

SHRI BANKA BEHARY DAS: So he has to reply, and he was standing up to reply.

MR. CHAIRMAN: He will probably do it. Why do you presuppose that he will not?

SHRI SURENDRA PAL SINGH: This question whether the Nagaland affair should be dealt with by the Ministry of External Affairs or the Ministry of Home Affairs has been raised before, a number of times, and the Government have clarified their stand on those occasions. Anyway the position at the present moment is that this matter is being considered by the Cabinet, and as soon as the Cabinet comes to a decision, it will be known to the House. Meanwhile, naturally, the old arrangement is being carried on.

MR. CHAIRMAN: The question is:

"That the Bill be passed."

*The motion was adopted.*

#### MOTION RE PROCLAMATION ISSUED UNDER ARTICLE 356 OF THE CONSTITUTION IN RELATION TO THE STATE OF RAJASTHAN

MR. CHAIRMAN: Now we have the Motion regarding the Proclamation issued under article 356 of the Constitution in relation to the State of Rajasthan. I have a fairly long list and the time is limited. I would like Mr. Chordia, who would place this before us, to take twenty minutes, and the other Members fifteen minutes each, and the House will adjourn today at One for the usual lunch break. Yes, Mr. Chordia.

श्री विमलकुमार मन्नालालजी चौरडिया (मध्य प्रदेश) : सभापति जी, आपकी अनुमति से मैं यह प्रस्ताव प्रस्तुत करता हूँ कि :

"यह सभा राष्ट्रपति से सिफारिश करती है कि 13 मार्च, 1967 को राजस्थान राज्य के सम्बन्ध में राष्ट्रपति द्वारा जारी की गई उद्घोषणा का निरसन कर दिया जाय।"

सभापति जी, राजस्थान में राष्ट्रपति के शासन को लागू करने के सम्बन्ध में दोनों सदनों में काफी चर्चा हो चुकी है। अभी तक हुई चर्चा से मुझे यह कहने को बाध्य होना पड़ता है कि कांग्रेस दल के कुछ माननीय सदस्यों ने इसको दल की प्रतिष्ठा का प्रश्न बनाने का प्रयत्न किया है। मैं उसके विस्तृत विवरण में न आकर केवल न्याय की कसौटी पर सारी घटनाओं को कसना चाहूँगा। आशा है, कांग्रेस दल के बन्धु उसे शान्तिपूर्वक सुनकर और दल की भावनाओं से ऊपर उठ कर, प्रजातन्त्र के प्रिय सिद्धान्तों की रक्षा के लिये अग्रसर होंगे।

सभापति महोदय, जहाँ तक घटनाओं का क्रम है, चतुर्थ आम चुनाव के राजस्थान के चुनाव परिणाम 25 फरवरी, 1967 तक घोषित कर दिये गये। कांग्रेस दल को मतदान में 42 प्रतिशत और गैर-कांग्रेस दल को मतदान में 58 प्रतिशत मत मिले। चुनाव परिणाम में विभिन्न दलों की स्थिति इस प्रकार रही :

कांग्रेस . . . . .	88
स्वतन्त्र . . . . .	49
जनसंघ . . . . .	22
संयुक्त समाजवादी . . . . .	8
साम्यवादी . . . . .	1
निर्दलीय . . . . .	15
कुल संख्या . . . . .	183

तो कुल संख्या हुई 183 और एक जगह खाली रही क्योंकि एक ही मेम्बर दो स्थानों से चुन कर आ गए थे।

कांग्रेस की ओर से श्री सुखाड़िया ने राज्यपाल को बताया कि उनके साथ कांग्रेस के 88, निर्दलीय और एक स्वतन्त्र पार्टी वाले को मिला कर 5, इस तरह से कुल 93 सदस्य हैं और स्वतन्त्र और निर्दलीय सदस्यों के हस्ताक्षर युक्त कागज उन्होंने राज्यपाल को प्रस्तुत किये। पांच विधायकों से एक कागज

[श्री विमलकुमार मन्त्रालालजी चौरडिया]  
सोजल के श्री कालानी का था। श्री कालानी ने 1 ता० को ही राज्यपाल के सामने उपस्थित होकर बता दिया कि मैंने कोई हस्ताक्षर नहीं किये हैं, मैं कांग्रेस के साथ नहीं हूँ। कांग्रेस की ओर से अब 92 की संख्या बताई जा रही थी। 1 तारीख को राज्यपाल ने 3 ता० को प्रेस कान्फरेन्स बुलाने की घोषणा की थी कि किनको मन्त्रिमण्डल बनाने के लिये आमन्त्रित करेंगे। गैर कांग्रेसी विधायकों ने अपना भी एक संयुक्त दल बनाया जिसमें—

स्वतन्त्र	49
जनसघ	22
संयुक्त समाजवादी	8
साम्यवादी	1
निर्दलीय	12

इस प्रकार कुल मिला कर 92 सदस्यों का अपने दल में होना प्रकट किया।

दिनांक 2 और 3 को संयुक्त दल की ओर से श्री महारावल लक्ष्मणसिंह जी, श्री सतीशचन्द्र जी आदि राज्यपाल से मिले और उनको 92 विधायकों के बारे में बताया। राज्यपाल महोदय से उन्होंने यह भी निवेदन किया कि यदि आप वेरिफाई करना चाहते हैं तो कर सकते हैं। सदस्य संख्या 183 के आधार पर कांग्रेस वाले भी कहते थे हमारे 92 सदस्य हैं और संयुक्त दल भी कहता था हमारे 92 सदस्य हैं। दोनों ओर 92-92 सदस्य होने से विचित्र स्थिति पैदा हुई। जांच पर पता लगा कि स्वतन्त्र पार्टी के श्री समरथ मल को दोनों पार्टियों ने गिन लिया था। जांच पर उन्होंने कांग्रेस के साथ ही रहना प्रगट किया। 2 तारीख को स्थिति थी 92 कांग्रेस और 91 संयुक्त दल। ता० 2 को ही शाम को कांग्रेस चिन्ह पर चुने गये, कांग्रेस की संख्या में गिने गये करोली के विधायक ने कांग्रेस छोड़ दी और संयुक्त दल में सम्मिलित हो गये। ता० 2 की शाम को 91 कांग्रेस और 22 संयुक्त दल के हो गये। 3

तारीख को 10 बजे संयुक्त दल के प्रतिनिधि करोली के विधायक के साथ राज्यपाल से मिले। उन्होंने बताया कि हमारे पास 92 और कांग्रेस के पास 91 हैं, साथ ही निवेदन किया कि हम आशा करते हैं कि आप निष्पक्षता से निर्णय करेंगे।

तारीख 1 को घोषित प्रेस कान्फरेन्स तारीख 3 को 11 बजे थी। राज्यपाल ने प्रगट किया कि अभी अभी विरोधी दल के नेता आये थे, उनमें से एक जाते जाते ऐसी बात कह गये जिस बात का मैं आदो नहीं हूँ, उससे मेरा दिमागी सतुलन बिगड़ गया है। अगली प्रेस कान्फरेन्स ता० 4 को तय रखी।

तारीख 3 को ही कांग्रेस अध्यक्ष कामराज ने वक्तव्य दिया कि चूँकि राजस्थान में कांग्रेस ही एक अधिक संख्या वाला दल है इसलिये उसको मन्त्रिमण्डल बनाने को आमन्त्रित करना चाहिये। तारीख 3 को सुखाडिया जी ने भी यही वक्तव्य दिया। तारीख 3 को ही रात्रि में धारा 144 जयपुर में लगा दी गई।

तारीख 4 को जो प्रेस कान्फरेन्स बुलाई थी उसमें राज्यपाल महोदय ने कांग्रेस को लाज्जेट सिन्गल पार्टी के आधार पर सुखाडिया जी की सरकार बनाने की घोषणा संविधान के अनुच्छेद 164 (1) के अंतर्गत की। इस निणय पर प्रान्त व्यापी शांतिपूर्ण अंदोलन आरम्भ हुए। 7 तारीख की दुखद घटना इसी कारण घटी। राज्यपाल द्वारा विधान सभा बुलाने की 20 तारीख तय की गई थी। और केन्द्रीय सरकार ने हस्तक्षेप कर उसको 14 तारीख रखा। दिनांक 7 से 11 तक जयपुर में कर्फ्यू लगा रहा, तारीख-12, 13 और 14 को केवल रात्रि में कर्फ्यू रहा 15 तारीख को कर्फ्यू हटा। तारीख 17 से धारा 144 भी हटा दी गई।

दिनांक 13 को दिल्ली एडिशन, 'दि इन्डियन एक्सप्रेस' में छपा कि सुखाडिया जी का मन्त्रिमण्डल 14 तारीख को शपथ लेगा। ता० 12 की रात्रि को साढ़े 9 बजे सुखाडिया

जी ने राज्यपाल महोदय से कहा कि मैं मंत्रिमंडल नहीं बनाना चाहता क्योंकि जयपुर में गोलीकाण्ड में कई लोगों के मारे जाने का दुःख है।

दिनांक 12 को ही, अर्थात् ढाई घण्टे में, राज्यपाल महोदय ने राष्ट्रपति को डी० ओ० न० 37/जी०आर०/67 भेज कर माग की कि विधान सभा भंग की जाय और राष्ट्रपति शासन लागू किया जाय। दिनांक 13 मार्च को राष्ट्रपति महोदय ने राजस्थान का शासन अनुच्छेद 356 के अंतर्गत अपने हाथ में ले लिया।

दिनांक 14 मार्च को टोडाराय सिंह के जगन्नाथ काग्रेस छोड़ कर संयुक्त दल में आ गये। अब तारीख 14 को स्थिति इस प्रकार थी. कांग्रेस 90, संयुक्त दल 93.

दिनांक 15 को राष्ट्रपति महोदय के समक्ष गृह मंत्री चव्हाण के सामने संयुक्त दल के 93 विधायक प्रस्तुत हुए।

दिनांक 17 को संयुक्त दल के विधायक श्री हरिश्चन्द्र जी का देहावसान हो गया। दलीय स्थिति इस प्रकार हो गई कांग्रेस 90, संयुक्त विधायक दल 92.

दिनांक 25 को केन्द्रीय सरकार ने 7 मार्च की घटनाओं की जांच किये जाने के बारे में घोषणा की। ता० 20 मार्च को हाईकोर्ट को सूचना दी और बाद में जज की नियुक्ति हुई।

दिनांक 31 को सम्पूर्णानन्द जी ने प्रेस कान्फरेन्स की और दिनांक 15-4-67 तक उन्होंने अपने संपूर्ण आनंद की घोषणा की और कहा कि 15-4-67 तक मैं किसी को उसका आनन्द नहीं लेने दूंगा।

इन घटनाओं को देखकर स्वाभाविक प्रश्न उत्पन्न होता है कि दिनांक 25 तक चुनाव परिणाम घोषित हो जाने पर भी दिनांक 3 को किसी को मंत्रिमंडल बनाने के लिये बुलाये जाने की घोषणा क्यों नहीं की। माधारण उत्तर आता है कि

चुनाव में किसी भी दल का स्पष्ट बहुमत नहीं था। अतः यह नय करने के लिये तारीख 3 की घोषणा की। यदि इस उत्तर को मान भी लिया जावे तो क्या राज्यपाल महोदय ने भिन्न भिन्न दलों के विधायकों से मिल कर इस बात को जानने की कोशिश की कि वे किस के साथ रहना चाहते हैं? इस अवधि में क्या इस बात को जानने का प्रयत्न किया कि निर्दलीय सदस्य किस-किस साथ बैठना चाहते हैं? इसका उन्होंने कुछ प्रयत्न नहीं किया। उन्होंने यह जानने का प्रयास नहीं किया कि निर्दलीय सदस्य किधर जाना चाहते हैं। किन्तु जिन्होंने प्रयास किया उसको असफल करने का षड्यंत्र उन्होंने जरूर किया और यह राज्यपाल महोदय के कार्यों से स्पष्ट दीखता है।

जब सुबाडिया जी ने सोजल के श्री कालानी के हस्ताक्षर का कागज राज्यपाल के समक्ष प्रस्तुत किया गया जिस पर उनके हस्ताक्षर होना सोजल के श्री कालानी ने अस्वीकार किया और प्रगट किया कि मैं संयुक्त दल के साथ हूँ तो ऐसा झूठा काम करने वाले के बारे में राज्यपाल महोदय ने क्यों जांच नहीं की? क्यों नहीं दोषी को दंडित किया? क्यों ऐसे फोर्जरी करने वाले, झूठे दस्तखत बनाने वाले को ही मंत्रिमंडल बनाने के लिये निमंत्रित करना तय किया? इन सब बातों को देख कर शका होती है।

दिनांक 3 की प्रेस कांफ्रेंस क्यों स्थगित की? उन्होंने प्रगट किया कि विरोधी दल के नेता आये थे और उनमें से एक जाते जाते ऐसी बात कह गये जिस का मैं सुनने का आदी नहीं हूँ। मेरादिमागी सतुलन बिगड़ गया है। राज्यपाल के पद पर बैठने वाला आदमी, जिस को निष्पक्ष निर्णय देना चाहिये, वह भी यदि एक छोटी सी बात पर अपना दिमागी सतुलन बिगाड़ ले, उसको राज्यपाल के पद से की शोभा बिगाड़ने का मौका दिया जाय, यह कभी भी उचित नहीं कहा जा सकता।

## [श्री विमलकुमार मन्नालालजी चौरड़िया]

वास्तविकता में जब राज्यपाल के समक्ष यह स्पष्ट हो गया था कि संयुक्त दल बहुमत में है उनके 92 हैं और कांग्रेस के केवल 91 हैं, तो उनको उनका भविष्य अन्धकारमय लगने लगा। उनको अपने सम्पूर्ण आनन्द में विघ्न पड़ने का डर लगने लगा। उनके द्वारा राजस्थान में किये गये कामों का भंडाफोड़ होने का भय पैदा हुआ। साथ ही जब संयुक्त दल के सदस्य ने जाते जाते यह कह दिया था कि आशा है कि आप निष्पक्षता से काम लेंगे, तो 1947 के पूर्व के योगी, त्यागी, तपस्वी, सेवा-भावी, विचारक सम्पूर्णानन्द में तथा 1967 के 20 वर्ष बाद के भोगी, रागी, स्वजन एवं स्वदल सेवाभावी, कुटिल नीतिज्ञ सम्पूर्णानन्द में संघर्ष हुआ और उसके परिणामस्वरूप उनके दिमाग का संतुलन बिगड़ गया और वे कुछ निर्णय नहीं कर सके कि क्या करें। फलस्वरूप प्रैस कांफ्रेंस 3 के बजाय 4 को बुलाने का निर्णय किया। दिनांक 3 की रात्री में 144 धारा जयपुर में बयो लगाई गई तथा तारीख 4 को कांग्रेस एक मात्र बड़ा दल है इस आधार पर सुखाड़िया जी की सरकार बनाने की घोषणा क्यों की गई, यह प्रश्न भी पैदा होता है। दिनांक 3 की प्रैस कांफ्रेंस स्थगित करने के पश्चात् 1947 के व 1967 के सम्पूर्णानन्द के दिमाग में संघर्ष चल रहा था कि कांग्रेस के मठाधीश श्री कामराज का व्यक्तव्य आया कि राजस्थान में कांग्रेस ही एक अधिक सख्यावाला दल है अतः उसे ही मंत्रिमंडल बनाने के लिये आमंत्रित किया जाना चाहि। इसी आशय का तारीख 3 को अब तक राजस्थान के सर्वे सर्वा, श्री सुखाड़िया जी का भी व्यक्तव्य आ गया। इन दोनों व्यक्तव्यों ने 1967 के सम्पूर्णानन्द जी को उत्साहित किया, प्रेरणा दी और उनका दिमागी संघर्ष समाप्त हो गया। “बहुजन हिताय बहुजन सुखाय” के सिद्धांत को एक तरफ रख कर “कांग्रेस हिताय कांग्रेसजन सुखाय” के सिद्धांत को अपना कर उन्होंने सुखाड़िया जी का मंत्रिमंडल बनाने का निश्चय किया और इस बात की चिंता नहीं की कि सुखाड़िया

