

[Dr. Dabiprasad Chattopahyaya] ber, 1970, adopted a motion concurring in the said recommendation of this House and nominating 24 members from the Lok Sabha to serve on the said Joint Committee;

AND WHEREAS the Lok Sabha was dissolved on the 27th December, 1970, before the Joint Committee could conclude its deliberations and a new Lok Sabha was thereafter constituted on the 15th March, 1971;

Now THEREFORE this House do resolve that the aforesaid Bill be referred to a Joint Committee of the Houses consisting of 36 members; 12 members from this House, namely:

- (1) Shri Nawal Kishore,
- (2) Chaudhary A. Mohammad,
- (3) Shri M. H. Samuel,
- (4) Shri Balram Das,
- (5) Shri Baharul Islam,
- (6) Shri Kalyan Chand,
- (7) Shri Jagdish Prashad Mathur,
- (8) Shri U. K. Lakshmana Gowda,
- (9) Shri G. A. Appan,
- (10) Shri Salil Kumar Ganguli,
- (11) Shri U. N. Mahida,
- (12) Shri Krishan Kant,

and 24 members from the Lok Sabha;

That in order to constitute a meeting of the Joint Committee the quorum shall be one third of the total number of members of the Joint Committee;

That in other respects, the Rules of Procedure of this House relating to Select Committees shall apply with such variations and modifications as the Chairman may make;

That the Committee shall make a report to this House by the first day of the Seventy- eight (Winter) Session of the Rajya Sabha; and

That this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Joint Committee."

The question was put and the motion was adopted.

### THE WEST BENGAL STATE LEGISLATURE (DELEGATION OF POWERS) BILL, 1971

MR. DEPUTY CHAIRMAN: Now, let us take up the West Bengal Bill, I think we have considered the West Bengal matters in this House on a number of occasions and I think the hon. Members had a great deal of opportunity to express their views by making long speeches. I think we have to complete this Bill today. So, Members should restrict their observations to the minimum time possible.

SHRI LOKANATH MISRA  
(Orissa): Sir, let us try to pass it today.

MR. DEPUTY CHAIRMAN: Yes, let us pass it today and if necessary,, we may sit for half-an-hour more.

AN HON. MEMBER: We want to express our views, Sir.

MR. DEPUTY CHAIRMAN: If you want to make longer speeches, say, for more than 10 or 15 minutes, let us sit for half-an-hour or one hour more so that we can complete this Bill today. The point is that the Bill should be passed today. The question is that the Bill should be passed today.

SHRI SASANKAPPSEKHAR SAN-YAL  
(West Bengal): The members should also have an opportunity to express their views.

THE DEPUTY MINISTER IN THE  
MINISTRY OF HOME AFFAIRS' (SHRI F.  
H. MOHSIN): Sir, I beg to i move:

"That the Bill to confer on the President the power of the Legislature of the State of West Bengal to make laws, as passed by the Lok Sabha, be taken into consideration."

The House will recall that the President has declared in his Proclamation of 29th June this year that the powers of the State Legislature of West Bengal shall be exercised by or under the authority of Parliament. Hence all the powers of that State Legislature are now exercisable by Parliament. Any important issue in relation to West Bengal can be raised in Parliament under the different provisions of the Rules of Procedure. But the schedule of business before the House is so tight that it would not be possible for it to consider in detail urgent legislative measures which may require to be enacted for the West Bengal State. Therefore, in accordance with Article 357, it has been the usual practice of Parliament to confer on the President the power of Legislature of a State to make laws. The present Bill follows in all its major aspects the pattern of earlier legislation on this subject adopted by the House for West Bengal when it was under President's Rule on the last occasion. It provides, as usual, for the setting up of a Committee, consisting of 60 Members of Parliament, forty from Lok Sabha and 20 from Rajya Sabha. This Committee is required to be consulted by the President in regard to legislative proposals. Sir, we have already passed similar Bills in respect of Punjab and Gujarat and also Mysore.

With these words, Sir, I move that the Bill be taken into consideration.

*The question was -proposed.*

SHRI SASANKASEKHAR SAN-YAL: Mr. Deputy Chairman. Sir, if I rise to make some submissions, it is primarily to give expression to our feeling of apprehension and protest. We had, previously, another spell of the President's rule and there was also that delegated legislation to the President. And what did we get? We got a Preven-

tion of Violent Activities Act and a Maintenance of Security Act. These are the two propitious enactments that we had to our credit, and I have got my apprehension that this giving of blanket powers to the President for making legislation is an indication that elections in West Bengal are not coming very soon. I shall be glad if my apprehensions are falsified, but the apprehensions fire there. If we have to give to the President the power to legislate, we have to divest ourselves of all rights and obligations to the people at large in the matter of legislation. But, if we have to do that, the first question that arises is: Are we really happy under the President's rule? What is the position in West Bengal? It is a rule by the bureaucracy and it is the Government of a big territory as if that is a colony of the Centre. This bureaucratic rule of the colony is a thing which I, as a Bengali, cannot accept.

SHRI LOKANATH MISRA: You have an indigenous Viceroy.

SHRI SASANKASEKHAR SAN-YAL: There is an indigenous Secretary of State and I was coming to that point. The Minister without Portfolio is actually a Minister without any responsibility. Therefore the President's Rule this time has not only been not responsible, it has also become irresponsible in Bengal. What is the state of things in the administration? It is an administration by an ambitious section of the Police people, backed by the Military at the wings. There is no democracy, absolutely no democracy. After the President's Rule which came on the 29th of June, may I ask the Minister whether there has been any improvement in the position of Bengal in relation to what it was when there was a responsible Government working even if it was hopping on its legs? Murders are multiplying, arson is multiplying, lawlessness is everywhere and the chief engineers and architects of this lawlessness are the Police themselves. The colleges have

[Shri Sasankasekhar Sanyal] not gone back to a normal condition. Business has not gone back to its normal position and the people there, even those who have nothing to do with politics, persons who never go to the polling booths to vote, even these men are mortally afraid of their bare existence and every resident of Bengal is a psychiatric case. He is not in possession of his normal senses or normal intellect, not inspired by normal hopes and aspirations, not knowing what to do with the children and with their own little huts, not knowing what to do with themselves. I will not prejudice by making any comment on the parties *vis-a-vis* themselves. A grand attempt is made by assembling 28 parties to sit together and find out a formula. I will not say anything to prejudice that in advance but the latest trend is the statement admitted by the Home Minister in the other House and the statement also appeared in the Press that Naxalites on the fringe were being absorbed within the ranks of the Congress with a proposition to win them over. This is a dangerous thing. It is not the right way. It is very much a wrong way. Has the Government stopped to ponder to consider that in the name of trying to win over these elements who have been responsible for this subversion, the whole thing amounts to a sort of a political surrender. Is the Government which starts with a political surrender in favour of an anti-social and anti-national element a Government of the President and it is very unkind and it is too much to expect that we shall vest those authorities with the power to make legislation in any way they like. Discussions are made and acrimony is also suggested and the Congress Government always sits on the fence accusing the Opposition Parties for responsibility in the matter of lawlessness and disorder particularly the biggest Opposition Party but the question of questions is, who is responsible for law and order? Are the Opposition parties taken together, responsible for law and order? Is the CPM that is not in

the Government for law and order? It is said that when the CPM was in power, they were responsible for certain breakdown. Before that the Congress was in power. We say they were responsible for this breakdown. So it is no use trying to find out ancient history and the pedigree of the law and order breakdown. We have to take things as they are and put this question: 'Who is responsible for law and order today?' The answer is the Central Government and the President over it. The President has not been able to bring about any improvement and therefore it is to be considered with what cheek these special powers are being asked.

Coming to unemployment, not only has there been no additional employment provided during the President's rule but further de-employment has taken place in all spheres. Professors from colleges have been removed; teachers in schools have been asked to go away. Many schools have been burnt down; even the menial staff have been wished good bye and they have had to go back from poverty to still more poverty. Now there was a crash employment programme. What has happened to that? A sum of Rs. 50 crores was set aside; out of that so far as West Bengal is concerned how many pence have been spent under this crash employment programme? It was said in the rural sector the agriculturists and the smaller middle men will be helped. They can be helped by rehabilitating them in the agro-industrial sector but what is agro-industrial sector? It has not been defined or spelt out clearly. No effort is made to find out what are the potentialities for agro-industrial possibilities in West Bengal. Nothing has been done in this behalf.

Sir, banks are said to be very mud alive. When I put a question about it I got a very hazy answer and so I am putting it again, what is the volume of money spent by banks for improving the economic situation so far as agricultural sector is concerned in the village areas of West Bengal-

As against that how much money has been looted and nibbled away by persons at the top?

On the question of economic recovery my friend Mr. Kalyan Roy has repeatedly referred to the condition of factories and industrial concerns in West Bengal. May I ask him, what is the character, extent and quality of economic recovery made in West Bengal? How many closed factories have been reopened? How many new factories have been started? How many dislodged and dismantled industrial concerns have been rehabilitated? All these things have to be answered, because this is the relevant context. There are so many sick mills. What has been done in order to help those sick mills? The textile industry has gone down; the money-earning machineries have all become dirt. What has been done? My friend, Mr. Kalyan Roy, was just saying that efforts are being made to dismantle them. It is exactly so. Sir, a panic has been created by the big monopolists. They have created a scare. They are carrying on a panic propaganda that West Bengal is engaged in secessionist activities and it will go out of India; it will go the Bangla Desh way. Therefore no more investments should be there. That is the unhidden cry of the big industrial concerns who are removing their capital, withdrawing their investments and closing down their mills and factories. They are taking out from their lockers large sums of money for investment elsewhere. It is not merely to condemn them that I say this. There is the Government's connivance at it. I charge the Government in all humility and with all the emphasis at my command and with the little knowledge that I have of my State that these big industrial combines with the connivance of the Government of India are encouraging the exodus of capital and exodus of capital goods from West Bengal to Other favourite places. This has induced panic-mongering even among the middle-class. This exodus of \* capital has been precipitated by the %-matural conditions of Bangla Desh

*via-a-vis* Paschim Bengal. Every day, every West Bengal citizen feels the impact of Bangla Desh and the people of Bangla Desh are daily pouring into the territory of Paschim Bengal. I tell you that if this indecisive and unclear mind of the Government of India continues for some time to come, every normal citizen's house in West Bengal, be it a big house or a small house, will be a potential camp for the 'Saranarthis' who are coming in their millions. The Government has no mind of its own. The Government wait for the proper time for recognising Bangla Desh and the Government always condemns any discussion on this subject. Some time before Shri Ganesh said: Do not create a climate of fright, a climate of division. Who is creating it? The Prime Minister got a Resolution passed by both Houses. When will the proper time come? If the proper time has to wait till the Doomsday, how do you reassure the people of India? How do you reassure the people of West Bengal that their days of agony are numbered, that things will be better under circumstances which are now predictable and perceptible? Therefore, I submit that if this sort of uncertainty with regard to the recognition of Bangla Desh continues, West Bengal also goes deeper and deeper into uncertainty and insecurity. Every person feels that West Bengal is a deserted child of the Centre and an abandoned child of the Centre. A deserted and abandoned child cannot come back to health. It cannot come back to confidence unless here and now on behalf of the Treasury Benches an assurance is given that the flames of Bangla Desh which are now simply scorching the skin of the people of West Bengal will not really burn them. Unless these things are done, we are not in favour of giving this blanket power to the highest authorities of the State so that there will be further lawless activities, further lawlessness, further repression, further police regime and a further private army brought into existence by the ruling party.

