

श्री राजनारायण : सिम्पल है तो आप दूसरों को क्यों बोलने देती हैं।

THE DEPUTY CHAIRMAN: I have said that the Minister must come and give information to this House.

श्री राजनारायण : मैडम, मैं बहुत ही अदब के साथ आप के द्वारा श्री सिन्हा जी से, श्री गुप्ता जी से और सभी से कहना चाहता हूँ कि ऐसा अध्यादेश जो नवयुग का प्रारंभ करने वाला है उसको स्टे कर दिया जाय और यह सदन उसके बारे में सुनना न चाहे मैं आश्चर्यचकित हूँ ऐसे लाजिक से, ऐसी तक प्रणाली से। जब सदन में प्राइम मिनिस्टर साहेब का बयान हुआ कि नवयुग का प्रारंभ हो रहा है, प्रभात हो रहा है, तब कोई कोर्ट अपने कौन से पावर को ले कर के उसको स्टे कर सकती है। (Interruption) यह मैं जानता हूँ कि उसको पावर है . . .

THE DEPUTY CHAIRMAN: Do not go on with a discussion.

श्री राजनारायण : इसी लिये मैं कहना चाहता हूँ कि इसमें आपत्ति क्या है। सदन को पूरा अधिकार है कि वह इसकी जानकारी करे कि सुप्रीम कोर्ट के 8 जजों ने किस कारण से इस नवयुग के प्रभात को प्रारंभ करने वाले अध्यादेश को कार्यान्वित होने से रोका है। इस लिये हम चाहते हैं कि इस प्रश्न को यहाँ उठाया जाय।

THE DEPUTY CHAIRMAN: Please sit down.

SHRI A. P. CHATTERJEE (West Bengal): Madam, on a point of order.

(Interruptions)

THE DEPUTY CHAIRMAN: Please sit down. We cannot go on like this. Let him finish. I am coming to you.

SHRI A. P. CHATTERJEE: Madam, I rise on a point of order. The Constitution lays down that if there is an Ordinance, that Ordinance must be replaced by an Act. Now, the Supreme Court has given an order staying the Ordinance. There is

nothing to prevent the Government from bringing a Bill to replace the Ordinance.

SHRI LOKANATH MISRA: What is your point of order?

SHRI A. P. CHATTERJEE : My point of order is this. There is no starting point made in Mr. Babubhai China's suggestion in the House that there has been a stay order and that we must go into the whole question of the stay order. We cannot go into the whole question of the stay order granted by the Supreme Court. There was nothing surprising in it. There was nothing extraordinary in it.

SHRI BHUPESH GUPTA: Madam, I am a little surprised that when an Ordinance has been issued, and the House is seized of the matter unless the Bill is passed within six weeks of the passing of the Ordinance, it ceases. We have got six weeks' time to finalise this thing, but somebody has gone to the court to challenge this Ordinance . . .

SHRI A. D. MANI : He has got a right.

SHRI BHUPESH GUPTA: Have I said that he has not got a right? Why do you say that? Everybody has a right to go to a court of law, under the law and procedure of the land. I am not disputing it. So have we the right here, the sovereign right of Parliament, to proceed with this matter. If after the finalisation the Supreme Court chooses to stiike down certain things, then we may make the necessary amendments to circumvent the situation. Therefore, I think we should not be swerved from the right course we have taken. I would suggest to you that the Bill should come immediately and we should not lose time in passing this Bill in both the Houses of Parliament.

THE DEPUTY CHAIRMAN: Now we will take up the Calling Attention Notice. Mr. Kulkarni.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

REPORTED STATEMENT BY SHRI E. M. S.
NAMBOODIRIPAD, THE CHIEF MINISTER OF
KERALA*, AND SHRI A- K. GOPALAN, M. P.,
REGARDING UNDERMINING THE
CONSTITUTION FROM WITHIN

SHRI A. G. KULKARNI (Maharashtra) :
Madam Deputy Chairman, I beg to call the
attention . . .

SHRI NIREN GHOSH (West Bengal): On a point of order, Madam.

THE DEPUTY CHAIRMAN: No, nothing more. I have called Mr. Kulkarni.

SHRI NIREN GHOSH: We shall discuss this matter in Parliament. Madam, on a point of order.

THE DEPUTY CHAIRMAN: What is your point of order?

SHRI NIREN GHOSH : The point of order is this.

THE DEPUTY CHAIRMAN: Let the Minister come and I say something on this. No, no. I have called Mr. Kulkarni.

SHRI A. G. KULKARNI: Madam Deputy Chairman, I beg to call the attention of the Minister of Home Affairs . . .

(Interruptions)

SHRI NIREN GHOSH: On a point of order, Madam, I am on a point of order. Mr. Kulkarni, please wait. Please wait, Mr. Kulkarni.

SHRI A. G. KULKARNI: . . . to the reported statement by Shri E. M. S. Namboodiripad . . .

SHRI NIREN GHOSH: I am on a point of order. Please sit down Mr. Kulkarni. How can you go on like that? My point of order is this, Madam.

THE DEPUTY CHAIRMAN : Yes, I am listening to it.

SHRI A. G. KULKARNI: Chief Minister, Kerala, and . . .

THE DEPUTY CHAIRMAN: Mr. Kulkarni, please wait. I will come to you.

SHRI NIREN GHOSH: My point of order is this. The Calling-Attention is to "the reported statement". I want to know whether the Government is in possession of the reported statement. (Interruptions) Is the Government in possession of the full and correct translation of the statement?

THE DEPUTY CHAIRMAN: Where is the point of order?

SHRI NIREN GHOSH: If not, how can you . . .

