is the position. The Railway Minister was supposed to answer. He could not answer. In spite of all the facts and figures he could not give a single instance.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : Mr. Ghosh, you have spoken for 20 minutes.

SHRI NIREN GHOSH: Why are you crying for coal ? I would like to ask the M.Ps. of Gujarat and the people of Gujarat to consent to the equalisation of the prices of petroleum and petroleum products. They are not doing it. They are vehemently opposed to it. While the coal prices are equalised, steel prices are equalised why should not the prices of petrol and petroleum products also be equalised ? Why ? What is the reason for that ? You should be fair. India should be one. Either India is one or India is not one. Choose between the two. It is your choice. Our choice is that India should be one. All this seems to be to the contrary.

Madam, I want to raise another thing. You know what a terrific bungling was made about the setting up of the oil refinery and petro-chemical complex in Gujarat on the basis of Ankleshwar oil. Everybody knew that known oil reserves of Assam were far greater than that of any other place. So, the first refinery should have come up there. Ankleshwar oil field has gone dry. It has gone dry already. Yet, on the basis of that no refinery was put up. When some oil was struck in Ankleshwar, suddenly the oil refinery and the petro-chemical complex were formed. This is a worst sort of bungling. If Bombay High does not produce any oil—you cannot get oil—you have to spend Rs. 1 thousand or Rs. 2 thousand crores for importing crude in order to run that refinery. I do not know how the Mathura refinery will overcome on stream if we cannot find natural resources of oil.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : Mr. Ghosh, please finish.

SHRI NIREN GHOSH : Last thing I want to say is about naphtha.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY): What has it got to do with the President's rule ?

SHRI NIREN GHOSH : Madam, it is in Gujarat. That complex that produces naphtha, D.M.T., it is unfortunately located in Gujarat.

SHRI BABUBHAI M. CHINAI : Or fortunately.

SHRI NIREN GHOSH: Babubhai \ Chinai says fortunately. I agree with him j "fortunately". But, what has happened to the international price of naphtha ? It has gone up. But, the indigenous prices of naphtha have not gone up. They have reduced. Therefore, people suspect.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY) : Please finish, Mr. Ghosh.

SHRI NIREN GHOSH : Now, there is a basis for this allegation and that thing under the Central Congress rule is not being probed into. It is a very big shady deal that has taken place.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY): Mr. Ghosh, please finish. You have taken 20 minutes already.

SHRI NIREN GHOSH : You have given 30 minutes to somebody. I have taken only ten minutes. I will finish in a minute.

I will say the last word. I say that the moving spectre of Gujarat that is haunting will spread throughout India and before this spectre they will recoil. They have their backs to the wall and this Central Congress rule will have no place to retreat.

Please beware and beware of what you are doing. I sound this note of warning and give this piece of good advice—if you can take it as an advice—to change the entire course of things and have elections immediately. With these few words, I conclude.

**श्री महावीर त्यागी (उत्तर प्रदेश) :** उप-सभाध्यक्ष महोदया, मैं ज्यादा वक्त नहीं लूंगा क्योंकि मैं आपकी परेशानी से वाकिफ हूँ। लेकिन मैं दीक्षित जी से यह अर्ज करूंगा कि मेरी बड़ी परेशानी यह है कि मैं उसूलन प्रजीडेंट रूल के माफिक नहीं हूँ और इसीलिए मैं इस बिल का विरोधी हूँ। एक मेरी मुश्किल यह आ गई है कि कुल 18 दिन रह गये हैं और 18 दिन के अन्दर, अन्दर यह उम्मीद करना कि प्रजीडेंट रूल हटा कर वहाँ गवर्नमेंट कायम हो जाय, यह बिल्कुल नामुमकिन बात है। इसलिए अगर मैं यह मंजूर नहीं करता इसको, तो 18 दिन के बाद क्या होगा? बैकयूम क्रिएट होगा और यह मेरे लिए अनपेक्टेड होगा कि मैं इस बिल को मुखातिफ करूँ, इस वजह से कि 18 दिन के अन्दर-अन्दर मेरी स्वाहिष पूरी नहीं हो सकती। लेकिन मैं यह प्रार्थना करना चाहता हूँ कि कांस्टीट्यूशन के स्ट्रिक्ट के अनुसार प्रजीडेंट रूल जब होता है जब कि वहाँ लोकल गवर्नमेंट फेल हो जाय, ला एन्ड आर्डर न रहें या सिचुएशन क्राइसेस की हो, इसलिए कर दिया। लेकिन इसके बाद जल्द-से-जल्द गवर्नमेंट रेस्टोर करना आपका फर्ज है।

अब छः महीने पूरे हुए जाते हैं, आखिर जब से अब तक, मुझे ताज्जुब है कि आपका कांस्टीट्यूप्सी डिलिमिटेशन का काम कम्प्लीट नहीं हुआ। तो इस छः महीने में न करना, यह सब से बड़ा कांस्टीट्यूशन का नैगलेक्ट है गवर्नमेंट की तरफ से। मैं उम्मीद करता हूँ उमाशंकर दीक्षित जी से कि आप मेहरबानी करके मुझे विरोधी दल का समझकर इस दृष्टि से न मुनिये। मैं देशभक्ति के नाते आप से बात कहना चाहता हूँ। यह गलती—मैं भी उधर हो सकता था, रहा हूँ—मैंने भी बहुत गलती की है। यह मैं आपको दोष नहीं लगाता हूँ, लेकिन आपको जोर डालकर कहना चाहता हूँ कि इस बिल को तो हम मंजूर करेंगे, लेकिन क्योंकि 18 दिन के अन्दर वहाँ की असेम्बली के चुनाव नहीं हो सकते हैं, डिलिमिटेशन नहीं हो सकता है, इसलिए हमारे पास मजबूरी है। हम आपके इस बिल को मंजूर करेंगे। लेकिन मैं आप से प्रार्थना करूंगा कि हाउस को यह अश्वोर कर दीजिए कि आप बहुत

जल्द-से-जल्द चुनाव के मामले को खरम करेंगे ताकि आपकी जिम्मेदारी हट जाये और आपने हाउस के सामने जो रिपोर्ट पेश की है, उससे सब को तसल्ली हो जाय।