जी के साथ बहुमत नहीं है। उन्होंने इस बात की चिंता नहीं की कि जनता के कांग्रेस को केवल 42 प्रतिशत मत दिये हैं। उन्होंने इस बात की भी चिंता नहीं की कि आज तक मैं प्रजातन्त्र का पोषक रहा, अब मुझे घातक की श्रेणी में लिया जावेगा। उन्होंने इस बात की भी चिंता नहीं की कि संसार मेरी भत्सना करेगा और संसदीय परम्परा में मेरा यह कृत्य काले अक्षरों में लिखा जावेगा। सब प्रकार के भयों से मुक्त हो कर तानाशाह के रूप में अपने ही दल के सुखाड़िया जी को सिंहासन पर आसीन करने का तय कर लिया, किन्तु मन में केवल यह भय जरूर था कि इसके परिणामस्वरूप केवल जयपुर की जनता दो चार दिन चिल्लपों कर लेगी, तब तक मेरा मोहन सिंहासन पर विराजमान होते ही अपना बहुमत बना लेगा। इसी लिये उन्होंने वहां पर 3 तारीख की रात में धारा 144 लगवा दी। उन्हें प्रा० बेने डेल कीय का लिखा यह वाक्य याद आ गया था कि अगर किसी को सत्तारूढ़ कर दिया जाय और सत्तारूढ़ होने पर अगर वह अल्पमत में होगा तब भी वह सत्तारूढ़ होने के बाद सत्ता के प्रभाव से लोगों को अपनी ओर आकर्षित कर के बहुमत प्राप्त कर लेगा। अतः उन्होंने एक पत्थर से दो शिकार करने का तय किया, एक तो 3 तारीख की रात्री में ही धारा 144 लगा दी जिससे लोग ज्यादा चिल्लपों न मचा सकें जिसे विरोधी दब जायेंगे और दूसरे अपने मोहन को सिंहासन पर बैठने की घोषणा कर दूंगा तो वह प्रावश्यक बहुमत प्राप्त कर लेगा। मगर उनकी कोई बात चली नहीं और इसके लिये उनको समर्थन मिल नहीं पाया।

अपनी झोंप मिटाने के लिये उन्होंने जनता के मनो से जीतकर आये बुद्धि वाले व्यक्तियों को महत्वहीन समझा। ही निर्दलीय सदस्य 1962 में जब कांग्रेस में मिल गये थे तो वे बहुत ही महत्वपूर्ण हो गये थे और उसी के आधार पर सुखाड़िया जी को मंत्रिमंडल बनाने दिया था। इस बार निर्दलीय सदस्यों का महत्व आंकने से सम्पूर्णानन्दजी के संपूर्ण आनन्द में

खलल पड़ता था, अतः वे इस बार महत्वहीन हो गये ।

दिनांक 4 को प्रेस कांफ्रेंस में जब एक मात्र बड़ा दल होने के नाते घोषणा की तो स्वाभाविक प्रश्न उठता है कि क्या कारण था कि राज्यपाल ने तारीख 28 को असेम्बली भंग होने के तुरन्त बाद ही तारीख 1 को जब कि स्पष्ट हो चुका था कि कांग्रेस ही सब से बड़ा दल है तो उसे मंत्रिमंडल बनाने के लिये क्यों नहीं बुलाया ? उन्होंने सौचा था कि मेरा मोहन बड़ा जादूगर है और 1962 के चुनाव में भी जब कांग्रेस का बहुमत नहीं था तो भी इस जादूगर ने तुरन्त बहुमत तैयार कर लिया था । अतः इस बार जादूगर को दो तीन दिन का मौका दूंगा । परन्तु इस बार जादूगर का जादू असफल रहा । इतना ही नहीं उलटे यह आभास हुआ कि माफला कुछ गड़बड़ में हो रहा है । फिर उन्होंने असेम्बली को 20 तारीख तक बलाने की भी घोषणा की ताकि सुखाड़िया जी को अपना करिष्मा दिखाने के लिये काफी मौका मिल जाय । ऐसे न्यायहीन निर्णय की वीवट वाले राजस्थान में प्रतिक्रिया होना स्वाभाविक था जीवित जनता में रोष आना स्वाभाविक था । जब न्याय के सिद्धांतों की अवहेलना की जावेगी, जब जनमत टूकराया जावेगा तथा जब राज्यपाल ऐसा आचरण करेंगे जिस में से पक्षपात की गन्ध आती होगी तो जनता को शांतिपूर्ण तरीके से अपना रोष प्रकट करने से नहीं रोका जा सकता ।

जो यह कहते हैं कि जनता को शांतिपूर्ण ढंग से अपना रोष प्रकट नहीं करना चाहिये था, उनकी गंठों में अभी भी तानाशाही मनोवृत्ति का खून बहता है वे समझते हैं कि हमारा निर्णय चाहे तर्कसंगत हो अथवा नहीं चाहे न्याय संगत हो अथवा नहीं जनता को भेड़ों की तरह जिस तरफ हम का पकड़ कर ले जाना चाहें जाना चाहिये और हमारा हुक्म मानना चाहिये । ऐसा चल नहीं सकता । वे भूलते हैं कि अगर किसी में भी सार्वभौम शक्ति है तो वह जनता में है । राजभवन की चहारदीवारी में लिया गया अन्यायपूर्ण

निर्णय गोली के बल से नहीं दबाया जा सकता । जिस जनता के हाथ में सार्वभौम शक्ति है, जिस में ही आपको और हमें कुछ काम करने की शक्ति दी है यदि उस शक्ति का कोई उपहास करेगा, मखौल करेगा तो वह टिक नहीं सकता, कुछ समय गुजार सकता है पर अधिक दिन चल नहीं सकता । जनता ने भी अपना रोष शांतिपूर्ण ढंग से तारीख 4 को प्रकट किया, किन्तु उनके नेताओं को गिरफ्तार कर लिया गया, जनता को नेतृत्वहीन कर दिया गया और उसके परिणामस्वरूप 7 तारीख की दुखद घटना घटी ।

जो तानाशाह हम से कहते हैं कि विधान सभा बुलाई जाने पर शक्ति परीक्षण हो जाता, उसकी राह क्यों नहीं देखी, यही बात उन पर लागू होती है कि वे बहुमत दल को अवसर दे कर अपनी तुष्टि के लिये शक्ति परीक्षण कर लें और उन्होंने उसकी राह क्यों नहीं देखी । यदि उन्होंने ऐसा किया होता और असेम्बली में शक्ति परीक्षण का अवसर दिया होता, तो वह घटना घटित नहीं होती ।

7 मार्च की घटना घटित होने के बाद वहां शांति हो गई थी । फिर भी 8, 9, 10, 11 को जयपुर में कर्फ्यू क्यों लगाया गया और उस कर्फ्यू में श्री सुखाड़िया जी को घूमने की छूट क्यों दी गई ? कारण स्पष्ट है कि राज्यपाल महोदय दलदल में इतने फंस गये थे कि वे चाहते थे कि किसी तरह अपनी बात बन जाये अपनी घोषणा सही हो सके इसके लिये इतने अधीर थे कि येनकेनप्रकारेण वे सुखाड़ियाजी को यह अवसर देना चाहते थे कि वे कर्फ्यू में भी घूम कर शासकीय कर्मचारियों का दबाव डालकर साम दाम दंड भेद का खुले रूप में उपयोग कर किसी भी प्रकार कांग्रेस का बहुमत बना लें । उधर विरोधी लोगों को अपने घरों में कैदी बना दिया था । यह षडयंत्र भी सफल नहीं हुआ और हमारे सुखाड़िया जी बहुमत बनाने में सफल नहीं हुये ।

[श्री विमलकुमार मन्नालालजी चौरड़िया]

कर्फ्यू के दौरान खले रूप में किए गए निन्दनीय कार्य से मुखाडियाजी को बहुमत मिलने का जो विश्वास था वह तो नहीं हुआ। इधर दिनांक 13 मार्च को 'दि इंडियन एक्सप्रेस' के दिल्ली एडिशन में छपा कि मुखाडियाजी का मंत्रिमंडल तारीख 14 को शपथ लेगा। यह सूचना संभवतः तारीख 12 को भेजी गई होगी पर कर्फ्यू खत्म होते ही मुखाडियाजी के सपनों का महल ढह गया। उनको स्पष्ट हो गया कि अब मुझे बहुमत नहीं मिल सकता तो उन्होंने 12 की रात को साढ़े 9 बजे राज्यपाल को मंत्रिमंडल बनाने में असमर्थता प्रगट कर दी। कारण बताया 7 तारीख को जयपुर में हुए गोलीकांड में कई लोग मर गए उसका दुख है। यह दुख 7, 8, 9, 10, 11 और 12 को दिन भर नहीं हुआ। क्योंकि बहुमत नहीं मिला इसलिए यह दुख 12 की रात को होता है। यह सारा नाटक मगरमच्छ के आसुओं के समान है। दिखाने को आसू बहाते हैं, मगर असलियत यह है कि उनकी लाशों पर अपना राजनीतिक स्वार्थ मिद्ध करने के लिए इस तरह का सारा षडयंत्र किया गया। हमने कभी कल्पना नहीं की थी कि प्रजातंत्र के पोषक मृतकों की लाशों पर 7 नवम्बर को जिनकी लाशें बिछ गईं उनके ऊपर राजनीतिक क्रीडा करेंगे और दिखाने को मगरमच्छ के आसू बहायेंगे।

सभापतिजी, राज्यपाल महोदय ने मुखाडियाजी का पत्र आने पर क्यों नहीं संयुक्त दल को आमंत्रित किया? जब कांग्रेस का बहुमत नहीं था तो उनका यह कर्तव्य था कि संयुक्त दल को निमंत्रित करे। इतना घटनाओं के बाद मुझे उत्तर देने की आवश्यकता प्रतीत नहीं होती। अब सम्पूर्णानन्द जी 1947 के पूर्व के सम्पूर्णानन्द नहीं थे, अब तो वे 1967 के हो गए थे। उनका पहला विकल्प था कि मेरा मोहन सिंहासन पर बैठे। अगर वह न बैठे तो राष्ट्रपति-शासन की आड़ में मैं ही सही—दूसरों को राज्य न करने द। परिणामस्वरूप

जीवन में जितनी जल्दी कभी नहीं की होगी रात्रि को साढ़े 9 बजे और उसी तारीख को रात्रि के 12 के बीच में ढाई घंटे के भीतर हमारे राज्यपाल महोदय ने अपना डी० ओ० न० 37/जी० आर०/67 तैयार कर राष्ट्रपति के पास भिजवा दिया—जैसे सारा मामला पहले से तैयार हो। पहले से योजना बनी और ढाई घंटे में तैयार होकर चला जाता है। जब तक राजस्थान का इतिहास अमर रहेगा तब तक 12-3-67 का पत्र भी कलंक के रूप में कायम रहेगा। उसकी भाषा पढ़कर ऐसा लगता है कि जब ब्रिटिश काल में कांग्रेस के मंत्रिमंडल को काम नहीं करने देना चाहते थे उस समय जिस भाषा का प्रयोग वे करते रहे वही भाषा हमारे राज्यपाल महोदय ने उस पत्र में लिखी।

तानाशाह राज्यपाल के बिगड़े हुए सन्तुलन की बातों को मानना कभी न्यायसंगत नहीं हो सकता। स्वयं प्रजातंत्र की हत्या करके उस पत्र में लिखते हैं कि मैं एक क्षण के लिए भी उन लोगों से प्रशासन में प्रजातंत्री तरीका अपनाने की अपेक्षा नहीं कर सकता हूँ अतः आप शासन अपने हाथ में ले। उसमें छिपी बात यह है कि आपके माध्यम से मैं ही राज्य करूँ। और उन्होंने सुझाव दिया था कि इस असेम्बली को डिस्साल्व कर दिया जाय विधान सभा भंग कर दी जाय। फिर ज्यादा समय लगेगा, फिर चुनाव होगा तब तक अपना राज्य चलाने रहेंगे। राजस्थान के राज्यपाल ने राजस्थान के लोकतंत्र के नवजात शिशु को जो केवल 15 दिन का हो पाया था उसको राष्ट्रपति को मृत बताकर दफनाने की कुचेष्टा की थी किन्तु राष्ट्रपति महोदय ने राज्यपाल की कुटिलता की अनुभूति कर शिशु में जीवन की आशा देख उसे अपने कब्जे में ले लिया उसे दफनाने नहीं दिया और उसका उपचार किया। अब हम यह चाहते हैं कि वह उपचार हो चुका, बच्चा ठीक हो चुका है, राजस्थान की स्थिति सामान्य हो चुकी है। अब राज्यपाल महोदय से प्रार्थना है कि वे अपना शासन वापस लेकर वहां पर

संयुक्त दल का शासन चलने दें—जिसके पास बहुमत हो उसे बागडोर दें संयुक्त दल के पास बहुमत नहीं तो हमें उसकी आकांक्षा नहीं है मगर जिसके पास बहुमत हो उसको शासन करने का अवसर दें ।

केन्द्रीय शासन ने दिनांक 20 की अपेक्षा 14 मार्च क्यों तय की? राज्यपाल महोदय ने 20 की सिफारिश की यहां से 14 तय की गई और केन्द्रीय शासन ने डिस्माल्व करने की अपेक्षा सस्पेंड क्यों की? यह स्पष्ट बताता है कि हमारे राष्ट्रपति महोदय भी इस बात का अनुभव करने लगे थे कि अब हमारे सम्पूर्णानन्द जी 1947 के पहले के नहीं रहे थे; अब तो वे त्यागी नहीं रहे रागी हो गए । वे तपस्वी नहीं रहे भोगी हो गए । उनको सत्ता का मद सताने लगा है ।

दिनांक 21-3-67 को जयपुर में हुई प्रेस कॉन्फ्रेंस में सम्पूर्णानन्द जी ने जो उत्तर दिए उससे यह स्पष्ट हो जाता है कि उनका दिमाग किधर काम कर रहा है । वे स्वयं उपस्थित होकर राजस्थान की स्थिति में कोई भी रिपोर्ट राष्ट्रपति को नहीं देंगे अर्थात् उनका बस चले तो अनादि काल तक वहां राष्ट्रपति का शासन लागू रहे ।

