

STATEMENT RE PROCLAMATION OF EMERGENCY

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN): Sir, I informed the House in March last that the Government have in actual practice already restricted the exercise of emergency powers to certain areas, and that it was our intention to seek necessary constitutional authority to terminate with effect from 1st July, 1967 the state of emergency in all parts of the country except where abnormal conditions still persist.

In making this announcement the Government had three related considerations clearly in mind. The first was that as a result largely of operation of external factors the situation in certain parts of the country was such that the Government had no alternative but to continue the Proclamation of Emergency in those parts. It was our view that it would be more appropriate that the Government should have specific constitutional authority for the continuance of the Proclamation of Emergency in certain parts of the country. It was our intention that in the other parts of the country emergency powers, which have not been exercised in practice, should be formally withdrawn.

In pursuance of the announcement, the Government intended to undertake an amendment of the Constitution to enable the continuance of the emergency only in certain border areas. The salient features of the proposed amendment were informally discussed with the leaders of the different opposition parties. But the proposal did not meet with their support. We have, therefore, decided not to introduce at present a Bill to amend the Constitution.

The Government have recently reviewed the conditions obtaining in the border areas. The situation in some parts of Assam, particularly the Mlfe Hills District and the adjoining areas, continues to be disquieting.

The recent developments in Nagaland, Manipur and the adjacent areas leave no room for complacency. Gangs of Naga hostiles had gone to China and some of them have returned to Nagaland. The Chinese have been taking special interest in the activities of the hostiles, which they describe as a "peoples liberation movement". Pakistan continues to give various kinds of assistance to the Nagas and the Mizos and also to certain other tribes; and its military preparations and plans for subversion, sabotage and infiltration into Jammu and Kashmir have proceeded apace. The collusion between China and Pakistan aggravates the situation.

In the interests of national security and defence, it is, therefore, necessary to continue the Proclamation of Emergency during the ensuing months when because of physical conditions there is a greater threat of external aggression. We advise that in the absence of specific constitutional sanction, it would not be permissible to continue the emergency formally only in certain areas. We are, however, of the definite view that except to the extent deemed necessary for the purposes of meeting the situation in the border areas, the emergency powers should not be exercised in the rest of the country. We also propose to advise the State Governments accordingly.

SHRI NITEN GHOSH (West Bengal) : It is a shameful decision.

(.Interruptions)

SHRI BHUPESH GUPTA (West Bengal): Sir, this is a very serious matter. A calling attention has been pending. I am rather surprised and shocked . . .

SHRI OM MEHTA (Jammu and Kashmir): Why?

SHRI D. C. PANDE (Uttar Pradesh): Even after Naxalbari?

SHRI BHUPESH GUPTA: . . . that the Home Minister should have come here, after having given a solemn

[Shri Bhupesh Gupta.] pledge to the nation that the emergency would be revoked from July 1st, to make such a statement here. Now the position is this. This statement should be discussed. I request you—whatever time you allot—that this preposterous statement, provocative, insulting to the nation, should be discussed.

(Interruptions)

• MR. CHAIRMAN: You may put a question for clarification.

SHRI BHUPESH GUPTA: It is clarification I am seeking, because the hon. Minister has given certain reasons. First of all, there was an attempt to divide the Opposition and to get their support because otherwise the Constitution cannot be amended. When they found that the support of the Opposition was not available to amend the Constitution to retain the emergency in some parts of the country . . .

SHRI M. P. SHUKLA (Uttar Pradesh): Sir, on a point of order. He is making a speech. Has he got the permission of the Chair to make a speech on this?

• MR. CHAIRMAN: I am not allowing any speeches to be made. If Members want to put a question for clarification they can.

(Interruptions)

SHRI BHUPESH GUPTA: We are not going to be cowed down by the Congress Members. Sir, we feel very strongly about this. We are not going to be controlled by these people. (Interruptions) Sir, you control these people. (Interruptions) If that is so, in every State there will be trouble.

SHRI CHANDRA SHEKHAR (Uttar Pradesh): Mr. Chairman, may I request Mr. Bhupesh Gupta not to lose his temper because that is not only his monopoly? We can also do that.

SHRI BHUPESH GUPTA: We do not care what you do. You do what you like.