श्री नवल किशोर (उत्तर प्रदेश) :  
उपसभापति जी, यह जो विधेयक डिप्टी हौम  
मिनिस्टर साहब ने पेश किया है वह  
पश्चिमी बंगाल के सम्बन्ध में आखिरी रूम  
की अदायगी है। जहाँ विधेयक का सम्बन्ध  
है मुझे उससे कोई विरोध नहीं है, मैं उसका  
समर्थन करता हूँ। स्वयं मंत्री जी ने भी कहा  
है कि जितने भी स्टेट्स हैं, जितने भी राज्यों  
में प्रेसिडेंट शासन हुआ है उनके सम्बन्ध में  
इस तरह का बिल पास हुआ है और मुनासिब  
बात भी है कि जब पार्लियामेंट न हो या हो  
भी तब और कामों में लगी रहने के कारण  
समय न मिल पाए तो इस तरह का कानून  
बनाने का अख्तियार, इस तरह का अधिकार  
प्रेसिडेंट को होना चाहिये लेकिन, श्रीमन्, मैं  
आपके द्वारा डिप्टी मिनिस्टर साहब का ध्यान  
उस भाषण की तरफ ले जाना चाहता हूँ जो  
कि चन्द्र शेखर जी ने इस सदन में पश्चिमी  
बंगाल के एप्रोप्रिएशन बिल पर बोलते समय  
दिया था। श्रीमन्, उन्होंने बड़े जज्बात और  
जोश के साथ सरकार से यह मांग की थी  
कि पश्चिमी बंगाल में जिनको एक्सट्रीमिस्ट्स  
कहा जाता है उनसे सरकार सिर्फ बातचीत ही  
न करे बल्कि उसकी जड़ में भी जाने की कोशिश  
करे। कि वहाँ इस तरह की जो हिंसा फैली  
है, वहाँ के होनहार विद्यार्थी, वहाँ के तौनिहाल,  
जिनके हाथ में उस प्रदेश का भविष्य है, वे  
इंजीनियरिंग और डाक्टरी पढ़ने के बाद,  
साइन्स में एम० एस० सी० करने के बाद,  
इतना ज्यादा पढ़ने के बाद भी, उस हिंसा के  
रास्ते पर क्यों जा रहे हैं? मैं जानना चाहूँगा,  
कि वहाँ राष्ट्रपति शासन होने के बाद कौन  
सी स्कीम आपने नहीं चालू की है। क्योंकि  
बजट को जो मैंने देखा उसमें कोई खास चीज  
नहीं थी, वह तो एक रूटीन बजट की तरह का  
था। तो यदि डिप्टी मिनिस्टर साहब को कुछ  
मालूम हो, तो इसको बताने की कृपा करें।

बंगाल के बारे में ही यह बात हमेशा  
कही गई कि यह एक सोशियो इकनॉमिक  
प्राबलम है। सही बात तो यह है कि यह एक

पालिटिकल प्राबलम भी है, सोशियो का-  
नामिक प्राबलम भी है और लै एण्ड आर्डर  
का प्राबलम भी है। इसके सम्बन्ध में अभी  
सान्याल साहब ने कहा कि आपने कैश प्रोग्राम  
में क्या दिया है? बजट में मैंने पढ़ा है, 1 करोड़  
87 लाख ६० दिया है। तो बंगाल की समस्या  
और 1 करोड़ 87 लाख ६० का रकम, इन  
दोनों में क्या सामंजस्य है? जहाँ तक बेकारी  
की बात है, जहाँ तक कि लोग आपसे रोजी  
चाहते हैं, इम्प्लायमेंट चाहते हैं, उसमें आपने  
1 करोड़ 87 लाख ६० दिया है जो समूह  
में एक बूंद के बराबर है।

श्री जयधम्बी प्रसाद यादव : एक करोड़  
रिफ्यूजी भी तो दे दिया है।

श्री नवल किशोर : उसको तो खैर उन्होंने  
और दिया है, 50 करोड़। मैं यह जानना चाहता  
हूँ कि जब इतनी बड़ी समस्या है और वह  
इतनी भयानक होती जा रही है, तो कौन सी  
नयी स्कीम आपने पापुलर गवर्नमेंट के खत्म  
होने के बाद उठाई?

श्रीमन्, सान्याल साहब ने ठीक कहा कि  
इस बीच में जो फैक्ट्रीज बन्द हो गई थी—श्री  
कल्याण राय साहब ने भी कहा कि बेला बिरला  
जी फैक्टरी बन्द हो गई थी और बहुत सी  
फैक्ट्रीज बन्द हो गई थी—और जो वहाँ की  
पूँजी बाहर चली गई, तो वहाँ के लोगों को  
आश्वस्त करने के लिए या एम्प्लॉय करने के  
लिए क्या कदम आपने उठाए और जो  
फैक्टरी बन्द हो गई या बीमार फैक्टरी हैं,  
उनको फिर से जीवित करने के लिए या उनमें  
फिर से जीवन डालने के लिए आप कौन कौन  
सी बातें करने जा रहे हैं?

श्रीमन्, जिस समय विधान सभा भंग  
हुई, यह कहा गया कि वह बीजेपी की  
सरकार थी उसका बहुमत था लेकिन चूंकि  
गणस्थायियों की समस्या इतनी बड़ी थी कि वह  
सरकार, उस थोड़ी सी मजिस्ट्री से जो उसके  
पास थी उससे उसका मुकाबला नहीं कर सकती

थी। दूसरी बात यह कही गई कि ली एण्ड आर्डर की स्थिति इतनी खराब हो गई थी कि वह सरकार उसको संभाल नहीं सकती थी। खैर इससे बड़ा कन्डेमेनशन तो उस सरकार का हो नहीं सकता था। मैं उसकी वृहत् में जाना नहीं चाहता, उसे इस समय छोड़ दिया जाए। मैं जानना चाहता हूँ—जैसा कि सान्याल साहब ने पूछा—कि इस बीच में आपने ली एण्ड आर्डर में क्या इम्प्रूवमेंट किया, क्या आपके शासन संभालने के बाद सुधार हुआ है। आज भी अखबारों में हम पढ़ते हैं कि हर दिन दस-दस, बारह-बारह, चौदह-चौदह मर्डर हुआ करते हैं। कोई दिन नहीं जाता जब कि मर्डर नहीं होते और हथियारों को छीनने की खबर नहीं आती है, आग लगाने की खबर नहीं आती है, पुलिसमैन के मरने की खबर नहीं आती है और जैसा भूपेश जी ने कहा और हमारे सी० पी० एम० के साथियों ने कहा कि जो आपका पुलिस है उस पर भी इस बात का आरोप है कि वह वहां निर्दोष आदमियों को अपनी गोली का शिकार बनाती है। तो उसमें क्या तबदीली हुई है क्योंकि एक अजीब बात यह है कि प्रेसिडेंट का शासन पहले भी था, दो वर्ष पहले के और 86 दिन के बाद फिर उसका शासन हो गया, इसलिए या तो यह साबित कीजिए कि उन 86 दिनों में ला एण्ड आर्डर बेहद निकम्मा हो गया, खराब हो गया, और यदि यह एक कांटीन्युअस प्रॉसेस ही रही तो उस बिना पर वहां की गवर्नमेंट को इस्तीफा देने की कौन सी जरूरत थी, और यही नहीं, उन्होंने यह कहा कि हम जनता का फ्रेश मैनडेट चाहते हैं। इतनी बृहत् हो गई बंगाल के ऊपर मगर सरकार की तरफ से एक बार भी नहीं कहा गया कि वह वहां चुनाव कराने कब जा रही है? श्रीमन्, आम तौर पे पांच साल के बाद चुनाव होते हैं। मगर कभी असेम्बली डिजॉल्व होती है, पार्लियामेंट डिजॉल्व होती है तो उसका मतलब यह होता है और यह भावना होती है कि जितनी जल्दी हो सके चुनाव कराये जायें और पापुलर गवर्नमेंट की स्थापना की जाय।

तो मैं यह जानना चाहता हूँ कि इस सम्बन्ध में कौन से कदम उठाये जा रहे हैं। क्योंकि आम तौर पर इस तरह की खबर है, हवा में यह खबर है और सरकार की नीयत भी यह है कि पूर्वांचल सीमा में इमरजेन्सी डिक्लेयर कर दिया जाय और वहां पर जो चुनाव होने वाले हैं वे या तो हमेशा के लिए या फिर काफी समय के लिए स्थगित कर दिये जायें। मैं जानना चाहता हूँ कि जिम नीयत से श्री अजय मुकर्जी ने इतीफा दिया था कि हम फ्रेश मैनडेट चाहते हैं, उसकी तरफ क्या कदम उठाये गये हैं, मंत्री जी बतलाने की कृपा करें कि कितनी जल्दी वहां पर यह चुनाव होने वाले हैं।

वहां पर एक नई और अन-प्रेसिडेण्टियल बात हुई है जो अभी तक किसी प्रदेश में नहीं हुई है और कोई कैबिनेट मिनिस्टर किसी प्रदेश का जहां राष्ट्रपति शासन लागू है, इनचार्ज नहीं बनाया गया है। यह चीज पहले मर्तवा यहां पर हुई है। मैं इस चीज पर जाना नहीं चाहता हूँ कि कांग्रेस (आर) के बंगाल इन्टरनल फ्रैक्शन के ऊपर उसका क्या असर पड़ेगा। मगर यह बात मेरी समझ में नहीं आई कि श्री सिद्धार्थ शंकर रे आपके कैबिनेट के मेम्बर हैं तो उनको कैबिनेट के मेम्बर के नाते काफ़ी भीका था वह सरकार की नीतियों पर, सरकार के काम करने के तरीकों पर अपना असर डालता, सरकार को गाइडेंस और एडवाइस भी देते। मगर आपने यह नहीं किया बल्कि एक आदमी को वहां का सर्वे सर्वा और इन्चार्ज बना दिया है और आपने सारे बंगाल को यह साबित कर दिया कि एस० एस० रे ही वहां के मालिक हैं।

He is the master of the whole show; and he is the Supreme master of West Bengal.

आपने एक व्यक्ति को वह पावर दे दी है जो पापुलर गवर्नमेंट में भी किमी को नहीं मिलती है। इसमें जो कंट्राडिक्शन

[ श्री नवल किशोर ]

पैदा हो गया है, कांटेडिक्शन इस माने में कहता हूँ क्योंकि फन्क्शनस आफ दी गवर्नर और फन्क्शनस आफ मिस्टर एस० एस० रे के जो हैं वे डिमाकंड नहीं किये गये हैं और न ही उन्हें डिफाइन किया गया है। मैं यह जानना चाहता हूँ कि वहाँ के गवर्नर की स्टेटस क्या होगी। क्या श्री एस० एस० रे गवर्नर के मातहत रहेंगे या फिर गवर्नर को एस० एस० रे से डाइरेक्टिव लेना होगा। अगर किसी इश्यू पर दोनों में मतभेद हो जाय तो किस की व्यूह अल्टीमेटली प्रिवेल करेगी? गवर्नर की या श्री रे की?

मुझे इसमें कोई आपत्ति नहीं है कि गवर्नर के इन्स्टीट्यूशन को ही खत्म कर दिया जाय, लेकिन जब तक गवर्नर है तब तक गवर्नर के उस स्टेटस को पूरी तरह से माना जाना चाहिये। आप गवर्नर के पद की इन्सल्ट और ह्यूमिलेट मत कीजिये। उसकी मर्यादा मत घटाइये।

एक दो बात कहकर मैं अपना भाषण समाप्त कर दूंगा। प्रेसिडेंट साहब ने उस स्टेट का इन्तजाम जब आप अपने हाथ में ले लिया है तो उसका संवैधानिक इन्स्ट्रूमेंट आफ एक्जीक्यूशन तो वह वहाँ का गवर्नर ही है। और वहाँ पर भी जब कैबिनेट ही प्रेसिडेंट को एडवाइस करेगी, तो मैं यह जानना चाहता हूँ कि वहाँ की किसी घटना के बारे में या किसी विशेष परिस्थिति में एडवाइस के बारे में श्री रे सरकार को डाइरेक्ट इन्फार्म करेंगे या उसमें गवर्नर का भी कोई स्थान होगा। क्योंकि पता नहीं चलता है कि इस बारे में इस समय सही पोजीशन क्या है। यह सही है कि आप अब वहाँ के गवर्नर को हटाना चाहते हैं और जब तमाम पार्टी वालों ने उसकी हटाने के लिए कहा था तब आपने उसको नहीं हटाया और आपको अपनी झठी मान मर्यादा का ह्याल रहा और उसको वहाँ पर बनाये रखा मगर अब वह शायद आप को सूट नहीं करता तब

आप उसको हटाना चाहते हैं। आपने पंजाब में भी ऐसी ही बात की है और श्री पावटे साहब इस कदर परेशान हैं क्योंकि कांग्रेस (आर) के नेतागण जो कुछ कहते हैं वह उन्हें करना पड़ता है। यहाँ पर आप बंगाल में भी वहाँ जैसी स्थिति पैदा न कीजिये, यह मेरी आप से दरखास्त है।

मैं आपका ज्यादा टाइम न लेकर केवल एक ही बात कहना चाहता हूँ कि जहाँ तक यह विधेयक है उसको पास करने के सम्बन्ध में मैं उसका समर्थन करता हूँ, मगर जो इस समय बंगाल की स्थिति है उसकी गम्भीरता पर मंत्री जी विचार करें और मजबूती के साथ उसके सम्बन्ध में कदम उठायें। मैं इस बात को मानता हूँ कि जो पोलिटिकल पार्टीज हैं उनकी भी जिम्मेदारी है क्योंकि आज की स्थिति पैदा करने में उनका भी हाथ है। यह बात भी सही है तो तीनों योजनाओं में वहाँ पर जो पर कैपिटल इन्वेस्टमेंट हुआ है वह किसी स्टेट से कम खर्च नहीं हुआ बल्कि और स्टेटों से ज्यादा हुआ है, फिर भी वहाँ की खर्च इकनोमी श्रेटर होती चली जा रही है। इसलिए मेरी दरखास्त है कि आप मेहरबानी करके बंगाल के सम्बन्ध में जो कांटेडिक्शन पैदा हो गये हैं उनको दूर करने की कोशिश कीजिये। वहाँ पर आपने जो एक गलत परम्परा डाली है, अनहैल्दी प्रिंसीपल डाला है कि वहाँ का एक मिनिस्टर को इन्वार्ज बना दिया है, मैं समझता हूँ यह मुनासिब बात नहीं है उसको दुरुस्त किया जाये और शीघ्रातिशीघ्र वहाँ पर चुनाव कराये जायें।

SHRI LOKANATH MISRA:

Mr. Deputy Chairman, the law and order problem in West Bengal is a matter of grave concert to everybody in India. And the recent influx of refugees to the tune of about 70 to 75 lakhs—the figure might reach one crore in about two or three weeks' time—has added much greater dimensions to the problem. I had seen Calcutta since my childhood. I be-

long to the neighbouring State. I had seen it at a particular point of time when it was at its height in its reputation, in its farmers, in everything. When these days I drive down from the Dum Dum airport and go into the city I feel so desperate about it because the look of the houses . . .