(Interruptions)

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THE DEPUTY CHAIRMAN: I am sorry I thought you were raising a point of order . . .

(Interruptions)

SHRI NIREN GHOSH: It is completely misleading the House. I want to know without having the full and correct facts how the Government can answer this.

THE DEPUTY CHAIRMAN: When Mr. Niren Ghosh stood up and wanted to raise a point of order I was under the impression that he was raising a point of order on a previous discussion—that is, on the Ordinance. But since it was not so—he was raising it on the Calling Attention Notice—I have ruled it out. Now, Mr. Kulkarni.

SHRI A. G. KULKARNI : Madam, I beg to call the attention of the Minister of Home Affairs to the reported statement by Shri E. M. S. Namboodiripad, Chief Minister, Kerala, and Shri A. K. Gopalan, M. P., endorsing the views expressed by Shri B. T. Ranadive of the Communist Party (Marxist) about the policy of their Party to undermine the Constitution from within through State Governments which they control.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): Madam, Deputy Chairman, Government have some press reports regarding a joint statement issued in Trivandrum on 7th July, 1969 by Shri E. M. S. Namboodiripad and Shri A. K. Gopalan. They are reported to have stated *inter alia* that their objective is to capture power by making the fullest use of the constitutional machinery so that they can break the Constitution from within. As the statement raises serious issues, the Home Minister has requested Shri Namboodiripad to come over to Delhi so that the matter can be discussed with him. There is no doubt that the reported statement of Shri Namboodiripad is against the basic principles of the Constitution of India and that it puts forward a theory which is the very negation of democracy.

SHRI A. G. KULKARNI: I request you, Madam, very humbly as this is a very serious matter, you will have to give us a little more time because we must quote from the papers and from the Constitution.

THE DEPUTY CHAIRMAN: Please ask only clarifications. Be very brief.

SHRI A. G. KULKARNI: Madam, I know in this country there are at present so many dangers from outside. Similarly, democracy is so much insecure because of the rise of various communist organisations owing allegiance to foreign powers and being fed by foreign money. I draw your attention to the rise of the Naxalites and the Left Communists here. I treat the Left Communists more dangerous because these are the people who, appearing to be committed to parliamentary democracy, indulge in subversive activities and exploitation of the society. The danger is that following the formation of the Maoist Party the Left Communists might be regarded as 'moderates'. Madam, I assert and I want to bring it to the notice of the Government.....

SHRI NIREN GHOSH : Madam, where from is he reading?

SHRI A. G. KULKARNI: I am reading from the Communist Marxist preachings.

SHRI A. P. CHATTERJEE (West Bengal): Madam, on a point of order, Mr. Kulkarni has just now admitted before this House that he is reading from certain alleged Communist Marxist preachings. Therefore I suggest that those preachings, should be laid on the Table of the House. He cannot concoct certain things as Communist preachings and read from them. I want your ruling on this point.

THE DEPUTY CHAIRMAN: Mr. Kulkarni, since you are reading it, you must give us the source and the paper from where you have got it.

SHRI A. G. KULKARNI: I am referring to the deliberations of the Communist Marxist meeting. (Interruptions) I am reading from my points.

SHRI NIREN GHOSH: Which meeting, which record? Put it before the House.

SHRI BHUPESH GUPTA (West Bengal): Madam, he has referred to certain things. We are not so intelligent and knowledgeable. I should like to know the place of the meeting and the date of the meeting.

SHRI A. G. KULKARNI: That I will find out. (Interruptions). I am reading from my points.

SHRI NIREN GHOSH: How can one read from one's points.

(Interruptions)

SHRI A. G. KULKARNI: It says:

"They are not less extremist than the Naxalites. They are only more flexible and opportunistic".

If you really want to understand them' they have found out that this country is at present not in a mood to take to revolution. That is why they have adopted the theory of undermining the Constitution by forming Governments and fomenting the masses.

(Interruptions)

SHRI A. P. CHATTERJEE: Mr. Kulkarni has discovered the Constitution.

(Interruptions)

SHRI A. D. MANI: On a point of order Madam. We share the feelings of Mr. Kulkarni on the subject but a Calling Attention Motion is meant to elicit points by way of clarification. A question should be addressed to the Minister we need not express our views; we can have a full-dress debate later on, if we like it. Therefore I would request the hon. questioner to put his questions to the Minister of State so that he may get clarifications.

(Interruptions)

SHRI A. G. KULKARNI: Madam, under the Constitution, III Schedule, a Minister is supposed to take the oath of secrecy, etc. He says:

"I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India".

Is it not a fact that these two gentlemen Mr. Nambudiripad and Mr. Gopalan have taken that oath. Now what they say is:

"Our objective is to capture power by making the fullest use of the constitutional machinery so that we can break the Constitution from within, we do not care if the other parties in the United Front-do not subscribe to this policy."

Then, Madam, what has Mr. Ranadive stated in London? Explaining the United Front tactics. Mr. Ranadive said it was designed to forge links with the masses who follow certain anti-Congress parties which, though non-revolutionary and even reactionary were still prepared to destroy the monopoly of power the Congress had enjoyed. He further said that some of the United Front partners like the PSP were

opportunists who hankered after ministerships. May I know therefore whether the Government is going to take immediate action against them by banning that Party altogether in this country because they have no faith in our democracy?