आपको गवर्नमेंट ने जब से इसका चार्ज लिया है, उस वक़्त से अब तक काफी तरक्की हुई है। अकाल वगैरह के मामलों को भी काफी सुलझाया है और इसके लिए मैं आपको बधाई देता हूँ। लेकिन मैं आप से सिर्फ एक प्रार्थना करना हूँ कि हम आपके साथ हैं, इसको एक्सटेंड कीजिए, लेकिन यह अथॉरेंस दीजिए कि जल्द-से-जल्द डिमिशन का काम शुरू कर देंगे और जहाँ तक हो सकेगा, दो-चार महीने या पांच महीने के अन्दर कम-से-कम आप चुनाव नया वहाँ पर करा देंगे ताकि डेमोक्रेसी कायम रहे। बरना ट्रिडिशन गलत पढ़ जायेंगे क्योंकि आज आप की पार्टी है, कल आप से भी रही पार्टी ग़ाबर में आ सकती है और न मालूम क्या-क्या नाजायज़ इस्तेमाल वह इन पावरों का करेगी। इसलिए आपको हर काम समझ कर करना चाहिये क्योंकि वह हिस्ट्री का एक फ़ेज बनता है और उससे कंवेन्शन बनते हैं। आप ऊँचे दर्जे के कंवेन्शन कायम करें। मैं अपोजीशन की तरफ से ज़रूर बोल रहा हूँ, लेकिन बड़े अपनावट के साथ आप से अपील करता हूँ कि इसके साथ ही एलान कर दीजिए ताकि वहाँ के लोगों को और हिन्दुस्तान के लोगों को तसल्ली हो जाये। आपने इस बीच में तरक्की की है और आप डेमोक्रेसी को रैस्टोर करने जा रहे हैं। मैं आप से कोई आरम्भमेंट नहीं करना चाहता हूँ, बस सिर्फ यही अपील करना चाहता हूँ।

SHRI N. G. GORAY (Maharashtra): Madam, I had great expectations when I listened to the Home Minister's speech and I thought that in his speech he will give us some valid reasons, convincing reasons, as to why an extension of the President's Rule is being sought.

SHRI MAHAVIR TYAGI: Because within 18 days nothing can be done.

SHRI N. G. GORAY: I also understand what Mr. Tyagi has said. It is not a question of 18 days at all. When the President's Rule was promulgated it was known that within six months certain process will have to be completed and if that process was not completed then another J extension will have to be asked for. It is not as if there was only a margin of 18 days from the start; they had enough margin, they had enough time and if they had I really wished to do it it was possible for them to complete the entire process and to hold the elections before the President's Rule expired. That was the point that was made out by my friend, Shri Advani, and though I listened to the Home Minister's speech and also the very fluent and persuasive speech of my friend over there, Mrs. Kulkarni, I regret that I have not been persuaded to accept that the President's Rule had to be continued, an extension had to be sought and it was not possible for the Government to prepare Gujarat for a democratic election. Madam, much was made of the point that we people who ask for the dissolution of the Assembly are now asking for election. I really do not see any contradiction between the two. If at a particular point of time the Ministry of the Assembly fails to deliver the goods, becomes inefficient, becomes corrupt, it is as much the right of the people to ask for a dissolution as it is the right of the people to ask for a re-election. There is no contradiction at all. The real point is whether we consider President's Rule as an exception or whether we consider it as a rule. I think, Madam, when this particular provision was made it was only to provide for an emergency which would not last long but now it seems that we have become so accustomed to emergency measures, we have become so accustomed to President's Rule that it seems that the ruling party is happy when there is President's Rule. They do not hesitate to ask for extension for one reason or the other. Madam, there are other countries, democratic countries, where between the dissolution of the particular legislative body and the election of a new body hardly a period of six weeks is allow-

[Shri N. G. Goray] ed to elapse. Within six weeks election is there and a new body is there. It seems we are capable of sleeping over the whole thing for six months, for an year or an year and a half and go on coming to this Parliament and asking for extension. I must admire the complacency, the non-chalance, the aplomb of the Home Minister when he quietly answers that it was not possible to hold elections and therefore he is asking I for extension. It is most admirable but I from the point of view of democracy it is i a very dangerous tendency.

Coming to Gujarat itself the Report does not give os all the facts. For instance, Madam, I would like to point out to the very first paragraph of this Report where it traces the genesis of the whole trouble. It says that the students were agitated because of their fees, bad food, this and that. It was not only bad food or fee. It was the rampant corruption that made it possible for the students to rise and get the sympathies of .he people from Gujarat. Matters would not have come to a head had it been only these two or three issues over which the students were agitated. The students are agitated everywhere throughout India, but it has not led to the downfall of Assemblies and Ministries. In this very House you will remember that, when pushed to the wall, the Government had to admir that the Ministry was corrupt, the Chief Minister was corrupt and they had to ask him to quit. Now, in this report there is no mention of the fact that, along with other causes, *one* of the main causes was the rampant corruption. I have r.o hesitation m saying that the new President knows it. I do not want to refer to anything else, but I can tell you that he knew that corruption was rampant, especially so far as groundnut oil was concerned. It was that corruption that hastened the downfall of the Chimanbhai Patel Ministry. Unless you *reinove* that, unless this report says what steps have been taken to remove corruption, what steps have been taken against those Ministers and officials who were charged with corruption, who were suspected of corruption, who really brought the downfall of the Ministry, things will not improve. It is not the students or the

opposition parties who brought about the downfall of the Ministry. It was the corrupt Government. Now, there must be somebody responsible for it. I really wanted to know what this Government has done, what Shri Umashar.kar Dikshit has done, what Shri Sarin has done to see that those people who indulged in corruption u - re brought to book. No mention at all. as if the only thing that brought about the downfall of the Ministry was some misguided students because of the increase in fee, bad food or something like that. I had said at that time and I repeat it again, unless you are ready to go deeper into the matter, go to the grassroots of the whole trouble, you will have this trouble again and again. Now, you have got trouble in Bihar also and it may spread. I do not say that it should spread, but it is likely to spread because you are just keeping quiet over the central issue of corruption and administrative inefficiency.

Now, Madam, let me come to the problems of Gujarat. Very eloquently Mrs. Kulkarni talked about famine.

[The Vice-Chairman (Shri Binin-p-al Das) in the Chair.]