AN HON. MEMBER: And Mao's posters.

SHRI LOKANATH MISRA: Mao's posters, of course, are there. The houses look so bad, so rotten so neglected that I somehow get the contagious feeling of depression from the houses. I wish the glory of Calcutta, its prosperity, would come back to it as soon as possible. Now, the appointment of Mr. Siddharatha Shankar Ray as Minister in charge of West Bengal has been amply discussed and elaborated by Shri Bhupesh Gupta. I cannot probably do greater justice—just now he has come and sat by my side—to it than what he has done. But I would like to add my feeble voice to it because I feel on this point as much concerned as Mr. Bhupesh Gupta felt concerned about the diarchy that has been imposed on West Bengal. The Governor's position has been reduced to an embarrassing position because he cannot protest against what has been done by the Centre . . .

SHRI BHUPESH GUPTA: The post should be abolished.

SHRI LOKANATH MISRA: I cannot go to that extent now. It is an offhand suggestion which I cannot agree to immediately . . .

SHRI AKBAR ALI KHAN: There are some point on which you and Mr. Bhupesh Gupta agree.

SHRI LOKANATH MISRA: On all good points I agree with anybody, even with you.

As I was saying, since Mr. Siddharatha Shankar Ray is a direct imposition from the Centre and the Governor would not like to displease the

Centre from where he gets his appointment, it would be extremely embarrassing for him, and if I were in his position I would have resigned and gone out because I could not have put myself in that embarrassing situation when others pity my position . . .

MR. DEPUTY CHAIRMAN: I think Mr. Siddharatha Shankar Ray is only in charge of Bengal affairs, as a Minister of the Union Government. As any other Minister would be responsible, he is responsible for Bengal affairs.

SHRI LOKANATH MISRA: He rules Bengal for four days in a week while he functions as an assistant to the Prime Minister for three days in a week in Delhi. Therefore, for four days he rules Bengal. Four days in a week you find him absent here. He is away from Delhi for four days every week. What he does, God alone knows. God alone knows whether and how he works, how he rules or reigns in West Bengal. God alone knows what the Governor must be feeling . . .

SHRI AKBAR ALI KHAN: You agree that Calcutta and West Bengal need special consideration, as you said just now. So in order to improve it, these technicalities should not stand in the way.

SHRI LOKANATH MISRA: West Bengal definitely needs special attention, special protection and, maybe, special aid also. But how far Mr. Siddharatha Shankar Ray's appointment would provide all that protection, that attention and that aid. I am unable to understand. That could have been done by an efficient Governor as well. If you think that the Governor was not convenient to you or that the Governor did not do his work well, I think publicly also—you can . . .



श्री सुलतान सिंह : आप ने यह कैवे  
अंदाज कर लिया कि मिनिस्टर साहब वहाँ  
गवर्नर के काम में दखल देने बैठे हैं ?

श्री लोक नाथ मिश्र : कुछ और भी  
काम करते होंगे छुट्टी में जाते होंगे, हफ्ते में  
चार दिन तो लेकिन ऐसा हो तो उन को  
दोनों कामों से निकाल देना चाहिए ।

MR. DEPUTY CHAIRMAN: That is all  
right. Please continue your speech.

SHRI LOKANATH MISRA: Sir, therefore,  
the appointment of Shri Siddharatha Shankar  
Ray is something which is very extraordinary,  
unusual. While three other States are under the  
President's Rule, why should a special  
departure be made in the case of West Bengal  
against the provisions of the Constitution? As  
I said, Sir, since this has been elaborated by  
Shri Bhupesh Gupta, I won't go into it.

SHRI BHUPESH GUPTA: Mr. Misra, you  
should say what you have to say. I said that as  
a political and administrative arrangement this  
is a very good one. But, as a constitutional  
arrangement this will not be a good one and  
will create complications. Therefore, Sir, my  
suggestion was that the record should be set  
right. As you know, Sir, we stand for the  
abolition of the post of Governor because it is  
absolutely useless and wasteful. I tell you, Sir,  
that I had a talk with Shri Siddharatha Shankar  
Ray and he says about what happens: "If I am  
not there or somebody is there, the Governor  
sends these things here to get the President's  
advice and then it takes time for the President  
to give his advice." This, of course, is the  
instruction from the Home Ministry or the  
Prime Minister and it takes time. But, on the  
spot he can take his decision. So, Sir, it is a  
good thing. Our suggestion was that it also  
gives the people better access, what you call,  
to the centre of power or whatever it is or the  
point of administrative authority. It is easier  
to reach him and it is

easier for us also. Therefore, Mr. Misra, my  
position and your position are different.

SHRI LOKANATH MISRA: Sir, now Mr.  
Bhupesh Gupta says that so far as the political  
aspect is concerned, he is in favour of the  
appointment and so far as the constitutional  
aspect is concerned, he is against it. Sir, I have  
known many things about Bhupesh Gupta. But  
I never knew that he has a split personality and  
therefore, so far as the political aspect is  
concerned, he is with Mrs. Indira Gandhi, and  
so far as the constitutional aspect is concerned,  
which is the right aspect, he is with me.  
Therefore, Sir, I conclude that so far as his  
recommendations in this regard are concerned,  
himself having a split personality, I won't  
accept the other part, the part that is nearer to  
the Prime Minister.

Now, Sir, coming back to the point, as I was  
saying, Shri Siddharatha Shankar Ray's  
appointment is a departure from all others  
since his is only one of its kind, the  
appointment Of a Minister to look after a  
certain State and three other States have been  
left without any guardian and they are  
guardianless States. So, Sir, so far as this  
appointment is concerned, I cannot approve  
Of it. May be there is an attempt through Mr.  
Ray by the Congress Party to gain back its  
influence and its glory and, Sir, in that  
attempt, Mr. Bhupesh Gupta is also an ally.  
But I have my doubts about how far this  
design would be successful, because the other  
groups, the CPI-M and the rest, are proving  
much more powerful than this combine. This  
combine has the authority. But they have, as it  
appears now, the people of West Bengal  
behind them. So, in this particular chess game,  
the game of hide-and-seek, let us see  
whether Mr. Bhupesh Gupta and his allies  
come out successful.

SHRI BHUPESH GUPTA: Sir, I am not  
hiding. I am just sitting by his side.

SHRI LOKANATH MISRA: I say, Sir, whosoever comes, let West Bengal prosper. I only wish prosperity for West Bengal. Now, Sir, about the last point.

Sir, my last point is regarding the Committee that is being set up. I had discussions with my friends and the Members of this House as to how this Committee should function. There seem to be a unanimous opinion that if the Committee is to be considered worth anything then nothing should be done without consulting the Members of the Committee. Whatever is proposed to be done, it should be referred to the Committee first and consensus obtained. Unless that is done, it would be only a farce and I do not think any useful purpose would be served by taking 40 Members from the Lok Sabha and 20 Members from this House and forming a Committee. It would only be a waste of time for Members of the Committee to come and attend and be told that such and such thing has already been done. Nothing should be done unless it is referred to the Committee and a consensus is obtained. That is what I seriously suggest to the Government.

श्री जगदम्बी प्रसाद यादव (बिहार) : माननीय उपाध्यक्ष महोदय, आज जिस समय पश्चिमी बंगाल में राष्ट्रपति का शासन लागू किया गया है वह एक ऐसी स्थिति में लागू किया गया है जो कि सचमुच में पश्चिमी बंगाल में ही नहीं बल्कि सम्पूर्ण देश में एक राष्ट्रीय संकट आया हुआ है इसलिये पश्चिमी बंगाल पर बात करत हुये देश की स्थिति पर भी कुछ न कुछ विचार करना अत्यंत आवश्यक हो जाता है ।

श्रीमन्, आज जो वहां राष्ट्रपति शासन है उसमें दो तीन संवैधानिक बातें भी बीच में आ जाती हैं । जिस समय से पश्चिमी बंगाल में राष्ट्रपति शासन के ऊपर सदन में चर्चा हुई तब से श्री सिद्धार्थ शंकर रे की

नियुक्ति भी एक समस्या बन कर खड़ी हुई है कि श्री सिद्धार्थ शंकर रे की कांस्टीट्यूशनल पोजीशन क्या है । सरकार अभी तक इसको ठीक-ठीक बता नहीं सकी । राष्ट्रपति शासन की जो परम्परा थी उस परम्परा में भी अभी तक किसी मंत्री को आज तक किसी प्रदेश का इनचार्ज नहीं बनाया गया था । लोगों को ऐसा लगता था कि श्री सिद्धार्थ शंकर रे शरणार्थी समस्या का निदान होंगे और देश में आई हुई बंगला देश की समस्या से निपटेंगे लेकिन ऐसा लगना है कि श्री सिद्धार्थ शंकर रे वहां के डिफेंडो चीफ मिनिस्टर, डिफेंडो गवर्नर या डिफेंडो राष्ट्रपति कह जाय तो वह बनने लगे हैं । इससे लोगों को संवैधानिक और राजनैतिक अड़चने और भ्रुविष्ठा भी पैदा हुई है । इसलिये सरकार इस स्थिति को साफ करे जिससे कि लोगों के दिमाग में उनके प्रति जो एक शंका पैदा हुई है वह शंका दूर हो ।

श्रीमन्, दूसरा कठिन स्थिति बंगला देश से आयें हुये शरणार्थियों की और बंगला देश को मान्यता देने का है । हमारे वित्त राज्य मंत्री ने बड़े जोरदार शब्दों में इसके सम्बन्ध में कहने का प्रयत्न किया किन्तु कांग्रेस सरकार के प्रति देश में इसकी वजह से एक उथल-पुथल मची हुई है क्योंकि देश का एक-एक प्रादमी, एक-एक व्यक्ति चाहता है कि बंगला देश को अविलम्ब मान्यता दी जाय और मान्यता प्रदान करने का सब से बड़ा पहलू यही है कि बंगला देश में हो रहे नर-संहार को रोक जाय और बंगला देश में जिनको चुन कर भेजा था उनका शासन, उनका स्वतंत्र शासन स्थापित हो और यह शासन तब तक स्थापित नहीं हो सकता है जब तक कि पूर्णरूपेण उसे मदद न दी जाय । सरकार अभी तक अपनी स्थिति को साफ-साफ नहीं बतला सकी कि सरकार ने क्यों नहीं अभी तक बंगला देश को मान्यता दे पाई है । बंगला देश को मान्यता देने के सम्बन्ध में सरकार एक ही शब्द बार बार दुहरा रही है कि अपाचुन समय आने

[श्री जगदम्बी प्रसाद यादव]

पर ही उसको सरकार मान्यता प्रदान करेगी। श्रीमन्, अपाचूत टाइम कब आयेगा। तिब्बत को हमने जाते हुये देखा, काश्मीर का आधा पोर्शन चला गया है, उसको लौटा नहीं सके। उसके लिए अपचूत आवर आने पर भी नहीं हो सका कुछ। आज 50,000 वर्गमील हमारी भूमि चीन के कब्जे में है और हम इसके लिए यहां पर शपथ लिए हुए हैं कि एक-एक इंच जमीन को अपने पास लौटा लेंगे। उसके लिए अपचूत आवर नहीं आ सका। हमारे देश में लगभग 85 से 90 लाख शरणार्थी आ चुके हैं। मुझे ऐसा लगता है कि 1 करोड़ से ऊपर शरणार्थी तो निकट भविष्य में ही आएंगे।

एक और समस्या बंगला देश में बड़ी गम्भीर है, वह समस्या है कि वहां खेती नहीं हुई है जिसके कारण भयंकर अकाल की स्थिति होगी और एक करोड़ ही नहीं, अब दूसरे करोड़ लोगों के आने की भी संभावना उपस्थित हो गई है। ऐसी स्थिति में, राष्ट्रपति शासन में जो पश्चिमी बंगाल की स्थिति रही है वह कोई संतोषजनक और उत्साहवर्धक स्थिति नहीं रही है। इसलिये एक भयंकर स्थिति पश्चिमी बंगाल में जो उपस्थित हुई है, उससे भी भयंकर स्थिति उत्पन्न होने की संभावना है, शरणार्थियों की समस्या को लेकर। इसी संदर्भ में जो-जो अन्य समस्याएं हैं, जैसे गरीबी की समस्या है वह गरीबी बढ़ेगी, बेकारी की समस्या है वह बेकारी की समस्या भी कई गुना बढ़ेगी, और असंतोष के वातावरण का अंवार वहां लगेगा। ऐसी स्थिति का मुकाबला करने के लिए सरकार ने कौन सी व्यवस्था की है?