SHRI BHUPISH GUPTA: Madam, our Constitution does not provide for banning the Communist Party. Therefore he himself is violating the Constitution. >

(*Interruptions*)

SHRI K. P. SIBRAMANIA MENON (Kerala) : Madam, on a point of order. A long statement issued by two responsible leaders of our Party—I suppose a "number of people in this country also—is being subjected to all sorts of distortions. Mr. Kulkarni wants us to believe that they have done this thing and that thing and they are undermining the Constitution. (*Interruptions*) There is no question of denying it. But have you seen the statement? Now here he has got certain garbled extracts from that statement and we are asked to comment on those garbled extracts which he has produced. I think this is very unfair. I suggest that this Calling Attention Motion should not be taken up unless a copy of the statement is produced.

SHRI KALYAN ROY (West Bengal) : I want to know whether the Minister has received any communication from the Chief Minister that he has issued a statement. How can he make a statement on the basis of certain assumption? >

THE DEPUTY CHAIRMAN: He has to answer first.

SHRI ANANT PRASAD SHARMA (Bihar) : Has the Minister received any communication from them denying the statement? I am sure he has not.

SHRI NIREN GHOSH: The so-called progressive has come out in his true colours.

SHRI VIDYA CHARAN SHUKLA : As I said in my statement, this matter raises very serious issues and the first issue that Shri Kulkarni raised is also one of the matters which must be considered in its fullness and that is also the reason why the Home Minister has written to Mr. Namboodiripad requesting him to come over to Delhi where all these matters will be considered. We shall

find out what exactly he has said and whether he denies what has appeared in the press. So far we have not seen any denial by him as far as the press reports are concerned. So after the Home Minister has talks with the Kerala Chief Minister, only then we shall be able to determine what action we should or should not take in this matter.

As far as Mr. Ranadive's statement in London is concerned, this statement by Shri Gopalan and Mr. Namboodiripad was issued subsequent to the London statement justifying the statement of Mr. Ranadive which was on the same lines.

SHRI DAHYABHAI V. PATEL (Gujarat) : I would like to know whether the Home Minister of the country and the Government of India have any doubts about the policy of the Communist Party when they have seen it spelt out, written and in action all over the world. Their action in Czechoslovakia is a very recent example. Have the Government yet doubts that they need to call Mr. Gopalan and Mr. Namboodiripad to Delhi and talk to them when they have said very clearly that their objective is to subvert the Government by some means or other and seize power?

SHRI VIDYA CHARAN SHUKLA: We know the policy of the CP(M) quite clearly, there is no doubt in our mind as far as their policy is concerned but the people who have made the statement occupy responsible and important positions in the administration of the country and therefore .

SHRI A. P. CHATTERJEE : Will he tell the policy of the CP(M) ? Then only he can answer this question.

(*Interruptions*)

SHRI VIDYA CHARAN SHUKLA: Do you want me to be dictated to by them?

SHRI Z. A. AHMAD (Uttar Pradesh): I want to ask a question.

(*Interruptions*)

SHRI DAHYABHAI V. PATEL: They do not believe in order. They are only waiting for an opportunity. It is proved here. I am surprised that my friends opposite do not realise it.

(*Interruptions*)

Yesterday he wanted to abolish the courts.

SHRI Z. A. AHMAD : You should make it specific. What is your evaluation? Do not say in general terms; 'We know about their intentions'.

SHRI BHUPESH GUPTA: Are you going to allow this anti-communist hysteria ?

SHRI VIDYA CHARAN SHUKLA: If you permit me and the other Members of the House to discuss the *pros* and *cons* of the CP(M) policy, that can be done but you will have to allot a separate time for that. That can be done every usefully but here I am called upon only to answer the queries raised by Members. Shri Patel asked whether we realise their policies and programmes and I dare say that we do know their programmes and policies and what they are and therefore what I say is, these people who have made the statement are responsible people occupying high positions in the administration of the country. One of them is the Leader of the Party in the Lower House of Parliament and therefore before we take any action or formulate any views about this matter, we do want to have a talk with them. After that we shall do whatever is necessary.

SHRI GODEY MURAHARI (Uttar-Pradesh): On a point of order. The Minister has just said that he is waiting for Mr. Namboodiripad and Mr. Gopalan to ascertain whether they have made the statement and then he would take action. I wonder why this Calling Attention Motion was at all admitted in the House because I know I have given notice of half a dozen other motions which have all been summarily rejected and they were of great national importance to the country. Why those Calling Attention Motions were rejected and why this was admitted in such hurry because if the Government is not sure about the statement made by Mr. Namboodiripad, there is no point in discussing it here and tarnish their image. The Constitution has been changed several times by the ruling party. They have murdered the Constitution and if we have anything to do with it, we shall also change it. The S.S.P will also change the Constitution, I make the declaration. I want to tell the House that when I took my oath first in this House, I took the oath with reservations because I told on that occasion when Dr. Radha-krishnan was presiding, that this Constitution was never put to the people. It was adopted indirectly by the Constituent Assembly and never was there a referendum and I asked the Chairman at that time that it should be put to the people. Therefore be-

fore ascertaining what Mr. Namboodiripad \ said regarding this Constitution, we should not discuss this Calling Attention Motion.

SHRI M. M. DHARIA (Maharashtra): I want to speak *on* the point *of* order raised by Shri Murahari. The statement made by Mr. Namboodiripad and Mr. Gopalan.

THE DEPUTY CHAIRMAN: I am not going to allow it. You should know the Rules, Mr. Dharia.

SHRI M. M. DHARIA: I know the Rules about the point of order. I want to express my views on that. We are all aware that the statement made by Mr. Namboodiripad and Mr. Gopalan were widely publicised in this country and similarly the statement of Mr. Ranadive. So far these leaders have not denied the statements. We all understand that we are sovereign body having the power to amend the Constitution but if anybody is thinking in terms of wrecking the Constitution, that cannot be allowed. *(Interruption)* Such parties should be broken.

