

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): No. 1 have called Mr. T. N. Singh.

SHRI B. D. KHOBARAGADE: But this is a very important question. An affidavit has been filed by the Government in the court . . .

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): I have given my decision.

SHRI B. D. KHOBARAGADE: I am only making a submission . . .

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): No, no.

SHRI B. D. KHOBARAGADE: Just listen.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): You are a very tired man. Please sit down.

SHRI B. D. KHOBARAGADE: Just listen only for one minute. After that you may see whether I have said anything bad or wrong. At least listen for one moment.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): What is it?

SHRI B. D. KHOBARAGADE: That document has to be laid on the Table of the House.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): I do not want to hear about it.

SHRI B. D. KHOBARAGADE: My only submission is that that document should also be laid on the Table of the House. We are sitting only for two or three days more. I want that particular document to be considered in this House before the end of this session. That is my submission.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Mr. T. N. Singh.

श्री निरंजन वर्मा (मध्य प्रदेश) : श्रीमन्, यह तो स्वीकार ही कर लेना चाहिये जो कुछ कि हमारे मित्र ने कहा है। यह बात बिल्कुल सही है कि उस डाकूमेंट को देखने की हर एक की इच्छा है। वह हमारे राष्ट्र-हित के विरुद्ध है और उसका सदन के सामने लाया जाना अत्यन्त आवश्यक है और उस पर विचार करने की नितान्त आवश्यकता है।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Mr. T. N. Singh.

I. MOTION SUGGESTING REVOCATION OF THE PROCLAMATION ISSUED BY THE PRESIDENT ON APRIL 15, 1968, IN RELATION TO UTTAR PRADESH

II. RESOLUTION RE. PRESIDENTIAL PROCLAMATION OF 15TH APRIL, 1968 VARYING THE PROCLAMATION ISSUED ON 25TH FEBRUARY, 1968, IN RELATION TO THE STATE OF UTTAR PRADESH—Contd.

SHRI T. N. SINGH (Uttar Pradesh): Mr. Vice-Chairman, we have before us the U.P. Appropriation (No. 2) Bill for consideration.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): We are dealing with the Motion and Resolution. The Appropriation Bill will come later on.

श्री जे० पी० यादव : अभी तो प्रोवेशन चल रहा है और उन्होंने तो एप्रोप्रिएशन बिल पर बोलना शुरू कर दिया। उनको समझने का मौका दिया जाय और तब तक हम लोगों को बोलने का मौका दिया जाय। पुराने आदमी हैं, श्रीमन्, थक जाते हैं, उनको थोड़ा आराम दिया जाय।

SHRI T. N. SINGH: I thought we were to consider them all together.

HON. MEMBERS: No, no.

SHRI CHITTA BASU (West Bengal): We are not considering the Appropriation Bill now.

(Interruptions)

SHRI T. N. SINGH: Mr. Vice-Chairman, I am one of those who feel that in our present day situation democracy is on trial. One after another, in three or four States, the Legislature has had to be dissolved and Governor's rule imposed. None can be happy about it. I feel that at this time, irrespective of party affiliations, all of us should apply our mind and find out why this is happening and what we can do to remedy this state of affairs. I am sure both sides of the House are at one with me when I say that as far as possible democracy should be allowed to function. I therefore particularly regret, it is not functioning today in the State of Uttar Pradesh to which I have the honour to belong. I have always taken pride in the fact that Uttar Pradesh is one of those States in this country from where revolutions have generally begun. I can claim that we have been in the forefront in many a national movement. The 1857 revolution began in Meerut. We were not behind any State when Gandhiji started his 1920 Satyagraha movement. All those days come back to my mind. I am very sorry and I feel so grieved that our freedom, which we won after well-nigh half a century of struggle and sacrifices, is in peril. The seeds of freedom which we had sowed are not being allowed to bear fruit. This is a time for heart searching and not criticism.

I am rather pained that in this party politics business and hickerings, where everyone is prone to put the other side in the wrong, we are likely to forget the basic problems. The basic fact today is that most political parties—I do not want to name any political party—are busy maligning each other. We should be concerned with the welfare of our country as a whole, but I am compelled I would appeal to the younger gene-

to say with must regret it is not so, ration particularly, on whom the future depends and who will ultimately have to shoulder the responsibilities of this great nation, that they should rise to the occasion. What is happening in Uttar Pradesh and in some other States? Political and party affiliations have been thrown to the winds. It has become a common practice for people to leave one party, join another and the next day become Ministers. This is happening and somehow even such people, when they become Ministers, are given felicitations and "Dawat". People are jubilant about it. Parties welcome it. This is what has been happening. Unfortunately as far as I have been able to apply my mind, it has not been possible and I do not think it is permissible under the Constitution where freedom of expression or freedom of opinion is guaranteed, to lay down any rigid rules or laws which will prevent such kind of walk over from one party to another after elections. But this is a problem for which I say there is no easy solution except strong public opinion. I think, in a way, the suspension of the Constitution in Uttar Pradesh and in some other States has set people thinking today that it is not desirable that people should walk out of one party into another for the sake of position or power. Therefore I welcome this proclamation of Governor's rule. Not all the laws that you may try to make are going to prevent this walking over from one party to another and the role of the defector is not going to be prevented. I am however, sure that when Constitution is suspended, democracy ceases to function or is in abeyance for a time and the democratic processes are in abeyance for a time, then people will realise what they have lost in the process and public opinion will compel defectors not to walk into such paths. It is that which I am hoping for. Therefore, whatever view one may have, this or that particular

[Shri T. N. Singh]

opinion about a particular province, whether the action has been taken a little prematurely or it should have been done a little later is entirely another matter; if this suspension of the Constitution and imposition of Governor's rule brings home to the people the necessity of allowing democracy to function and the healthy principles of democracy to prevail, then I am sure this step will have been well taken and will have served us well. It is from this point of view that I welcome the proclamation suspending the Constitution in Uttar Pradesh.

I listened to some of the speeches made here on this subject. I wish this had not been made another occasion for flinging abuses on parties or individuals. I was sorry to note that my friend on the other side was attacking another Member personally. It is not desirable. It is not the way to make democracy function. I wish, apart from the opinion that has been created against defection, opinion would also be created in this country that this kind of irresponsible talk, this kind of attack, individual, personal attack shall cease if democracy is to function in a healthy way. I appeal to all parties . . .