अभी-अभी श्रीमन्, सभी लोगों ने और हमारे माननीय मित्र चन्द्रशेखर जी ने एप्रोप्रिएशन बिल पर बोलते हुए वहां के नेतृत्व का हवाला

दिया था और उस हवाले को देते हुए उन्होंने दिल्ली के फौवारों का, दिल्ली की सड़कों का उदाहरण प्रस्तुत किया था। मैंने उस दिन भी उनको स्मरण कराने की कोशिश की थी कि दिल्ली में जो कुछ सुधार हुआ है उस सुधार में कांग्रेस सरकार का कोई कान्ट्रिब्यूशन नहीं है और अगर कुछ सुधार हो सकता है दिल्ली में तो इसलिए कि यहां पर आज कांग्रेस का कोई प्रशासन नहीं है और देश में भी कुछ सुधार आ सकता है तो तभी आ सकता है जब कि देश से कांग्रेस का शासन समाप्त होगा। इसलिये मुझे उन पर दया आई कि वे कांग्रेस में बड़े उत्साह से आए थे यह सोच कर कि कांग्रेस के द्वारा देश का उद्धार होगा लेकिन इस 25 वर्ष की स्वतंत्रता के शासन काल में कांग्रेस ने किस चीज की वृद्धि की है? विदेशी ऋणों की, विदेशी कर्ज की वृद्धि की, इसी तरह से बेकारी, भुखमरी, गरीबी, मंहगाई की वृद्धि की है, और देश के अंग को छोटा करा के देश पर विदेशी आक्रमण कराने की स्थिति को बनाता है। आज हमारी सरकार नहीं मान रही है कि पाकिस्तान से हमारे ऊपर आक्रमण शुरू किया जा रहा है और हम उस आक्रमण से पीड़ित हैं। हमारा करोड़ों रुपए का खर्चा नित्य प्रति उसके आक्रमण की बदौलत हो रहा है। लेकिन यह सोचते हैं कि बंगला देश की ओर से नहीं बल्कि पश्चिमी पाकिस्तान की ओर से भी आक्रमण हो तभी वह उसको आक्रमण मानेंगे और तभी उस आक्रमण का जवाब देंगे। लेकिन देश को इतना धीरज नहीं है। इसी लिए, श्रीमन्, देश का प्रतिनिधित्व करने वाले जो विरोधी दल के लोग हैं, वे चाहते हैं कि सरकार जल्द से जल्द बंगला देश को मान्यता दे। इसी बंगला देश को मान्यता दिलाने के लिए विरोधी पक्ष के लोग सदन में और सदन के बाहर भी सरकार को यह दिखाना चाहते हैं कि सरकार स्थिति का ठीक-ठीक आकलन करे। मैंने एक बार पहले भी कहा था और फिर दोहराना चाहूंगा कि भारतीय जन संघ का एक-एक सदस्य जो

राष्ट्र प्रेम से ओतप्रोत रहते हैं, आज राष्ट्र के लिए बलिदान होने की तमन्ना लेकर काम करते हैं और उसी तमन्ना से सरकार से आग्रह करते हैं कि सरकार 31 जुलाई तक बंगला देश को मान्यता दे, क्योंकि सरकार का जैसा लक्षण है वह मान्यता देने में समर्थ नहीं है। तो सरकार या तो समर्पण की भाषा समझती है या दबाव की भाषा समझती है। 1 अगस्त से हिन्दुस्तान के कोने-कोने से जन संघ की ओर से नौजवान आ रहे हैं सरकार से इस बात को मनवाने के लिए कि बंगला देश को मान्यता दो। मैं समझता हूँ, सरकार उसी भाषा में समझती है। तो बंगला देश की आज जो समस्या है उसका कारण बंगला देश के शरणावृत्तियों की समस्या भी है।

श्रीमन्, अभी कुछ लोग प० बंगाल में अशांति की बातें करते हैं। श्रीमन्, आपको याद होगा जब नक्सलवादियों की बात चली थी, तब जन संघ के सदस्यों ने उस समय भी सरकार से आग्रह किया था कि नक्सलवादियों को दबाया जाए। सरकार कहती थी कि नक्सलवादियों की आर्थिक स्थिति के कारण आज यह स्थिति बनी है और उसी का एक मूर्त रूप है जिसके कारण आज नक्सलवादी शिकार बने हुए हैं। आज नक्सलवादियों की आड़ में राजनीतिक हत्याएं की जा रही हैं, लूट खसोट किया जा रहा है, आगजनी की जा रही है। आज इस तरह के काम करने वाले लोग नक्सलवादियों की आड़ में काम कर रहे हैं। आज जो हमारे कम्युनिस्ट बन्धु थे वे पहिले इस काम को चलाते थे, उन्होंने ही इस तरह की अमानुषिक हत्याएं की थी, आगजनी का काम किया और इस तरह से वहां पर गड़बड़ चलती रही। इसकी चिंगारी बिहार में भी फैल गई, उसकी चिंगारी दूसरे प्रदेशों में भी फैल गई। आज हालत यह है कि नक्सलवादियों की वजह से बंगाल में पहिले राष्ट्रपति शासन लागू किया गया था और राष्ट्रपति शासन लागू होने के पहिले वहां पर कांग्रेस की सरकार थी। जब उसके हाथ में सत्ता

आई, उसके हाथ में पैसा आया तो उसने नक्सलवादी नौजवानों को अपने साथ करने की कोशिश की। आज कम्युनिस्ट बड़े परेशान हैं क्योंकि वे कहते हैं कि जो हमारा तीर था वह हमारे हाथ से निकल गया है और हम चीपट हो गये हैं। तो मैं यह कहना चाहता हूँ कि जो लोग गलत रास्ते पर चले गये थे कभी भी किसी के साथी नहीं हो सकते हैं। आज हमारे साथ हैं तो हमको अच्छे लगते हैं और जब वे दूसरों के साथ हो जाते हैं तो हमको ही मारने के लिए आते हैं। तो इस तरह की जो बात है वह ठीक नहीं है।

नक्सलवादियों ने जो रास्ता अख्तियार किया है, हत्या, आगजनी और लूट खसोट का, उसको रोकने का सरकार को प्रयास करना चाहिये। आज वे आपको अच्छे लगे और इस तरह आपके हो गये और जब आपके साथ उनकी नहीं बनेगी तो वे आप से अलग हो जायेंगे और फिर आगजनी, हत्या, लूट खसोट की बातें करने लगेंगे। इसलिए यह आवश्यक है कि नक्सलवादियों की जो गतिविधियां हैं, जो कार्यक्रम हैं, उसको रोकने की आवश्यकता है।

दूसरी बात यह उठाई गई है कि वहां पर जो उद्योगधन्धे हैं वे सब चीपट हो रहे हैं। इसलिए मैं यह बात कहना चाहता हूँ कि आज उद्योगधन्धे समाप्त करने में भी वामपंथियों का ही हाथ सबसे ज्यादा है। आज वहां पर किसी भी उद्योगधन्धे के प्रति यह विश्वास पैदा नहीं होता है कि वह ठीक तरह से काम करेगा और वहां पर शान्ति व्यवस्था कायम होगी। जब वहां पर शान्ति और व्यवस्था ठीक तरह से कायम नहीं रहेगी तो फिर इन हालतों में किस तरह से वहां पर उद्योगधन्धों में काम हो सकता है। आज वहां से लोग दूसरी जगहों पर भाग रहे हैं क्योंकि वहां की हालत के बारे में लोगों में अविश्वास पैदा हो गया है। आज वहां पर जितनी भी सिक मिलें हैं वे नहीं चल रही हैं और कोई भी वहां पर नयी मिलों को नहीं लगा रहा।

[श्री जगदम्बी प्रसाद दादव]

है। इसलिए मैं चाहूँ कि आप हृदय को टटोलें अगर आप बंगाल के नौजवानों की भलाई चाहते हैं। क्या आप यह सोचते हैं कि बंगाल का नौजवान इस समय जो कार्य कर रहा है उससे उसका मन्तव्य पूरा हो जायेगा। अगर उनका मन्तव्य देश में अराजकता फैलाना है, देश में विनाश करना है, तो यह दूसरी बात है। लेकिन अगर वे देश में काम चाहते हैं, उद्योगधन्धे चाहते हैं, बेरोजगारी हटाना चाहते हैं तो पहिले उन्हें वहाँ पर अराजकता फैला रखी है उसको खत्म करना होगा ताकि इस समय जो उद्योग बन्द पड़े हुए हैं वे खुल सकें और लोगों को रोजगार मिल सके।

आज हमारे कांग्रेस मित्रों के ऊपर बड़ी भारी जिम्मेदारी आ गई। मैं उनसे कहना चाहता हूँ कि जब वहाँ पर राष्ट्रपति का शासन कायम हो गया तो लोगों में यह धारणा बन्ध गई थी कि वहाँ पर जल्दी से चुनाव होंगे लेकिन आजकल जिस तरह की हवा बह रही है उसमें मैं सरकार से जानना चाहता हूँ कि सचमुच में वहाँ पर चुनाव होंगे भी या नहीं। इसलिए मैं सरकार और वहाँ की जनता से यह निवेदन करना चाहता हूँ कि इस समय बंगाल किस परिस्थिति में गुजर रहा है उसमें ऐसी स्थिति पैदा की जानी चाहिये जिसके द्वारा वहाँ पर किसी तरह की कोई गड़बड़ी न होने पावे और हिन्दुस्तान के हाथ में स्थिति रहे। इस तरह की स्थिति बनाये रखने के लिए सब को सतत प्रयास करने की आवश्यकता है क्योंकि याहिया खां ने भारत को घमकी दे दी है। उसकी मदद के लिए अमेरिका तैयार है, चीन तैयार है, रूस ने भी ना नहीं कहा और इस तरह से पाकिस्तान वहाँ पर इस तरह की स्थिति पैदा करना चाहता है जिससे हिन्दुस्तान को उलझा लिया जाय। अगर सरकार वहाँ पर इस तरह की स्थिति में फँस जायेगी तो फिर न बंगाल में चुनाव हो सकते हैं और नहीं। दूसरे प्रान्तों में चुनाव हो सकते हैं। इसलिए बंगाल की सीमा बंगला देश की सीमा

साथ लगी हुई है और उसका भविष्य नथ चुनाव भी देश की स्थिति के साथ ही जुड़ा हुआ है। इसलिए मैं चाहता हूँ कि सरकार इस बारे में पूरी तरह से प्रकाश डाल और बतलाये कि इस चीज के लिए वह क्या निवेदन करने जा रही है।

मैंने, श्रीमन्, उस दिन भी कहा था कि आप संसदीय समिति बनाने जा रहे हैं, सिद्धार्थ शंकर रे के बजाये और आप उस समिति को ही अधिकार देते, उस समिति द्वारा ही उस समस्या का निदान कराते तो समस्या का समाधान भी होता और संसद और देश के दूसरे लोगों की भी उस पर अधिक आस्था होती।

श्री जी० बरबरा (आसाम) : उपाध्यक्ष महोदय, पश्चिमी बंगाल में आज जो कुछ भी हो रहा है उसके लिए मुझे दुःख है क्योंकि मैं पश्चिमी बंगाल के एक नजदीके प्रान्त से आया हूँ और मैंने अपनी विद्यार्थी अवस्था में कलकत्ता में शिक्षा भी ली थी। पश्चिमी बंगाल में आज जो कुछ भी समस्या है उसकी वजह क्या है, जड़ कहाँ है, उसको भी जरा देखना चाहिए। सैकड़ों वर्षों से और देश के विभाजन के पहले बंगाल सबसे सम्पन्न इलाका रहा है। देश के विभाजन के बाद लाखों रिफ्यूजी बंगाल में आए और उसके बाद वहाँ की परिस्थिति कुछ बदल गई। वर्षों तक विधान राय जैसा व्यक्तित्व वहाँ रहा, कुछ हद तक सम्भाल पाए, लेकिन लोगों में व्यापक असंतोष रहा। पश्चिमी बंगाल में आज जो 4 करोड़ के करीब जनता है उसमें कम से कम 20 फी सदी लोग कलकत्ता के इर्दगिर्द हैं। हिन्दुस्तान ने किसी दूसरे प्रान्त में इतना ज्यादा शहरी लोग नहीं हैं। कलकत्ता जैसे शहर में आज करीब 20 लाख से ज्यादा गरीब लोग गन्दी बस्तियों में रहते हैं, कलकत्ता जैसे शहर में आज 20 लाख से ज्यादा नौजवान बेकार हैं, जो चौराहे पर दिन में भी अड़्डा जमाते हैं। इन लाखों लोगों के लिए जिन्दगी का कोई सहारा नहीं है। कलकत्ते की सड़कों से किसी भी पार्टी का जलूस निकालने और वहाँ गड़बड़