THE DEPUTY CHAIRMAN: Please sit down. *(Interruptions)* If both sides of the House are not in a mood to carry on with this Calling Attention Motion, I am calling it off

SHRI A. P. CHATTERJEE: You call it off.

(Interruptions)

THE DEPUTY CHAIRMAN : If you want to carry on, let us carry on peacefully.

SHRI M. M. DHARIA: Tell Mr. Ghosh.

(Several hon. Members stood up)

THE DEPUTY CHAIRMAN: I am on my feet and I expect every Member to take his seat. There must be some decorum. This is not the manner in which to conduct ourselves. There are sharply divided opinions on political ideologies, but we function as a democracy. And as long as we sit in this House and function in a democracy we must have the patience and the tolerance to hear each other's point of view. Therefore I would request this side to please listen to whatever views are thrown from this other side, and I request the Members of the Opposition who are so agitated to be patient. This is only a Calling-Attention Notice. Be patient. -Why do you all jump up? Mr. Dahyabhai Patel.

SHRI NIREN GHOSH: On a point of order.

THE DEPUTY CHAIRMAN: What is the point of order?

SHRI A. P. JAIN (Uttar Pradesh): Just a minute, Madam. There is a conflict as to what is the statement by Mr. Namboodiripad. Now the statement by Mr. Namboodiripad has been published in the official organ of the CP (M), and that has been widely read. There is no doubt about it. In fact, Mr. Namboodiripad has not only not denied it but he has accepted it also.

THE DEPUTY CHAIRMAN: Are you answering the questions?

SHRI A. P. JAIN: No.

THE DEPUTY CHAIRMAN: Yours is no point of order. Let me call Mr. Dahyabhai Patel now: he has been standing.

SHRI NIREN GHOSH: On a point of order.

SHRI A. P. JAIN: But, Madam, let me finish. You have still many people to speak on what is the statement made by Mr. Namboodiripad. I am also speaking on that. Let me finish it. I shall not be taking much time either.

THE DEPUTY CHAIRMAN: Mr. Dahyabhai Patel. Mr. Jain, you have no point of order.

SHRI NIREN GHOSH: On a point of order. Kindly listen to me, Mr. Dahyabhai Patel. Is the Minister in order. . . .

THE DEPUTY CHAIRMAN: What is this? I have called Mr. Dahyabhai Patel. If all of you want to speak at the same time, how am I to carry on? That is why I said that I would not continue with this Calling Attention Notice any further.

SHRI DAHYABHAI V. PATEL: They want to put a curtain on their doings by all this noise and by their getting up again and again, and they are doing this deliberately.

SHRI NIREN GHOSH: I am on a point of order.

SHRI DAHYABHAI V. PATEL: There is no point of order.

SHRI A. P. JAIN: Yes, he himself accepts the statement and there can be no question of disputing it. It has been published in his own paper.

THE DEPUTY CHAIRMAN: All that is published in the papers is not taken note of as true then and there.

SHRI GODEY MURAHARI: Let the Minister read out the exact statement; then the whole matter will be clear.

SHRI VIDYA CHARAN SHUKLA: I have already said that this is the reported statement of the CPI(M) leaders and therefore we have requested the person, who has issued this statement, for a talk with us. I have already said that they are reported to have stated such and such things, and I have also said that whatever version of their statement was published in the newspapers of the country has not so far been denied by them and therefore we have no reason to believe that what has been published is wrong, and therefore we have made this statement before the House.

SHRI NIREN GHOSH: On a point of order. Is the hon. Minister in order first when he says and he says it by way of clarification "We know what are the policies of the members of the CPI(M)"? And when we ask him to clarify, he remains silent.

SHRI A. P. CHATTERJEE: He could not.

THE DEPUTY CHAIRMAN: This is no point of order.

SHRI NIREN GHOSH: Let me finish. Is the hon. Minister in order to make such a statement, to insinuate us without clarifying such a statement? Secondly,

SHRI A. P. CHATTERJEE: An irresponsible statement.

SHRI NIREN GHOSH: He does not know actually. And the other hon. Member said that our organ has published it. Yes, it has published it and it has said that we want to totally change the Constitution. And he does not know that. Is he in order then? How can he be allowed to mislead the House that way? Is he in order to make such a statement? When the Minister in the Ministry of Home Affairs makes such a statement, is he in order to make such a statement?

THE DEPUTY CHAIRMAN: That will do.

SHRI DAHYABHAI V. PATEL: These are their well-known tactics. They want to hide facts and therefore they are doing all this and they are disturbing the proceedings of the House deliberately with a view to

[Shri Dahyabhai V. Patel]

draw a curtain on their doings. The situation with which they are faced now is very inconvenient for them' and therefore they are doing all this deliberately.

SHRI NIREN GHOSH : After that, Mr. Gopalan issued a press statement, and he ought to know it. He has misled the House and you have allowed him to mislead the House.

SHRI DAHYABHAI V. PATEL: This is an imbecile Government; it is not able to take action against them. They have openly challenged the authority of the Government. Yesterday one of their own Members said, "Abolish the courts, abolish the High Courts, abolish the Supreme Court". Should it not be realised to what we are heading if we go on listening to what these people say? Therefore I want to know categorically from the Home Minister if, after this categorical statement by Member of this House, who is so vocal and who is saying, "Abolish the courts", if he is going to wait further and hesitate before taking the decisive step of banning the Communist Party in India, as that is the only remedy?