SHRI DAHYABHAI V. PATEL (Gujarat): First appeal to your party.

SHRI T. N. SINGH: I am prepared to plead guilty as much as anyone. I am not talking in a spirit of fault-finding. I am talking here as one who has been in the national freedom struggle for forty to fifty years. There are some here also who will recall those days and what yearnings and dreams we had. We dreamt of the days when freedom would come. We had the vision of a free India managing its own affairs, of course sometimes with mistakes but functioning as friends, as one nation, as one people. Unfortunately—I am saying this with great distress; I wish some of my friends on the other side will reciprocate that feeling at least—it

is regrettable that after getting Swaraj we have not somehow raised the stature of our nation to the heights which we dreamt of.

SHRI DAHYABHAI V. PATEL: That is why people like me have left the Congress.

SHRI T. N. SINGH: Congress or another party, that is not the question. The question is who cares which party lives or dies if the nation also dies in the process. Are we not witnessing today the slow erosion of democratic principles in this country? We are, and each one of us is party to that, I make bold to say that. It is a wrong thing, it will be the height of folly if at this hour of great national emergency, each one of us is busy only flinging mud at the other. That is not going to save our country. What is going to save our country is a desire, a firm desire that whatever may be wrong, good principles, good behaviour, the good old rules of 'sanyam' in talk, 'sanyam' in behaviour and action, will prevail. If that does not prevail, democracy cannot function and the nation cannot be saved. It is from that point of view I have taken this opportunity to draw the attention of the House and the country to this basic need of the country.

I wish we could do something to restore democracy in Uttar Pradesh as early as possible. I realise the difficulties. I also realise the difficulties not only from the point of any other party but from my own party. I am a Congressman. I have been in the Congress Party for well-nigh fifty years now. I realise the responsibility, but it is from that sense of responsibility that I am saying that the stage has come when we should at least play the rules of the game. Let us at least be decent to each other. Let us observe certain basic principles of democracy. Then only we shall survive. I had this object in mind when I got up to speak, I have nothing else to say, and from that point of view I welcome the suspension of the Cons-

titution if it is going to—and I am sure it is going to—lead to the realisation that democracy is going to be made to function in this country and made to function vigorously.

SHRI K. P. SUBRAMANIA MENON (Kerala): Mr. Vice-Chairman, since the last general elections a number of changes have taken place in the country. A number of non-Congress as well as Congress Governments which were formed in the States have fallen. What is the nature of these changes? What are their characteristics? The one characteristic which I could discern in all these changes is the effort of the ruling Congress Party at the Centre to muzzle democracy, to emasculate representative Government and to perpetuate the rule of the Congress Party and to keep its hegemony all over the country. This effort of the Congress Party to continue its hegemony all over the country, all over the States, is leading to a serious situation in which parliamentary democracy is being made a victim. It is being emasculated. It is being murdered. As you know, in order to make these non-Congress Governments fall the Congress stoops low to any length. It resorts to all sorts of tactics, the most mean, the most vulgar and the most despicable. It pays money, it threatens, it offers seats; it does all sorts of things and the meanest of human instincts are approached in order to achieve its aim of perpetuating or rather perpetrating its power. Where such things do not work, they resort to naked force as they did in West Bengal, and in cases where even that may not be possible, they resort to the most despicable means like what is happening today in Kerala. As you know, Kerala is a part of this country. Today here you have a square meal. But 19 million people there are not having it for the last one year. And mind you, you are daily saying here that we have had a bumper harvest. But the people of Kerala for the last one year have been existing on a three ounce ration, dying every inch, and

here is a Government which murders millions of people out of sheer spite, out of vendetta, for having elected a non-Congress Government. And we are talking here about Ian Smith and something else. I was astounded at the stupidity, at the cynicism of these people, to speak about Ian Smith when here in our country, a whole people are being emasculated, almost murdered inch by inch, by a Government which is supposed to be working on humanitarian principles. Can you imagine, Sir? Can you ever think that Kerala is a part of India? And if the people of Kerala rise in revolt, who is responsible for that? Then you talk of non-violence. Nonsense. There is no non-violence here; violence is being applied upon a people, and the whole nation does not worry about it. Where is the unity of this country? Where is integration? You talk about National Integration and such other things. But nothing of the sort is happening. Here what is happening is the most shameful betrayal of all the principles of democracy, of all the principles of decent human behaviour, of all the principles of civilised governments, and we are tolerating it. As long as we tolerate such a situation, as long as we tolerate the situation in Kerala, as long as we tolerate the situation in Andhra where the Harijans are being murdered, where the tribals are being murdered by hundreds, we will not have any right to criticise other people who do such things. Let us be clear about it, let us be clear about it that we have no conscience.

We have just now heard that the United Front Governments are unstable. True, they are unstable. But who is responsible? But let me put this question: Who is stable? Let us take the statistics. Since the last General Elections 12 State Governments have fallen. And mind you, the majority of them were Congress Governments. Instability is inherent in the situation in India, whether it is the Congress Government or whether it is the non-Congress Government.

[Shri K. P. Subramania Menon]

This instability arises because of certain objective situations, certain objective conditions, in the country. It does not depend upon one party or another party. It arises out of the deep economic crisis, out of the gathering political crisis. It arises out of the rising unemployment, out of high prices, inflation, insecurity of life and all these things. And it makes people restive, it makes the parties restive, it makes every situation difficult. It is this economic crisis and along with it the political crisis that gather momentum in this country that make these Governments unstable. And no doubt—you will excuse me if I say that—not even the Government at the Centre will be stable if things continue like this. Whatever might be your power, whatever the power of the Army which you may keep, you cannot go on like this if you do not attend to the condition of the people, if you do not improve their life, if you do not bring solace to them. Instability, therefore, is not merely in respect of the non-Congress Governments, it is also in respect of the Congress Governments. And a majority of the Governments which have fallen within the last few months are of the Congress. Seven out of the 12 Governments which have fallen are of the Congress and not non-Congress Governments.