Sir, fortunately it is a fact that famine would have been affecting nearly half of India had not the rains come in time. Lately the rains have come and perhaps a good part of Maharashtra, Mysore and Andhra has been saved. Gujarat has not been saved. Sir, in Kutch and Saurash-tra, as Mrs. Kulkarni pointed out, cattle are dying in their thousands. There is no grass available and there is no grain available. What are you going to do about it? When she talked about famine, I thought that somebody over there, either she or the other Members who spoke from that side, would say that famine in Gujarat can be eliminated provided the Central Government had the courage to take some decision about the Narmada. It was again and again said that there is scarcity in Gujarat not only of grains and cereals, but also of electric power. Now, if the Narmada is harnessed you will find that both these things will no longer be threatening Gujarat

There will be enough electricity and grain. The Gujarat peasantry is known for its industrious habits. They are very good peasants. They are also known for their industrial acumen. They are very good businessmen. They are very good industrialists. But you starve them of power, you starve them of water. What can they do? And this Narmada issue has been hanging fire for the last fifteen years. In this House itself I have mentioned this a number of times and asked why it is that they are not taking some decision on that. Sir, I was very hopeful when the whole matter was entrusted to the Prime Minister. But very quietly the Prime Minister has again sent the ball back to the court of the tribunal. I do not know how long the tribunal will take. Till that time what happens? Sir, we are very seriously talking about the drought conditions, we are talking very seriously about the scarcity conditions, we are talking about the non-availability of cereals in other countries also. That means, we must be serious about utilising all the water power that we have, all the electric power that we have. I would like to ask Umashankar Dikshitji: Is he seriously trying to solve this problem? There is this dispute between Madhya Pradesh and Gujarat. Both the Chief Ministers are not likely to come to any agreement because each has an axe to grind. It is exactly for that reason that the dispute was referred to the Prime Minister. And why don't you tell Madhya Pradesh, its Chief Minister, Mr. Sethi, "All right, if you are going to lose Rs. 10 crores or Rs. 25 crores per year, for the next ten years we will give you that amount from the produce of the land." Let us do something like that. But for God's sake, let us harness the Narmada waters. We have been told by experts that every year the Narmada is *likely to yield* in the form of grains and electricity, wealth to the tune of Rs. 1500 crores. Now, if that is so, is it not something that should be given the topmost priority? Or are we going to the end of time talking about famine and scarcity in Gujarat, about paucity of electricity in Gujarat? Every year, the Narmada, this mighty river, is threatening us, it is inundating, flooding vast areas; it is only asking

to be harnessed. But we say, no, you destroy but we are not going to harness you because the Chief Minister\* of Gujarat and Madhya Pradesh do not agree. Who is going to be convinced about our sincerity?—I fail to understand. So, my request would be, please take some decision about it and start implementing it. And in the next 10 or 15 years, the Narmada will be a boon, and not a curse as she is today.

Then, Sir, I would like to say something about the Harijans also. It is very unfortunate, and I do not say that it is likely to happen in Gujarat only; it is happening everywhere. Therefore, it is time that all of us sat together and tried to understand this problem and took drastic measures which would assure the Harijans that what we have promised in the Constitution would be a reality. After all, what is this trouble about? They drew water from a well because their own well had gone dry. And because a great crime or offence of drawing water from a particular well which was used by the non-Harijans, the higher castes, was committed, they were beaten up, they were killed, they were humiliated. And all this is happening whether it is the popular rule or whether it is the President's rule or whether it is this Government or that. I suppose, Gujarat, Maharashtra, Rajasthan and Madhya Pradesh, all these must come together and try to find out how this anomaly, how this atrocity, how this oppression can be put an end to. Therefore, I would request Uma Shankar Dikshitji to pay close attention to this. Then, Sir, so far as this particular area of Gujarat is concerned—I am referring to Kutch; I think my friend, Mr. Babubhai Chinai, comes from that area—it seems that it is our Cinderella. Nobody cares what happens to Kutch. Sir, that particular track is going without water, going without any development, and it seems that we do not want it. So long as India was one, at least whenever there was drought people used to migrate to Sind because it formed part of the Indus Basin and they could go there. But after the division of this country that outlet also stopped. Where do they go. It seems that we have neither funds nor the will nor have we the foresight to see that



[Shri N. G. Goray.]

this Kutch is a very sensitive area, and, therefore, it must be developed properly. It is not only Kutch but Kandla also. Time and again this question has been raised about Kandla. You developed that port. You call it a major port. But you do not allow it to be developed with the result that Kandla instead of prospering and really serving the whole of the northern India as its outlet to the sea has been starved: it is dwindling. It is getting more and more desolate. Industries are running away from it. Why is it happening? Let the Government in Gujarat go deeper into it and see to it that Kandla is either abandoned altogether or Kandla is developed properly. You cannot keep Kandla as it is. because after five or ten years it will completely go out of commission and crores of rupees that you have invested there will just go waste. Therefore, both Kutch and Kandla deserve our close attention.

Then I would only say that if you want to develop this area there is a provision in the Constitution. You can have a Development Authority, a Development Board which is sanctioned by the Constitution. After the bifurcation of Gujarat and Maharashtra the Constitution has empowered the President to set up Development Boards for Vidarbha, Marathwada, Saurashtra and Gujarat. Why do you not set up a Development Board? You have the provision for Development Boards under the Constitution. Therefore, if you really want to develop Saurashtra, if you want to develop Kutch, if you want to do justice to them, my request is that take full advantage of the power that has been bestowed on you by the Constitution. And now that the President's Rule is there, it will be easier for the President to set up a Development Board and to see to it that development of Kutch, development of Kandla, development of Saurashtra is achieved in a planned manner. This is all that I wanted to say. Thank you.

SHRI BABUBHAI M. CHINAI (Maharashtra): Sir, the President's Rule in Gujarat has not been one of unmitigated blessings. Law and order situation

still continues to be a problem. Only the other day we heard of police atrocities on journalists and I personally feel that it is a shame for an organised and powerful Government not to protect a journalist. Freedom of press and pressmen is the very essence of democracy and the present bureaucrats must also have these ideas before them. About a hundred journalists have submitted a memorandum and I am sure the hon'ble Home Minister will give due consideration to it and see to it that such incidents do not occur again in the State.

Sir, the law and order situation is chiefly because of high prices of essential commodities including foodgrains and

edible oils. True, this is not a problem confined to the Gujarat State also; it is an all-India problem. Nevertheless the rigour of the problem can be reduced provided the State administration takes steps appropriate to the situation. The misfortune, however, is that there is an agonising failure of duties at the district and State levels. When the political situation is fluid, advantage is taken of at every level to exploit the situation.

There is no doubt that the law enforcing agencies have a hard time in containing the situation. The events that led to the resignation of Chimanbhai Gurnani will be repeated if the authorities fail in their duties. The situation has, however, been aggravated by drought conditions in various parts of the country. Kutch, for instance, is the most seriously affected area. In fact, it is passing through its fourth consecutive drought which is the seventh in the last eight years. The rural population and the livestock have reached the starvation level. These unfortunate human beings have no money even to buy essentials like food-grains owing to lack of relief works. As grass supply is erratic and scanty, and as the distribution system is disorganised, scores of livestock are under death-spell every day. Hundreds of villagers have to roam for drinking water as many tubewells are

not functioning and many water supply schemes lie incompleted or are completed only on paper.