उच्च न्यायालय के न्यायाधीश के मन में यह शंका है कि 7 मार्च की घटनाओं की जांच के लिए हमको बिठाया गया और हमने जो सिफारिश की कहीं उनको दफ्तर दाखिल न कर दें, शायद उनको माने ही नहीं या उन्हें काटें; तो उन्होंने पहले ही शर्त लगा दी कि हमारी सिफारिशों को 'इन टोटो' मानेंगे तो हम जांच करेंगे । प्रेस कॉन्फ्रेंस में कहते हैं कि निर्दलीय सदस्यों के बदलते रहने की प्रवृत्ति के कारण, वेवरींग नेचर के कारण, कुछ भी निश्चित करना सम्भव नहीं था । तारीख 31 को यह कारण और तारीख 12 को राष्ट्रपति को लिखे गए पत्र में अन्य कारण । तारीख 12 को राष्ट्रपति को जो पत्र लिखा उसमें फलबत्ते हैं कि यह इस काबिल नहीं है कि प्रशासन

में प्रजातंत्री तरीके अपना सकें । बड़ी विचित्र स्थिति है, स्वयं में ही कितना कन्ट्रैडिक्शन है । कुछ समझ में नहीं आता । ऐसा लगता है कि उनका संतुलन केवल उसी रोज 4 तारीख को ही नहीं बिगड़ा हुआ था, अभी भी बिगड़ा हुआ है और ऐसे असंतुलित मस्तिष्क के व्यक्ति को राज्यपाल के पद पर रखना किसी तरह भी ठीक नहीं कहा जा सकता । जब पूछा गया आपने राज्यपाल का पद ग्रहण करने से पूर्व कांग्रेस से इस्तीफा दे दिया था तो कहते हैं कि मुझे मालूम नहीं । जो राज्यपाल के पद पर बैठा हो उससे यह आशा रहती है कि किसी दल से सम्बन्धित नहीं रहेगा—इस बात का भी ख्याल नहीं कि इस पद पर आने के पहले कांग्रेस दल से इस्तीफा दिया था या नहीं । आगे कहते हैं कि कांग्रेस की एक्टिव पालिटिक्स से मेरा कोई सम्बन्ध नहीं है, एक्टिव पालिटिक्स से न सही, इनएक्टिव पालिटिक्स से ही सही; पालिटिक्स से जरूर सम्बन्ध है यह तो स्पष्ट करना चाहिए था कि पालिटिक्स से सम्बन्ध नहीं है । केन्द्रीय शासन ने उनका विधान सभा भंग करने का प्रस्ताव नहीं माना उससे भी वे असंतुष्ट थे । वे 15-4-67 तक राष्ट्रपति शासन हटने नहीं देना चाहते, यह उनके कहने से स्पष्ट है । इन सारी परिस्थितियों से स्पष्ट है कि राज्यपाल महोदय ने केवल न्याय का ही गला नहीं घोंटा, वे स्वयं न्याय का गला घोटने में एक पार्टी बन चुके हैं । उन्होंने अपने कुकृत्यों से स्पष्ट कर दिया है कि वे राज्यपाल के पद पर कांग्रेस की कृपा से आसीन हैं; अतः पहले कांग्रेस का हित करेंगे, बाद में न्याय का । कांग्रेस के हित के लिए तो उन्होंने अपनी इतने वर्षों की प्रतिष्ठा को दांव पर लगा दिया था, अपने में आजीवन पाले-पोसे न्याय के उच्चतम सिद्धान्तों की धू-धू करके होली जला दी । 1947 के योगी सम्पूर्णानन्द को कांग्रेस के द्वारा प्रदत्त भोग की विलासिता ने भ्रष्टा बना दिया, त्यागी सम्पूर्णानन्द को कुर्सी के मोह ने महारागी बना दिया । सेवाभावी सम्पूर्णानन्द को भाई-बन्धुओं के मोह ने, कांग्रेस के पुराने प्रेम ने स्वजन एवं कांग्रेस दल-भावी बना दिया,

[श्री विमल कुमार मन्नालालजी चौरडिया]  
विचारक सम्पूर्णानन्द के आदर्श विचारों को कांग्रेस के कुटिल नीतिज्ञों ने अक्षर डलवा दिया। अब चाहे वे संविधान के अन्तर्गत राज्यपाल के पद पर प्रतिष्ठित हैं, किन्तु जनता की दृष्टि में वे केवल निम्न स्तर के चवन्नी छाप कांग्रेसी हैं जो किसी भी स्तर पर उतर सकते हैं। अब सम्पूर्णानन्द जी से आशा करना व्यर्थ है। सभापति जी, हमें राष्ट्रपति महोदय के इस बात के लिए कम से कम आभारी हैं कि उन्होंने राज्यपाल महोदय की रिपोर्ट को सम्पूर्ण न मान कर सम्पूर्णानन्द को अप्रत्यक्ष रूप से यह इशारा कर दिया कि आप पथ-भ्रष्ट हो रहे हैं, किन्तु राष्ट्रपति के इशारे को सम्पूर्णानन्द जी ने समझा नहीं। उसने उनका रवैया बद से बदतर कर दिया।

अब हमारा निर्दलीय, निष्पक्ष, न्यायप्रिय, प्रजातन्त्र के पोषक एवं रक्षक राष्ट्रपति से यह निवेदन है कि दिनांक 15-3-67 को राजस्थान के संयुक्त दल के 93 विधायक सजीव आपके सामने उपस्थित हो चुके हैं। उनमें से केवल एक ही मृत होने के कारण नहीं रहा। राजस्थान के 182 सदस्यों में से 92 संयुक्त दल के साथ तथा 90 कांग्रेस के साथ हैं। अतः संयुक्त दल का स्पष्ट बहुमत है। राजस्थान में आज से नहीं, काफी अर्से से पूर्ण शांति है। राज्यपाल ने स्वयं भी स्वीकार किया है—मार्च के थर्ड वीक में कि अब परिस्थिति सामान्य होती जा रही है। अतः प्रस्ताव के अनुसार राष्ट्रपति शासन तुरन्त समाप्त किया जाय। मैं यहां के सदस्यों से भी निवेदन करूंगा कि वह दल की प्रतिष्ठा से ऊपर उठ कर, बलीय भावना से ऊपर उठकर, प्रजातन्त्र के सिद्धान्तों को ध्यान में रखकर इस प्रस्ताव का अनुमोदन करें और राष्ट्रपति से निवेदन करें कि अब राजस्थान में राष्ट्रपति शासन नहीं होना चाहिये। हम सम्पूर्णानन्दजी से भी यह आग्रह करना चाहते हैं कि वे 1947 के पूर्व जिस प्रकार त्याग कर-करके बड़े हुए थे उसके आधार पर हम भी चाहते हैं कि अब यह जितना

पाप हो चुका है सों हो चुका अब भी कुछ त्याग करे और जो हाल की घटनाओं के कारण कालिख पुत गई है उसको धोने के लिये थोड़े दिनों के लिये, केवल बारह दिनों के लिये और, राज्यपाल का पद छोड़ दें। हम अपेक्षा करते हैं कि उनमें पुराना त्याग फिर से उभर जाय, मगर वह संभव लगता नहीं। एक ओर एक व्यक्ति की प्रतिष्ठा का प्रश्न है दूसरी ओर प्रजातन्त्र के प्रति निष्ठा का प्रश्न है, एक ओर व्यक्ति की जिद्द का प्रश्न है दूसरी ओर समाज की कोमल भावनाओं का प्रश्न, एक ओर तानाशाही मनोवृत्तियों की कठोर जड़ मजबूत करने का प्रश्न है, दूसरी ओर प्रजातन्त्र की कोमल जड़ों को सींचने का प्रश्न है।

मैं माननीय सदस्यों से आग्रह करूंगा कि आप सारी स्थिति को अच्छी तरह आँके और उस पर निर्णय दें। इसी अवसर पर मैं कुछ सुझावों को देना चाहूंगा।

भिन्न-भिन्न स्थानों पर विभिन्न दलों की सरकारें बनती जा रही हैं, इसलिये यह अत्यन्त आवश्यक हो गया है कि :—

1. राज्यपाल की नियुक्ति किसी दल से संबंधित ऐसे व्यक्ति की नहीं की जानी चाहिये। वह तो पहले भी चाहिये था मगर अब फिर आग्रह करते हैं कि किसी दल से संबंधित व्यक्ति की नियुक्ति नहीं की जानी चाहिये।

2. जिस प्रकार अंग्रेजों के काल में गवर्नमेन्ट आफ इण्डिया ऐक्ट, 1935 के अनुसार राज्यपाल के इन्स्ट्रूमेन्ट आफ इन्स्ट्रक्शन्स होते थे और वे ससद् द्वारा स्वीकृत होते थे उसी प्रकार हमें अपने यहां भी इन्स्ट्रूमेन्ट आफ इन्स्ट्रक्शन्स बनाना चाहिये जिसका पालन हमारे राज्यपाल कर सके क्योंकि भिन्न-भिन्न स्थानों में भिन्न-भिन्न प्रान्तों में, अलग-अलग दल के लोग आयेंगे इसलिये राज्यपाल एक नीति से काम कर सके इसके लिये यह अत्यन्त आवश्यक है, नहीं तो किसी राज्यपाल के दिमाग



का संतुलन बिगड़ जायेगा । इन्स्ट्रूमेंट आफ इन्स्ट्रक्शन्स तो है नहीं फिर वह तो असंतुलित दिमाग से काम चलायेगा और उस दशा में फिर भगवान ही मालिक है क्योंकि उनको मार्गदर्शन करने के लिये कोई व्यवस्था नहीं है । अन्य राष्ट्रों की तरह यहां राज्यपालों की कार्य करने के नियमों की व्यवस्था की जाय ।

इन शब्दों के साथ मैं प्रार्थना करूंगा कि हमारे राष्ट्रपति महोदय निष्पक्ष होकर निर्णय लें । मैं माननीय सदस्यों से आग्रह करता हूं कि वे हमारे प्रस्ताव को अपनी सिफारिश के साथ राष्ट्रपति महोदय के पास भेज दे ताकि वे सारी स्थिति को देखकर अपना निर्णय कर सकें ।

SHRI B. K. P. SINHA (Bihar): Mr. Chairman, I rather felt sad at the speech of the hon. Mover. He has every right to criticise the judgment of the Governor of Rajasthan. He has every right to criticise his actions but he crossed those limits and strayed into fields which are expressly prohibited by the Constitution. He launched a personal attack on the Governor. He challenged his integrity.

SHRI M. RUTHNASWAMY (Madras): Not personal; political.

SHRI B. K. P. SINHA: He threw doubt on his *bona fides*.

SHRI P. N. SAPRU (Uttar Pradesh): Is he an astrologer or not?

[THE DEPUTY CHAIRMAN in the Chair]

I have known Mr. Sampurnanand for more than 30 years now and I can assure this House that there are few honourable men like him in this country. He may be guilty of an error of judgment.

SHRI V. M. CHORDIA: You are criticising him. Don't say anything about his being guilty.

SHRI B. K. P. SINHA: But nobody can with justification challenge his *bona fides* or integrity. Madam, in my opinion there is no point in discussing the issue that we are discussing today. It is no use having a *post mortem* of the Presidential Proclamation. That the Government are not seeking the positive affirmation of the two Houses of Parliament is clear indication of the mind of the Government. I am sure that before long this Proclamation shall be lifted within the period of two months. In the circumstances I do not propose to go into the rights and wrongs of the Presidential Proclamation. But certain observations of a general nature are called for because of the gravity of the problem with which we are faced today. I heartily endorse the suggestion of the hon. Mover that the Government of India with the concurrence of Parliament and in consultation with eminent constitutionalists, jurists and public men, should frame Instrument of Instructions for the guidance of Governors in such situations. The political pattern that has emerged in this country after the elections is radically different from the political pattern to which we have been used during the last 16 or 17 years. In many States the coalitions of non-Congress parties are in the saddle; the Government is being run by the coalitions of non-Congress parties. In many States no party is in an absolute majority.

SHRI MULKA GOVINDA REDDY (Mysore): Madras is there.

SHRI B. K. P. SINHA: I said 'in many States'. That means I exclude Madras and Kerala. I did not want to name the States. In many States no party is in an absolute majority. In such a situation Instrument of Instructions should be framed to provide guidelines for the actions of the Governors and those instructions, I again repeat, should be framed in consultation with eminent public men and jurists and should receive the appro-

[Shri B. K. P. Sinha.]

val of both Houses of Parliament, because in the absence of such Instrument of Instructions even the most honest action, even the most correct judgment, of Governors, when political emotions are roused, is liable to suspicion and challenge. But in framing the Instrument of Instructions we shall have to keep one thing in mind, the basic character of our Constitution. Our Constitution-makers framed a democratic parliamentary system both at the Centre and in the States. The emphasis of the Constitution is on democratic parliamentary functioning both at the Centre and in the States. Democratic parliamentary functioning is the rule as contemplated by the Constitution and the Presidential Proclamation is an exception. That is why the provisions of article 356 find a place in a Chapter headed 'Emergency Provisions'. They are provisions of an extraordinary nature. Madam, I have said that democratic functioning is the rule contemplated by the Constitution. Articles 356 and 357 and some other articles in that Chapter themselves indicate very clearly that the Constitution-makers did not look upon with favour the imposition of President's rule which is a non-democratic form of Government because the Constitution makes it clear that unless within two months that Proclamation receives an affirmative vote of each House of Parliament, singly and individually, that Proclamation will lapse. Moreover other safeguards in the interests of democratic parliamentary system are also provided in that Chapter. No affirmative vote of Parliament can give life to the Proclamation for a period of more than six months. After six months if a non-Parliamentary system is to continue in the State the sanction of the highest parliamentary body in the country has again to be obtained. And even if this concurrence or affirmative vote of the highest parliamentary institution in the country is obtained the Presidential Proclamation cannot continue for more than three years. All these provisions clearly indicate that the Con-

stitution-makers contemplated that democratic parliamentary institutions should be functioning in the States. Madam, the provisions also indicate that when Parliament is in session the Government must come up at the earliest opportunity to seek the affirmative vote of the two Houses. Why is it that a provision is made that if within two months no affirmative vote is obtained the Presidential Proclamation will lapse? This provision really was forged as a shield for the democratic legislatures in the States. It is unfortunate that that shield is sometimes being sought to be used as a sword. If Parliament is not in session—and the Constitution makes it very clear that Parliament can be in recess continuously for six months—the position is this. This exercise of Presidential power is such an unusual exercise of power that the Constitution ordains that even if Parliament is not in session, Parliament has to be convened to give affirmation to the Presidential Proclamation. This provision of two months was incorporated really to assure the people of the State concerned that without the concurrence of the highest body in this country, Presidential Proclamation cannot continue for more than two months. This clearly indicates that the Constitution did not contemplate that even if Parliament is in session, for two months the affirmative vote of Parliament can be deferred and the Presidential Proclamation allowed to lapse. As I have said at an earlier stage, in an earlier speech, that may be showing deference to the letter of the Constitution, but it is really going against its spirit. Therefore, in such situations, when Parliament is in session, at the earliest opportunity an attempt should be made to seek its affirmative vote. An affirmative vote does not mean necessarily that the Proclamation shall continue for six months. For the President can any day, without reference to Parliament lift that Proclamation. Therefore, even if it is an affirmative vote, even within ten days or fifteen days or one month, the Proclamation can be lifted. Therefore, care should

be taken in future to see that at the earliest moment the Proclamation is affirmed by Parliament.