The point is, how do you face a situation like this? Today parliamentary democracy in our country is being discredited. No doubt, it will be discredited if things go on like this. But in order that representative institutions are not muzzled, in order that they function properly, it is necessary that we do not speak too much of stability. Stability is, after all, only for the vested interests. To the ordinary people, to the man in the street, to the peasant and the worker who has nothing to protect, stability is nothing; it means nothing to them. Stability is a slogan of the bourgeois, of the vested interests. And those who

speak in the name of stability, they are trying to muzzle representative governments, they are doing the greatest harm to parliamentary democracy. Suppose a Government in a State falls, why should President's rule be proclaimed there immediately? Let there be permutations and combinations and let another Government come. I say, under no circumstances in this country would we allow representative governments to be over-ruled; under no circumstances can we allow this thing to happen because it will pave the way ultimately for authoritarian regime.

Therefore, I submit that in order that we go ahead peacefully and in order that parliamentary democracy and representative institutions in this country are safeguarded, it is necessary that the interference from the Centre and the imposition of the President's rule should altogether be banned.

SHRI CHITTA BASU: Mr. Vice-Chairman, the last few months have witnessed a political phenomenon in this country.

[THE DEPUTY CHAIRMAN in the Chair.]

Madam, we have seen how the fate of the popularly elected Government in Haryana was decided a few months ago, not in terms of the Constitution of the country, but in accordance with the philosophical incursions of a particular Governor. We have also seen how a particular Governor who, we know, is a servitor of big business people not only of this country but also abroad was the cause of toppling down a Government because that Government worked in the interests of the people—I refer to West Bengal. And again, we have seen how another Government in another part of the country—I refer to UP—was temporarily suspended because there was a Government there which was not working in unison with the power that was at the Centre and is at the Centre. We have also

seen how the Legislative Assembly of Uttar Pradesh was dissolved in a partisan manner. Madam, all these things go to prove that today the Constitution of the country is being used for purposes of the political party at the Centre to further their interest, to perpetuate their rule throughout the country. This particular event of the dissolution of the Uttar Pradesh Assembly once more goes to prove that the Constitution of the country is being misused not merely to serve the interest of the Congress Party at the Centre but also to further the interest of a particular clique of that Party in a State.

Madam, when I say this thing, I would like to draw your attention to the political situation that was prevailing in Uttar Pradesh at the time. The fact is too glaring and too patent to gloss over, namely, that the Governor of Uttar Pradesh was all the time trying to see that Mr. C. B. Gupta was installed in power in Uttar Pradesh and it was for this purpose that he suspended temporarily the Uttar Pradesh Legislative Assembly contrary to the express advice tendered by the outgoing Chief Minister, Mr. Charan Singh. Again I say that the Uttar Pradesh Assembly was dissolved in a way which is not in conformity with the provisions of the Constitution.

Madam, you will know from the report of the Governor that he did not allow the S.V.D. to form the Government because he felt that the S.V.D. at the time did not enjoy a majority and by majority he meant "stable majority", clear majority and comfortable majority. Madam, please note these three adjectives. Once he says that there should be "stable majority". Again he says that there should be "clear majority" and again he says that there should be "comfortable majority". Madam, is there any mention in the Constitution of the country that the majority should be stable, clear and comfortable? As far as we can understand the Cons-

titution, the Governor has got no choice in the matter of majority. Majority is majority. All these words "stable", "comfortable" and "clear" are extraneous in character and have been brought on the scene only because, if you permit me to say, the Governor wanted to further the interest of a clique of the ruling Party. And in that matter I want to draw your attention to certain facts also.

Madam, you know that after the second general election and also after the third general election the Congress Party of Rajasthan did not emerge with a very big majority, with a very stable margin, as we may call it. Although the majority was of a marginal nature, the Congress Party of Rajasthan was allowed to form the Government and they continued their Government for the full term. Then the question of comfortable majority, stable majority and clear majority was not raised. Then the Constitution was interpreted on the basis of majority which means majority.

Again I refer to you the question of stability, and in consideration of that stability I want to bring to your kind notice that even in the case of Uttar Pradesh when Mr. C. B. Gupta formed the Government there was a huge majority, but even this hugeness of the majority did not bring about the stability of the Government. That the Government failed and could not withstand the first trial of strength on floor of the Assembly. Therefore, the question of stability cannot be and should not be related with the question of the size of majority. Even if we have got a big majority, the Government may not be stable. On the other hand, as I referred to earlier, even when the majority is of a slender nature, stability may be there in the Government. Therefore, when the question of stability is brought in, it cannot be and should not be connected with the question of the size of the majority.

[Shri Chitta Basu]

Madam, if you raise the question of stability, stability can be related with the political climate prevailing in the country at a given time. And in the matter of Uttar Pradesh, I say, the political climate at the time was such that the S. V. D. could really form the Government and could really offer a stable Government. I do not deny for a moment that there were differences of opinion or internecine conflicts between the constituents of the S. V. D. Also I do not deny for a moment that what has been done by S. V. D. Government in Uttar Pradesh is to be deprecated; and nothing can be said in protest against that. But here it is not a question of the performance of a Government. It is a question of the Constitutional provision.

Now, Madam, I think you will agree with me that the Governor has no right, he has got no competence to exercise his discretion as to whether there is a "clear" majority, a "stable" majority or a "comfortable" majority. He is to be satisfied only on the question of majority. Madam, again I am to say that the Governor of Uttar Pradesh, Mr. Gopala Reddy, acted in a partisan manner. When I say that he acted in a partisan manner, I say that with all the emphasis at my command and with a sense of responsibility. You know, Madam, there was a meeting of the Uttar Pradesh Congress Committee and the Committee decided to the effect that if the Congress Party was not allowed to form the Government, then the Congress should advise the Governor for the dissolution of the Assembly itself. Mr. Gopala Reddy, taking the cue from that Resolution sought to publicly air the view that the Uttar Pradesh Assembly would have to be dissolved. Madam, what has a Governor got to do with a party meeting? This very Governor, Mr. Gopala Reddy did not consider it advisable and desirable to dissolve the Uttar Pradesh Assembly when he was advised by the outgoing Chief Minister,

Mr. Charan Singh. He even said that Mr. Charan Singh had no business to tender the advice that the Assembly should be dissolved and mid-term election ordered. He did not agree with the advice about the dissolution of the Assembly. But since Mr. C. B. Gupta and his clique in Uttar Pradesh duly blessed by the Congress Party at the Centre, began to say that if the Congress Party in Uttar Pradesh was not allowed to form the Government there, the Assembly should be dissolved, then Mr. Gopala Reddy publicly aired the view that the Uttar Pradesh Assembly might be dissolved.