SHRI VIDYA CHAR AN SHUKLA: I have already said that many of these pleadings by CPI(M) which go against the provisions of the Constitution of the country are not only reprehensible as far as the Constitution is concerned but they are also a danger to our democracy. And the second part of the answer that I want to give to hon. Member, Shri Dahyabhai Patel, is that, under the law as it exists today, we have no powers to ban any party except for unlawful activities, which are defined as secessionist activities. Action can be taken against anybody who asks for secession. Apart from that, we have had this point examined very carefully and we have been advised by our legal advisers that the Government have no powers to ban any party except for this kind of secessionist activities. And therefore we are not able to do anything about this matter.

THE DEPUTY CHAIRMAN : Mr. Lokanath Misra.

SHRI LOKANATH MISRA (Orissa): May I know from the hon. Home Minister whether he knows what the intention of the Communist Party in certain areas is, whether they call themselves Naxalites, Right communists or Left communists? Whether it is Mr. Bhupesh Gupta or Mr. A. P. Chatterjee, to whatever brand or Shade of communism they belong, they are all

one and the same. Does the Government know that their tactics, when they are neither in the Legislatures nor in the Governments, is to sow seeds of discord and disruption, bring about chaos and riots among the people and strike a sense of terror in the people? And that is what the Naxalites are doing.

SHRI BHUPESH GUPTA: Earthquake?

SHRI LOKANATH MISRA: If they are physically capable of bringing it about they will bring about that also. Now that is number one. Number two; some of them have come to the Legislatures and they have come to the Legislatures after swearing allegiance to the Constitution. Now does the Government think it desirable to tolerate them and allow them in the Legislatures when they want to wreck the Constitution and the democratic institutions from inside? Number three; does the Government know what these Naxalites, the Left communists and the Right communists, in the name of United Front and in the names of so many other fronts intend to do after occupying the seats of Government? What they intend to do is to inspire *gheraos*, riots and all other such acts surreptitiously and ask the police to stand out and then thus wreck the constitution and the democratic institutions. When their intentions are so, if the hon. Minister is satisfied that these are the intentions of the Communist Parties, whether they are outside the Legislatures or inside the Legislatures or in the seats of Governments, under the present law of the land, what action is possible? Let us know it categorically.

SHRI DAHYABHAI V. PATEL: The issuance of an Ordinance. You can and do issue Ordinances in other cases. And you cannot issue an Ordinance to save the country! Shame. Shame. You can issue an Ordinance for bank nationalisation and you cannot issue an ordinance to protect the Constitution and save the country?

SHRI LOKANATH MISRA: No, under the law of the land what action can be possible against these disruptive, antisocial and unpatriotic elements?

SHRI NIREN GHOSH: Swatantra Party?

SHRI LOKANATH MISRA: You will have your say. Let me put my question-

THE DEPUTY CHAIRMAN: You finish now.

SHRI LOKANATH MISRA: Madam, there is so much of interruption that one gets off the track really.

No. 2, if they cannot . . .

SHRI NIREN GHOSH: It should be No. 3.

SHRI A. P. CHATTERJEE: Madam, he has already mentioned two points. It should be No. 3. He is wrong in his arithmetic.

SHRI LOKANATH MISRA : These are new numbers; these relate to the remedies which I am asking for. No. 1 is, what action they can take against these Naxalites, G. P. S. A. and C. P. I. under the law of the land. Secondly, if necessary to ban the Communist Party, would the Government think of appealing to other non-Congress but democratic parties, to support them in an amendment of the Constitution ?

SHRI VIDYA CHARAN SHUKLA : Madam, the first point raised by the hon. Member is regarding the differences between the various Communist Parties in our country, that is, the C. P. I., the C. P. M. and the Naxalites. As far as this particular matter is concerned, there is some difference because when Mr. B. T. Ranaivedy issued this statement in London it was roundly criticised by the C. P. I. Ministers of Kerala, that is, Mr. T. V. Thomas and Mr. Govin Ian Nair, as a wrong approach to the matter, (*Interruptions*) And when the Ministers belonging to Mr. Bhupesh Gupta's Party criticised the statement of Mr. Ranaivedy, these two leaders of the G. P. M. condemned the Ministers belonging to Mr. Bhupesh Gupta's Party saying that they are revisionists and they are collaborating with the *bourgeoise*. They call them the same names as they call all other parties of the country and Mr. Bhupesh Gupta's Party has been bracketed with other *bourgeoise* parties of the country. As far as this particular matter is concerned this is the difference and I am . . .

SHRI BHUPESH GUPTA : This sort of trying to divide won't work.

SHRI VIDYA CHARAN SHUKLA : I am only pointing out the factual things and if what I am saying is wrong Mr. Bhupesh Gupta can stand up and say that what I am saying is not correct, but this is the position as far as I know. Therefore the C. P. M. has its own line of thinking which obviously is not shared by the C. P. I. as far as this particular matter is concerned. Now, Mr. Lokanath

Misra was asking me whether all other parties will combine together to give powers to the Government to ban parties which are advocating this line. This particular matter was considered many sessions back in Lok Sabha. Some Members of the Opposition were also invited by the Home Minister to talk about this matter but we found understandable reluctance in their minds to give this kind of power to the Government. Therefore we dropped this matter. But as I said earlier when we talk to these people and find out how serious they are and what is in their minds, then we will have to consider what further action we have to take in this matter. It is not as if it is a closed chapter; we will see what is to be done in this matter. First of all we want to get an assessment of the intentions and it will be our duty, as long as we sit here, to safeguard the constitutional provisions and see that the democratic institutions function in this country.

THE DEPUTY CHAIRMAN : Mr. Mani.

(*Interruptions*)

SHRI MONORANJAN ROY (West Bengal) : Madam, May I ask . . .