I feel that it is not obligatory on the President to accept the advice of the Governor. Now, two things are being confused. The Governor's discretion, it is said, is binding. But the Governor's discretion operates only when the Governor has to decide who commands the majority and who should be called to form the Government. If the Governor cannot decide it, he has to submit a report to the President. The report is usually a narration of facts. It also incorporates certain conclusions based on those facts. While the narration of facts, in the nature of things, is of a binding character, because the President has no independent source of information so far as that matter is concerned, the conclusions are never binding. We know of so many reports that are submitted by high bodies and it is not obligatory on the executive or the body which takes the final decision to accept their recommendations. They are free to accept some or free to reject some. So, while it is open to the Governor to indicate to the President the circumstances in which he thinks that the constitutional machinery cannot operate in a State, the final judgment, the discretion, whether President's Rule should be proclaimed on the basis of facts recorded in the Governor's report, is that of the President. Therefore, while it is within the Governor's discretion to indicate, to affirm or accept it in a routine manner, in my opinion, would not be correct. As a matter of fact, the Governor made two recommendations, viz., Proclamation of President's Rule and dissolution of the Assembly. One recommendation was accepted, while the other was not. That fairly indicates that the recommendations of the Governor, which are said to be compelling on the ground that the discretion of the Governor is final, are not binding. The language of article 356 itself makes it clear. The language is "when the President is satisfied on the

report of a Governor or otherwise." It is not only that the report must be considered. The President has to consider other factors also. Therefore, I feel that the primary thing in the Proclamation of the President is the discretion of the President and this discretion cannot be fettered by any judgment of the Governor. The President has to exercise his own independent judgment in such a situation. I feel that in such situations, when an Assembly after election comes newly into existence, we may with profit derive some lessons from that practice that obtains in some other democratic countries. In many democratic countries the leader of the majority party is not, as a matter of routine, called to form the Government. The leader of the biggest party or the majority party, the party which is in absolute majority in the People's Chamber or the representative Chamber is simply asked by the Head of the State to try to form a government. But then before he enters on his duties of office, he has to obtain a vote of confidence from the representative Chamber. This is the practice which obtains in Greece. This is the practice which obtains in Germany and in many other countries of the world. Therefore, in such a situation I feel that some such practice or some such convention should be developed. Maybe that the practice that we have been following in the last twenty years or more does not warrant this line of action. I have tried to study the Constitution and I do not find that the Constitution prohibits or prevents any endeavour of this kind. The Constitution does not rule out an endeavour of this nature. Moreover, in a situation like Rajasthan it was open to the Governor to convene the Assembly, to designate some person as the acting Speaker. He should have asked him to take their oath. Thereafter, the Assembly could proceed to elect the Speaker and the election of the Speaker itself would provide a test as to whether the Congress or the Samvukta Dal commanded a majority in the House. Some people take the view

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that unless a Government is functioning, the Speaker cannot be elected. I have given some attention to the relevant provisions of the Constitution. I have given some attention to the relevant rules of Parliament of India and of some State Assemblies, but unfortunately I could not get the rules of the Rajasthan Assembly. But there is nothing in the Constitution or in the rules of Parliament or other Assemblies which warrants the view that unless a Government is functioning, the Speaker's election cannot be held. Therefore, in a situation like that of Rajasthan, in future, the test can be the election of the Speaker.

**SHRI M. RUTHNASWAMY:** I hope you will not have Governors like this in future.

**SHRI B. K. P. SINHA:** These are the few observations that I have to make. I have really confined myself to observations of a general nature, because as I said in the beginning it is no use having a post mortem, nor any use at this stage, in spite of the provisions in the Constitution, casting personal aspersions on the Governor. Let me repeat it again. I have known Shri Sampurnanand for the last 30 or 35 years and I have come across few men of his integrity, his honesty and his character, and if there has been a mistake in this case, it is a mere error of judgment. There is nothing, in my opinion, *mala fide* about it.

**SHRI BANKA BEHARY DAS** (Orissa): Then you indirectly admit That it is an error of judgment.

**THE DEPUTY CHAIRMAN:** Mr. Dahyabhai Patel, do you want to speak?

**SHRI DAHYABHAI V. PATEL** (Gujarat): But Secretary told me that we are adjourning; I can speak afterwards.

**THE DEPUTY CHAIRMAN:** We adjourn till 2.30 P.M. Mr. Dahyabhai Patel will speak.

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

The House reassembled after lunch at half-past two of the clock, **THE VICE-CHAIRMAN** (**SHRI AKBAR ALI KHAN**), in the Chair.

**SHRI DAHYABHAI V. PATEL:** Mr. Vice-Chairman, Sir, this morning we heard a very well-reasoned and well prepared case giving all the relevant dates and sequence of events by our friend, Mr. Vimalkumar Man-nalaji Chordia, explaining the background of what has happened in Rajasthan. This House has discussed the Rajasthan affair before also. So, I do not propose to repeat the ground that has already been covered. The Congress Party is already on the defence over this, which is evident from the speech of the hon. Mr. B. K. P. Sinha who followed Mr. Chordia. But the lawyer in him could not deny arguments and the case made out by Mr. Chordia; the Congressman in him was hard put to defend their doings there.

But, Sir, coming events cast their shadows before. Yesterday we have heard of the toppling of the Congress Ministry in UP. How long are the other States going to last? Their turn follows very soon. It may be Andhra, it may be Mysore. What does all this indicate? It indicates that the Congress Party is badly advised, there is no guidance, and every day they are losing the support, the popular support, which is the basis of their holding the authority. Today it can well be said that the Congress Party has no moral authority to remain in government.

**SHRI MULKA GOVINDA REDDY:** Even at the Centre.

**SHRI DAHYABHAI V. PATEL:** I mean, even at the Centre. In more than half the number of States, there are already or are about to be non-Congress

Ministries, and this within a few weeks after the General Elections. If the Congress Party had accepted the advice tendered by all the Opposition parties and had vacated office even three months before the elections, whatever official pressure, use of official positions and machinery that was used during the elections, would not have been used, and even the little majority that exists today would not have existed. Why does this happen? Why has that great institution, the Congress, come into bad days? It is because, Sir, the Congress is badly advised, and they have been, rightly or wrongly, keeping in office, in position, ministries like the Sukhadia Ministry.

May I recall to you, Sir? The members of the Opposition in Rajasthan submitted a memorandum to the President giving some 42 charges, documented charges, of corruption, of which that Ministry was guilty. Is the imposition of the President's rule to prevent an inquiry into those charges? But the tide of events cannot be resisted by anyone. What has happened in Orissa today will happen everywhere. The Orissa Ministry has ordered an investigation into the charges against the Congress Minister, Mr. Biju Patnaik, who was charged repeatedly and who was, unfortunately, defended by the late Prime Minister, Mr. Jawaharlal Nehru. The case of Rajasthan is also on the same basis. Repeatedly memoranda have been submitted; charges have been made in public, in the Assembly; printed documents have been published about it. Yet, the Congress Government has been shutting its eyes. And now, when a non-Congress Ministry was ready and was able to take office, the President was wrongly advised to impose President's rule. I was one of those Members of Parliament from this House along with the members of the Rajasthan Assembly to call on the President to point out the situation that had been developing in Rajasthan and request him to restore popular government and allow the elected legislature to take its proper

course and play its part in the democratic government of this country. Unfortunately, the advice tendered by the Congress Party, by the Congress Ministers, to the President has been incorrect and wrong. For this perhaps one would be justified in criticising the President's action. But we know that the President functions as the constitutional head and therefore the blame for this incorrect advice must be fairly and squarely put on the Government.

The Congress Cabinet, the Cabinet of Shrimati Indira Gandhi, had been badly advised, whether it is by members of the Cabinet or members of the party in asking the President to take the action that they have asked him to, they have put democracy at nought, instead of allowing democracy to function normally which should normally be the function of the President of India. The President of India is the defender of the Constitution; if the Constitution cannot function anywhere the President should try to intervene and make the Constitution function. The constitutional procedure of our democracy must be brought to bear must function. The President's rule is a sort of emergency power which has to be used only in an emergency and for a short duration. Prolongation of the President's rule unnecessarily is setting at nought the normal democratic procedure laid down in the Constitution. And the Government of Shrimati Indira Gandhi and perhaps the Home Minister, Shri Chavan, are guilty of tendering this wrong advice, because they want to keep the power in their hands. And how do they do it?

Sir, I do not know whether we have yet been supplied with the full list of Ministers of this Cabinet. But I understand that there is nobody from this fortunate—or shall I call unfortunate—State of Rajasthan, who has yet been included in the new Cabinet that has been announced. Even though this House enjoys a larger share—if I may say so, an un-

[Shri Dahyabhai V. Patel]

duly arge share—than has been the normal practice to enjoy the high office in the Cabinet, unfortunately that unfortunate State of Rajasthan appears to be completely neglected. Sir, what is the reason? Is it because the people of Rajasthan voted out of office the corrupt Sukhadia Ministry and Shri Mohan Lal Sukhadia is afraid that if a popular Government is formed there, perhaps one of the first things that the popular Government would do, as they have done in Orissa is to institute an inquiry into the charges of corruption that have been leveled openly, publicly, repeatedly against the Sukhadia Government? Therefore, I call the imposition of the President's Rule an atrocity on the Constitution. It is an undemocratic act for which this Government will have to repent.

Sir, as I said, the days of the Congress Party are numbered. The end is coming. The end of the Congress rule in Uttar Pradesh came sooner than expected and, sooner than expected, a few more States also will fall. With the falling of the Congress Government in Uttar Pradesh and Bihar, the two largest States in the North, and with popular Governments of non-Congress parties in several other States, in the majority of the States the Congress Party has lost the moral authority to sit in office at the Centre. The correct course for them, according to the Constitution, according to democratic practice, would be to come and tell the President that the people are not with them and, therefore, they resign from the Centre. If a popular Government cannot be formed let us have another election. That is going to be the picture whether the Home Minister sitting opposite likes it or not. The people have given their verdict. After all, the majority that exists in the present Lok Sabha is very slender and with these two big States going out, what is their position? I would, therefore, request the Prime Minister and Members

of her Cabinet to consider whether what they are doing is right.

Sir, one act leads to another. Every action has a reaction. What they have done in Rajasthan, repercussions of it will be felt all over India and howsoever strong force you may try to use to suppress democracy in India, democracy will survive, thanks to the teachings of Gandhiji and his blessings and the Constitutional provision. Even with all the misuse of power by the Congress Party, popular Government will be restored in Rajasthan whether this Congress Government likes it or not.

It does not matter whether it is a Congress Government or a non-Congress Government, the Constitution must be upheld. The Constitution provides for an emergency. That does not mean prolongation of the President's rule longer than is necessary. If there was unrest, if there was disturbance in Rajasthan, it has been quelled long ago. The city of Jaipur is quiet. The people are crying for popular rule. It is an atrocity on the Constitution to deny them their normal right. Members of the Legislature have not only declared, not only signed, they have come in person to the President. Every one of them was produced before the President. They came and stood before the President and told him that they were in a position to form Government. If 92 Members of the Rajasthan Legislature, elected Members, came and declared that they are a party and they want to form a Government, it is an atrocity on the Constitution to deny them their right.

Sir, the repercussions of this will be far and wide and I would, therefore, appeal to the Prime Minister—unfortunately she is not here—and the Home Minister, who is also involved and I understand, wants to wield a lot of influence, wants to control India as perhaps he and his friends are controlling Maharashtra, to head; this is not the right way. If

they have popular backing in Maharashtra, they are welcome to have the Government of that type. Of course, I have my criticisms to some of their ways. I do not like their Shiv Sena. I do not like coercion, certainly not open or hidden that they used. That does not go well with democracy. It does not go well with the freedom that we want to establish in this country. I hope the Home Minister will reconsider the situation and will advise the Prime Minister and the President to revoke the Proclamation as early as possible and restore popular Government in Rajasthan.

SHRI M. GOVINDA REDDY (Mysore): Mr. Vice-Chairman, Sir, the demand for the revocation of President's rule in Rajasthan could have waited for some more days. It has been made clear by all concerned that with the establishment of normalcy in the State of Rajasthan, the Ordinance would expire. Normalcy has now come to rule in Rajasthan and, therefore, in due course this would have come to an end. The demand could have been kept in abeyance for a few days more when the President's rule would have naturally lapsed.

Sir, during the course of the speeches of hon'ble Members on the Opposition much advice has been given to the Congress. Maybe, the Congress is well-advised or ill advised. But certainly the Congress does not seek advice from those quarters.

Sir, concern has been expressed as to the end of the Congress.

SHRI DAHYABHAI V. PATEL: Last days of the Congress.

SHRI M. GOVINDA REDDY: Hon. Members, who have expressed concern over the fate of the Congress, could have as well spared their efforts at expressing their concern because they have to exercise all their ability

and intelligence in maintaining the strength of their parties in the States in which they have some share of Government. Today it is true that in six or seven States Congress is not in power. But how can my friends on the other side be sure that these Governments which I call 'cocktail Governments', meaning Governments with a mixture of political complexion, will last? I think they would very well be concerned in giving a thought to maintaining their position in the governments concerned, instead of expressing concern over the sad fate of the Congress; the Congress can well take care of itself.

Sir, much has been said against the Governor, the Home Minister and the President. I think it stands to common sense that when the Congress has tolerated non-Congress Governments in six States, the Governors in those six States would not be influenced by the Centre. If the Governor could be influenced by the Centre in Rajasthan, well the Centre could have easily influenced other States too. But how is it that the Opposition did not charge the Congress with influencing the Governors in those States? At least in two or three States the difference between the two major groups is not very much. They could, through their Governors, influence those States too if they wanted to influence the Governors. The Governors could have made their choice in favour of the Congress but the Centre has not done so. So it stands to reason that when the Governors in other States have exercised their diligence and their impartial judgement over the issues, why should anybody presume that the Rajasthan Governor has not done so? So how can any one believe when it is said that the Governor in Rajasthan was partial in coming to a decision? After all the issue is simple. Much emotion and passion have come to bear on this very simple issue. The question was there were two major groups and one group claimed a membership of 92. The difference was one or two votes.

SHRI DAHYABHAI V. PATEL: Where is the question of difference? They were physically brought before the President.

SHRI M. GOVINDA REDDY: The Governor has alleged in what manner they were won over and there was one case where one member at least was won over at gun-point. That has not been challenged so far.