Madam, in this connection I would once more try to bring to your notice—I am given to understand—that Mr. Gopala Reddy expressed himself that the S. V. D. was required not to satisfy the Governor with regard to the majority but it is the President who is also to be satisfied regarding the majority that the S.V.D. enjoyed. Madam, how does the President come in? Nowhere in the Constitution the President is required to be satisfied in the matter of formation of a Government in a State. And who is the President of the country? He cannot act independently of the Council of Ministers. It is the Council of Ministers who would advise the President to take a particular action and here it will be this Council of Ministers which is a hundred per cent Congress Ministry. And this Congress in its Hyderabad session of the All India Congress Committee, the highest body of the Congress, decided that the non-Congress Governments should be toppled before this year was out. Therefore, my allegation is that the Governor of Uttar Pradesh acted in a partisan manner, acted in gross violation of the provisions of the Constitution, and not only in gross violation of the provisions of the Constitution but in subversion of the Constitution itself. Therefore, Madam, I think it is in the interest of democracy, it is in the interest of parliamentary democracy, it is in the interest of the norms and practices of

democracy that this kind of Proclamation should be revoked.

Here, in this connection, I want to bring to your kind notice another relevant point. Who is to determine the question of majority or minority of a Government? Madam, it has been made amply clear in the address of Mr. N. Sanjiva Reddy, hon. Speaker of the Lok Sabha, at the Conference of Presiding Officers, that the majority and minority question should be decided only on the floor of the House, not in the Governor's House, not at the Jantar Mantar Road or anywhere else. He says: "In no circumstances it should be left to the Governor to determine whether a Chief Minister continues to enjoy the support of the majority of members or not, even if the members make their opinion known to the Governor in writing. It is the prerogative of the Assembly to decide this issue." Also, Madam, the resolution passed and adopted by the Conference of Presiding Officers on the 7th April, 1968, categorically says: "The question whether a Chief Minister has lost the confidence of the Assembly shall at all times be decided in the Assembly . . ." etc. Now, Madam, in the context of this opinion, given by the hon. Speaker of the Lok Sabha, whose opinion is valued not only in the House but by democratic opinion as a whole, what business has Mr. Gopala Reddy to determine whether the S. V. D. has the majority or the Congress has the majority, in the course of correspondences, in the course of meetings with leaders or in the course of reading the columns of the newspapers? It is not the columns of the newspapers, or the correspondences or the discussions or talks or parleys held by the different political parties or groups of leaders with the Governor that determine or help the Governor to determine the question of majority and minority. Even if the Governor assumed that the S. V. D. Government was not in a majority, the Congress might have been invited to form a Government in U.P., and then the trial of strength would have

been on the floor of the Assembly itself. Had they enjoyed a majority, the Congress would have been in power. If they had not enjoyed a majority, the S. V. D. would have been in power. Therefore, Madam, I say that the Governor has acted not in accordance with the provisions of the Constitution of India. He has acted in gross violation of it. He has acted not only in gross violation of it, but he has acted in a manner subversive to the Constitution itself and therefore, his action has subverted parliamentary democracy, its norms and practices. Therefore, Madam, I support the Motion standing in the name of Mr. Bhupesh Gupta and myself and oppose the Resolution moved by Mr. Shukla.

SHRI BHUPESH GUPTA: Madam Deputy Chairman, the only argument that had been given worth any attention is by the Minister of State in the Ministry of Home Affairs. I say it is worth attention not because of what was said but because of the person who said it. The Minister in charge of this matter, the Minister of State in the Ministry of Home Affairs, said it and hence we have to take notice of it as a Government point of view. Now he accuses me of making what he called a *garam* speech—"garam speech diya", he said. Undoubtedly I spoke with a little force. But just to brush it aside as a *garam* speech would not be a proper way of handling or dealing with the contentions that I made in this House. Our main case was, and it remains, that the Governor was not at all called upon to act in the manner in which he acted, firstly in suspending the U.P. Assembly and the Ministry, and then in dissolving the Assembly. We contended that the Governor had acted purely in a partisan manner, violating the spirit and the letter of the Constitution.

Now, it has been pointed out just now by my friend, Mr. Chitta Basu, that the Governor should have decided the size or the strength of the various parties, or of the Government

[Shri Bhupesh Gupta]

side and the Opposition side, on the floor of the Assembly. He did not do so. The Governor should have, even after the suspension, called the Assembly again and the Government also, to have the issue decided on the floor of the Assembly. He did not do so. He did not do so because he was asked not to do so and those who asked him are the Congress people, the leaders here. He took exception to my formation that the Governor is an agent of the A.I.C.C. Well, I can understand honourable agents and dishonourable agents. He said *pratinidhi*. But Governors are not *pratinidhis* of the A.I.C.C. *Pratinidhis* of the A.I.C.C. or representatives of the A.I.C.C. are different. They are *dalals* of the A.I.C.C. Therefore, he said, "broker" is the word. Well, I should use the word meaning *dalal*, pure and simple. Now, as far as the Governor is concerned, I do not know what to do with him? There is no provision for impeachment of a Governor. If there had been a provision, we would have tried in this House and in the other House to impeach a few Governors in our country to-day, knowing full well that we may not have the majority needed in this House or may be in the other House also. But certainly it would have highlighted the enormities of their actions or their crime. Unfortunately, we do not have this chance. Therefore, we are a little helpless in this matter. It is for Mr. Chavan to decide when and where and how he would like the Governors to act. It is for Mr. Chavan unilaterally to tell us as to what should be done with the Governors. It is not for us to get anything done except to ventilate our grievances. Yesterday, I said that Congressmen should not be made Governors. In that connection, I also said that the retired I.C.S. officials should not also be made Governors. The outworn, decrepit, absolutely obsolete and morally repugnant I.C.S. category should go. This Congress Government is maintaining all that. It was committed to abolish this insti-

tution or species called the I.C.S. Now, as you know, the Home Minister, for example, cannot think of doing without the I.C.S. people. They suffer from intellectual inferiority. We have an inkling of experience of the Government. We made it clear to the officials that a new type of people had come. We do not suffer from the kind of inferiority complex from which the Congress Ministers suffer. They do not do their thinking; they do not apply their minds to any problems; it is all left to the I.C.S. and similar other officials to do the brain work for them, to brief them, and the sailing is good because all this suits the purpose of the monopolist class and the Congress leaders here. Therefore there is a kind of synthesis between these two elements in our administrative set-up. Now I would ask the Congress leaders what has happened to them. Have you seen any Congress leader writing anything today? Jawaharlal Nehru at least had the quality of writing something. You read the speeches of our present Congress Ministers. Even their children would not like to read it the second time because they are barren of ideas, barren of imagination and barren of any capacity to think.