हो ये बेकार नौजवान उसमें भिड़ जाते हैं पथराव में साथ देते हैं ।

लोग नक्सलियुज की बातें हैं । नक्सलियुज आज बेकार लोगों के असंतोष का प्रतीक बना हुआ है, बंगाल में उसे नक्सलियुज कहते हैं, महाराष्ट्र में वह शिव सेना है, आसाम जैसे प्रान्त में लाचित सेना नाम था, सीलोन में वे वेगिरा तूवरों के नाम से चलता है, पेरिस यूनी-वर्सिटी में लोग घेराव करते हैं, जर्मनी और अमरीका में भी यह होता है । आज विश्व-भर में जो व्यापक असंतोष है उसका रूप अलग-अलग जगह अलग-अलग तरह से प्रगट होता है । बंगाल में जो यह नक्सलियुज का सवाल आया इसको रोकने के लिए, वहां की राजनीति में हिंसा के वातावरण को रोकने के लिए जी जान से किसी ने कोशिश नहीं की । उसके लिए जिम्मेदारी सबकी है । आज कांग्रेस के लोग सी० पी० एम० को गाली देते हैं । मुझे याद है, कांग्रेस का बंटवारा होने के बाद उस समय बंगाल में जब यूनाइटेड फ्रंट की सरकार चल रही थी । अजय मुखर्जी के नेतृत्व में उसी समय वहां हिंसा शुरू हो गई थी कहीं कहीं सी० पी० एम० के साथ मेरा ऐसा कोई विरोध नहीं है । अगर संगठन की ताकत से बंगाल की सरकार सी० पी० एम० हथिया ले तो मेरे जैसे आदमी को उसमें कोई आपत्ति नहीं है लेकिन उस समय सी० पी० एम० से मेरा विरोध था जब सरकार में प्रमुख दल के रूप में रहते, सरकारी व्यवस्था को हाथ में ले कर उसने और पार्टियों के संगठनों को कुचलने की कोशिश की थी । जब इसी राज्य सभा में बंगाल की राजनीति में हिंसा के प्रवण के बारे में चर्चा हुई थी तो मुझे याद है उन दिनों चन्द्राण साहब होम मिनिस्टर थे और उन्होंने कहा था कि बंगाल में कोई ला एंड आर्डर का प्राबल्य नहीं है । कांग्रेस के बंटवारे के बाद भूपेश गुप्त की पार्टी के 23 वोट लोक सभा में रहे इसी प्रकार ज्योति बसु की पार्टी के 19 वोट लोक सभा में थे उनके लिए इन्दिरा गांधी की शासक कांग्रेस को कुछ हद तक साथ में इतना पड़ता था और इसीलिए

उन दिनों चन्द्राण साहब होम मिनिस्टर की हैसियत से लोक सभा में, राज्य-सभा में बोले थे कि बंगाल में ला एंड आर्डर का प्राबल्य नहीं है । आज जब वह सी० पी० एम० केरल की सरकार से हट चुकी है और बंगाल में यूनाइटेड फ्रंट सरकार के खत्म हो जाने के बाद सी० पी० एम० ने महसूस किया कि दोस्ती ज्यादा दिन नहीं चलेगी तो अलग हो गए और कांग्रेस में तो यह हल्ला मचाना शुरू किया कि बंगाल की जो कुछ हिंसा है उस सबके लिए सी० पी० एम० जिम्मेदार है । आज बंगाल की राजनीति दो दलों में बंटी हुई है, एक कांग्रेस का खेमा है, दूसरा सी० पी० एम० का है, और दूसरी पार्टियों में मेरी पार्टी भी शामिल है लेकिन वे तीसरा खेमा बनाने में कामयाब नहीं हुई । बंगाल की परिस्थिति अब इसलिए बिगड़ी, वहां फिर से राष्ट्रपति शासन स्थापित होने की आवश्यकता इसलिए हुई क्योंकि आप लोग नाजायज तरीके से सिर्फ सी० पी० एम० को रोकने की राजनीति वहां चलाना चाहते हैं । लोक-सभा के साथ जो बंगाल के चुनाव हुए उनमें देखा गया कि कांग्रेस को दूसरी पार्टियों से कुछ स्थान ज्यादा मिले, बीच में साथ सी पी० आई० और बंगाला कांग्रेस बगैरह रहीं, लेकिन ज्यादा दिन तक सरकार नहीं चल पाई । उनके अन्दर भी कन्ट्रिडिक्शन रहे । कांग्रेस का बंगाल में एक मजबूत विंग है छात्र-परिषद, विद्यार्थियों का संघ, उनकी मांग रही कि ज्यादा दिन अजय मुखर्जी के साथ सरकार मत चलाओ । अजय मुखर्जी के 5 मेम्बरों में फट हुई, उसमें से 3 निकल गए बंगाला कांग्रेस में भी झगड़ा हुआ । यह मैं आप लोगों के सामने, सदन के सामने बताना चाहता हूँ कि सेंटर चाहता है, दिल्ली की सरकार चाहती है कि सिद्धार्थ शर्मा वहां का नेता बने, लेकिन वहां के कांग्रेसियों का एक बहुत बड़ा तबका है जो चाहता है कि विजय सिंह नाहर वहां का नेता हो । इस झगड़े के कारण बंगाल में जो मामूली सी मेजरिटी बनाई थी वह नहीं टिक पाई । ऐसी जब परिस्थिति है . . .

श्री जगदम्बी प्रसाद यादव : आपने सही बात कही है ।

श्री जी० बरबोरा : तो ऐसी परिस्थिति में जब वहाँ राष्ट्रपति का शासन लागू हुआ है तो यह मेरी मांग है कि जल्द से जल्द इस व्यवस्था को खत्म करना चाहिए और वहाँ प्रजातांत्रिक तरीका कायम करने के लिए आगे बढ़ना चाहिए । वहाँ वोट का इस्तेमाल करने के लिए जल्दी से जल्दी चुनाव की व्यवस्था की जाय और चाहे जो कुछ भी हो प्रजातांत्रिक तरीके से सी०पी०एम० आती है, ज्योति बसु आते हैं तो मुझ जैसे आदमी को डर नहीं है क्योंकि प्रजातांत्रिक तरीके को जो पार्टी अस्वीकार कर लेती है उसको जनता मजबूर करेगी और वह इधर उधर का रास्ता लेकर ज्यादा दिन नहीं चल पाएगी । 10-20 आदमियों को लेकर, एक निगेटिव स्लोगन करके कि सबके लिए सी०पी०एम० जिम्मेदार, इसको कबाएँ और फिर वहाँ कांग्रेस के अन्दर जो लोग चाहते हैं उसके खिलाफ दिल्ली की सरकार जिसको चाहती है, जैसे सिद्धार्थ शंकर रे उनको नेता बनाएँ, उनको वहाँ का पोर्टफोलियो देकर भविष्य के लिए बंगाल का चीफ मिनिस्टर बनाने के लिए कोशिश हो, यह तरीका जो दिल्ली की सरकार अस्वीकार कर रही है वह

SHRI KALYAN ROY (West Bengal): Sir, it is good that we have a television set in the Central Hall to-day because we got a glimpse of Mr. K. C. Pant watching the tennis match and that is why perhaps he is not here.

जिसका मेजरिटो मिल उसको सरकार बनाने

SHRI BHUPESH GUPTA: Sir, on that point I have a suggestion to make. I welcome the arrangement that has been made, that is, television sets have been provided so that we can watch the tennis match. I suggest that the

tradition should be carried forward. When we hold demonstrations against rise in prices and other matters, they should be televised. Two television sets should be installed in the Central Hall for that purpose also so that Members of Parliament can be aware of what is going on outside by way of mass protest and demonstration against rise in prices and other issues. I hope my suggestion will be conveyed to the Government that Members of Parliament are interested not only in seeing tennis play but also in seeing more ! directly the demonstration and activities of the people in voicing their legitimate demands.

SHRI AKBAR ALI KHAN (Andhra Pradesh): Would you like demonstrations in the House also to be televised?

SHRI BHUPESH GUPTA: Are we playing tennis here to be televised ?

SHRI KALYAN ROY: I entirely agree with the suggestion of Mr. Bhu-pesh Gupta but with one amendment that only democratic demonstrations should be televised. Anyway, Sir, I was saying. Mr. Pant must be very tired of listening to the daily tales of more or less his failure to tackle even one problem of our State. Now, I know the hon. Minister who is present here will mainly concentrate on the difficult law and order problem in my State.

[THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) IN THE CHAIR]

It has become the usual practice. But I will only point out to you what the Minister of Labour and Rehabilitation replied to one of my questions. My question, which was published in the Amrita Bazar Patrika, was whether it is a fact that the entire Government college in Barasat has been occupied by the refugees, whether classes have been suspended and what arrangements are being made for the refugees who have no other alternative but to occupy the college. And the 2,000 students are out. Now the reply given by the Union Minister of Reha-

bilitation is: "A few rooms on the ground floor and the corridors of the laboratory in the main building and four other rooms in a building detached from the main building have been occupied by the refugees from Bangla Desh. Steps are being taken to have the college premises vacated so that all the classes of the college can start work with full capacity from September." Now, how is he going to tackle this problem? Suppose the refugees do not move out. It is a question of law and order? They should not have occupied the college, but what alternative arrangement have you made for them? I would like to have a categorical answer. You said that they would be shifted, but where? Will you use force? It is not only in Basir-hat and Barasat but in many other districts of West Bengal schools and colleges have been taken over by the refugees because of the failure of the Government to shift them to camps. Is it a law and order problem? Is it a law and order problem when thousands of peasants are being evicted particularly in Midnapore district, Birbhum district and Purulia district? Sir, it came in the papers—unfortunately the Calling Attention Notice on it was not admitted—that jotedars opened fire wounding 10 landless labourers in Midnapore district. The jotedars and the kulaks have declared a war against the peasants. The police in most of the places are colluding with them. And unfortunately, a section of the ruling Congress Party is also with the jotedars. How are you going to tackle the problem? Will the 6 P.M. jotedars go on firing and killing peasants? A letter of a Communist MLA came in the Press and I just cut that news and sent to Mr. K. C. Pant. And do you know what that letter of Mr. Saroj Roy, ex-MLA, contained? One Bankim Roy in Garbeta Thana along with gangs of hooligans stormed the house of a share-cropper, looted all his property and took away his crop. The ex-MLA of the Communist Party, Mr. Roy, along with the share-croppers went to Garbeta Thana and lodged complaints. The police investigated

and found each of the complaints to be true. They arrested Bankim Roy and he ultimately got out on bail. We have no objection to that. When the police were about to frame chargesheets against Mr. Roy came a written order from the Additional Superintendent of Police of Midnapore that no charge-sheet should be framed against these two persons. And then that order was placed before the court. The police did not press. What is the reason? It was found out that Mr. Bankim Roy is a police officer in Calcutta. His wife is also a police officer. And because they happened to be police officers, now it seems, they have a right to loot, to take away the crop, to kill the peasants. And nothing will be done. Is this the image you are going to set up in West Bengal? I have written a letter to Mr. Pant and I have not yet got the reply. These things are multiplying and that is the danger for which I am again trying to impress upon the House that we are seeing it daily, each day more such news is coming. I thought after the debate we had regarding the President's rule in West Bengal, after the debate in relation to the Budget, that the Government of India will take some steps at least, not very radical steps, I know they are incapable of that, but at least some steps to curb the lawlessness of the police, of the jotedars, of the mine-owners and of the factory-owners. In Birlapur 13,000 workers are working in the textile mills, jute mills, which belong to the Birlas. A CPI union was set up there. And the Birlas immediately filed a case against the secretary of the union and now a warrant has been issued. Is it not a fact that Mr. S. S. Ray openly declared in the Press on behalf of the Government that this administration which we have today is going to implement *in toto* the thirteen points on which the democratic coalition Government agreed? Are you aware of it? He seems to be unaware of it.