(Interruptions)

SHRI G. MURAHARI (Uttar Pradesh): You have the monopoly of numbers, we know that. You can stand and shout but that does not help.

SHRI BHUPESH GUPTA: Sir, never I want to lose temper on such a thing. But, Sir, a decision is being altered unilaterally by the Congress Party . . .

SHRI SHANTILAL KOTHARI (Rajasthan): Because you have created such a situation.

(Interruptions)

SHRI BHUPESH GUPTA: I do not know what it is that these Congressmen want. Emergency or no emergency, we will not submit to them. Some of them will never want it to go. Some of them were profiteering when people were shut in jail under the Defence of India Rules. Mind you, we have taken over a State fighting your emergency. All the parties except the Congress Party went to the elections on the demand for the ending of the emergency and 60 per cent of the votes we have got.

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI R. DESAI): On a point of order; I do not know how all this is being said. I can understand a discussion for half an hour or whatever time you may be pleased to give when all this can be said. But how can all this be said just now?

SHRI BHUPESH GUPTA: There is no point of order.

MR. CHAIRMAN: I shall be able to give half an hour tomorrow.

SOME HON. MEMBERS: Half an hour will not do.

SHRI NIREN GHOSH: Two hours.

SHRI MORARJI R. DESAI: The Government would have no objection to even two hours if they want to have it.

MR. CHAIRMAN: All right; tomorrow from 5.00 p.m. to 7.00 p.m. we can have it.

Budget, General discussion.

SHRI BHUPESH GUPTA: Another matter . . .

SHRI BHUPESH GUPTA: Between we two, whom do you want?

MR. CHAIRMAN: Mr. Bhupesh Gupta. (To *Shri Rajnarain*) I will come to you next after him.

REFERENCE TO CERTAIN MATTERS OF PRIVILEGE

< Interruption)

SHRI BHUPESH GUPTA: When you come here and when I take that seat I shall follow that order; I will follow you.

Now, Sir, as you know, I am very accommodating. Yesterday I brought to your notice a matter which concerns this House. I will tell you why it concerns this House and how it concerns. Yesterday in the other House one Member of this House, Shri Arjun ArcTa, was made the subject-matter of certain privilege motions by the hon. Members of that House. He was accused of making baseless allegations about Birlas. He was accused of bringing their House into disrepute. There was a demand that this Member of our House should be taken to the Bar of that House and punished.

SEVERAL HON. MEMBERS: No, no.

SHRI BHUPESH GUPTA: That was done. I have got the proceedings here. The Speaker allowed the discussion to take place. Now, Sir, Mr. Arjun Arora is an hon. Member of our House. He had made certain allegations, right or wrong. He was prepared even, I believe, to make it known. Anyhow he had written to

the Prime Minister. The Prime Minister made a statement and the Prime Minister also admitted that she had received a letter from Mr. Arjun Arora. We do not know what it is. On the basis of that the other House took it for granted that Mr. Arjun Arora's allegations were baseless, that Mr. Arjun Arora was trying to bring into contempt two hon. Members of that House, as if our Member has no honour to protect and as if we are not interested in protecting the honour of a Member of our House. They were interested in protecting the honour of Mr. Satya Narayan Sinha and Mr. K. C. Pant and the whole matter was discussed more from that point of view. We are also interested in protecting the honour of Mr. Arjun Arora and I leave it in your hands ultimately.

Then, Sir, a surprising thing happened

. . .
THE MINISTER OF STATE IN THE DEPARTMENTS OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (SHRI I. K. GUJRAL): Sir, on a point of order. Under which item of business shown in the Order Paper has the hon. Member raised the issue? What connection has it got with the business before the House?

MR. CHAIRMAN: The whole point is this. He has given notice of it and, therefore, I have allowed him to raise it.

SHRI BHUPESH GUPTA: I should like to tell Mr. Morarji Desai, kindly let him find a better Minister for Parliamentary Affairs . . .

MR. CHAIRMAN: No, no. You should not say that.

SHRI I. K. GUJRAL: He should not mention that. He should withdraw these words.

MR. CHAIRMAN: The Minister raised a point whether notice was given to me. He merely asked that question, and other things are irrelevant.