THE DEPUTY CHAIRMAN: You read them.

SHRI BHUPESH GUPTA: I have to read them in order to understand my enemy.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA): We are not your enemies.

SHRI BHUPESH GUPTA: I have to read them in order to find out the malice of the Congressmen and their vulgarity. It is one of my jobs to read them; it takes a little time. What Mr. Nijalingappa says, just imagine. I am sure this household people do not read what he says. But Bhupesh has to read it.

SHRI CHITTA BASU: Have you read the thoughts of Nijalingappa?

SHRI BHUPESH GUPTA: Has Mr. Nijalingappa any thoughts at all? Anyhow, Madam, you will sympathise with us that in the morning newspapers we have to read their speeches; you sympathise with poor fellows like us. This is how they are running the country. There is a state of mess everywhere.

What has happened to that Hyderabad Resolution, the great Resolution which was passed at the Hyderabad Session? In fact, the entire Congress wisdom was mobilised at Hyderabad in January in order to produce that wonderful Resolution on non-Congress Governments. They had no other problem to think of. There are so many problems, the food problem, the unemployment problem, the prices problem, the recession problem, the dacoit menace problem, the Assam problem, the tribal problem. They do nothing about them. They were preoccupied with one thought and one thought alone as to how to get rid of the non-Congress popular Governments. Well, they passed a Resolution and I know many honest Congressmen, felt very much upset about this public exhibition of intellectual and moral bankruptcy at Hyderabad but they were helpless. Now look at this. What has happened to the Hyderabad Resolution? They thought that they would do wonderful work by toppling one non-Congress Government after another and installing in their place either puppet Governments or coalition Governments according to their taste. They have toppled no doubt but what have they gained? Nothing.

In Uttar Pradesh you find the President's Rule and mid-term election, in Bengal mid-term election and in Bihar they have lost in the bargain. The Soshit Dal of Bindeshwari Prasad Mandal and also Paswan, Binodanand Jha, Sudhanshu and many other Congressmen, eminent Congressmen, have had the good sense of coming out of the Congress and joining us in order to run the Government. We are now a part of the coalition in Bihar which is headed by one who

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belonged to the Congress before that wonderful Hyderabad Resolution was passed. Mr. Paswan, now he is with us and we are with him. Therefore life has shown that they are losing. Sometimes I do not like to be cruel to them because they are helping us. Frankly I must say—it is bad for the country, bad for our parliamentary institutions—but for the complete bankruptcy, idiocy and arrogance of some of the Congress leaders perhaps we would not have gained so much as we are gaining today. Therefore in a way they can claim our congratulations and our word of appreciation. But we cannot give it because what they are doing is out of sheer malice towards parliamentary institutions and towards the elementary norms of democratic life.

Here read the Constitution again and again. Where does it say that the Council of Ministers must enjoy a stable majority? So long as the Council of Ministers has a majority behind it, it is entitled to the Treasury Benches. Nowhere, either in law or in convention or usage in a parliamentary system, is it stated that the Government has to be dismissed or the Government should bow out of office simply because it has no stable majority. The matter should be left to the Governments itself to decide. Now Mr. Gopala Reddi's crime was that he imported something into the Constitution which is not provided for. He said that the SVD did not have a stable majority. Who is the Governor to judge it? The SVD had a majority. It is for the Assembly to judge whether it has a majority or not, whether it is stable or unstable. That is for the Assembly to determine from time to time. When the Government is defeated, it goes out. But here Mr. Gopala Reddy arrogated to himself the power of making a political judgment; he arrogated to himself the power of deciding things which the Assembly should decide. He acted in a manner in which a constitutional head in a State set-up is not bound to act. Therefore I say that Mr. Gopala Reddi acted unconsti-

[Shri Bhupesh Gupta]

tutionally, illegally, with political motives, to serve certain political ends of the Congress Party.

Who supports me now? Well, the Speaker's Conference here held the same view as we do. Speakers of all the States came. Despite their various differences, they met here under the leadership of Mr. Sanjiva Reddy. They came to the conclusion that the strength of the parties or the majority-minority issues should be decided on the floor of the House. May I know which of the two Reddys I should accept, Sanjiva Reddy or Gopala Reddi? It is for Shrimati Yashoda Reddy to tell me.

SHRIMATI YASHODA REDDY (Andhra Pradesh): At present you can use your own discretion.

SHRI BHUPESH GUPTA: For heaven's sake you would not say "Prefer Gopala Reddi". I can understand you. (Interruptions). We are not talking about Thimma Reddy. Thimma Reddy is a class by himself. Therefore, Madam, I say Mr. Gopala Reddi has been repudiated by the Speakers of the country at a formal meeting of the Speakers of the country headed by another Reddy, namely, Mr. Sanjiva Reddy. Therefore he should resign. Mr. Gopala Reddi, after the conclusions of the Speakers' Conference, if he has any sense of self-respect and honour, he should tender his resignation and bow out of office. But I do not think the Governors are made of such stuff that they would do such things. Therefore it is quite clear that we should disapprove of it but we do not have the requisite number. By the time I have started speaking, the Congress has mobilised the people here and they will vote us out. Still we shall put it to vote but here is an issue that I have raised. My suggestion is, first of all let this thing be accepted that the strength of the parties or block of parties should be tested only on the floor of the Legislative Assembly and nowhere else.

SHRI C. D. PANDE (Uttar Pradesh): This theory that the strength should be tested on the floor of the House is a very sound one and I appreciate his views on this point but what was his advice or reaction when the Speaker of the Bengal Assembly did not give the opportunity to the House to meet and decide it?