SHRI F. H. MOHSIN: You can go on saying whatever you like.

SHRI KALYAN ROY: I am saying what the people of West Bengal want



[Shri Kalyan Roy]

me to say. The first item was that the cases against the trade union and the peasant leaders for the democratic movement should be withdrawn. This is the statement of Mr. S. S. Roy, Minister without portfolio in charge of West Bengal affairs. Can you quote me here whether one case has been withdrawn? The democratic coalition Government was able to do a lot of things. Are they not being paralysed by the inaction of the Home Ministry here? The Government passed an Ordinance that 90 days must have to be given before a factory is closed down. The Government can have the right to say that prior notice should be given. This is pending here. We have personally met Shri Khadilkar. A delegation came from Calcutta and met them and yet nothing has been done. Sir, we have informed Mr. Sanjay Sen, in other words the President of Bengal Chamber of Commerce and the Birlas are opposing it. Here is a challenge to you. Are you going to succumb to the pressures of the employers or are you going to do the things which you have failed to do for the last 20 years?

Sir, in relation to loans, a question was asked the day before yesterday. Now you have set up the IRC for helping the sick factories and mills. What did they do, Sir? I have been told that they have given crores of rupees to two Companies: One is the Equitable Coal Company and the other is Sethia Mining Corporation. As you know, Sir, the Equitable Coal Company has not paid royalty to West Bengal for the last only twenty years! Sir, its Managing Director is a Britisher, Mr. Wright, who was sacked from M/s Andrew Yule and had to leave this country. Now he has come back and become the Managing Director of that Company which gets loans from the Government of India and this particular Company has misappropriated the Provident Fund money of the workers of over Rs. 2 crores. You cannot see anything, any Company, worse than this and they do not pay the royalty, they misappropriate the workers' Provident Fund money and they have not

been paying wages to the workers also for the last two months for which they went on a hunger-strike and they got government loans. What will happen, Sir? I am sure Mr. Wright is a clever man and he will convert it into foreign money and send it or leave the country.

Sir, you have been giving loans to the Sethia Mining Corporation that I mentioned just now. What is its contribution to the development of Calcutta and West Bengal? He shifted the entire office to Bombay and all his profits which are coming from the mines are being invested in Bombay and you help him! If you continue to follow this bankrupt, pro-employer, pro-monopolist policy, would you think the situation would improve or would you damage the democratic front which is in the making there? Sir, the peasants will fight and the workers are fighting. It is for you to take a decision, to make a choice, on whose side you will be. Will you be with the two Companies I mentioned, with Andrew Yule, with the Birlas, or will you be taking sides with us? <sup>1</sup>—\* you have to decide. Sir, the sharecroppers are fighting to implement the laws that the democratic government passed. So many instances are there, Sir, and I do not want to continue telling them... (*Time Bell rings.*) Whenever you are there, Sir, you press the Bell.

SHRI BHUPESH GUPTA: Sir, you should not do that. Otherwise, I will be telling you about the quorum.

SHRI KALYAN ROY: Sir, the West Bengal Government decided to have a mining corporation. Why? Because the thermal power stations are being supplied with the worst kind of coal with the result that we have frequent power break-downs. Sir, the jute bosses have recently come to Delhi in order to request the Government to do something about it. The thermal power stations are being supplied with the worst kind of coal. So, Sir, the West Bengal Government, of which the Congress was a party recommended a corporation to be set up. I asked

a question about it and today I got the reply from the Minister of State in the Ministry of Steel & Mines, Shri Shah Nawaz Khan, that the Government is still examining the proposal in detail. Actually, Sir, where immediate decisions are to be taken, where protection has to be given to those who have not got protection so far, you are not taking any decision. Whether it is Shri Siddharatha Shankar Ray or Mr. K. C. Pant, a decision is not taken and all are, evading the issue. Anyway, Sir, look at West Bengal. I am referring to another case which belongs to your Ministry. Each time we ask about the number of cases which have accumulated in the various High Courts of India for the past few years. The Calcutta High Court tops the list. 78,000 cases were pending there for the last three years. It is the highest number of cases accumulated in a High Court. The reply was given by Mr. K. C. Pant only the other day. And we are saying that something should be done about the judiciary, to find out what is wrong with the Calcutta High Court. What steps have you taken at your end—Mr. Kulkarni will please listen to me. I must say that you are appointing as Judges, even today, people who have all along their life been agents of monopolists—including the Judges that you have appointed lately in the Supreme Court. Is this the way you are going to have committed people in the proper places? They are the people who have shares in the tea, mining, jute and engineering companies who till yesterday pleaded the cases of the Birlas in the Calcutta High Court and the Supreme Court, who pleaded the cases of the Mundhras, who in their whole lives have not taken up the cases of the working classes. Till yesterday they were directors of various companies, and you are appointing them as Judges of the Supreme Court. Where do you stand? How are you going to convince us? Each of your statements is contradicted by each of your actions.

It is good that you are trying to bring a Bill to amend the Constitution. But when we see the list of appoint-

ments, these are the people who are going to man the High Courts, who till yesterday had been industrialists—it is a heaven for the monopolists. It is the working classes who suffer. In any case, the employers go to the Calcutta High Court because they know that the Calcutta High Court will not give a decision in ten years, and within ten years the worker will die and his children will be sitting somewhere in Chowringhee, begging for one paisa. That is why the employers are taking each case to the High Court and the Supreme Court, in order to delay progress in socio-economic matters. On the one hand you talk about bringing radical transformation of the society and on the other you pick the villains, the agents of the bourgeois, the pet pleaders of the monopolists as Judges of the High Courts and the Supreme Court. You know that you alone cannot bring about the change in the socio-economic system. We have to do it whether it is in the coal mines or in the steel industry or the jute industry or in any sphere of life. If anybody is sabotaging it, I have to say that it is your policy who is sabotaging the development, who speak one thing and do another thing. Please ponder over it.

You talk about unemployment, doing away with unemployment. I must bring to your notice a most painful case which came to our notice only yesterday. There was the Indo-Pai Border Demarcation Office under the West Bengal Government who were doing a most magnificent job for the last ten years, facing great hazards. Some of them were even arrested in Pakistan. The External Affairs Ministry, in 1969, wanted to take it over. The U.F. Government opposed. After the fall of the U.F. Government, the External Affairs Ministry took it over and the Director who was in charge was retired and one Mr. Chopra was made the Director. Then what happened? In April suddenly 37 Chaprass, the last rung of the people—were given retrenchment notices. They were people who have served for 1

[Shri Kalyan Roy]

to 15 years in this Department. What do we find after the taking over by the President? Instead of giving more employment, 37 of the lowest paid employees of the Indo-Pak Border Demarcation Office belonging to the External Affairs Ministry were served with notices of retrenchment from April till 30th July not one paisa has been paid to them. They are coming to the office and going back. Is it a law and order problem? How would you dare to advise the Birlas not to

shift their officers, how do you dare to advise Mr. Goenka who has given closure notice to one of the biggest jute mills in Howrah, if you retrench people and new chaprassis have to be appointed? Here is a case. I am not saying this only to spite or criticise you. I say this with all humility so

that you should do something about it. It is a human misery which is crossing all dimensions. The Member, Shri Lokanath Misra, pointed out how when he gets down at Dum Dum and drives through the heart of Calcutta he sees the walls of the houses are collapsing, the streets are choked, the drains are smelling and thousands are scattered on the road because they have no place to go. If this is the problem, it requires some answer. I would not waste your time. I would only say, please do not try to put everything to law and order. If people are hungry, if after 10 years people are thrown out of employment,

if the jute workers and engineering workers, technicians and scientists as well as skilled fitters are unemployed, if you do not get their cooperation, then is it possible for you to advance? Towards them you have to look. You are not asking for their cooperation. You ask them to cooperate with the monopolists. If this is the image of the President's Rule, I shudder to think what is going to be the shape of things for the future. I am speaking in agony that two President's Rules have disillusioned us. Let not the third President's Rule be in the same way as it was in 1970.

SHRI BHUPESH GUPTA (West Bengal): I wanted to say something. Shri Kalyan Roy has brought to the notice certain concrete cases and this is being done during the Session since the President's Rule came into existence but so far we do not have any indication that the complaints brought to the notice of the House or of the Government through the House are being effectively dealt with or even attended to. We have no such information. So I would request you to make an arrangement that the Government should tell us after some time at least what they have done with regard to such matters brought to the notice of the Government, otherwise, what is the use of our speaking on a matter like this specially when you know West Bengal does not have Legislative Assembly. This is the only forum through which we can voice or articulate the grievances of the people of Bengal and I think they should be seriously taken up by the Government. This is not being done. If it is not done, then the situation will be very complicated in every way. There should be proper explanation as to why so far nothing has been done really effective. An assurance was given here that steps will be taken to stop eviction of the peasants. Mr. Siddhartha Shankar Ray met me and I made this point very clear to him that whatever else he did he should take immediate steps by calling the magistrates and others through the proper agency of course in order to ensure that evictions are not indulged in and protection is given to the peasants and bargadars pending full implementation of the law passed by amending the ceiling Act. Now I do not know what is happening but we are reading in the newspapers that more evictions are taking place. Here a case has been brought to your notice, the case of Mr. Bankim Roy, a police official of Calcutta.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): The case referred to by Mr. Kalyan Roy, I am sure, will be taken note of by Mr. Siddhartha Shankar Ray.

SHRI BHUPESH GUPTA: You do not know anything.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): What I am saying is . . .

SHRI BHUPESH GUPTA: Then will you give me an assurance that within three days' time we shall be informed that that officer has been suspended?

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): I can only say that it will be taken note of by Government.

SHRI BHUPESH GUPTA: But nothing is being done, that is what I am telling. I am sure you would like these things to be attended to; I am not complaining against you. But if you ask me to stop and if you say that I need not dilate on it then you should tell me whether within three days' time we shall get information as to what action has been taken or is going to be taken by the Government. It is a fit case for suspension. I would ask the Congress Members to take these things seriously. (*Time bell rinor*).

Don't use the bell, then the question of quorum will be raised.

Mr. Kalyan Shankar Roy every day is bringing to the notice of the House many such things but, poor chap, he has not got even one proper reply as to what is being done with regard to the issues raised by him. Now you ring the bell, you tell us what should be done.

Now, one or two suggestions I would like to make. First of all, as I said, I am one of those who like the political arrangement of Mr. Siddhartha Shankar Ray or for that matter any Central Minister being on the spot because that cuts out part of the red tape, not the whole of it. Otherwise things come from there, they are looked into by the Ministries, the replies have to go from here and that takes a lot of time with the result that things in fact, they do not move at all. Now, do not move as fast as they should; if Mr. Siddhartha Shankar Ray is there on the spot and if he is authorised to give advice on behalf of the Government to the Governor, then of course

the Governor acts but I had it from Mr. Siddhartha Shankar Ray that it is not so. He passes orders; he acts on behalf of the Central Government in advising and telling on behalf of the Central Government and the President, strictly speaking, as to what should be done. Technically it is the President who asks the Governor to act but everybody knows that it is really the Central Government. Mr. Siddhartha Shankar Ray says that he is there to expedite the matter and if that is so it is a good arrangement. Secondly, he is more accessible. If one is more accessible in such a situation it is good for the people. Surely he can take certain initiatives and that he has done by calling meetings and so on. These are the practical aspects and they are good but so far as the Constitution is concerned, I still maintain that there is some anomaly in it and it is not in accordance strictly with the provisions and practices of the Constitution. That is why I say that Mr. Siddhartha Shankar Ray's appointment makes one thing clear that the Governor is not needed even when the Governor's rule is in force. That is the point I wish to make. Even when the Governor's rule is in force in a State the Governor is not needed and obviously he becomes even more redundant when there is an Assembly and a Ministry. That is why I was pressing for the abolition of the post of Governor altogether all over the country.

I again criticise the appointment of Mr. Dias, an ICS officer, as the Governor. The ICS officers should all be compulsorily retired. Even those who are in service should be compulsorily retired. Their pension under article 314 and other facilities they enjoy should be abolished and, if possible, we should make a law to make it illegal for any company to appoint any ICS officer after retirement on the board of directors or as an officebearer of any company. We can make a law and we can suitably amend the company law to make such a provision so that no ICS officer, after retirement, can be appointed as a manag-

[Shri Bhupesh Gupta] ing director, manager, treasurer, secretary or an office-bearer on the board of directors of any company. (*Time bell rings*). You are ringing the bell again and again. There is no quorum. Let us adjourn. Since there is no quorum I challenge the quorum.

(The quorum bell rings).

SHRI OM MEHTA: It was decided 3by the House to finish the Bill today.

SHRI BHUPESH GUPTA: Three times I gave you an indication. You do not understand the tactics even. Quorum I challenge.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): It has been decided to finish this Bill and I want you to accommodate. I want you to "be brief and accommodating.