SHRI DAHYABHAI V. PATEL: Do you mean to say that he was brought before the President at gun-point? This is the way you are doing . . .

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Mr. Patel, you had your say.

SHRI V. M. CHORDIA: The stories will be related. There are such cases where a member was kept in the house . . .

(Interruptions)

SHRI M. GOVINDA REDDY: Hon. Members are parliamentarians. The Governor is a constitutional authority. We are open to reason and please be open to reason. He is a statutory authority. He has not stated any falsehood. Either we believe him, however he may have exercised his power—that he exercises his power legitimately or we do not give any regard for the office of Governorship as such. You raise the slogan that you observe the Constitution. Naturally we should presume that the officers under the Constitution are exercising their powers constitutionally and judicially. Now there has been no charge made by hon. Members of the Opposition, who are shouting to-day, that the Governors in the other States have exercised their powers with partisanship. There is no charge. If the other Governors could exercise their powers impartially, judicially and objectively, where is the reason for supposing that the Governor in one State has not exer-

cised his powers reasonably, rationally, judicially, impartially or fairly and that he is being amenable to influence. Whether the Governor is right or wrong is a different matter but when the Governor, after considering the circumstances, comes to a decision, we have to give, in all fairness, to the Governor the right of exercising that discretion and we have to presume that he has exercised the discretion within his power. That has been done. The issue was simple. The Governor had to choose between one of the groups and the difference was only one or two votes. Now I can understand if the difference was 6 or 10 or 15 votes. Then it would be easy for a Governor to make a choice, as they, the other Governors, have made in 6 or 7 other States. They have made the decision and the Governors have made their decisions because the circumstances were clear, the facts were clear before them, the numbers were clear and the majority was clear. Here it is a case where the difference is one. Now anybody who can bring to bear objective reasoning can see that it is a difficult choice to make whether really that one belongs to one group or the other. Of course, here the Governor has come to a decision and whether right or wrong, he has come to a decision and being the man on the spot, as a person who knows the place, who knows the Members and as one who has been there, we should give due credit to him that in full knowledge of the situation he has exercised his discretion in a rightful manner. How are we justified in attacking the Governor as such? Maybe, as Mr. Patel says, it is difficult for the Congress to form a Government there. I quite see that even if the Congress forms a Government, it might be difficult for it to maintain itself in power in the face of an Opposition which has engendered so many things and which has even brought violence to bear on the situation. It may be difficult to maintain. I do not say that if the Congress formed a Government there, it would be in power during this



period I do not say that, but it is also true that the Opposition, who have claimed to have 92 people and who paraded them before the President, would also not remain in power if they formed the Government. So also my friends cannot assure it. The position was this. The Governor was in a difficult position to choose who really commanded the majority. Under those circumstances a perfectly democratic process was open. The Assembly was to have been convened shortly and if as the Members now claim and as one of the parties has claimed, there were 92 people on their side they could have easily, on the very first day of the meeting of the Assembly, voted down the Government in power if the Congress had formed the Government there.

**SHRI DAHYABHAI V PATEL** They were not given the opportunity

**SHRI M GOVINDA REDDY** If what they say is correct, that they had 92, they had the opportunity to prove before the eyes of the world. Here we are and the Governor did not believe us and here we are 92 people. Let the Government go out. They could have done that.

**SHRI V M CHORDIA** They have done that in Jaipur.

**SHRI M GOVINDA REDDY** This is very significant. Why did not they wait?

**SHRI V M CHORDIA** Mr Kaul said that they should not have done this or that.

(Interruptions)

**SHRI M GOVINDA REDDY** Mr Chordia had his say, I did not interrupt him.

**THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN)** Order order.

**SHRI V M CHORDIA** He cannot go on saying things which are not correct.

**SHRI M GOVINDA REDDY** I am only throwing a challenge to your argument and saying that if you had a majority as you say, that you made the President to believe it was open to you. The Assembly was being convened, the date was announced and why did you not wait?

**SHRI V M CHORDIA** Why should we wait?

(Interruptions)

**SHRI M GOVINDA REDDY** My contention is that you were not sure of your majority and therefore you took recourse to subterfuge to the course of violence and to see that by sheer physical force you could compel the authorities.

(Interruptions)

**SHRI DAHYABHAI V PATEL.** It was Mr Sukhadia.

**SHRI M GOVINDA REDDY** It is obvious for anybody.

(Interruptions)

**THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN)** Order order.

**SHRI M GOVINDA REDDY** My contention is that they did not have a majority on that day, otherwise you would have waited for the Assembly.

(Interruptions)

**THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN)** You may not agree with him. Even then you should allow him. Let him say what he wants.

**SHRI M GOVINDA REDDY** To say that you had majority and by force, by riot or by violence trying to make the authorities to believe that you had majority is a thing which does not do credit to the Opposition.

**SHRI DAHYABHAI V PATEL:** What an advocate?

**SHRI M. GOVINDA REDDY:** After all nobody has said that the President's rule will last for ever and the Government have said that they will even not wait for Parliament to confirm the rule and that the President's rule will be lifted. If the Government were interested in seeing that the majority there is suppressed, they had other ways to do it. They would not have done this. So, Sir, all this is mere sound; all this is a make-believe thing, and, if, as hon. Members claim today, they have really a majority, well, I know it will be seen after the lapse of the Presidential rule, when the Legislative Assembly is convened, it will be very clear as to who has the majority. I therefore think, Sir, that this demand is out of place.

3 P M

**श्री गोडे मुराहरि (उत्तर प्रदेश) :** वाइस-चेयरमैन महोदय, राजस्थान में जो परिस्थिति आज है उसमें अभी तक प्रेसीडेंशियल आर्डर जो प्रोमुलगेट हुआ है वहां पर उसको कायम रखते हुए सरकार किम तरह कामकाज चला रही है यह मेरी समझ में नहीं आता। जब पार्लियामेंट का सेशन न हो और इस तरह का आर्डिनेम राष्ट्रपति के द्वारा होता है तो लाजिमीतौर से सरकार को चाहिए था कि जैसे ही पार्लियामेंट का सेशन होता है उसको वहां पर लाकर मजूरी ले लेती, लेकिन सरकार ने ऐसी कोई चीज नहीं की और दलील यह दी जाती है कि हमारे मन में तो यह है कि दो महीने के बाद यह नहीं रहेगा, इसलिए हम लोग कोई जरूरत महसूस नहीं करते कि इसकी स्वीकृति पार्लियामेंट से लेते। जिसदंग से सारा मामला राजस्थान में हुआ उससे यह साफ है कि जब तक कांग्रेस के अन्दर यह ताकत—ताकत क्या, कोई न कोई तिकड़म कर के वह अपना राज कायम रख सके तो वह उसकी साजिश करती रहेगी। यह साफ हो गया है कि राजस्थान में भी और उत्तर प्रदेश में भी। कांग्रेस कभी यह नहीं मानती कि जब लोगो ने उसके खिलाफ वोट दिया और अपोजीशन

के मेम्बर्स को ज्यादा तादाद में भेज दिया तो अपने को हटा कर अपोजीशन को मौका दे—यह वह महसूस नहीं करती, चाहती है कि किसी न किसी तरह से कोई न कोई रास्ता ढूँढकर किसी तरह गद्दी पर बैठे रहे और बीस साल तक जो कुकर्म चलाए है उनको कायम रखे।

जो परिस्थिति आज राजस्थान में है उससे साफ हो गया है कि जनता इस चीज को बर्दाश्त करने के लिए तैयार नहीं है चाहे सरकार कुछ भी करे। पहले तो वह यह कोशिश करेगी कि जो विरोधी दल के लोग हैं उनमें आपस में फूट डाले, यह कोशिश करेगी कि अपोजीशन के लोगों को खरीद ले या फिर जबरदस्ती कुछ लोगों को कमरों में बन्द कर के असेम्बली में जाने न दे। इस तरह की सागी कार्यवाही करके उनकी यह कोशिश रहती है कि किसी न किसी तरह कांग्रेस को कायम रखे। एक सदस्य यह कह रहे थे कि शायद अपोजीशन वालों ने वहां दवाब डाल कर मेम्बरों को अपने साथ कर लिया। इस बात की गलतबयानी इसी से साफ हो जाती है कि जो सत्ता है वह कांग्रेस के पाम है, श्री सुखाडिया सत्ता चलावें और साथ साथ दूसरों पर यह आरोप लगावे कि उन्होंने बल प्रयोग कर के या जबरदस्ती कर के लोगों को ले लिया है और उनको कांग्रेस के साथ नहीं होने दिया। यह तो ऐसा साफ झूठ है कि जिसके ऊपर कुछ कहने की कोई जरूरत नहीं है। राजस्थान की जो राजनीति कुछ सालों से चली आ रही है उसके ऊपर हम ध्यान देंगे तो यह साफ हो जायेगा क्योंकि न सिर्फ नाथद्वारा के सोने को हड़प करने की साजिश हुई थी राजस्थान के इस मंत्रिमंडल के द्वारा, बल्कि अभी-अभी पिछले साल भी कुछ तोले सोना जो डिफेंस फंड में देने की बात थी गोदावत का सोना उसके बारे में जो कुछ कार्यवाही हुई उससे साफ होता है कि वहां का मंत्रिमंडल, वहां के जो मुख्य मंत्री थे वे सब इस साजिश में हाथ

बटाए हुए थे कि वहा के इम सोने को किसी न किसी तरह गायब किया जाय । इन सब चीजों से हमको यह लगता है कि सुखाडिया साहब या वहा की कांग्रेस पार्टी वहा की सरकार को इर्मालए हस्तगत करना चाहती थी कि अगर वहा किसी तरह गैर-कांग्रेसी सरकार बन गई तो फिर जितने भी उनके काले कारनामे है सब मामने आ जाएंगे और उन सब को दंडित भी किया जाता । इसलिए उनकी यह कोशिश रही है कि किसी न किसी तरह अपने को कायम रखे ।

इसमे वहा के गवर्नर क्यों उनके साथ हो गए यह मेरी समझ मे नहीं आता । उसका साफ कारण यह है कि जो गवर्नर वहा पर हैं श्री सम्पूर्णानन्द वे कांग्रेस के सदस्य है, कांग्रेस के नेता रह चुके हैं और अभी भी उनका दिमाग ऐसा बना हुआ है कि वे समझने है कि देश मे अन्य कोई पार्टी कांग्रेस को छोडकर रहनी ही नहीं चाहिए । कभी कभी बातचीत मे वे कहते है कि उनकी यह साफ गय है कि कांग्रेस के सिवाय कोई दूसरी पार्टी इस देश मे नहीं रहनी चाहिए । इस तरह का दिमाग रखने वाले जो गवर्नर बन जाते है वे इसी तरह का फैसला कर सकते है, और कोई फैसला नहीं कर सकते । इसलिए मैं चाहता हू कि जो गवर्नर बनाए जाते है उनकी नियुक्ति के बारे मे नए सिरे से सोचना चाहिए । कांग्रेस की यहा पर हुकूमत ज्यादा दिन चलने वाली नहीं है । अभी तो पूरे उत्तर भारत मे कांग्रेस की सरकार खत्म हो गई, कुछ दक्षिण मे भी खत्म हो गई, उडीसा मे भी खत्म हो गई । इस अवस्था मे कुछ ही दिन मे मेरा यह अन्दाज है कि केन्द्र मे भी खत्म होने वाली है । इस अवस्था मे हम लोगों को गवर्नर की जो नियुक्तिया होती है उसके बारे मे नए सिरे से सोचना चाहिए क्योंकि इस तरह की पार्टियों के आदमियों को गवर्नर बनाने से काम नहीं चलेगा ।

असल मे राजस्थान मे क्या हुआ इसके बारे में देखा जाए । शुरु से जब बातचीत

चली, गवर्नर साहब ने अपोजीशन के लोगों को बुला कर बात की है, उस समय का उनका बयान मैं याद करता हू । उन्होने कहा कि कल कुछ अपोजीशन के नेता मेरे पास आए और उन्होने बातचीत की और जाते वक्त कुछ ऐसे शब्द कहे जिससे मैं इस सारी चीज के बारे मे पुनर्विचार कर रहा हू । विरोधी दल के नेता ने यह कहा कि राजस्थान मे प्रेसीडेंशियल रूल बर्दाश्त नहीं किया जायगा, कोई भी इस चीज को बर्दाश्त करने के लिए तैयार नहीं है । ऐसी कुछ बातें वहा अपोजीशन के नेता लोगो ने कही । इस बीज को लेकर उनके दिमाग मे ऐसी उलझन पैदा हो गई कि उन्होने सोचा कि इनको हम सबक सिखाए, हम यहा पर प्रेसीडेंशियल रूल लागू कर के दिखाएंगे । इस तरह की जिद में आकर गवर्नर साहब ने मारा मामला गड़बड़ किया और सविधान का गला घोटकर, जो जनता की इच्छा थी उसके प्रतिकूल, वहा पर कांग्रेस की सरकार को बिठाने की माजिश उन्होने की । मैं यह साफ कहना चाहता हू कि सम्पूर्णानन्द ने जो कुछ राजस्थान मे किया है उससे वे लायक नहीं रह गए है गवर्नरशिप के । इसलिए मैं चाहूंगा कि इस तरह के मामले के ऊपर सरकार सोचे । होम मिनिस्ट्री की एडवाइस हो, चाहे किसी की भी एडवाइस हो, मैं पूरा दोष गवर्नर साहब को दूंगा । उन्हो के हाथ मे फैसला था कि वे क्या रिपोर्ट भेजे प्रेसीडेंट के पास । मैं यह कहना चाहता हू कि वहा पर यह चीज साफ थी कि पहले से कि विरोधी दल के पास बहुमत था । 92 लोग पहले उनके साथ थे, बाद मे 93 हुए और जब प्रेसीडेंट के पास लोग आए तो मैं भी उनसे मिला और 93 लोगो ने एक साथ जाकर प्रेसीडेंट के सामने कहा कि हम राजस्थान में कांग्रेसी सरकार को नहीं चाहते है और हम खुद वहा पर सरकार बनाना चाहते है । प्रेसीडेंट साहब ने उन लोगो से यह भी पूछा कि तुम स्वेच्छा से कह रहे हो । उन्होने कहा कि हम स्वेच्छा से कह रहे है । हम वहा पर अपनी सरकार बनाना चाहते हैं । उन्होने चव्हाण

[श्री गोडे मुराहरि]