SHRI BHUPESH GUPTA: He has asked the question and I shall answer it. The Speaker held that the Governor acted in a wrong manner in dissolving the Ministry without reference to the Legislative Assembly. You asked the question and you should suffer the reply. Mr. Sanjiva Reddy has also said it. The Speakers' Conference had endorsed what Mr. Bijoy Banerjee said and if a title is to be given in the democratic system, if an award is to be given, Bijoy Banerjee would be the next recipient of Bharat Ratna given by all of us but Bharat Ratna is meant for the Ratnas of the Congress. I do not ask for any award but if you want to give, here is a man whose name shall be remembered after Vitthalbhai Patel, the great uncle of Mr. Dahyabhai Patel, who was one of the Speakers who had left mark in the annals of constitutional or political history of this country, another man who has already become a part of that history and left his mark in history, constitutional history, of this country and that is Mr. Bijoy Banerjee. Mr. Gopala Reddi and Mr. Dharma Vir shall be thrown into the dust-bin of history in no time and would not be remembered and they shall be forgotten. They shall be remembered with horror, shame and abhorrence but Mr. Bijoy Banerjee shall be remembered.

Our young friend, Shri Shukla—I believe he is a young Turk in the Council of Ministers—had nothing to say. I say that the Congress is running the young men. These are young men who should develop better ideas and should get a chance to develop their merit and other things and they have been put under the grinding

machine of Mr. Chavan and I see what has happened to an otherwise affable and intelligent man.

Before I sit down, I say that they have made out no case whatsoever. I know my difficulty.

SHRI CHITTA BASU: They have no case and we have no vote.

SHRI BHUPESH GUPTA: They have made out no case. Their only case is, the Central Government is in their hands and that they can get away. Therefore the more I think of it, the more I come to the conclusion that this Central Government in the hands of the Congress should be removed and the Congress should be removed from power at the Centre. Unless this is done, we shall be crying hoarse in defence of the Constitution. The violators of the Constitution must be ousted from power. That is why the first conclusion that I derive from the recent experience of the non-Congress operation topple, is that the country's political life should be directed to the ending of the Congress rule at the Centre. This has become a crucial issue and unlike my friends of the S.S.P., I do not think it can be done by defections. It has to be done by a powerful mass, political Movement in the country which creates and aggravates the crisis in the ruling circles, which may also give rise to defections within their party or more disintegration in their party but it is absolutely clear that as long as these people sit there with authority and power in their hands, as long as Shrimati Indira Gandhi, Mr. Chavan and Mr. Morarji Desai, with Mr. Jagjivan Ram acting as the runner-up, behave in this manner, I do not think this country has any future. Therefore in order to defend parliamentary democracy, these people must be overthrown from power. As far as Mr. Gopala Reddi is concerned, I would have demanded his impeachment. I certainly demand his indictment politically and the least he can do after the Speakers' Conference and having

been exposed in this manner is that he should resign from the Governorship and retire to Andhra Pradesh, and not meddle in politics any more.

श्री विद्याचरण शुक्ल: उपसभापति महोदया, इस प्रस्ताव के ऊपर और भूपेश गुप्त के प्रस्ताव के ऊपर जो बहस हुई उसमें दोनों तरफ से काफी तर्क दिये गये, कि जो कार्यवाही राज्यपाल ने की वह उचित थी या अनुचित थी और जब यह प्रस्ताव यहां सदन के सामने पेश किया गया तब उसके सम्बन्ध में भी मैंने कहा और यह बताया था कि किस तरह विशेष परिस्थितियों में और जैसी वहां की तत्कालीन राजनैतिक परिस्थिति थी उससे मजबूर हो कर उन्हें इस तरह का एक काम करना पड़ा जो उनके खुद के मन में भाता नहीं था और जो वह खुद नहीं चाहते थे, पर अपनी जिम्मेदारियों से मजबूर होकर उन्होंने इस तरह का कार्य किया। और कार्य क्या था? उन्होंने तो केवल अपनी एक विवेक बुद्धि से काम लिया, वहां की स्थिति को सोचा समझा, नापा, तोला, और अपनी बुद्धि के अनुसार उन्होंने एक सिफारिश राष्ट्रपति महोदय को की। वह जो सिफारिश की वह कोई निर्णय नहीं था। निर्णय जो लिया केन्द्रीय सरकार ने लिया और उस निर्णय के अनुसार राष्ट्रपति जी की घोषणा उत्तर प्रदेश के लिये लागू की गई है। अब जब इस तरह की कोई बात होती है तो हम लोगों को यह आदत पड़ गई है कि गवर्नरों के खिलाफ मुहिम जैसी शुरू कर दी है या उनके खिलाफ आरोप लगाये गये हैं वह फिर लगाये जाये। जो आरोप श्री गोपाल रेड्डी के ऊपर लगा रहे हैं वही आरोप श्री काननगो के ऊपर लगे हैं, वही आरोप श्री धर्मवीर के ऊपर लगे हैं, जहां जहां गैर कांग्रेसी दलों की सरकारें गिरती हैं उन की खुद की करनी से, उनके विरोधाभास से, तो उसका जितना दोष है वह गवर्नर के सिर पर और कांग्रेस के ऊपर थोपा जाता है और वह समझते हैं कि इस तरह से असलियत पर पर्दा डाला जा सकता है पर असलियत पर

[श्री विद्याचरण शुक्ल]

पर्दा डालना थोड़े समय के लिये सम्भव हो सकता है लेकिन हमेशा के लिये उसमें पर्दा डालना असम्भव बात है। इस लिये भूषण सुप्त जी से मैं निवेदन करूंगा कि अपनी साम खराब न किया करे अपनी बात कह कर। इस हाउस के सामने उनके पिछले पाच-छः बार जो भाषण इस बारे में हुए हैं, करीब-करीब जो भाषण आज किया वही भाषण पहले भी किये, वही बातें दोहराई अब जनता इसको समझो कि अमलियत क्या है।