SHRI BHUPESH GUPTA: Now, it is all right. Now, Sir, how should the administration be run? When the amendment comes I will tell you. I think it is important that the administration is reorganised at the top. I am not for any witch hunt, nor for any kind of persecution of officials as such. Those officials who have failed in their duty, who have been extremely partisan or delinquent in discharging their responsibilities should not be kept in key and important positions.

SHRI A. G. KULKARNI: Now, the quorum is there.

SHRI BHUPESH GUPTA: They should not be kept in important positions. That is very essential. I have no particular officer in mind, but a series of complaints we have received during the last several months about the partisan behaviour of some officials, dereliction of duty and involvement of some officials, on account of their personal ambitions or for other reasons, with certain types of political activity or political affiliations. Now, these officers should not be kept in key positions. This is No. 1. How could it be done. I think Members of Parliament can be taken into confidence in regard to this matter and

you discuss with them. Certainly I think the matter should be seriously gone into. Otherwise, we have seen officers being transferred or promoted or posted to some other place simply because of the fad of this or that Minister. I do not like such a thing. There should not be any kind of personal authority brought into play or personal prejudice brought into play. On merits things should be done. In Benp 1 it is very essential that the officials who are meritorious, who are honest, who are democratically minded, who know how to discharge their responsibilities should be taken note of by the Centre and given promotion. Their effort and service should be rewarded instantaneously just as those who are of the opposite type—I do not use the word 'penalised'—should be kept out of harm's way, so that they cannot do an<sup>T</sup> mischief. This is essential. Mr. Siddhartha Shankar Ray, for that matter, should devote a part of his time to cleansing the Augean stables in the Writers Building ah-\* other places. This is very important. Secondly, the police administration. I do not know what to do with it. Honestly, I cannot make any suggestion. I think there is much wrong. . . .

श्री नेकी राम (हरयाणा) : आपकी पार्टी  
के कितने हैं। बंगाल में आपकी पार्टी के अफसर  
कितने हैं।

SHRI BHUPESH GUPTA: It is my failure, everybody's failure. I am not claiming any credit. We have aU failed. We cannot take police men from Haryana. If the hon'ble Member would like to come as a Havildar in Bengal I am ready for it. But we cannot do that. Are you, Mr. Neki Ram, coming as a Havildar?

श्री नेकी राम : आपकी कितनी मिली-  
भगत है। आप अफसरों को तो कहते हैं कि  
इनको नहीं रहना चाहिये लेकिन आपकी पार्टी  
के कितने लोग सर्विस में हैं, आप यह बताइये।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): I am asking him to finish. I do not want him to be interrupted.

SHRI BHUPESH GUPTA: I am identifying the areas where something should be done immediately. Detection of crime, investigation of crime, of offences or things leading to offences is of fundamental importance for the law enforcement authorities. There you find complete failure.

श्री नैनी राम : फिर आपको धर्मवीर को वहाँ रखना था ।

SHRI BHUPESH GUPTA: What did he say?

SHRI A. G. KULKARNI: It is just like a bull in the china shop.

SHRI BHUPESH GUPTA: You may say bull in the china shop. But the latter part I am not prepared to accept. On the first part I have an open mind.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Now you finish.

श्री नैनी राम : वह जहाँ घुसता है घुसता जाता है, वहाँ से सारे भाग जाते हैं ।

SHRI BHUPESH GUPTA: Investigation and detection of crime is very essential. Up till now not one case has been instituted in major incidents like the murder of Mr. Hemanta Kumar Basu or the murder of some other personalities. Not, one case has been instituted. That shows the complete failure of the investigating authorities. Something should be done. About this matter I do not wish to say anything more. When my amendments come I will make concrete suggestions.

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS]

गृह मंत्रालय में उपमंत्री

(SHRI F. H. MOHSIN): Mr. Vice-Chairman, Sir, I am very much thankful to the hon'ble Members who have given their views on very important issues facing Bengal, but unfortunately they are not very relevant to the provisions of this Bill.

SHRI SASANKASEKHAR SAN-YAL (West Bengal): On a point of

order. May we suppose that you have permitted irrelevant discussion?

SHRI F. H. MOHSIN: Under article 356 of the Constitution the powers of the West Bengal State Legislature are exercisable by Parliament, and under article 357(1) (a) of the Constitution it is permissible for Parliament to delegate that legislative authority to the President. So in accordance with that we have brought this Bill before the House and hon'ble Members have given their opinion on various issues. I need not go into all those details because many times these things have been already said on the floor of the House and have been replied also. Some of the points that my friends have referred to now might not have been replied to. Anyway, they will be noted.

Mr. Sanyal, Mr. Nawal Kishore and many others have said about the law and order problem, and also on the unemployment problem because of the business houses going actually out of Bengal. Sir, these are all real things. We do not say that it is not there. The unemployment problem is there. The law and order question is also there and the capital is also moving out of Bengal. That the Government is quite aware of. But what is the reason for all these things? We have to go deep into this malady and find out the reasons for all this. Sir, the law and order problem has been there since long. It is unfortunate that it still persists. I do not say that it has very well improved. But we are trying to see that law and order is improved. So, we are making every effort to establish law and order in that State. And it is one of the reasons why President's rule was imposed by a proclamation. Now the authority and administration is with the President and the Parliament can advise the President to enact legislation in this respect.

West Bengal is facing a very special situation. That is why special attention is given to the State of Ben

[Shri F. H. Mohsin.] gal. The very appointment of Mr. Siddhartha Shankar Ray as Minister to look after the interests of Bengal shows that the Government is giving special attention to this State. My friends have said that it is uncalled for and that he has been given a status over and above the Governor. It is not so. The Government has not created any special status for Mr. Siddhartha Shankar Ray. He is not a dictator there nor is there any special post created for him. He is just a Minister in the Central Cabinet. So it is only to give more attention to the problems of West Bengal that he has been put in charge of the problems of West Bengal. That is all. But he is working within the framework of the Constitution. My friend, Mr. Bhupesh Gupta, cast some doubts on the constitutionality of his status. There is nothing unconstitutional in that. He has to work within the framework of the Constitution. He has to work as a Minister in the Central Cabinet. It is only to facilitate decisions on these issues that a Minister has been given a special portfolio of West Bengal Affairs, so that he can give more attention and more time. So that is nothing unusual.

श्री मान सिंह वर्मा : मेरा ह्वाला है कि यह ज्यादा अच्छा होगा कि हर एक प्रान्त के गवर्नर को हटा दिया जाए और उसके स्थान पर हर एक कैबिनेट मिनिस्टर को एक-एक राज्य दे दिया जाए, जिससे खर्च की बचत भी होगी ।

SHRI F. H. MOHSIN: Bengal has got a special situation. I do not think that my friend wants such a situation to arise in every State.

SHRI MAN SINGH VARMA: Every State has got a special position.

SHRI F. H. MOHSIN: Every Member has made a point here that Bengal needs special attention. It has got some special problems also. I am not denying the existence there of a special

situation. That is why a Minister has been appointed specially to look after Bengal affairs. In every State such a situation does not arise, nor do we wish to have such a situation in every State. Does the Member wish to have such a special situation in every State?

It is well known to Members that Mr. Siddhartha Shankar Ray is carrying on negotiations with the leaders of the various parties. The talks are going on. Two or three sittings have already taken place. Now, the maintenance of law and order is quite essential for the progress and development of any State. And to establish law and order, the co-operation of all parties is required. It cannot be done by only one party; it cannot be done unless the people participate in the establishment of law and order. So, the Government always seeks the co-operation of all the

Opposition parties to see that normalcy in the matter of law and order is established in the whole of the State so that this unemployment problem also could be tackled and the capital moving out could also be stopped. Factories are closed now because of this law and order problem. So, if the law and order problem is settled, I think all the ills may come to an end. All the ills may also disappear. I appeal again, as my colleagues have done many times before, to the leaders of all political parties to give their utmost attention to this problem which is facing not only Bengal but which is drawing the attention of the whole country and see that normalcy is restored in Bengal. We are not giving any unfettered power to the President. If anybody looks into the Bill, Clause 3 of the Bill makes a provision for Parliamentary control over the legislation enacted by the president—

"Either House of Parliament may, by resolution passed within thirty days from the date on which the Act has been laid before it . . . direct any modifications to be made in the Act . . ."

Any Member of Parliament of either of the Houses can move a resolution and if both Houses agree to that, the law that is enacted by the President would be modified. Here there is no unfettered power given to the President. Parliament retains the control. I do not understand how my friend, Mr. Sanyal, made a point that it is an unfettered power. The Governor's rule has been imposed not once, but twice in Bengal. . . .

SHRI SASANKASEKHAR SANYAL: I did not say 'unfettered', I said it is a 'blanket' power.

SHRI F. H. MOHSIN: It means almost the same.

SHRI SASANKASEKHAR SANYAL: No, there is a difference.

SHRI F. H. MOHSIN: It is not a blanket power. But we are not happy that Bengal has come under President's rule twice within a couple of years. Government is also not happy over it. But it was inevitable. It was not of our choice. It was because of the circumstance? prevailing in the State that President's rule has come. There was no other alternative. We have sufficiently discussed this when the Proclamation was before the House. I am as much eager as my friends, Mr. Sanyal and others, to see that a democratic set-up comes into being in that State as early as possible. But conditions there have to become normal. I seek the cooperation of Mr. Sanyal and other friends to see that normalcy is restored so that we can hold elections as early as possible and to see that a democratic regime comes into being. President's rule is no alternative for a democratic set-up. I do agree with that. It is not of our choice. Everybody knows the circumstances that were prevailing there. When the Proclamation was before the House, this was very much discussed also. I do not want to repeat all those things. But anyway the Government is eager to see that a democratic rule comes there as early as possible.

SHRI ARJUN ARORA: Can you fix a date?

SHRI F. H. MOHSIN: Yes, if they can fix a date for bringing normalcy. On that very day it will be announced. And it is very difficult now to say when normalcy will be restored. Let us hope to have normalcy restored as early as possible so that we can hold elections soon. . . .

SHRI SASANKASEKHAR SANYAL: So that you can stave off elections.

SHRI F. H. MOHSIN: Then as regards the Crash Programme about which some friends have spoken, it is only with a view to rooting out the unemployment problem that the Crash Programme has been brought in, and some funds have been allotted. Nearly Rs. 2 crores have been allotted to Bengal.

SHRI A. G. KULKARNI: It should not crash on their head.

SHRI F. H. MOHSIN: But we are aware that this amount is not going to solve the problem of unemployment. The Government is aware that the funds allotted to the different States are not going to root out unemployment in the length and breadth of the country. We are quite aware of it. But within the resources that we have, we have reserved some funds for this problem. But once Bangla Desh problem is solved, we will be able to give more funds for this unemployment problem and see that unemployment is rooted out to a major extent.

Sir, I do not think there is anything more to be added. Mr. Kalyan Roy and Mr. Bhupesh Gupta have drawn my attention to some of the incidents. Though they are not very much relevant to the present Bill, I may assure them that they will be duly taken into consideration and duly attended to. With these words I appeal to the

House to give its approval to this Bill.



THE VICE-CHAIRMAN (SRI K. I. AKBAR ALI KHAN): The question is:

"That the Bill to confer on the President the power of the Legislature of the State of West Bengal to make laws, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI K. I. AKBAR ALI KHAN): We will now take up clause by clause consideration.

*Clause 2 was added to the Bill.*

*Clause 3 Conferment on the President of the power of the State Legislature to make laws.*

THE VICE-CHAIRMAN (SHRI K. I. AKBAR ALI KHAN): There are three amendments by Shri Bhupesh Gupta. I think he has spoken.

SHRI BHUPESH GUPTA: I have not spoken on the amendments. You apply your mind before saying such things.

THE VICE-CHAIRMAN (SHRI K. I. AKBAR ALI KHAN): I do apply my mind.

SHRI BHUPESH GUPTA: How can you say that I have spoken?

SHRI ARJUN ARORA: Do not pass derogatory remarks against the Chair, especially against such a senior Member.

SHRI BHUPESH GUPTA: I did not pass any derogatory remarks. I said that he has not applied his mind. You have done it on some occasions.

SHRI ARJUN ARORA: No.

SHRI BHUPESH GUPTA: Probably he thought that it should be finished quickly. Besides that, if you ask me. I do not accept that principle in theory that one cannot make derogatory remarks. Whenever there is need for that, I will make. When I

want to, I will make it, whatever happens.

Sir, I move:

1. "That at page 1, line 14, for the words 'whether Parliament is or is not in session' the words 'when Parliament is not in session' be substituted."

2. "That at page 1, line 17, the words 'whenever he considers it practicable to do so' be deleted."