There is an urgent need to undertake famine relief measures on a war-footing. The entire Kutch should be declared a famine area to obviate the need for assessment of revenue production (Anavari). Land assessment (vigoti) should be waived. Grass should be immediately rushed to Kutch and transported to remote parts with speed. Grass depots, one each for an area of 80 sq. miles, should be opened. The subsidised rate of grass should be brought down to Rs. 10 per 100 Kg., as against the present Rs. 17.50, as the purchasing capacity of the villagers is very poor. A large number of relief works within walkable distances of the far-flung villages should be opened immediately. No restriction on the number of persons from one family should be put for relief employment. Children above 12 should be deemed eligible to be enrolled on such works. Rupees three per day should be fixed as the minimum wages both men and women, and Rs. 2.25 for minors. The maximum amount payable to one person should be raised to Rs. 5 instead of the present Rs. 3. This is absolutely necessary in view of the inflationary situation. Distribution of free doles should be made liberal. Sufficient quantities of foodgrains and essential commodities should be distributed at subsidised rates. As malnutrition and resulting night-blindness has become widespread, multivitamin tablets, powder, sukhdhi, buttermilk, etc., should be distributed free by the Government. Voluntary agencies should be given subsidy for free distribution of these items.

Each and every village should get drinking water at its door. All the incomplete water supply schemes should be completed on a war-footing. Existing tubewells, not working for any reason whatsoever, should be made functioning at any cost. In some areas subterranean tubewells should be bored. Tubewell water should be used only for drinking purposes. Cattle camps run by the Government

should be opened within a group of 10 to 20 villages. Voluntary agencies willing to run Cattle Centres should be given subsidy at the rate of Rs. 1.25 per head. Electricity connection should be given for well irrigation work. Farmers with irrigation land should be compelled to grow green fodder on 50 per cent of their land. A scarcity PWD division under the District Panchayat should be opened forthwith. Unless these measures are implemented with immediate effect, it is likely that large-scale death of cattle and even human beings might occur in the immediate future.

Kutch is a vast area of land, about 18,000 sq. miles, that is, nearly one-fourth of the whole Gujarat State, with a population of about a million people. On August 15, 1948, it got integrated with the rest of India. Pandit Jawaharlal Nehru and Sardar Patel, both assured it of development and they were kind enough not to take a parochial outlook of linguism into consideration, and Kutch was put directly under the Central Government as a 'C' State only for its rapid development.

Its development started with its First Plan, which was Rs. 3 crores. The Union Government allotted Rs. 8 crores for its Second Plan. It merged with bi-lingual Bombay State in 1956. The Boundary Commission and the Joint Select Committee of Parliament recommended Development Boards as envisaged in article 371 (2) of the Constitution of India for all the units of the then Bombay State. Therefore, I strongly feel that a Development Board for Kutch should be formed by the President of India under article 371(2) of the Constitution.

Kutch became a part of Gujarat State in 1960. Its Third Plan was, however, reduced to Rs. 4 crores, i.e. half of the Second Plan, though the Third Plan of the whole Gujarat State was double the Second Plan. These Rs. 4 crores were just sufficient for the pay of the officials and other Government servants and establishments. Thus, all the development work

[Shri Babubhai M. Chinaul came to a standstill. And from 1962 up to to-day, no development work was even taken up and gradually the condition of the local people deteriorated.

Kutch is very rich in its cattle wealth, which numbers about a million Banni is a unique pasture land in the whole of India, with its area of 680 sq. miles. Sir Dattar Singh, the then Advisor to the Agriculture Ministry, Government of India \ kited Kutch in 1948 famine and submitted a scheme for development of this Banni area, which is yet to be implemented. A cheese factory, at the cost of Rs. 30 lakhs was provided in the Third Plan, but it remained only on papers.

Before Independence, whenever there was drought, people from the border area and the cattle used to cross to Sindh; but after partition, no alternative is provided, resulting in gradual destruction of this valuable cattle wealth, the back-bone of economy of Kutch.

Water is the main problem of Kutch, as e^very alternate year there is drought, and f^ery third year, a scarcity. Kutch has no perennial river and so naturally, there is not a single site for a major dam. But after 1962, eight dam sites are surveyed mid proposals are with Gujarat Government. Long before a pipeline from River Macchu of Saurashtra was planned out but yet it has to come.

Kandla, first major port of free India. is yet to be developed as envisaged. A railway line from Gandhidham to Lakhpat via Mandvi and convention of MG Railway into BG from Gandhidham to Bhnj is surveyed long before just to remain on papers. Kandla free-trade-zone, first of its kind in India, bears the look of a desert after a decade.

Kutch is very rich in various minerals, i.e. Lignite, Boxite, Barites, Gypsum, etc. But all these minerals are yet to be explored and utilised.

I hope that during the course of the next six months, the hon. Home Minister ' will kindly look into the problems of Kutch and all the problems which I have '

narrated to him just now so that at least a beginning is made before a popular Government comes in power.

THE MINISTER OF HOME AFFAIRS (SHRI UMASHANKAR DIKSHIT) . Mr. Vice-Chairman, Sir, I have carefully listened to the speeches which the hon. Members have made on this Resolution and my colleague, Mr. Mohsin has also taken note of the speeches that were delivered during my absence. Sir, I do not make any grievance of the fact that many subjects were referred to in the speeches, some of which were not at all connected with the subject before the House, some were somewhat tenuously connected and some were somewhat remotely connected. I do not make any grievance because on such a general issue, hon. Members regard it as part of their function and duty to express their views for the benefit of those who are responsible for running the Government. But, Sir I must submit one word of caution or need for care because I feel that we should not connect irrelevant issues or bring up something that happened in West Bengal or in Uttar Pradesh or in Andhra Pradesh or in Maharashtra or to complain about other issues or raise objection against policies which have been there for 10 or 15 or 20 years. The hon. Members may have a right to do. But what I would like to submit to my hon. friends, to begin with, is that the House had, and now has to decide on two or three main issues. The first issue before the House is whether the House should extend the President's rule in Gujarat for a further period of 6 months from the 11th of September next. We could have shortened this period and come back and said in this Hcuse that six months are too long that we should not wait for such a long time but instead let a new assembly be elected and a new Ministry be formed. I would request all the hon. Members of the House to consider honestly whether this would have been possible. What were the conditions when the Assembly was dissolved am! President's rule was imposed ? Sevenil hen. Members have referred to cases