एक खास बात मैं यह कहना चाहता हूँ कि जो संवैधानिक स्थिति है उसके बारे में इस माननीय सदन में पहले भी कहा जा चुका है। वह संवैधानिक स्थिति वह मानने है तो भी जब वह भाषण देते हैं तो उस स्थिति को उतना महत्व नहीं देते हैं और न उसके बारे में कुछ कहते हैं। माननीय सदस्य को मालूम है कि कहीं भी विधान सभा की मीटिंग बुलाने के लिये वहाँ के मुख्य मंत्री की राय आवश्यक है। मुख्य मंत्री या मंत्रि परिषद की राय के बाद ही विधान सभा को गवर्नर बुला सकता है। जब वहाँ कोई मुख्य मंत्री ही न हो जैसा कि उत्तर प्रदेश में था कि वहाँ पर तत्कालीन मुख्य मंत्री श्री चरण सिंह ने इस्तीफा दे दिया, अब वहाँ कोई मुख्य मंत्री नहीं रहा, तो बिना मुख्य मंत्री के बनाये हुए, बिना मुख्य मंत्री की राय के लिए हुए वहाँ की विधान सभा को बुलाया नहीं जा सकता। यह बात ठीक है कि यदि गवर्नर के सामने ऐसी कोई स्थिति होती कि जिसमें वह कोई दल विशेष के नेता को बुला कर मंत्रिमंडल बनाने का मौका देता और उसके बाद वह सात दिन के अन्दर या आठ दिन के अन्दर वहाँ की विधान सभा को बुलवाता और उसके बाद विधान सभा में यह तय हो जाता कि जिसको गवर्नर ने वहाँ सरकार बनाने को कहा उसके पास वहाँ पर बहुमत है या नहीं है।

पर जब गवर्नर को यह लगा कि वहाँ पर कोई ऐसा नेता नहीं है किमी भी दल में जो वहाँ सरकार बना सकता है, तो फिर विधान सभा को बुलाने का सवाल ही नहीं उठता है। जब विधान सभा नहीं बुलाई जा सकती है तो फिर विधान सभा में बैठ कर किस तरह से इस बात का फैसला किया जा सकता है कि बहुमत किसका है और अल्पमत किसका है। इसलिए यह बात बिल्कुल साफ है कि जब राज्यपाल को इस बात का पक्का विश्वास होता कि श्री सिंह जो संविदा के नेता चुने गये थे, उनके पास बहुमत है, तो वे श्री सिंह को मंत्रिमंडल बनाने का अधिकार देते और एक निश्चित समय के अन्दर विधान सभा में जाकर अपना बहुमत सिद्ध करने के लिए कहते। इसी तरह से जब गवर्नर को यह विश्वास होता कि कि श्री ० बी० गुप्ता के पास बहुमत है, तो वे उनको मंत्रिमंडल बनाने को कहते और विधान सभा में जाकर, उसकी मीटिंग बुलाकर उसके सामने अपना बहुमत सिद्ध करने के लिए कहते। मगर गवर्नर को इस बात का विश्वास नहीं हुआ। जो लिस्ट कांग्रेस की तरफ से और संविद की तरफ से गवर्नर के पास दी गई थी कि हमारे पास इतने सदस्य हैं, हमारे साथ विधान सभा के इतने सदस्य हैं, तो उन दोनों लिस्टों में ऐसे आदमी थे जिनका दोनों ही लिस्टों में नाम था। गवर्नरों को लिस्ट के बारे में जो पत्र लिखे गये, उन में इस तरह से विरोधाभास था। इसलिए इसमें किसी तरह का शक नहीं कि वहाँ की स्थिति ऐसी थी जिसके कारण किसी भी दल द्वारा सरकार बनाना असम्भव है। जब तक सरकार नहीं बनती तब तक विधान सभा का अधिवेशन बुलाना असम्भव है। जब विधान सभा बुलाना असम्भव है तब वहाँ किस तरह से विधान सभा में बहुमत और अल्पमत का निर्णय किया जा सकता था। यह बात कई बार समझाई जा चुकी है और माननीय सदस्य इस बात को समझने से इन्कार करते हैं। इसलिए उनकी तरफ से इस तरह की दलीलें दी जाती हैं जिनका कोई औचित्य

नहीं है। इसलिए मैं अपने माननीय सदस्यों से कहना चाहता हूँ कि इन स्थितियों में गवर्नर ने जो कुछ वहाँ पर किया वह मजबूरी के साथ किया और खुशी से नहीं किया। उन्होंने जो कार्यवाही की वह इसलिए नहीं की कि वह करना चाहते थे। वहाँ पर कांग्रेस की सरकार को बनाने का और इजाजत देने का सवाल नहीं था न ही कांग्रेस को चोर दरवाजे द्वारा सरकार बनाने के लिए कोई कदम था। सवाल सिर्फ यह था कि वहाँ पर जो अनिश्चितता की स्थिति पैदा हो गई थी, जो राजनीतिक स्थिति पैदा हो गई थी, उस अनिश्चितता की स्थिति को दूर करने के लिए यह आवश्यक था कि जनता फिर से इस बात का निर्णय करे कि वह किस दल का वहाँ पर बहुमत चाहती है और फिर उसको सरकार बनाने का अवसर दिया जाय।

जब यह ममला विधान सभा के अन्दर हल नहीं हो सकता था तो उन्होंने जनता के सामने इसको हल करने के लिए रखा। इस तरह की कार्यवाही से कोई भी यह नहीं कह सकता है कि गवर्नर ने कांग्रेस को वहाँ पर सरकार बनाने के लिए अवसर दिया है या कांग्रेस को फायदा पहुँचाने के लिए इस तरह की कार्यवाही की है। चुनाव में सब लोग जायेंगे और अपने अपने दल की बात कहेंगे। जनता जिस दल को अपना मत देगी, जिस दल पर अपना विश्वास प्रकट करेगी, वही दल वहाँ पर सरकार बना सकता है। इसलिए हर पार्टी को बिना अपने मन में अपराध लिए हुए जनता के सामने जाना चाहिये तथा अपना कार्यक्रम बतलाना चाहिये और उसका विश्वास प्राप्त करना चाहिये। यदि जनता पर आप विश्वास करते हैं तो आपको इस तरह से मध्यावधि चुनाव के प्रबन्ध में हल्ला गुल्ला और झगड़ा करने की आवश्यकता नहीं है। आप जनता के पास जाइये और जनता जिस पर अपना विश्वास प्रकट करेगी वही सरकार बनायेगा। यह बात बिल्कुल साफ है। इसलिए मैं यह कहना चाहता हूँ कि इस समय हमारे सामने जो स्थिति है उसको