THE DEPUTY CHAIRMAN : Please sit down. I have called Mr. Mani.

Mr. Mani's name is here. Let me finish these names here.

SHRI NIREN GHOSH : Madam . . .

SHRI A. D. MANI (Madhya Pradesh) : I am on my feet; please.

SHRI BHUPESH GUPTA : I hope you are not off your head.

SHRI A. D. MANI : I am very much on the head. May I ask . . .

(*Interruptions*)

SHRI BHUPESH GUPTA : Let me make it clear. He said he was on his feet. I said I hoped he was not off his head.

SHRI NIREN GHOSH : Mr. Mani ? He is always off his head. Who does not know that ?

SHRI ARJUN ARORA (Uttar Pradesh) : Madam, on a point of order.

SHRI A. D. MANI : Madam, may I ask the Minister.

SHRI ARJUN ARORA : Madam, on a point of order. I will be very brief. Very unparliamentary and very uncharitable remarks have been made against Mr. A. D. Mani and . . .

THE DEPUTY CHAIRMAN: Please take your seat. I have heard you. Let us not be frivolous.

SHRI ARJUN ARORA : For a Member of Parliament to be called a lunatic is very unparliamentary.

THE DEPUTY CHAIRMAN: Please sit down.

SHRI A. D. MANI: May I ask the Minister whether it is not a fact that under the Constitution responsibility is put on the President to ensure that the Government is carried on in accordance with the provisions of the Constitution ? This is part of the Constitution and in view of the fact that a party and a responsible Chief Minister have made the statement that they want to wreck the Constitution—changing the Constitution is different from wrecking and Constitution—from within, may I have an assurance that the Government would not hesitate to use their powers under article 256 of the Constitution and issue directions to those States where the Communist Party is in power in order to ensure that the Constitution is carried on in accordance with the wishes of the framers ? It has not been done so far in Kerala and West Bengal. I would ask the Government to exercise their powers of giving directions to these two Governments. May I ask the Minister for his reaction ?

SHRI VIDYA CHARAN SHUKLA: As far as the responsibility of the Government of India to uphold the provisions of the Constitution is concerned, we are very much aware of it and wherever there is need to issue directions or to take action to see that the constitutional provisions are upheld we shall not hesitate to take action but certain contingency must arise. Mere words do not give reason for action. Therefore we must be careful to see that these words are not translated into action and we are going to exercise that care.

श्री निरंजन वर्मा (मध्य प्रदेश) : मैं मंत्री जी से तीन बातों का स्पष्टीकरण चाहता हूँ, कृपा करके बतायें। पहली बात तो यह कि जैसा आपने अभी अपने भाषण में बताया कि इन दोनों व्यक्तियों, श्री गोपालन, और श्री नम्बूदरी-पाद, की तरफ से किसी प्रकार का डिनायल होने का समाचार नहीं मिला, तो क्या आपको उनकी पार्टी की तरफ से भी इस प्रकार का कोई लेख देखने को मिला है जिसमें उन्होंने यह बतलाया

हो कि हमने ऐसा भाषण नहीं दिया। दूसरी बात यह कि जिस प्रकार से आप अपनी फारेन पालिसी में विरोधपत्र भेजते भेजते असफल हो गये और उसके कारण देश पर हमला हुआ तो क्या इसी प्रकार आप अपनी इन्टर्नल पालिसी में भी इन बड़े बड़े अदमियों के सामने झुकते हुए क्या हिंसा का वातावरण बनने में सहयता नहीं दे रहे हैं और इस प्रकार की भाषणबाजी जो लोग कर रहे हैं उससे भारतवर्ष में हिंसा का वातावरण तैयार नहीं हो रहा है और इस प्रकार उपद्रव नहीं हो रहे हैं। तीसरी बात यह कि जैसे इन दो बड़े बड़े व्यक्तियों को बुलाने का आपने निमन्त्रण दिया है तो क्या इससे आप संविधान के अंतर्गत जो मूलभूत अधिकार हैं कि एक छोटे आदमी और एक बड़े आदमी के बीच में भेद नहीं समझा जायेगा, आप वह भेद नहीं कर रहे हैं? अगर कोई छोटा आदमी होता तो सम्भवतः उसके विरुद्ध आप कांस्टीट्यूशनल कार्यवाही करते लेकिन ये दोनों एक ऊँचे पद पर बैठे व्यक्ति हैं इसलिये उनके विरुद्ध कोई कार्यवाही करने में आप झिझक रहे हैं। क्या इन तीनों प्रश्नों के बारे में आप स्पष्टीकरण देंगे ?

श्री विद्या चरण शुक्ल : जैसा मैंने पहले कहा, इसके बारे में हमें इन दो नेताओं की तरफ से या उनके दल से कोई खंडन मिला है इसलिये जो अखबारों में छपा है उसी के आधार पर हम इस बात पर सोच विचार कर रहे हैं कि इस पर क्या कार्यवाही करनी चाहिये।

श्री जेड० ए० अहमद : उनके अफिशल अखबार में क्या छपा है।

श्री विद्या चरण शुक्ल : मैंने तो थोड़ा बताया।

श्री जेड० ए० अहमद : उसमें थोड़ा चेन्ज है।

श्री विद्या चरण शुक्ल : जहाँ तक हिंसा का वातावरण बनाने का प्रश्न है वहाँ तक मैं यह समझता हूँ कि हिंसा का वातावरण बनाने की जिम्मेदारी तो बहुत से दलों के ऊपर आती है इस तरह से, पर जहाँ तक इस वक्तव्य का सवाल है इसमें हिंसा की बात कुछ कही नहीं