in other countries where after dissolution of Parliament or Assemblies, elections have taken place within three or four months. Is there any parallel between the two instances? What were the conditions under which dissolution took place of the Assembly, in Gujarat? For several months law and order was in shambles. Agitation going on. Students particularly in Ahmedabad were greatly agitated over their own problems. Political parties had entered the field. Violence had increased. Member after Member of the Assembly was forced, against his will, to submit his resignation. There was a vacuum. The whole of Gujarat felt itself in a condition of despondency and hopelessness. Development work had come to a standstill. Law and order were not in evidence. Revenue collection was at a low ebb. Apart from the limitations under the Constitution, in such circumstances was it practicable to hold elections in Gujarat? I beg to submit it was not possible after the next three or four months even to say that President's rule should be revoked and elections held. Shri Niren Ghosh said that this is a politically motivated resolution. I cannot understand why words should be used which really have no relation to facts. It was not politically motivated. It is a constitutionally unavoidable resolution. Even now delimitation work is on. It is bound to take two or three months. Can elections be held in India during rainy season? There are places in India which are full of water even in October. You cannot really take even post boxes or make arrangements . . .

SHRI MAHAVIR TYAGI: But we just understand that the work of delimitation has not yet started. Is it true?

SHRI UMASHANKAR DIKSHIT: I do not know the position because the Chief Election Commissioner does it. My information is that they have started or are going to start. It should be possible, in my opinion, to complete the work in two or three or four months, say by December. I do not know the exact

position. I can ask the Chief Election Commissioner not today because of the President's Reception function. We do not normally ask.

I will explain how these things happen. In Bihar finally 30 and earlier 19 Members belonging to various Parties have resigned from the Assembly. At the request of the Chief Minister, the Chief Election Commissioner fixed the 18th July last as the date for holding the election. There could not have been an earlier day for holding elections for 19 seats. The agitation was still on. If Bihar Government had been bad, it was worse at that time. What happened? If hon. Members are not aware, I would inform them that the Congress was the only Party that wanted the by-elections to be held on the 18th July. All other Parties felt that it should not be held at that time. What was the difficulty? There were no rains at that time. There was no delimitation of constituencies either. I have felt very greatly distressed because expressions have been used against the integrity and impartiality of the Chief Election Commissioner. I am mentioning this not to score a debating point, but to explain how the Chief Election Commissioner functions. The electoral officers, the Governor and Chief Minister said that this was being said. We sent an officer of the Additional Secretary's position from here to some place in the North, Spiti or Lahaul or some such place to meet the Chief Election Commissioner.

And this gentleman the CEC thence went to Simla. The Chief Election Commissioner stated, "I want to know which are the parties which want postponement. Does the Congress party want it?". We said, "Well, several parties, three or four parties, want it." He replied, "No, no. I want to know about all the parties. Does the Jana Sangh want it?". Our officer replied that the position was not clear. The Chief Election Commissioner said, "We cannot change it unless all the parties are in favour of this." Sir, we had to make a request to the leader of the Jana Sangh party asking him whether he

[Shri Umashankar Dikshit]

would like this election to be held immediately. Then he was good enough to , agree not because it was his initiative...

श्री लाल शहाबाणी : अध्यक्ष जी, कौन से चुनाव की बात है ?

श्री उमाशंकर दीक्षित : मैं बिहार के चुनाव की, 19 क्षेत्रों के चुनाव की बात कर रहा हूँ, जिसके लिए 18 जुलाई तय की गई थी और जिसके लिए दो महीने का समय दिया गया था। इससे कम समय नहीं हो सकता था। यदि वे चाहते थे कि उनकी बात सिद्ध हो जाय और वे चुन जाते तो उनकी बात सिद्ध हो जाती और न चुने जाते तो दूसरी बात होती। यदि किसी का कहना है कि जब हम चाहते हैं कि इलेक्शन न हो और विरोधी दल चाहते हैं कि इलेक्शन तत्काल हो, तब चीफ इलेक्शन कमिश्नर हमारी मदद करता है और उनके विरोध में रहता है, तो इस प्रकार का कथन सत्य नहीं है और ऐसा कहना उस अफसर के साथ, जो बड़ी जिम्मेदारी के साथ काम कर रहा है, अन्याय होगा। जहाँ तक चुनाव का सवाल है, वर्षा में चुनाव नहीं हो सकते। दो तीन महीने delimitation में जरूर लगेंगे, अक्टूबर के आस-पास हो। फिर यह सोचने की बात है कि वहाँ का जो अमला है, वहाँ का स्टाफ है उसे बहुत काफी बढ़ावें ताकि एक बक्त में डिलिमिटेशन कई राज्यों में किया जाय। डिलिमिटेशन ऐसा काम है जो कोर्ट की तरह से होता है। अलग कमीशन मुकर्रर होता है। पहले बहुर क्षेत्र का नया नक्शा बनाता है, फिर उसके सामने आपत्तियाँ आती हैं। इस तरह से काम करने का उनका तरीका होता है।

It has a kind of a judicial approach, a judicial procedure, and all the parties and their representatives have to appear and then there are objections filed which are decided upon, and thus the whole process takes time. Now, unless there are several groups of such judicial authorities for delimitation, it is bound to take time. Well, they are going from place to place according to their own programme and we have not come in their way. We have

no intention of coming in the way, therefore, Sir, so far as this particular resolution is concerned, it should not be misunderstood. We have no political reason in asking for a postponement for another six months because, no matter what other considerations are there may be, whether they are valid or not, the election, to the Assembly in Gujarat, cannot take place now. This is the position and I submit with all respect . . .

SHRI MAHAVIR TYAGI : You can tell the Election Commission that the Government wants to hold the election as soon as possible and so, it should hurry up, so that it can do the needful.

SHRI UMASHANKAR DIKSHIT: Well, up to this time the Home Ministry, except for making some enquiry, has not issued any instructions. They have to say, to us, "We are now ready. Tell us the date". And, Sir, then we give the date. The period of time taken in reply may be ten days or fifteen days or twenty days. But, normally, according to my experience during the 1-1/2 years or so, we do not issue directives or give instructions. We only ask for information. They have to hold the public sittings, etc. as I have made it clear. That procedure is there.