ध्यान में रख कर हमें काम करना चाहिये और इधर उधर की बातों को नहीं लाना चाहिये। इस समय उत्तर प्रदेश के सामने जो समस्याएँ हैं, उनको सामने रखना चाहिये, उन पर ध्यान देना चाहिये ताकि वे सब समस्याएँ ठीक तरह से हल हो जायें।

हमारे श्री भूपेश गुप्त ने कहा कि कांग्रेस वालों को गवर्नर बनाया जाता है, आई० सी० एम० वालों को गवर्नर बनाया जाता है। मैं नहीं समझता कि इस तरह की कोई बात कोई जिम्मेदार माननीय सदस्य यहाँ कह सकता है। यह तो बिल्कुल नाफ है कि जब पश्चिमी बंगाल में श्री अन्वय मुखर्जी मुख्य मंत्री थे तो उनसे पूछकर, उनसे परामर्श करके, एक आई० सी० एम० को पश्चिमी बंगाल का गवर्नर बनाया गया।

SHRI BHUPESH GUPTA: No, no, not like that.

श्री विद्या चरण शुक्ल : हो सकता है, मगर मेरे पास जो एन्फारमेशन है, वह मैं बतला रहा हूँ। मैं इस बात को पूरी जिम्मेदारी के साथ कहना चाहता हूँ कि उस समय जो वहाँ के तत्कालीन मुख्य मंत्री थे, उनसे परामर्श करके ही वहाँ पर गवर्नर की नियुक्ति की गई थी। इस तरह का जो कटु सत्य है, उसको आप सुनना नहीं चाहते हैं, उसका मुझे दुःख है। जो सत्य है वह सत्य ही रहेगा, उसमें फेर बदल नहीं हो सकता है और न होना चाहिये। जब गवर्नर की नियुक्ति की जाती है तो उसमें दो तीन चीजों का खयाल किया जाता है। हमारे पब्लिक लाइफ के जो स्टैंडिंग के लोग हैं उनको लिया जाता है। इसके सिवाय उनका देश में किनना मत है, जो इस तरह के अच्छे आदमी सामने आते हैं उनको चुन कर गवर्नर बना कर भेजा जाता है। यह बात नहीं है कि केवल कांग्रेस वालों को ही या आई० सी० एम० वालों को ही गवर्नर बना कर भेजा जाता है। पिछले जो 20 गवर्नर बनाये गये हैं, वे देश के हर भाग से आते हैं, सांस्कृतिक भाग से, बौद्धिक

[श्री विद्याचरण शुक्ल]

भाग से, राजनीतिक भाग से, सामाजिक भाग से और सभी भागों से लोगों को लेकर गवर्नर बनाया जाता है ।

इस तरह के लोगों को हमने गवर्नर बनाया है और जो व्यक्ति उपयुक्त पाये जाते हैं, उन्हें ही गवर्नर बनाया जाता है । इस तरह के आरोप यहां पर जो केन्द्रीय सरकार के ऊपर लगाये गये हैं कि केवल दलीय और राजनीतिक कारणों से ही गवर्नरों की नियुक्ति की जाती है, यह बात बिल्कुल गलत है ।

जहां श्री भूपेश गुप्त ने यह सवाल उठाया और बहुत जोरों के साथ कहा कि हम लोग जनता की बात नहीं समझते हैं या जनता हमारे साथ नहीं है, जनता केन्द्रीय सरकार के खिलाफ हो गई है, तो मैं यह कहना चाहता हूँ कि मैं यहां पर किसी दल विशेष की बात नहीं करना चाहता हूँ । अभी जो चुनाव हो चुके हैं और जो हरियाणा में चुनाव होने वाले हैं, उनके नतीजे मुन्क के सामने आने वाले हैं और कुछ जगहों के आ गये हैं । जब चुनाव के नतीजे आ जायेंगे तो सबको मालूम हो जायेगा कि जनता किधर जा रही है और जनता किस तरफ जा रही है । यू० पी० में अभी नगर निगम के चुनाव हो चुके हैं, केरल में हो चुके हैं, गुजरात में हुए, राजस्थान में हुई और अब हरियाणा में होने जा रहे हैं । इन चुनावों से माफ पता चल जायेगा कि जनता किधर जा रही है ।

SHRI BHUPESH GUPTA: West Bengal is not being mentioned. He mentioned the municipal elections in Kerala but he forgot the municipal elections in Bengal where the Congress Party had been trounced, even in the recent Corporation elections.

श्री विद्याचरण शुक्ल : मैं जो कुछ कह रहा हूँ, पूरे देश को देख कर कह रहा हूँ । आपका चिन्तित होना बहुत स्वाभाविक है ।

मैं यह नहीं कहता कि आपको चिन्तित नहीं होना चाहिये । पर आप यह बात सोचें कि आप लोग जो इस तरह की बातें कहते हैं, जिससे आप लोगों को बहकाते हैं, मगर आपकी जो यह बहकाने की बात है वह जनता में कारगर सिद्ध नहीं हुई है । तो मैं कहना चाहता हूँ कि इस तरह की बात करने से क्या फायदा है ।

मैं इतना कह कर माननीय सदस्यों से निवेदन करूंगा कि जो प्रस्ताव श्री भूपेश गुप्त ने रखा है, उसको खारिज कर दें और जो प्रस्ताव मैंने पेश किया है, उसको पारित कर दें ।

THE DEPUTY CHAIRMAN: I shall first put the motion of Shri Bhupesh Gupta to vote. The question is:

"That this House recommends to the President that the Proclamation issued by the President on the 15th April, 1968, under clause (2) of article 356 of the Constitution, varying the Proclamation issued on the 25th February, 1968, in relation to the State of Uttar Pradesh be revoked."

The motion was negatived.

THE DEPUTY CHAIRMAN: Now I shall put the other Resolution moved by the Minister. The question is:

"That this House approves the Proclamation issued by the President on the 15th April, 1968, under clause (2) of article 356 of the Constitution, varying the Proclamation issued on the 25th February, 1968, in relation to the State of Uttar Pradesh."

The motion was adopted.