साहब से कहा कि देखो 93 लोग कह रहे हैं कि वे अपनी सरकार बनाना चाहते हैं। इस अवस्था में यह साफ है कि वहां पर कांग्रेस का बहुमत नहीं है, फिर भी प्रेसीडेंट रूल ला गू है। उसको क्यों अभी तक चालू रखा है मेरी समझ में नहीं आता। एक दलील यह दी जाती है कि वहां लोगो ने बलवा कर दिया या वहां पर गडबड कुछ ऐसी हो गई कि असेम्बली को स्थगित करना पड़ा। मे जानना चाहूंगा कि कहा-कहा बलवा नहीं हुआ। क्या पटना में फायरिंग नहीं हुई थी? उस वक्त असेम्बली क्या वहां पर भग हुई थी? क्या कलकत्ता में जितनी फायरिंग हुई, उस वक्त वहां पर असेम्बली को तोड़ दिया गया था? जहां जहां कांग्रेस की सरकार रही वहां पर बलवे भी होते रहे, वहां पर गोली भी चली, वहां पर चाहे कितना ही हस्तला हुआ लेकिन वहां की सरकार कायम हुई, वहां पर असेम्बली को भग करने की बात नहीं साची गई। मगर राजस्थान में चूँकि यह अवस्था थी कि वहां कांग्रेस सरकार नहीं बन पायेगी, इससे दलील यह दी जाती है कि वहां पर कुछ गडबड शुरू हो गई इसलिये वहां असेम्बली बनाने में, सरकार बनाने में, असफल रही। तो यह तो साफ है कि मुखाडिया साहब के पास बहुमत नहीं था नहीं तो वे 14 तारीख को वहां पर असेम्बली बुला लेते और अपनी सरकार वहां बना लेते, उनके पास बहुमत हो या नहीं। लेकिन जब यह उनको साफ हो गया कि उनका बहुमत नहीं है, तो कह दिया कि यह सारी साजिश हुई है और वहां पर प्रेसीडेंट रूल लागू कर दिया गया। इसलिये मैं चाहूंगा, यह जो प्रामुलगेशन है इसको जल्द से जल्द खत्म किया जाए, वहां जो बहुमत में विरोधी दल वाले हैं उनको एक मौका दिया जाय कि वहां पर अपनी सरकार बना ले क्योंकि हमेशा एक चीज रही है कि जो भी पावर में आता है उसका शुरू में एक एड्वान्टेज होता है लोगो को खरीद ले और खाम कर जो मत्तारूढ़

दल है जो बीस साल से सरकार चला रहा हो उसी दल को फिर मौका मिल जाये तो ऐसे लोग जो इधर उधर के होंगे उनको किसी न किसी तरह लालच देकर अपने साथ करने की कोशिश करते हैं। तो इस ढंग से वहां पर भी, राजस्थान में, कोशिश की गई कि मुखाडिया साहब मुख्य मंत्री बन जाये, फिर वहां कुछ लोगो को अपने साथ कराने की कोशिश करे। लेकिन वहां की जनता जागरूक रही और वहां पर जो भी प्रदर्शन हुए उससे उम तरह के जो एम० एल० ए० हो सकते हैं ये वे भी समझ गए कि अगर हमें कांग्रेस के साथ चलना है तो जनता हमको छोड़ेगी नहीं इसलिए उन्होंने अपोजीशन का ही साथ दिया और कोई उधर गया नहीं। असल में कुछ उल्टा काम हुआ कि कुछ कांग्रेस के एम० एल० ए० अपोजीशन के साथ चले गये। तो मैं चाहूंगा कि जल्द से जल्द इस प्रेसीडेंशियल आर्डर को रिवोक किया जाये और साथ साथ में एक चेतावनी और देना चाहता हूँ केन्द्र सरकार को, कि जिस ढंग से राजस्थान में, उत्तर प्रदेश में, सारी साजिश की गई कि कांग्रेस और सरकार को कायम रखा जाय, यह चीज अब चलने वाली नहीं है क्योंकि अब जनता का रूख बदल गया है अब कांग्रेस के लोग भी समझ गये हैं और जगह जगह कांग्रेस के अन्दर फूट होकर लोग कांग्रेस से अलग हो रहे हैं क्योंकि वे अब कांग्रेस की सरकार का ज्यादा दिन चला देने के पक्ष में नहीं हैं और वे जानते हैं कि देश की भलाई अपोजीशन के जरिये गैर-कांग्रेसी सरकार से होने वाली है, कांग्रेस सरकार से भलाई होने वाली नहीं है। इसलिये आज ऐसी परिस्थिति सारे सूबो में पैदा हो गई है जहां कांग्रेस के लोग भी यह समझन लगे हैं कि अब कांग्रेस का साथ देने से देश की कोई भलाई होने वाली नहीं है। इसलिये मैं चाहूंगा कि कांग्रेस जो बीस साल से अपने कुकर्म चलाती आ रही है उसको अब समझ लेना चाहिये कि अपने ऊपर

काबू रखे और अपने खुद के ऊपर काबू रखकर जो प्रजा के प्रतिनिधि अपोजीशन पार्टी के लोग हैं उनका अपनी सरकार चलाने का मोका दे। साथ-साथ यह भी है कि उन सरकारों के साथ यहां में ऐसी साजिश नहीं हो कि उनका जो भी प्रयास होगा जनता की भलाई के लिये उस पर कोई न कोई रोक यहां से डाले। अगर ऐसी चीज चली तो फिर केन्द्र में भी और सारे हिन्दुस्तान में ऐसी परिस्थिति खड़ी होगी कि इस सरकार को सामना करना मुश्किल हो जायेगा। तो मैं यह चाहूंगा कि अगर सरकार को जनतंत्र में और डेमोक्रेसी में कोई विश्वास है तो फिर उनको चाहिये कि जहां पर लोगों ने कांग्रेस के खिलाफ अपना मत दिया वहां पर तुरन्त हट जाये और लोगों को मोका दे कि वे अपोजीशन की मिनिस्ट्री बना सकें।

मैं यह कहते हुए एक चज की ओर ध्यान खींचना चाहूंगा। पिछली बार भी मैंने कहा था कि कई राज्यों में जहां पर गैर कांग्रेसी सरकार बनी है वहां से कुछ कामजात और फाइले गायब कराने की साजिश चल रही है और वहां पर भ्रष्टाचार और दूसरे मामला में जो लोग फसे हुए हैं उनको बचाने का एक प्रयास केन्द्र की तरफ से हो रहा है। कई प्रदेशों में यह देखने को आया है कि वहां की फाइले वगैरह होम मिनिस्ट्री ने मगवाई है कहीं पर कुछ फाइल्स को जला भी दिया है और इस तरह की कुछ हरकतें हुई हैं जो बंद होनी चाहिये और जो भी केन्द्र में इस तरह की चीज आई हो उसको वापस लौटा देना चाहिये क्योंकि अगर लोगों के ऊपर आरोप आएं तो फिर एकस पार्टी डिमिज्शन वहां पर लेना पड़ेगा बिना फाइल के उनको सजा देनी पड़ेगी। इस तरह की अगर बचावों की कोई साजिश होगी तो उसे लोग बर्दाश्त करने वाले नहीं हैं।

**मौलाना अब्दुल शकूर (राजस्थान)**  
जनाब वाइस चैयरमैन साहब मैं राजस्थान में प्रेस डेन्ट रूल के मुसल के बारे में कुछ अर्ज बढाया। राजस्थान के मिलसिले में मेरे बहुत से मोअज्जिज दोस्तों ने मुख्तलिफ किस्म की बातें हाऊस के सामने रखी हैं और बयान की हैं। राजस्थान में जिस हालत में गवर्नर को मजबूर होकर प्रेस-डेन्ट रूल का एनान करना पड़ा उसकी मही-पही तसवीर मेरे खयाल में अभी हाऊस के सामने नहीं आई है। राजस्थान में प्रेस डेन्ट रूल होने से पहले चुनाव के जमाने में हमारे दोस्तों ने जिस तरीके पर कांग्रेस के खिलाफ प्रचार किया, लोगों के जज्बात को उभाड़ा होगा वे अन्दर इश्तिआल अग्रेजी पैदा की वह चुनाव के जमाने में अगर कोई राजस्थान का दौरा किया हो तो उसको पता होगा। कांग्रेस की मंत्र से बड़ी दिक्कत यह थी कि कांग्रेस एक कामी बुनियाद पर, चनाव लड़ रही थी, वह धार्मिक बुनियाद पर, जातपात की बुनियाद पर, पैमे के बल बने पर या ताकत की बुनियाद पर इन्वेस्टशन नहीं। लड़ रही थी। एक ऐसी जमात जिम्ने हिन्दुस्तान में कौमियत की बुनियाद डाली हिन्दुस्तानियों के कामियत की तमबीर और बुनियाद रखी उसको मजूर दिया हो, उसके सामने मांग मुल्क हो और एक मतहिदा कामियत हो और दूसरी और ऐसी हालत हो कि मुख्तलिफ किस्म के उसके खिलाफ धार्मिक प्रोपेगन्डा हो रहे हो, जातपात का प्रोपेगन्डा हो रहा हो, कहीं दौलत की फगवानी हो, कहीं तशद्दुद का मुजाहिद हो तो ऐसी एक जमात के लिये इन्वेस्टशन का लड़ना कितना कठिन और मुश्किल हो जाता है। कांग्रेस एक ऐसी जमात थी, कांग्रेस की बुनियाद एक कामी तमब्वुर पर थी इसलिए इन तमाम मशकिलान के बावजूद भी उसने राजस्थान में एक पोजीशन और एक हेमियत और एक ताकत और कुव्वत हासिल की। इन

[मौलाना अब्दुल शकूर]

तमाम चीजों के बावजूद भी कांग्रेस एक पार्टी होने के नाते, एक वाहिद पार्टी होने के नाते, आज राजस्थान में उसकी मेजारिटी है, उसकी अकसरियत है।

**श्रीविमलकुमार मन्नालालजी चौरड़िया :**  
कवश्चन।

**मौलाना अब्दुल शकूर :** मगर हमारे कुछ दोस्त हमसे अपने जाती इख्तिलाफान की बुनियाद पर टूट कर चले गये हैं अलग हो गये हैं, तो आज भी उनसे हमारा नाता है। हमें उम्मीद है कि वे हमारे साथ आयेगे और कांग्रेस के हथ को मजबूत करेंगे। राजस्थान में कांग्रेस की गवर्नमेंट बनेगी। अपोजीशन पार्टिया, जिनके कि मुख्तलिफ मकासिद हैं, जिनके प्रोग्राम मुख्तलिफ हैं, उनका सिवाय इसके कि कांग्रेस को नीचा दिखाया जाय, कांग्रेस को हराया जाय, कांग्रेस को डिफीट किया जाय, और कोई मकसद, कोई मुजव्वज मकसद नहीं है। मुख्तलिफ मकासिद की बुनियाद पर ये जमाते कब तक रहेगी और हिन्दुस्तान के मुख्तलिफ सूबों में गवर्नमेंट कब तक चलायेगी मैं कह नहीं सकता।

मैं राजस्थान के सिलसिले में यह अर्ज कर रहा था कि राजस्थान के गवर्नर ने हालात से मजबूर होकर प्रेसीडेन्शियल रूल का ऐलान किया। गवर्नर के बंगले पर जो लोग गुप्तगू करने के वास्ते गये थे, गवर्नमेंट बनाने के सिलसिले में बातचीत करने के वास्ते गए थे तो वे लीडरान बजाय बातचीत करने के मुतहद हो तशद्दुद से भरे हुए नारे आर आवाजे गवर्नर के बंगले के सामने मजमा लगाकर बुलन्द कर रहे थे और तशद्दुद पर वे आमादा थे। गवर्नर ने जब यह देखा, गवर्नर ने जब यह हालत महसूस की, गवर्नर ने जब देखा कि ये राजस्थान की शांति, राजस्थान के अमन को, भग करना चाहते हैं और ताकत, कुव्वत और बलबे के बल पर गवर्नमेंट बनाना चाहते हैं तो गवर्नर का दिमाग बदला। गवर्नर के दिमाग पर असर पड़ा और दफा 144

का वहा निफाज किया गया ताकि इस तरह का माहौल पैदा न हो और शांति और अमन के माहौल में गवर्नमेंट के मुताल्लिक बातचीत की जाय कि किस तरह से गवर्नमेंट बनाई जायगी और जिस पार्टी की मेजारिटी होगी, वह गवर्नमेंट बनायेगी।

(Interruption)

जब मैंने आप की बातें इत्मीनान में सुनी तो आप भी मेरी बातें इत्मीनान में सुनिये तो मैं यह अर्ज कर रहा था कि उसके बाद गवर्नर ने क्या किया। उन्होंने दफा 144 का निफाज किया और 144 का निफाज सिविल लाइन में हुआ। फिर शहर में रात में मीटिंगें हुईं जिनमें बड़े बड़े जिम्मेदार लोगो ने तकरीरे की। मैं उनका नाम हाउस में लेना नहीं चाहता। लेकिन मैं यह कहना चाहता हूँ कि बड़े बड़े जिम्मेदार लोगो ने उन मीटिंगों में बहुत ही गैरजिम्मेदार तकरीरे की। लोगो को कहा गया कि खद्दर टोपी को जला डालो। उनसे यह भी कहा गया कि क्या राजपूतों का खून खत्म हो गया है जो इस तरह की बातें बर्दाश्त कर रहे हैं। मजमा में यह भी पूछा गया कि तुम क्या करना चाहते हो, तुम दफा 144 मानते हो या तोड़ना चाहते हो। उसपर मजमा ने कहा कि हम 144 को नहीं मानते हैं और हम 144 तोड़ेंगे। फिर दूसरे दिन दफा 144 को तोड़ कर चीफ मिनिस्टर के बंगले पर हमला किया गया। जब इस तरह की बातें हुईं और यह ऐलान किया गया कि किसी तरह भी हम कांग्रेस मिनिस्ट्री यहा पर बनने नहीं देंगे, जयपुर में खूनखराबी होगी, जयपुर में कत्ले आप हो जायगा, तब आपने देखा कि किस तरह से मजबूर हो कर के गवर्नर जो है उनको वहा कर्फ्यू लागू करना पड़ा। लेकिन उस कर्फ्यू की हालत में क्या हुआ उस कर्फ्यू की हालत में वहां पर दुकानें जलाई गईं, डाकखाने को आग लगाई गई और कर्फ्यू को तोड़ा गया पुलिस ने उस मजमू के सामने हाथ जोड़े जिसको गैर-जिम्मेदार लीडरों ने मुश्तइल कर दिया था। उसमें अवाम का कोई कसूर नहीं था...