श्री लाल शहाबाणी : अध्यक्ष जी, मैंने यह जानकारी चाही थी कि 31 मार्च तक हमारे पास कितनी आपत्तियाँ आईं। जो डाफ्ट डिलिमिटेशन प्रपोजल हमने पब्लिश किए वे 28 फरवरी को आ चुके थे। तो कितनी आपत्तियाँ 31 मार्च तक हमारे पास आईं।

श्री उमाशंकर दीक्षित : हम उनसे पूछ कर बता सकते हैं।

श्री लाल शहाबाणी : कितना काम बचा है उससे उसका निर्णय हो सकता है।

SHRI , UMASHANKAR DIKSHIT : According to the papers before me, I can say that the CMf Election Commissioner, in a conference in July 1974, stated that the public sittings could not be held because of the violent agitations there and the Commission had then to draw up a

programme of sittings in consultation with Karnataka, Kerala and Andhra Pradesh.

"... The Commissioner has yet to finalize the programme. ... After the work of delimitation of constituencies is completed, electoral rolls will have to be revised..."

श्री लाल बहादुर शास्त्री : मैंने पढ़ा है ।

There was no agitation in April. अप्रैल में जब विद्रोह होनी थी तो कोई एजिटेशन वहाँ नहीं था । एजिटेशन मार्च के मध्य में खत्म हो गया ।

SHRI UMASHANKAR DIKSHIT :

Now, therefore, that is one aspect whether an extension of six months should be given or not in the situation which I have mentioned.

The other is a positive aspect of the matter whether during this period the President's rule has tried to discharge its functions in a successful manner, whether its performance has been moderately good or not. Briefly, Sir, in the booklet which was circulated you can find this information. I do not want to take the time of the House to repeat all those things; there is not much time. I have also a summary of the work which has been done. And I think that, without being accused of immodesty, I can say that the President's rule has really tried to achieve a measure of efficiency—a performance of which we need not be ashamed. In fact, I should say that President's rule has done well in Gujarat.

Sir, our friend, Himmat Singhji—I do not know whether he is present or not—did not find anything good either before or during the President's rule, and I am doubtful whether he will find it so in future also.

Sir, he has also raised matters long before the President's rule came into being. He made two or three criticisms about which I do not want to take the time of the House but I am willing to carry on correspondence with him. He said that Gujarat was wrongly loaded with two advisers. Sir, there have been two advisers in Andhra and in Orissa. I do not know from where he got the information that Gujarat alone is given two advisers. Sir, where there were about 20 Ministers and several Secretaries, the Governor cannot really get the work done alone. He has to carry on the development work, general administration and law and order, and so on. In U.P., there were three advisers; in Andhra, two; in Orissa, two; and in Gujarat, two advisers.

Another thing he said is that we have given additional funds to 'Sarvodaya Mandal'. Sir, it has nothing to do with Jayaprakashji's 'Sarvodaya Manda'. If that is his objection. Personally speaking, if the Sarvodaya Yojana had been started by Shri Jayaprakash Narayan which was doing good work, I do not care who accuses me, I would have no objection in seeing that the allocations that are made are continued. Now, in this case, it was started by Vaikunthbhai Mehta. It is called 'Sarvodaya Yojana'. It has nothing to do with Jayaprakash Narayan, Vinobaji or Gandhiji. I think Gorayji will support me, and Shri Babubhai Chinai will also support me, when I say that Vaikunth Mehta had been devoted to cooperation, and he had done an incalculable amount of admirable work for cooperation in Maharashtra and Gujarat. And it was in that Panchayat and Co-operation Section that he started this 'Sarvodaya Yojana' as it was called. 'Sarvodaya Yojana' means all round progress scheme. So, Sir, there again, I want to assure my friend, Himmat Singhji, that it was not to give any undue support to a political opponent that this has been done. This is a fair and, in my opinion, quite a reasonable and proper allocation that has been made. . . . (Interruptions)

[Shri Umashankar Dikshit]

Another suggestion he has made is that Gujarat Vidyapeth should not be given tond. I do not know why he should think like that. Gujarat Vidyapeth's name is connected with Gandhiji. It has rendered yeoman's service. It has a past history. When I go there, I cannot remain without being moved. But we are willing to go into the rights and wrongs of the proposition whether the land should have been made available for Gujarat Vidyapeth or not. But it is not proper to object to it merely because Gujarat Vidyapeth is Gujarat Vidyapeth and. some of us may not agree with the principles followed by Gnnndhiji. Before Gandhiji came the I-rench Revolution, the American Revolution and the Russian Revolution. Despite all this, Gandhiji found a different way because in this country the people had been terrorised. There was an imperialistic power which had completely undermined our morale. Gandhiji invented a new message. So far as I am concerned, even if there is some small special concession given to Vidyapeth, personally I do not mind it. I want to assure him that apart from the fact that it is Gandhi or Gujarat Vidyapeth or any other Vidyapeth, if this land which has been given, we find that it should not have been | given, we shall certainly ask for details from the Adviser and the Governor. But knowing the manner in which the administration has been carried on and the manner in which there were constant consultations, I have very little reason to believe that the matter has been dealt with irresponsibly.

Sir, another allegation has been made, in which two things have been s<sup>u</sup>d. One is that in Gujarat, atrocities have been committed against Harijans or that Harijans have been ill-treated in Gujarat recently several times. Sir, I admit that we are all ashamejj of it. Nothing hurts me more j than to hear from any part of the country that Harijans have been ill-treated or beaten or killed. Nothing can be worse than that. But, Sir, so far as the present situation in Gujarat is concerned, I want

to submit one thing. It is not so important that an undesirable thing has happened. What has been done afterwards is far more important. Has the administration slept over it? Have they showed partiality? I believe and I am sure that in every case, complaints have been registered, everyone concerned has been arrested, people have been put in jail and enquiries are going on. For the first time in Gujarat in recent years, fines are being realised from the people who ill-treated the Harijans. In some cases, the wrongdoers were not from dominant castes. In one case there were Kohlis. New, Kohlis are not like Thakurs or Brahmins. I am again saying that I deplore it in the harshest terms possible. But I do claim with all humility that in Gujarat, under the President's rule, every case that has occurred has been taken up without exception in order to see that the culprits do not go scot free. An atmosphere has been created so that the Harijans are not afraid. It has been asked as to why they were not prevented. Sir, it is not possible to prevent it. At a well, some women quarrelled. An old-fashioned woman seems to have told a Harijan woman, "Why are you doing this. You have touched and defiled my waterpot" upon which they quarrelled with each other. Then, their menfolk foolishly took sides. I should not be misunderstood, but it seems to me that in a sense it is a matter for appreciation, because the Harijans are coming to their own.