3. "That at page 1, after line 20, the following proviso be inserted, namely:

'Provided further that no such Act shall be enacted by the President unless the relevant Bill has been passed by the Committee in the same way as in either House of Parliament'."

*The questions were proposed.*

SHRI BHUPESH GUPTA: My amendment is that when the Parliament is not in session, let the President, if necessary, make an enactment under this Act. But when Parliament is in session, it should be taken up normally in Parliament itself and the Bill should be passed. Why the President's legislative powers should be used when Parliament can handle this matter? Bills can come here when Parliament can make enactments. Otherwise, there may be tendencies on the part of the government to pass certain laws which will not be in the interests of democracy and which will not take into account what the opposition people or others even belonging to the Congress Party have to say. For example, I am reading in the paper that there is an insistent demand by the police and bureaucrats in West Bengal that the detention law should be modified with a view to enabling them to detain a person at a stretch for a period of five years. At the moment the period for which you can detain a person is one year. After that you have to release him and on the same charges you cannot arrest

and detain the same man. This is the provision of both laws that are in operation, namely, Maintenance of Internal Security Act and Prevention of Violent Activities Act. Now they are demanding that since a number of detenus are going to be released in the course of next few weeks having completed their period of detention of one year, government should empower the local authorities to detain people for longer periods. In the first instance, those who are under detention should not be released and they may be kept for a longer time. This is preposterous. The detention itself is without trial. When Parliament is not in session, it is quite possible that they may pass this Act. It may create an impossible situation. The argument is that if all these people who are under detention are released, that will create a serious law and order problem. I am opposed to this kind of thing. Now, Sir, that is why I am saying that power should not be given. Let it be discussed in Parliament and let us have an opportunity of opposing it rather than accepting the *jait accompli* coming from the President. That only shows the power of the police. They are thinking in terms of only detention without trial in dealing with the situation that has arisen in West Bengal rather than in socio-political terms. It requires to be handled at a social level, at a political level, for which, I think, the co-operation of every party is justly demanded and which should be gladly and ungrudgingly given. I have no doubt about it, Sir. But why this kind of thing? Therefore, I say that it should not be done. Besides, Sir, it is a very bad practice also. Parliament is in session and Parliament has the power to make laws and Parliament then abdicates its authority and gives this power to the executive head, the President in this case or, more strictly speaking, to the Home Ministry to do whatever they like. That is a very bad practice and you should not get into this thing. I know that my suggestion has no chance of being accepted. Well, all the same, what I consider just should

be stated on the floor of the House, because some day or other these things will have to be taken into account more seriously than at present.

Now, Sir, Presidential legislation means absolutely bureaucratic legislation. In the initial draft of the Bill they conceive the idea, they give shape to the Bill more or less subject to the constitutional requirements and it is passed as a matter of routine. Is that the way to make the legislation when the Parliament is in session? Sir, in this connection, I may say that I am also interested in the Bill being passed today and I would like to have these two Ordinances enacted as laws. One is the Bill or Ordinance regarding gratuity and it should be passed and, equally, the other one on closure, which is still pending, should be passed. The Ordinance was issued by the Democratic Coalition Government before it resigned and these should be immediately passed as Presidential Acts. Therefore, Sir, I am very much interested in getting the whole thing done to day.... (Interruptions).. Mr. Kulkarni, you may not be interested because Maharashtra has no problem. Mr. Kulkarni, in the morning you spent so much time in trying to impress upon the Government.... (Interruptions)..... so that you can get from your co-operatives.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): That was irrelevant.

SHRI BHUPESH GUPTA: That was why I said that in no case should power be given to prolong the detention law. My second amendment is about this, Sir. The President is not under an obligation to consult the committee which we are going to form and I wish to make it obligatory. Therefore, my amendment is to the effect that in all cases, in all situations, the President should consult that committee. Why should he not consult the committee? Why should he take away the powers of

[Shri Bhupesh Gupta] Parliament? They are taking away the powers which are vested in Parliament and the president is vested with this power which means that bureaucracy is invested with power and the bureaucracy is being given the power not to consult Parliament or the committee whenever the bureaucracy thinks that it should not consult them and I think that that is also a very bad practice.

Thirdly, Sir, the amendment is to the effect that no such Act shall be enacted by the President unless the relevant Bill has been passed by the committee in the same way in either House of Parliament. This is an idea. I am apologising there. I know there is no chance of its acceptance. Mr. Om Mehta is in full force here to defeat me. When a Bill is enacted, it passes through three stages. We are given an opportunity to make amendments. But there we cannot make amendments, we can make suggestions for amendments and we can take the opinion of the Committee. Where the Committee approves of such amendments suggested by the Members of the Committee, why should it not be passed? After the initial discussion of the Bill, the Members should be given an opportunity to give suggestions for amendment as they like and then voted upon and finally when the amendments are dealt with, there should be general opinion taken with regard to the Bill as a whole, as if we are in the third reading stage. That is how it should be done. At present, in a Consultative Committee of this kind, what happens, the Home Minister comes, he makes a speech, then listens to the speeches of the Members. Since he has the majority, naturally he has got the majority...

SHRI OM MEHTA: In the last meeting, we had no majority.

SHRI BHUPESH GUPTA: When you lost the majority in the other House, still you had the majority. At that time you needed the support to const-

itute the majority. Sir, we fully utilised the situation to prevent the Government from doing many things including the passage of the Internal Security Act. For West Bengal Detention Law we did not allow it for six months, that is right. Today, of course, in Rajya Sabha you do not have majority but in Lok Sabha you will bring a number of people. You will have a clear majority.

SHRI OM MEHTA: I can inform Mr. Bhupesh Gupta that we are on the way to majority in the Rajya Sabha.

SHRI BHUPESH GUPTA: No, you do not have the majority, technically speaking. You are engaged in defections. You started with Shrimati Yashoda Reddi and with whom you are going to end, I do not know.

Then coming back to the point, the Minister makes a speech, others make speeches and he suddenly says, consensus is taken for the Bill. What is the position? It may be that many Members may be in favour of the Bill as a whole, in principle, but at the same time some of the supporters of the Bill may like to amend it, may like to vote for certain amendments to improve upon it and this opportunity is not given. Therefore, I say that it should be like that.

One more thing I found. Actually I put Mr. Chavan in difficulty. One day, at a Consultative Committee meeting of this kind, he came and occupied the chair of the Chairman of the Committee. I raised a point of order how he could occupy the Chair. Here is a committee of Parliament. No Chairman has been fixed by anybody. The committee has to elect the Chair. How could you occupy the Chair? Whole of the morning was spent and I point out to you that in a Committee, unless the Chairman of the Committee is named by the Speaker or the Chairman of the Rajya Sabha, you cannot just arrogate to yourself that you are the Chairman simply because you happen to be a Minister. Now, Sir, what will

happen? Suppose, the Committee meets and Shrimati Indira Gandhi comes there with the Home Minister

is a Member of the Committee, do I " 'tand that both of them will be g in the same chair? That can-t be. Therefore, the portfolio does not determine the chair. In that case, Mr. Siddharatha Shankar Ray will be entitled to a Chair and when Shrimati Indira Gandhi comes there she will be in the Chair. Who is the Chairman of the Committee? You will say that the Prime Minister is the Chairman, but where is it decided? She does not come there as Prime Minister. She comes as a Member of the Lok Sabha nominated by the 7P.M. Speaker. Therefore there is no such provision but we are very generous and courteous. Ultimately, not that I retracted from my objection, but since Mr. Chavan had already occupied the Chair—he just walked in and occupied it—I asked: 'Why do you sit? Why not me? If I had come earlier and sat there, I would have been entitled to it.' Naturally he saw the point. Although he said: 'I would like to do it, I am the Home Minister', he did not say: 'I must decide and I am entitled to it.' He said 'The convention is there'. Many people may not have objected.

SHRI MAHITOSH PURAKAYAS-THA: His name was dully proposed and seconded. Then he took his chair.

SHRI BHUPESH GUPTA: Ultimately he had to yield to my argument. Somebody proposed his name. We did not object to it but then he occupied. It was an illegal occupation.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): You have done a good job, but that is not relevant to the present Bill.

SHRI BHUPESH GUPTA: It is relevant because the moment you have provided for a Consultative Committee you want someone as Chairman who is impartial. The Minister will

be sponsoring this Bill. He cannot upy the chair. We have to select someone as the chairman to conduct the proceedings of the committee, where one will be . sponsoring .the I and the others may be opposing it. That is why it comes in: So I have made the suggestion. They are good suggestions. I know they have *no* chance of acceptance. Now that they have a majority in the other House, a strong majority, they will never miss the opportunity to apply that majority and use it even in such small matters to assert the misguided authority. All the same it is our duty to do so. Finally, the Committee should meet sometimes and as far as possible, in Calcutta. I' make another suggestion that the ' Committee should hold sometimes open meetings. That is also good. This is all that I have to suggest. \_ ""';'

SHRI F. H. MOHSIN:!! am sorry I am sunable to accept any.of his amendments. The first amendment says: that the power of the President should only be used when the Parliament is not in session'. That is exactly why this delegation of the powers to the President we have brought before the House. .So-, the Parliament hasv got after - the Proclamation, the power to legislate but whether the Parliament has sufficient time to legislate though it is in session? That is the actual point. The Parliament is busy with its work. Four States are under President's Rule. Can we imagine our taking up States' legislations ? In that case even a whole year will not be sufficient to legislate for all the States. With that purpose only the power is sought to be delegated to the President. He would be guided also by the Consultative Committee which will be ?ppointed soon after this Bill is passed. It may not be possible always to consult it because . there may be urgent legislation but by and large it is the convention to call the Consultative Committee and put all the Bills before the Committee and take its opinion and then pass it. That is the usual convention but some

[SHRI F. H. MOHSIN]

exigencies may arise and the President cannot be bound down that he must consult the Committee before an Act is passed.

About the third amendment about who should preside over the Consultative\* Committee \_\_\_\_\_

THE VICE-CHAIRMAN: (SHRI AKBAR ALI KHAN): That is not the amendment.

SHRI F. H. MOHSIN: He has referred to it.

SHRI BHUPESH GUPTA: I said that the meetings should be open to the press.

SHRI F. H. MOHSIN: There are already established conventions about that also. It is not for the first time that we bring such a Bill. Bengal was already under the President's Rule before and Consultative Committees were also set up and the point of who should be the Chairman of that Committee was also fought out in the former meetings.

Sir, there is no specific mention in the Bill regarding who shall preside over the meetings of the Committee. But, however, when this dispute arose in the last Consultative Committee it was referred to the Speaker and the Chairman and they said that the convention is that the Home Minister shall preside.

SHRI BHUPESH GUPTA: Suppose the Home Minister is not a member of the Committee then how do you say that the Home Minister shall preside. I made the suggestion that the matter should be referred to the Speaker and the Chairman.

SHRI F. H. MOHSIN: Sir, already sufficient conventions have been established and I see no reason why there should be a departure in the case of West Bengal. All these conventions will be maintained.

SHRI BHUPESH GUPTA: I am not objecting to this. When there is

no such provision, I only suggest that when a Bill has to be passed by the Committee and if the Home Minister sponsors the Bill then he should not be in the Chair. That is what I want. How can I object to Shrimati Gandhi being in the Chair when she is presiding over India's destiny?

SHRI F. H. MOHSIN: I do admit that there are no rules regarding this nor is there any such provision in this Bill but there are established conventions and we will follow the conventions whatever they may be. We have done so before.

SHRI BHUPESH GUPTA: I said the meetings should be held in Calcutta and it should be open to the press.

SHRI F. H. MOHSIN: That is a useful point that he has made and I will pass it on to the Home Minister for consideration.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): The question is:

1. "That at page 1, line 14, for the words 'whether Parliament is or is not in session' the words 'when Parliament is not in session' be substituted."

The motion was negatived.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): The question is:

2. "That at page 1, line 17, the words 'whenever he considers it practicable to do so' be deleted."

The Motion was negatived.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): The question is:

3. "That at page 1, after line 20, the following proviso be inserted namely:—

'Provided further that no such Act shall be enacted by the President unless the relevant Bill

has been passed by the committee in the same way as in either House of Parliament'."

*The motion was negatived.*

IE VICE-CHAIRMAN (SHRI aAR ALI KHAN): The question

"That Clause 3 stand part of the Bill."

*The motion was adopted. Clause 3 was added to the Bill.*

*Clause 1, the enacting Formula and the Title were added to the Bill.*

SHRI F. H. MOHSIN: Sir, I move:

"That the Bill be passed."

*he question was put and the motion was adopted.*

THE VICE-CHAIRMAN (SHRI A.KBAR ALI KHAN): The Bill is passed.

The House stands adjourned till 11.00 A.M. tomorrow.

The House then adjourned at eight minutes past seven of the Clock till eleven of the clock on Saturday, the 31st July, 1971.