गई है। उन्होंने कुछ ऐसी बातें कही हैं जिसे हमारे संविधान के प्रति हमारे मन में या जनता के मन में अनादर का भाव पैदा हो और इस तरह की भावना चूंकि हम पसन्द नहीं करते हैं इसलिये हम उसका विरोध करते हैं। पर हिसक कार्यवाही की बात इस वक्तव्य में उन लोगों ने नहीं कही है।

जहाँ तक माननीय सदस्य का तीसरा प्रश्न है उन्होंने कहा है कि इसमें छोटे और बड़े में भेद किया है जो छोटे और बड़े व्यक्ति में भेद करने की कोई बात नहीं है। एक राज्य के मुख्य मंत्री यदि कुछ वक्तव्य देते हैं, चाहे वह कितना खराब क्यों न हो जिसको हम पसन्द न करें, पर हम उनके साथ ऐसा व्यवहार नहीं कर सकते हैं जैसा कि हम एक गैर जिम्मेदार राजनैतिक नेता के प्रति कर सकते हैं क्योंकि वे एक जिम्मेदारी की स्थिति पर बैठे हैं। इसलिये उनसे पूछ कर, उनकी बातें समझ कर, फिर इस बात का निर्णय करें कि हम किस तरह की कार्यवाही करनी है। इसमें छोटे और बड़े के भेदभाव का सवाल नहीं है।

I P. M.

THE DEPUTY CHAIRMAN: I cannot allow everyor 2. It is one o'clock now.

SHRI NIREN GHOSH : Madam, this is unfair. This is absolutely unfair.

THE DEPUTY CHAIRMAN: Why do you shout so much? Two of you there. Now, Mr. Niren (Niren Ghosh) wants to say something. I cannot allow everyone.

SHRI NIREN GHOSH: You must also be good enough to see that adequate time is given to us.

THE DEPUTY CHAIRMAN : The calling attention notice is a limited thing. You must know that I cannot go on and on. We have taken a lot of time on this.

SHRI M. R. VENKATARAMAN (Tamil Nadu): I want that a hearing be given to us.

THE DEPUTY CHAIRMAN: You decide among yourselves as to who wants to speak.

SHRI M. R. VENKATARAMAN : I thought you were about to summarily rule him out. Please listen to him.

THE DEPUTY CHAIRMAN : You decide among yourselves. One or two.

SHRI M. R. VENKATARAMAN: Mr. Niren Ghosh will speak.

SHRI NIREN GHOSH: First of all, I would like to say that our hon. Minister is guilty of deliberate distortion. I accuse him of misleading the House.

THE DEPUTY CHAIRMAN: You are not to accuse him, but ask him for clarification.

SHRI NIREN GHOSH: I will do that. I will claim my right. (Interruptions) You have listened to Mr. Kulkarni for half an hour. You are in the Chair, Madam. This is our only chance.

SHRI A. P. CHATTERJEE: Mr. Dharia made a speech on a point of order. You allowed him.

SHRI NIREN GHOSH: Madam, I charge openly and with full responsibility that the hon. Minister has deliberately tried to distort and mislead the House. This is my first charge. I will prove it and put the question. I smell a sort of conspiracy in this. Let me also tell you that. I do not take him seriously, but when Mr. Vidya Charan Shukla said something on behalf of the Government, that has got to be taken seriously. I would like to say that the Swatantra, Jan Sangh and the Y. B. Chavan lobby have come together on this question. It is a dangerous and deliberate misleading of the House and distortions have been made.

(Interruptions)

SHRI M. M. DHARIA: My friend is wrong. It is a patriotic lobby . . .

SHRI NIREN GHOSH: Let the country take note of it.

SHRI M. M. DHARIA: It is a case of anti-communists coming together. It is not the Chavan lobby.

(Interruptions)

SHRI ANANT PRASAD SHARMA: I propose that there should be a two-hour discussion on this.

THE DEPUTY CHAIRMAN : Please put it in writing.

SHRI NIREN GHOSH: I have said what I have said fully and clearly before the entire country to see with their open eyes as to how the combination has taken place, how on this question Mr. Chavan, who talks of being a progressive, has aligned himself with the fascists and reactionaries. That is what we have seen in this case. Let that be clear. *{Interruptions}* Now, Madam, I want to draw your attention to this fact and I will seek clarification. After the so-called press statement—this is the Malayalam version here

SHRI LOKANATH MISRA: He is in the dock. It is his case.

SHRI NIREN GHOSH: They have not got any translation. I would like to ask the Minister whether they have got the full text of the translation, a responsible translation. Nothing of the kind. First of all, that reveals the guilty mind of the Government.

SHRI A. D. MANI: The Malayali Members are there.

SHRI NIREN GHOSH: You sit down, Mr. Mani. I will not yield to you. You are the last person to whom I will yield. I do not take you to be anything. Let it be clear. After that, in Delhi comrade A. K. Gopalan issued this press statement. It was published, some extracts were published in the press also. I charge again that Shri Vidya Charan Shukla, knowing this, deliberately kept silent on this, despite our repeated questions...

THE DEPUTY CHAIRMAN: Have you finished ?

SHRI NIREN GHOSH:.. and distorted it. I have not finished. Thirdly, our party organ has given the text of it.

SHRI AKBAR ALI KHAN (Andhra Pradesh): You do not want to discuss it.

SHRI NIREN GHOSH: Mr. Akbar Ali Khan, when Mr. Kulkarni was shouting at the top of his voice for fifteen minutes, you did not rise up. You kept silent.

{Interruptions}

SHRI ANANT PRASAD SHARMA : Please listen. I have proposed that there should be a discussion for 2 £ hours on this.