**श्री विमलकुमार मन्नालालजी चौरडिया :**

लीडर तो जलो में बन्द थे ।

**मौलाना अब्दुल शकूर :** आप सुनिये इत्मीनान में । तो उस में जनता का कोई कसूर नहीं था बल्कि इन लीडरों का कसूर था । पुलिस ने हाथ जोड़कर उनसे कहा कि दफा 144 लगी हुई है और आप यहाँ से हट जाइये, हम सरकार के मुलाजिम हैं और जब आपकी सरकार होगी तब हम आप के भी मुलाजिम होंगे । फिर भी आप ने देखा कि किस तरह से पुलिस के जिम्मेदार अफसरों पर, डी० एस० पी० पर, एम० पी० पर हमला किया गया । इतना ही नहीं, पुलिस पर बन्दूक चलाई गई । फिर जब पुलिस ने देखा कि हालात नाजुक हो गये हैं और हालात इतने आगे बढ़ गये हैं, तो पुलिस को भी मजबूर होकर के गोली चलानी पड़ी । मैं यह अर्ज करूंगा कि यह ठीक है हम जिम्मेदार अदमी हैं, हम पार्लियामेंट के मेम्बर हैं हम असेम्बली के मेम्बर हैं, हम मिनिस्टर हैं, लेकिन जिन तरह से हम देश भक्त हैं, उसी तरह से पुलिस का वह मिपाही भी देश भक्त है जो हिन्दुस्तान की जनता की इज्जत, उसकी दौलत और उसके माल की रक्षा के लिये और अमन व शांति कायम रखने के लिये बड़काडती धूप में, अथराती मर्दी में और मृतलाधार वारिण में पहरा देता है । तो वह भी इतना ही देशभक्त है जितना कि मैं हूँ, पुलिस वाले को भी देश में रहने का इतना ही हक है जितना कि मुझको है । फिर भी आज किसी को इतनी तौफीक नहीं हुई है कि वह पुलिस वाले जो इस तरह मारे गये, उनकी हमदर्दी में दो शब्द कह दें । मैं आप से कहूंगा कि पुलिस को वहाँ मजबूर होकर के गोली चलानी पड़ी ।

**श्री विमलकुमार मन्नालालजी चौरडिया :** मेरा एक व्यवस्था का प्रश्न है । उस घटना का उल्लेख ठीक नहीं है क्योंकि उसकी जांच हो रही है ।

**उपसभाध्यक्ष (श्री अकबर अली खान) :** अगर उसकी जुडीशियल इन्क्वायरी हो रही है तो उसका जिक्र नहीं होना चाहिये ।

**श्री विमलकुमार मन्नालालजी चौरडिया :**

बस यही निवेदन है । वैसे वे चाहे जितनी जोर से बोलें, उसमें मुझे कोई आपत्ति नहीं है बल्कि उससे मैं प्रसन्न हूँगा ।

**SHRI M. M. DHARIA (Maharashtra):** Mr. Vice-Chairman, is it the privilege only of the Opposition to speak in that way?

**उपसभाध्यक्ष (श्री अकबर अली खान) :**

मौलाना अब्दुल शकूर साहब, आप मुझको मुखातिब कीजिये ।

**मौलाना अब्दुल शकूर :** जनाब वाइस चैयरमैन साहब, आपको मालूम होना चाहिये कि राजस्थान असेम्बली जो है वह शहर के अन्दर है और वहाँ ऐसे रास्ते से जाना पड़ता है जो शहर को क्रॉस करके जाता है और वहाँ शहर में कांग्रेस वालों के खिलाफ ऐसा माहौल पैदा कर दिया गया था, ऐसा वातावरण पैदा कर दिया गया था कि गवर्नर को मजबूर होकर के वहाँ कर्फ्यू लगाना पड़ा । गवर्नर ने जब देखा कि इस तरह की बातें हो रही हैं, इस तरह से लोग नाकत से और हिंसा से उनको मजबूर करना चाहते हैं, तो मजबूर होकर उनको कर्फ्यू लगाना पड़ा । यह ठीक है कि असेम्बली बुला ली जाती और वहाँ सब बातों का फैसला हो जाता । लेकिन जब अवाम में और पब्लिक में इस तरह से गैरजिम्मेदार तकरीरों की जाये और वहाँ पर तशददुद का वातावरण बनाया जाय, तो ऐसी हालत में वहाँ पर गवर्नर के लिये सिवाय इसके कोई चारा नहीं था कि वह वहाँ पर कर्फ्यू लगाये । उसके बाद उन्होंने सेटल गवर्नमेंट को वहाँ की सारी सही पोजीशन, सारे सही हालात के बारे में रिपोर्ट दे दी । वहाँ का गवर्नर एक देशभक्त है, एक पुराना कांग्रेसी है और ऐसा कांग्रेसी है जिसकी जिदगी बेदाग है, जिस पर कोई धब्बा नहीं है । इसलिये उसके लिये इस किस्म के गलत अल्फाज कहना सही नहीं है ।

यहाँ पर राजस्थान के चीफ मिनिस्टर का भी जिक्र आया है । हम यह नहीं कहते

[मौलाना अब्दुल शकर]

कि राजस्थान के चीफ मिनिस्टर से कोई गलती नहीं हुई है। लेकिन राजस्थान के चीफ मिनिस्टर का जिक्र यहां पर लाने की वजह यह है कि वह एक जोरदार इन्सान है, एक अच्छा आ गनाईजर है, एक अच्छा एडमिनिस्ट्रेटर है, एक होशियार और ढंग से काम करने वाला आदमी है और अपोजीशन के मेरे दोरत यह समझते हैं कि राजस्थान में जब तक मुखाडिया माहब की पोजीशन डाउन नहीं की जायेगी, उनको बदनाम नहीं किया जायेगा, उनको गिराया नहीं जायेगा तब तक हमारी यह चर्चा सफल नहीं हो सकती है। मैं यह कह देना चाहता हू कि राजस्थान में आज भी कांग्रेस स्ट्रांग है और वहां कांग्रेस गवर्नमेंट बनेगी और हमको थोड़े दिनों के बाद आप देख लेंगे।

मैं यह भी अर्थ करना चाहता हू कि राजस्थान एक मरहदी न्वा है। राजस्थान का मरहद पाकिस्तान में लगी हुई है। इसलिये जब तक राजस्थान के हालात ठीक नहीं जाये, ठीक नहीं हो जाय, उम वक्त तक मैं अपने काम मिनिस्टर माहब से अज कत्ता कि वह पुरी निगरानी रखे। राजस्थान में हम कभी ऐसा नहीं होने देंगे जिसमें पाकिस्तान खश हो या कोई फायदा उठाये। बस मैं इतना कह कर अपनी तकरीर खत्म करना हू।

SHRI BANKA BEHARY DAS Vice-Chairman, Sir, while demanding immediate withdrawal of President's rule in Rajasthan I am constrained to say that by imposing President's rule in Rajasthan the Congress Government has committed political aggression on the rights of the peoples representatives of Rajasthan and also on the democratic and constitutional rights of the people of the State. If I may be allowed to use the strong words that Dr Ambedkar said in the Constituent Assembly when discussion was taking place about this article, he said this must not be an invasion which is wanton and arbitrary. While

discussing article 278 of the Draft Constitution which corresponds to this very article which is being referred to here now, he said

"The proper thing we ought to expect of course is that such articles will never be called into operation and they would remain a dead letter. If at all they are brought into operation, I hope the President, who is endowed with these powers, will take proper precautions before actually suspending the administration of the province. I hope the first thing he will do would be to issue a mere warning to a province that things are not happening in the way in which they are intended to happen in this Constitution."

Sir, I want to refer, before going into the other aspects of the Rajasthan affair, to these memorable words of Dr Ambedkar whose statue has been unveiled yesterday only in the precincts of this Parliament. Sir, when his statue was being unveiled we were reminded of the great words of Dr Ambedkar who is one of the Chief architects of the Constitution and we are today discussing a matter which is serious and which is tantamount to an invasion of the people's rights in Rajasthan State. Sir, here I want to refer you to the constitutional provision just to point out that the President of India is not bound to accept the opinion of the Governor. If I may be permitted to quote the relevant article, article 356 says:

"If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied that a situation has arisen in which the government of the State, cannot be carried on in accordance with the provisions of the Constitution."

It has been explicitly stated here that the President is not bound to act according to the report of the Governor because he can rely upon the report of the Governor or on something else also which comes to his notice from some other quarter and it would have



been proper on the part of the President before he accepted the advice of the Government or the Home Ministry to go into the details of the case before he issued the Proclamation

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) That is why he did not accept the recommendation in toto

SHRI BANKA BEHARY DAS He may not have but the very fact that he imposed President's rule means that he accepted that the State cannot be administered in a proper way. Just to quote Mr Basu who is one of the experts on this, he said this about the imposition of President's rule

"As to the political propriety of the use of this power however it may be said that the very words, 'in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution' indicate that article 356 is not intended to supersede the other provisions of the Constitution relating to the State, that is, the principles of responsible government laid down in articles 163 and 164 but intended to prevent a deadlock when the normal provisions of the Constitution relating to the government of the State cannot practically be applied in that State. As has been already said it is a provision which is to be applied in the last resort in order to prevent chaos and disorder"

Sir, I want to know when the President considered this report of the Governor, when he accepted the advice of the Home Ministry whether he was satisfied that a situation has developed in Rajasthan which is tantamount to chaos and disorder. Whatever might have been the report of the Governor I am also very sorry to say that the words that have been used by the Governor in his confidential letter, a portion of which has been laid before this House, dated 12th

March are regrettable. When Mr. Sukhadia informed the Governor that he was not in a position to form the Ministry then the Governor did not call the other party to form the Ministry—I mean the United Front—and he has given the reason why he has not called it. He says, 'I cannot conscientiously call upon the other party led by Maharawal Laxman Singh to form the Government'. Here the question of conscience comes. Instead of taking into consideration the situation in Rajasthan and the fact whether somebody else could have been available who could have formed the Government he went into the question of conscience. And what was his conscience? His conscience was that the other persons who should have been called to form the Government are not law abiding citizens, they are violating section 144 and they want to create chaos in the State. It is none of the business of the Governor to consider these aspects.

We know that the Governor wanted Mr Sukhadia to form the Ministry. Whatever might have been the emotional words that have been used in this House it was a fact that the Governor was prompted by partisan considerations to invite Mr Sukhadia to form the Ministry. And when Mr Sukhadia failed to form the Ministry it was proper on the part of the Governor to call on the other party, the United Front, to form the Ministry. If the United Front also had refused to form a Ministry then it would have been proper on the part of the Governor to recommend imposition of President's rule in the State. In this connection the parallel of Andhra has been cited. I may say here that the Congress Party quotes only such parallels that suit them. They have not quoted here what happened in Kerala nor have they quoted what happened in Orissa. Always they have pursued double standards. Last time when the Presidential Proclamation in respect of Kerala was being discussed we had said that the Congress Party

[Shri Banka Behary Das]

was not going to rule this country for all time to come and that it was a multi-party rule that was going to come about in the country. We know India is a huge country. We have 17 legislatures besides the Union legislature here. Nobody will say that one single party—whether it be the Congress or any other party—would be ruling this country in all the States and at the Centre always. So last time when the Kerala Proclamation was being discussed we suggested that a convention should be developed in co-operation with other parties in this regard so that the Congress Party or any other party which rules the States or at the Centre will not be blamed if it were to impose President's rule in any State but this advice has fallen on deaf ears. And from the speeches that we are hearing here now, I am afraid that the Congress people have not still learnt what is going to be written in the history of the country.

The writing on the wall is very clear. In U.P. the Congress Ministry was there with a claimed majority but after that what has happened? We know very well what is going to happen in other States after that has happened in U.P. We know that in Andhra and Assam the Ministry has been expanded only yesterday and the dissidents have been taken into the Ministry. They have been taken into the Ministry so as to avert a crisis that the Chief Ministers of these States were apprehending. So I want to say that the writing on the wall is very clear, you are not going to rule next time even if you are allowed to rule here for five years. Unless all the parties sit together, unless the Congress wants to develop a very healthy convention in this country and allow discretion to be used by the Governors in whichever manner they want, there will be chaos and disorder in the country in spite of the fact that President's rule will be imposed.

In this regard, Mr. Vice-Chairman, I want to say something about the appointment of Governors. When the Congress Party was ruling everywhere it had been the convention that the Prime Minister consulted the Chief Minister of the State concerned before appointing a Governor for that State. I want to know from the Home Minister whether in appointing Governors to the States he will follow the same procedure that was being followed when the Congress Chief Ministers were there in the various States or whether they will go on like this that in Mysore where there is Congress rule they will consult the Chief Minister but in Madras where there is Mr. Annadurai they may not consult him but just impose a Governor on that State. This sort of appointment of Governors cannot go on for a long time. The Congress Party should think of developing a healthy convention in this matter and consider how the Governors should be appointed. Personally I am of the opinion and my party is also of the opinion, that the post of Governors should be abolished or like the zones, three or four States may be combined to have one Governor and further the appointment of Governors should be subject to ratification by Parliament. Whether this method is followed or whether some other method is to be followed in the matter of appointment of Governors, it is for the Congress Party immediately to sit with the other Opposition parties and decide whether the post of Governors will be there and if it will be there how the appointment should be done. I also want to know from the Minister whether in the matter of appointment of Governors to the States—some appointments have already been made and some will be made in future—they are going to consult the Chief Ministers of the non-Congress Governments or not.

In this connection the question of the President also comes in. Here I want to plead again when the writing on the wall is very clear, even in this

election unless they pursue a policy of unanimity and consensus, I do not know what is going to happen to the election of the President. We know what happened about certain office-bearers of the other House. I am not going to refer to it, because that will not be proper. But I want to say now that the majority of the Congress is being slashed down everywhere by the verdict of the people, it is now proper for them to think how all these non-controversial posts, whether of the Governors or of the President and the Vice-President, should be filled. If they do not do it, I am sorry it will be very late and instead of preventing chaos and disorder, they will be welcoming such a situation that we are having in Rajasthan now. In this connection I want to refer to another peculiar aspect of the whole Rajasthan affair. I think the Governor has perhaps now understood what was his mistake. He perhaps wants the President's rule to be revoked, but he does not know the way out of it. In this connection I will refer you to the Press conference of Dr. Sampurnanand, a report of which has been published in 'The Statesman' of yesterday. It says:

"From our Special Correspondent in Jaipur Office. Dr. Sampurnanand told reporters at Raj Bhavan yesterday that the situation in the State was fast improving and he hoped that his assessment was correct. Nobody has sought my advice. I do not know whether I should voluntarily give advice."

Now, he is in such a state of affairs. You can see from this report how the Governor has now realised that he committed a great mistake. Now, he is in a quandary. He wants to know whether he should volunteer or the Home Ministry will require a report from him. According to the general convention, the Governor every fortnight gives a confidential report to the Government of India.

[THE VICE-CHAIRMAN (SHRI M. RUTHNASWAMY) in the Chair]

I do not know, after the imposition of President's rule, how many reports he has submitted to the Government of India, but here he does not want to say anything about the real state of affairs that is obtaining in the State. From this it is clearly seen that there is no necessity of continuing President's rule in the State nor any necessity to wait for two months for the revocation of President's rule in the State. Here I want to say that the imposition of President's rule in Rajasthan has been arbitrary and wanton. Even now considering the present situation there—it is absolutely calm and quiet—the constitutional machinery can be brought into being. I plead that when the Minister replies he should announce here in the House that President's rule is going to be revoked immediately in the State of Rajasthan and the right of the people will be immediately restored there.

SHRI K. DAMODARAN (Kerala): Mr. Vice-Chairman, I want to express my disapproval of the injustice done to the people of Rajasthan. The suspension of the Rajasthan Assembly and the imposition of President's rule was an undemocratic and illegal act on the part of the Governor. The situation, as it developed in Rajasthan after the election, did not warrant any such action. Much has been said here about the personality and the virtues of Shri Sampurnanand. His personal integrity, his erudition, his philosophical approach, these virtues are not in question here. The issue under discussion is whether his political action or his political recommendation was correct or not, whether his judgment was correct or not and not his philosophical approach or any such thing. You may agree with his philosophical views or you may disagree. Personally I do not see eye to eye with his philosophical views. He has written a book called "Indian Socialism". In that book he says that

[Shri K. Damodaran.]