They are realizing their rights, their responsibilities and their position in the society. And they are fighting for them. And I say, Sir, no matter how painful the process may be, this process is going to be accelerated day by day. Therefore, we the members of Parliament, members of other legislatures and other publicmen, wherever we are, should try to create an atmosphere where the dominant castes do not function in this manner. We ourselves should run and reach the spot and run the risk of condemning the people who are doing such wrongs. I may submit that

quite possibly people may suddenly get angry. There are people who will not only beat the harijan but also the person who intervenes. So, Sir, this is a social ailment, an age-old social evil, it cannot be removed within six months of the President's rule.

Another question has been raised about the treatment of journalists.

SHRIMATI SUMITRA G. KULKARNI: I want one small clarification. In my speech, I asked whether you would consider imposing punitive tax on the villages ...

SHRI UMASHANKAR DIKSHIT : In one case, it has been imposed. . .

SHRIMATI SUMITRA G. KULKARNI: It should be made a rule all over the country wherever the atrocities on the Harijans are proved.

SHRI UMASHANKAR DIKSHIT: I have not that authority to make such a general statement. But I do favour that wherever the excesses are committed and there is an identifiable community or group, this harsh line of action must be taken. I agree with the young lady Member in this matter.

Now, Sir, about this question of treatment of journalists, I do not want to take more time of the House. There are many other matters and most of them are debatable. Now, I would like to submit that if there is freedom of the press anywhere in India, it is in Gujarat. You may scan the daily newspapers. Our hon. friend complained why were the Gujarati newspapers specially invited at Bulsar, as if the Gujarati newspaper men are some sort of a bad tribe, whereas the English newspaper men are good people who would have given an impartial version. Sir, I do not accent that view. In fact, I am looking forward to the day when there will be no English newspapers and all the newspapers would be newspapers of Indian languages. But where is the freedom of the press in danger? Sir, if there is any

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set of newspapers in any State in India which goes on condemning the State Government the Central Government and others consistently day in and day out, it is the Gujarati newspapers of all languages barring one or two brilliant or honourable exceptions or one might say undesirable exceptions whichever way hon. members may like it.

So far as the journalists are concerned, the versions differ. I will not claim particular veracity for any version. Roughly speaking, what I have heard from my sources, from the Government of Gujarat, etc. is this. One journalist met a couple in the night, at midnight. One version says that the lady wanted Rs. 10. and she was with her husband. Another version says that this gentleman was under the influence of drink and tried to molest her. Then, somebody telephoned the police and the police arrived. It is said that there was some scuffle. This journalist was taken for medical examination. The others were very angry as to why he was so taken. The Police said that this gentleman was smelling. The medical report is that he had consumed alcohol, but was in a fit mental condition and that you could not accuse him of any wrong because he was in possession of his wits. But the fact had to be admitted. I know that journalists are a sensitive community. We must respect their feelings and not do anything which will unnecessarily annoy them.

But, Sir, what did they do? They went to the Govt. Guest House at about 3.30 in the night and insisted on the watch and ward people the chowkidars, outside to allow them to meet the Adviser\*. Those people did not allow. They might have been afraid that the Adviser might remove them from service. When the journalists proceeded to enter the guest house I must admit that the guard must have tried to stop them. There must have been a certain amount of manhandling or something like that. When the journalists would not leave, these police-men on guard duty outside contacted the police Commissioner. The Commissioner said 'Ask them to come in the morning I will



[Shri Umashankar Dikshit]

arrange a meeting with the Adviser but not at this time of the night. They said 'Nothing of the kind. We must see him now'. Then, at about 4.30 A.M. the Adviser came out and talked to them. Thereafter he appointed the Secretary of the Food and Agriculture Department, Mr. Chandramouli, who is known for his impartiality and high sense of propriety, to inquire into the matter and find out whether any excesses had been committed against them or not. What more could have been done? Sir, the freedom of the press in Gujarat is more than safe.

Now, Sir, I think I have done. I do not want to take up more time of the House.

SHRI N. G. GORAY: Sir, would you like to say something about Narmada?

SHRI UMASHANKAR DIKSHIT: Narmada is a wider question. I do claim that I am generally in agreement with Goraysahib as he brings up basic matters. But the point is that the Narmada dispute has not been returned to the Tribunal in the original position. The time of the Tribunal would be saved as certain advance has been registered in the mean time. Mr. K. C. Pant, with the guidance of the Prime Minister, has been trying to tackle the problem. But, Sir, he had reached a point when he found that unless there is a constitutional and legal sanction which had the effect of enforcing the decision, they would be continuing in this condition indefinitely. So, Sir, it was decided that the matter should be referred back to the tribunal because there is a compulsive element in Article 262. You may say that we were wrong in first having taken it and of the Tribunal. But by trial and error we learn. The fact that the Chief Ministers and the State Governments belong to one and the same party, Sir, I must submit for the consideration of all concerned should not be taken as a fact which would necessarily facilitate acceptable decisions. On the contrary, Sir, political friends or near friends feel that they have a greater claim upon the Centre

(MR. DEPUTY CHAIRMAN IN THE CHAIR)

Sir, I am not pleading specially for any side. And I entirely agree with Mr. Goray that it is criminal to allow settlement of irrigation and power projects to be delayed on account of such disputes. But, Sir, we have to contend with human failings and human strength and weaknesses and I think that all the best possible is being done. I have worked with my young friend, Shri K. C. Pant. He is a very thorough man and goes on holding on to a complicated problem until he finds a solution. I can assure you of that. (*Interruptions*) One by one please.

SHRI BABUBHAI M. CHINAI: Sir, for four years there have been continuously famine and drought conditions. Would you consider the constitution of development boards? In the Constitution also it is permitted. Previously, they used to receive help from the Centre. Now, it is not possible. Therefore, Sir, would you not like to constitute these boards?

SHRI UMASHANKAR DIKSHIT: There are two or three areas which have been without rainfall for three or four years. My own personal view is that—I am not speaking for Government and I do not know whether it is proper for a Minister to give personal opinion—to have boards for well-defined separate areas is not completely free from danger but for a small place like a district, I am not personally against the idea.

But this year, I must submit, is perhaps one of the worst years of financial stringency. You may say that Government is always responsible but in the present instance the situation has come about for reasons beyond our control. At this time to support a proposal which will get a bad start, in my opinion, is not desirable though Kutch does need help. Shri Mahipatram Mehta is constantly in touch with us. I agree with the general approach but I do not know whether this move can be made at this time.