SHRI NIREN GHOSH : Let me tell you that we are not afraid of a discussion, on the calling attention notice, but the main point is this. We believe that the struggle for totally changing this Constitution is an inseparable part of the struggle for real democracy.

THE DEPUTY CHAIRMAN: That is all right.

SHRI NIREN GHOSH: Now, I would like to know...

THE DEPUTY CHAIRMAN: I will not give you more than one minute. You cannot go on like this.

SHRI NIREN GHOSH: I would like to know and I would like to ask this clarification from the Government. Did the Congress Party in 1937, after coming into power in the seven Provinces, issue an open manifesto, to which we were also a party because we belonged to the Congress saying that they would form the Ministry in order to change—they used the word 'wreck'— the Government of India Act of 1935?

SHRI A. D. MANI: Who told you that?

SHRI NIREN GHOSH: Let them say, let Mr. Vidya Charan Shukla say it.

SHRI M. M. DHARIA: My friend cannot understand the difference between the two. It was a fight against the British empire. Now, it is our own Government.

THE DEPUTY CHAIRMAN: Please wind up. You have taken already five minutes.

SHRI NIREN GHOSH: This is unfair. Unless I complete it, I cannot finish. I think we had used the words, our leaders had used the words, 'totally change it'. Is the Minister aware of it ? *{Interruptions}* Is the Minister aware that this Constitution is not based on universal adult franchise, that this Constitution has been conceived in order to protect the interests of the landlords and if socialists and communists raise the question that we are entitled to fight for the change of the Constitution, how can he say that it is a violation of the Constitution? Lastly, let him answer whether there is a conspiracy on the part of the reactionary section in the country, openly and extremely reactionary section in the country, with whom willy-nilly Mr. Chavan has aligned himself and some of the reactionary parties...

THE DEPUTY CHAIRMAN: That will do.

SHRI NIREN GHOSH : ... in order to hatch a conspiracy. In the manner in which the calling attention notice was brought before this House and the manner in which Shri Vilya Charan Shukla distorted and deliberately misled the House, there is a conspiracy and a gang-up of the extreme reaction in order to murder and overthrow democracy. May I know whether that also is a fact?

SHRI VIDYA CHARAN SHUKLA : Madam, I am glad that the basic differences in the minds of hon. Members belonging to C. P. M. even exist in this House. They are unable to understand the difference between liberty and slavery and whatever was done in the days of slavery they are trying to compare with what is being done in the days of liberty. So, it does not merit any reply. It is a question of understanding their mind and I think we have a good glimpse of their mind in this respect.

THE DEPUTY CHAIRMAN: Now, papers to be laid on the Table.

श्री राजनारायण (उत्तर प्रदेश) : मैडम, मैं आपसे यह जानना चाहता हूँ कि आपने क्या तरीका अख्तियार कर रखा है। मैंने आप के चैम्बर में जा कर के अपना नाम लिखाया है, आपने अपनी कलम से मेरा नाम लिखा है और यहां पर आप मुझे कुछ कहने नहीं देती हैं। वैसे कोई भी यहां पर खड़े हो कर के और प्वाइंट आफ ऑर्डर कह कर के जो चाहता है वह कह लेता है. . . (Interruptions)

आप ही बताइए कि आप की सेवा में कोई उपस्थित हो, उस से आप समय दें और फिर यहां पर आ कर भूल जायें, यह क्या तरीका है . . .

THE DEPUTY CHAIRMAN: Please sit down. No more. We had taken a long time over it. Next item.

PAPERS LAID ON THE TABLE

RESOLUTION CONSTITUTING THE CENTRAL COUNCIL FOR RESEARCH IN INDIAN MEDICINE AND HOMOEOPATHY

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI P. C.

SETHI): Madam, on behalf of Shri K.K. Shah, I beg to lay on the Table a copy of of Resolution No. F. I.-3/68-AE, dated the 22nd May, 1969, constituting the Central Council for Research in Indian Medicine and Homoeopathy (in English and Hindi). [Placed in library. See No. LT-1234/69.]

ANNUAL REPORT (1967-68) OF THE POST-GRADUATE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH, CHANDIGARH

SHRI K. K. SHAH: Madam, I also beg to lay on the Table a copy of the Annual Report of the Post-graduate Institute of Medical Education and Research, Chandigarh, for the year 1967-68, under section-19 of the Post-Graduate Institute of Medical Education and Research, Chandigarh Act, 1966. [Placed in Library. See No. LT-1327/69.]

NOTIFICATIONS UNDER THE ESSENTIAL COMMODITIES ACT, 1955

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS (SHRI D. R. CHAVAN) : Madam, I beg to lay on the Table:

(i) A copy of the Ministry of Petroleum and Chemicals and Mines and Metals (Departments of Petroleum and Chemicals) Notification S. O. No. 2185, dated the 13th May, 1969 (in English), under sub-section (1) of section 12A of the Essential Commodities Act, 1955.

(ii) A copy of the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) Notification G. S. R. No. 1554, dated the 1st July, 1969 (in English), publishing the Kerosene (Fixation of Ceiling Prices) Third Amendment Order, 1969, under sub-section (6) of section 3 of the Essential Commodities Act, 1955.

[Placed in Library. See No. LT-1240/69 for (i) and (ii).]

NOTIFICATION UNDER THE COAL MINES (CONSERVATION AND SAFETY) ACT, 1952

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS (SHRI JAGANNATH RAO): Madam, I beg to lay on the Table a copy of the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Mines and Metals) Notification G. S. R. No. 938, dated the 2nd April, 1969 (in-English), publishing the Coal Mines