श्री लाल आडवाणी : श्रीमन्, क्या मैं मंत्री सदन को आश्वसन दे सकते हैं कि कार्यकाल दो-बारा नहीं बढ़ाया जाएगा, छः महीने बाद जब 9 मार्च को या 11 मार्च को छः महीने समाप्त हो जाएंगे तो फिर इस प्रकार का प्रस्ताव नहीं आएगा ?

श्री उमाशंकर दीक्षित : आपका प्रश्न तो मुझे उचित लगता है लेकिन.....

श्री लाल आडवाणी : बहुत साफ है ।

श्री उमाशंकर दीक्षित : इसके बारे में मैं आपको कोई ऐसा निश्चित उत्तर दे सकूँ कि यही होगा, यह अधिकार मुझे नहीं है । मैं तो छः महीने का टाइम मांगने आया हूँ, वह आप कृपा करके दें या न दें ।

श्री लाल आडवाणी : उसका कारण यह है कि, इलेक्शन कमीशन इज आन् रिकार्ड, इस साल के अंत में निश्चित रूप से हमारा सारा काम हो जाएगा ।

श्री उमाशंकर दीक्षित : इलेक्शन कमीशन ने कुछ कठिनाइयाँ बताई हैं । अनुचित कारणों से उसको बढ़ाने के पक्ष में हम नहीं हैं लेकिन इस समय में तारीख देने की स्थिति में नहीं हूँ ।

श्री लाल आडवाणी : इसको क्यों कहते हैं ?

श्री महाबोर त्यागी : आप कम से कम यह वादा कर दें कि आप पूरी कोशिश करेंगे कि छः महीने के अन्दर-अन्दर चुनाव हो जाएंगे ?

श्री लाल आडवाणी : कर सकते हैं, अगर सरकार चाहे तो ।

श्री उमाशंकर दीक्षित : हमारी कोशिश तब शुरू होगी जब हमको यह निश्चय हो जाए कि अब हो सकता है, उस वक्त हम निश्चय करेंगे । ऐसा निश्चय करने में कम से कम तीन-चार महीने लग जाएंगे ।

श्री महाबोर त्यागी : आपकी जो रिपोर्ट है, जो टेबुल पर रखी है उससे साफ मालूम होता है  
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कि हालात बहुत इम्प्रूव हो गए हैं और ऐसी स्थिति में चुनाव हो सकते हैं ।

श्री उमाशंकर दीक्षित : जी हाँ इम्प्रूव हुए हैं ।

SHRI NIREN GHOSH : Will you try to complete it or what are the grounds on the basis of which you want to come to the conclusion that it is possible or it is not possible ?

SHRI UMASHANKAR DIKSHIT : Till October no election can be held in any part of India, if that convinces you.

SHRI NIREN GHOSH : Will it be possible in January or February ?

SHRIMATI SUMITRA G. KULKARNI : In my speech I referred to the acute famine conditions prevailing in Gujarat. In nine districts there is not a drop of rain. People have taken to eating roots and leaves of plants. Animals are dying. Will the Government declare famine conditions in the State and start relief work or not ? Sir this is very unfair, people of Gujarat are starving.

SHRI UMASHANKAR DIKSHIT : Mr. Makwana and another M.P.

SHRIMATI SUMITRA G. KULKARNI : And myself.

SHRI UMASHANKAR DIKSHIT : They have given me last evening a representation and we have forwarded the substance of it to the Government of Gujarat. Within two days all these things could not have happened.

SHRIMATI SUMITRA G. KULKARNI : It has been happening for the last fortnight.

SHRI UMASHANKAR DIKSHIT : I beg your pardon. It is a very alert administration in Gujarat, but we have contacted them and we will not allow conditions under which cattle or men have to starve.

MR. DEPUTY CHAIRMAN : The question is :

That this House approves the continuance in force of the proclamation Issued by the President on the 9th February, 1974, under article 356 of the Constitution, in relation to the State of Gujarat, for a further period of six months with effect from the 11th September, 1974.

*The motion was adopted.*

### THE FINANCE (NO. 2) BILL, 1974

THE MINISTER OF FINANCE (SHRI Y. B. CHAVAN): Sir,...

SHRI NIREN GHOSH : After you presented the Finance Bill you expected that suddenly the prices will come down ?

SHRI Y. B. CHAVAN : Let me move it. I will listen to your speech.

Mr. Deputy Chairman, Sir, I move : i

"That the Bill further to amend the Income-tax Act, 1961 and the Central Excises and Salt Act, 1944, as passed by the Lok Sabha, be taken into consideration."

Sir, in my speech in the Lok Sabha on 31st July, 1974, I had set out the considerations which had weighed with me in formulating the taxation proposals. The details of the specific provisions in the Bill and other changes have also been enumerated in the Explanatory Memorandum circulated to the hon. Members along with papers relating to the Finance Bill.

I have only one proposal in the field of direct taxes. As hon. Members are aware, large unearned incomes are accruing owing to the inflationary situation prevailing in the economy. It is only fair that

revenue should take a bigger share in these fortuitous gains. The Bill accordingly provides for an increase in the incidence of tax on long-term capital gains both in the case of corporate and non-corporate taxpayers. In this connection, I would like to mention that short-term capital gains are already taxed as ordinary income under the existing law.

As for indirect taxes, the details of the proposals are before the House. I do not therefore wish to go over the ground again. I would only urge that in my attempt at raising additional resources through indirect taxation, I have refrained from imposing fresh levies on articles of mass consumption. The choice of commodities has been scrupulously selective, some of the basic considerations being the need for effecting economy in the use of scarce materials and mopping up of windfall gains being made by middlemen in conditions of scarcity.

The Bill has also not undergone any modification during its consideration in the Lok Sabha. It is against this background that I commend to this House the Finance Bill for its approval.

*The question was proposed.*

MR. DEPUTY CHAIRMAN : Dr. Nagappa Alva.

DR. K. NAGAPPA ALVA (Karnataka): Not today, Sir.

MR. DEPUTY CHAIRMAN : All right. Mr. Ranganathan.

SHRI S. RANGANATHAN (Tamil Nadu) : Mr. Deputy Chairman, Sir, on this the first occasion I am attempting to speak in this House, I shall try and be as brief as possible. Even in the Prime Minister's speech at Bangalore on the 11th July, 1974, she had indicated that Government will contain the budgetary deficit this year within Rs. 125 crores as indicated in the budget. There can, therefore, be no doubt that the introduction of this Second