Indian socialism must be based on Vedanta. The hon. Member on the other side, with a beautiful voice, also praised his Vedanta, but what is Mr. Sampurnanand's Vedanta? He says in his book that according to socialism based on Indian Vedanta, the rich, propertied classes must be allowed to own property, own the means of production and exploit the poor. I have heard of another man. He too was erudite. He too had personal integrity. He too believed in socialism and he too believed in Vedanta. His name is Swami Vivekananda. Now, according to the Vedanta of Swami Vivekananda, the rich people have no right to exploit the poor. Swami Vivekananda said: not the capitalist class, but the poor people should govern the country. That was his Vedanta. Where is Mr. Sampurnanand's Vedanta and where is Swami Maharajas' Vedanta.

**SHRI SHEEL BHADRA YAJEE** (Bihar): You are advocating the Maharajas' Vedanta.

**SHRI K. DAMODARAN:** You stand for the Maharajas' Vedanta. You may agree or disagree. That is another point. The question here is whether this gentleman was correct. Mr. Sinha in the morning said that the Governor might have been guilty of committing an error of judgment. Even the Minister stated the other day that the Governor's judgment about the majority or minority in the Rajasthan Assembly might be right or might not have been right. That means the Minister himself was not sure that the Governor's action was right and he could not defend it. He said that the Opposition members in the Rajasthan Assembly should have waited for the Assembly to be convened in order to prove that they had a majority. This is a very strange argument. The United Front of Opposition parties clearly informed the Governor that they were in a position to form a government. The

Governor should have immediately called the leader of the Opposition parties, but instead he invited Shri Sukhadia and asked him to form a government. What can poor Mr. Sukhadia do? It is not enough that one has a desire to become a Chief Minister. One should also command the majority in the House. Mr. Sukhadia had no majority in the House. So, he declined the offer. He said he could not form the Government. At least at that moment the Governor should have called the Opposition leaders and asked them to form government. He did not do it, because his mind was made up. He had even earlier decided what he should do. Then, he recommended President's rule for Rajasthan. In this the Governor was acting not only in haste and illegally but without any regard for democratic traditions. He should have allowed the United Front to form the Government and allowed the democratic process to take its own shape. He did not do it. He should not have recommended suspension of the Assembly and the imposition of President's rule. He should not have asked the Centre to do it. The Centre, instead of advising him to change his views, immediately accepted it. Perhaps they themselves might have asked him to write such a report, such a recommendation. There have been previous instances like that, the Centre asking the Governor to write such and such report. In our history such instances have taken place. Anyway, his judgment was immediately accepted and the Centre also became a party to imposing an undemocratic and unwanted rule on an unwilling people. After the imposition of President's rule, as was stated here, the United Opposition in Rajasthan had produced ample proof of their majority before the President by bodily presenting 93 MLAs before him. The Government might say that it was very difficult to recognise all these 93 M.L.As. In that case they should surely have convened the Assembly and allowed the Opposition to prove

their strength in the Assembly. They did not do that also.

Some Members on the other side have stated that when normal times return, everything will be all right. You by your actions create a very abnormal situation and then say, after creating that abnormal situation, let a normal situation return. How can a normal situation come about unless you help to bring it about? But that was not done.

Another strange argument I heard Shri M. Govinda Reddy putting forward is that the Opposition Members have not made any charge on the Governors in other States. What does it mean? Does it mean that whatever Dr. Sampurnanand, the Governor of Rajasthan, has done is correct? How is it proved? Perhaps as is suspected by many people this may be a feeler that if the Governor is allowed to have his own way as far as Rajasthan is concerned, you may try it on other States. That is the fear. Rajasthan is a test. If democracy in Rajasthan is allowed to be murdered, then democracy can be murdered in other States also. I do not know. That is not an argument anyway. If the Governors of six States have not been attacked and no charges have been brought against them, that itself is a proof which you can consider. If the Opposition's business is to bring charges against Governors, they can bring charges on other Governors also. That was not done. Why was this particular Governor singled out? That itself means that something was wrong.

Another argument is advanced that the Opposition parties have no common ideology, have different views and different ideologies. The hon. Member there also said that. They ask how long the United Front Government will last. That is not the concern of anybody. It may last one day or five years or one hundred years. That is not the question at all. The question is whether democratic

procedure should be allowed to function or not, democracy should be allowed to function or not. The question is whether the leaders of parties which command a majority within an Assembly should be invited to form a Government or, as was done in Rajasthan, whether a leader of a party which did not command a majority in the Assembly should be asked to form a Government on the plea that he had the biggest party as far as the Assembly members. That was not enough that a man leads the biggest party in an Assembly. It is necessary that that particular man must have the command of the majority of the Assembly members. That was not there. That is the only question here. The Centre has done a great mistake. The President has also committed an error. He should not have accepted the Governor's report at all. He should have totally rejected it. He had the right to reject it, and the Centre also became a party to the Governor's action. So much ill-will and dissatisfaction have already been created. Now there is no use of speaking much about that but, as was demanded by so many Members here, the President's rule should be immediately, without any further delay, revoked and the Assembly of Rajasthan should be allowed to function, and the normal democratic process should be allowed to have its own normal course.

Thank you.

SHRI DALPAT SINGH (Rajasthan): Mr. Vice-Chairman, I do not agree with the hon. Members on the opposite side. The charges they have put against the Rajasthan Government, the Governor and the Congress Party are baseless. Unfortunately in the general elections there had been no clear majority of any particular party. Though the Congress Party had the largest number of votes and had the largest number of M.L.A.s., all the other political parties combined together cannot make that number.

(Shri Dalpat Singh.)

The Governor was perfectly right in inviting the Congress to form a Government because there was no other party or parties which can claim so many M.L.As. It was in all fairness and impartiality that he took this decision. Nobody under similar circumstances could have acted otherwise. It became a very delicate and difficult situation when each side was claiming majority, and what majority? Majority by one number only. While the Governor was assessing the strength of parties, independent members were changing sides from one to the other. So under these circumstances it was all the more difficult to find out the actual strength. **Therefore**, under these difficult circumstances it was the duty of the Governor to use his discretion and he used it in the best and impartial way.

Sir, every political party which believes in democracy should adopt democratic method under similar circumstances. At such times demonstrations and slogans do not create a healthy atmosphere. But I regret to say that the Opposition parties resort to demonstrations and slogans which lead them nowhere. Whether they are in a majority or not cannot be settled by demonstrations and slogans in the bazaars and streets. It is only on the floor of the Assembly that they can prove their majority. When the conditions were not peaceful and the situation in the State was not normal, there was no other way than to proclaim President's rule. It was not possible to call the Assembly because there was great tension in the city of Jaipur. There should be no cause of complaint against the Central Government when under such circumstances without dissolving the Assembly President's rule is promulgated till the situation returns to normal. The Congress is not hankering after power. Neither the Government nor the party wants this state of affairs to continue in Rajasthan;

they want the situation to become normal.

In conclusion, I should like to submit that I do not see the utility or justification of such a resolution. We have been assured at the highest level that the Central Government is as keen as anybody can be to see that responsible Government in Rajasthan is given as soon as the situation is normal. The resolution is therefore futile and uncalled for and should be rejected.

Thank you.

SHRI A. P. CHATTERJEE (West Bengal): In fact, Mr. Vice-Chairman, this is a matter in which the attention of the House has been diverted so to say and profitably diverted on several occasions. Really the whole thing is understandable according to the principles of democracy. Why should actually the Central Government, I should say the President under article 356 of the Constitution have used his powers to promulgate this order under article 356 superseding the Assembly and assuming to himself all the executive powers of the State of Rajasthan? Now, there was a rumour at that time—and I 4 P.M. think the rumour was well-founded—that really this was one of the sticks of the Congress Government; this was the stick of Proclamation that they issued in Rajasthan, and by that stick they wanted to cow down and threaten the intending rebels among the Congressmen in Uttar Pradesh. They wanted Uttar Pradesh for themselves because Uttar Pradesh was such an important State for them and naturally, the Congress Government, the ruling Congress Party, could not afford to lose their Uttar Pradesh from their midst. That is why in Rajasthan also they would not have a government formed by the non-Congress Opposition. By stopping the non-Congress Opposition, by preventing it from forming the government there, they wanted to have an influence, so to say,

exercised upon the intending rebel Congressmen of Uttar Pradesh, as I said, and in that way, they tried to keep it in their fold. But you know that that was not to be. The wheels of time have come full circle, and we have seen that the most prized State in the Congress fold, namely, the State of Uttar Pradesh, that has also fallen away from its fold. And now we find there a non-Congress Ministry in the saddle and the dear UP—I mean dear to the Congress, that beloved State—is now no longer under Congress rule.

I might cite a statement which appeared in some journal some time ago which quoted a particular gentleman who said that if one travelled from Amritsar to Howrah by train, one would not have to pass through any Congress Ministry State in these days. Well, he will have to pass only through those States which had shaken off the misrule of the Congress Government, a misrule which had ridden them, like a terrible incubus, for the last 20 years. Therefore we are now in this situation where we find State after State going away from the Congress fold, State after State taking upon itself the rule and the government of the non-Congress Opposition—rather, non-Congress parties which were so long in the Opposition. Therefore there is no reason at all at the present moment why Rajasthan should still be suffering under this Proclamation issued under Article 356 of the Constitution by the President.

Mr. Vice-Chairman, really the time has come for the Congress people at the Centre to see the folly of their actions, the actions which they have taken so far, if they want to retrieve the damage that they have already done if they want really to reconstruct their image—I am quite sure that they will not be able to reconstruct it, their image has so long been an image of destruction of democracy, an image of misrule, an image of corruption, an image of one-party dictatorship. I am

sure that they will not be able to take off that image from the minds of the people. Of that I am quite sure. But even if the Congress people do want to think of doing something to retrieve the damage which they have done to themselves, then the least thing for the wise men among them is to prescribe that the Congress Government at the Centre must immediately revoke the Proclamation which they have issued under article 356 of the Constitution in relation to Rajasthan.

[THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) in the Chair]

Mr. Vice-Chairman, you know that this is a motion which we have moved in this House and in this motion we have asked that the Proclamation which has been issued under that provision of the Constitution should be revoked. And I am quite sure that this House, though it is packed with Congress supporters—this House has a majority of Congress Members on the other side—will now see its way to supporting this motion and they will be with us in demanding the revocation of the President's rule in Rajasthan, because in that way only lies a way out of the blind alley which they have found themselves in, into which they have put themselves and from which there cannot otherwise be any escape for them.

Sir, it is definite and quite clear that as far as the question of the morality and the legality of the President's rule in Rajasthan is concerned, there cannot be two opinions on this. Morally it is reprehensible, legally it is unsustainable. Morally it is reprehensible because of this reason that when the people of Rajasthan by their own votes decided that they would not have the Congress rule there, then it was really appropriate for the Congress Ministry there—I mean the Ministry headed by Mr. Sukhadia—to have advised the Governor to invite the non-Congress

[Shri A. P. Chatterjee.]

Opposition to form the Ministry. That was the proper, appropriate and morally correct advice that should have been given to the Governor by the caretaker Ministry which was led by Mr. Sukhadia. But Mr. Sukhadia did not do it. Though he said on 12th March that he was not in a position to form any Ministry, does it stand to reason that he should have advised the Governor to report to the President that there be President's rule under article 356 of the Constitution? Now, in this way, Mr. Sukhadia not only dug his own grave, but dug the grave of the entire Congress organisation in Rajasthan. I, in the Opposition, am certainly not an apologist for the Congress, but one thing I cannot help observing. It is this that these Congress people in Rajasthan, have they gone mad? Have they gone politically berserk? Have they gone amuck? If they had not politically gone amuck, then they should not have tendered this advice to the Governor to report in this fashion to the President. And the President, well, to our surprise again, should not have accepted this Report of the Governor and should not have acted as he has done by issuing the Proclamation saying that state of things as provided for under article 356 of the Constitution existed in Rajasthan.

Mr. Vice-Chairman, I know that people will say, what we have done is according to the Constitution. But really have they done it according to the Constitution? The Constitution says that if the President is satisfied on the Governor's Report that the Government of a State cannot be carried on in the ordinary way, then only can he issue a proclamation under article 356 of the Constitution and he can assume to himself the executive powers. But can it be said that the government of the State could not have been carried on in the fashion laid down in the Constitution. You know that as early as the 27th February, 1967 the non-Congress Opposi-

tion came out with this declaration that they had 92 members behind their back and they said that with these 92 members, being in an absolute majority in the State Assembly, they could form the Ministry. Dr. Sampurnanand, the Governor, dallied with the Congress Party there; had dalliance for some days with the Congress Party. What emerged out of this unworthy courtship in which he indulged with the Congress Party there? That courtship, well, led to a complete tragedy both in the life of the Governor and in the life of Mr. Sukhadia, and we have now a tale of forlorn love and still more forlorn Governorship there, a tale of absolute tragedy, a tale of absolute hopelessness and a tale of absolute failure.

When on the 12th March Mr. Sukhadia said that he would not be in a position to form the Ministry, Dr. Sampurnanand—well, if he had anything in him of wisdom which is to be expected of the Governor of a State—should have invited the Opposition. Of course, I must say in passing that perhaps Governorship is a kind of limbo into which you throw all the descript and non-descript politicians, those politicians who do not have any legs to stand up in the world of politics, whom you throw into the rubbish of Governorship or into the rubbish of other sinecure posts. Anyway, that is my own particular feeling about Governorship. Now if this Governor, Dr. Sampurnanand, really had any wisdom left in him, then on 12th March 1967, when Mr. Sukhadia said that he was not in a position to form the Ministry, he should have called immediately the non-Congress Opposition to form the Ministry. But instead of doing that he writes a report. (*Time bell rings*). Mr. Vice-Chairman, I will take five minutes more.

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

SHRI A. P. CHATTERJEE: No, no.



THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): You started at one minute to Four. Now it is sixteen minutes. You have taken one minute more. I will be very happy if you finish in a minute. There are many other speakers.

SHRI A. P. CHATTERJEE: Have I taken sixteen minutes, Sir?

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Yes, you started at one minute to Four.

SHRI A. P. CHATTERJEE: Minutes are running too fast. Mr. Vice-Chairman, as I was going to tell you that when Mr. Sukhadia was not in a position to form the Ministry, the Governor wrote down a report. This report said that the constitutional Government could not be carried on in the ordinary way. Sir, I correct myself and say that that is not even the report. Dr. Sampurnanand, in his report to the President, does not say that the Government of the State cannot be carried on in the way laid down in the Constitution. He gives expression to all kinds of shibboleths. He gives expression to all sorts of wild and reckless statements saying that these persons will not obey the law, that these persons are not wedded to law. These things, Mr. Vice-Chairman, are not relevant in the context of a report which has to be made to the President under article 356 of the Constitution.

Again, Mr. Vice-Chairman, the President can act only when he is satisfied that the Government cannot be carried on in the ordinary way. But you know, Sir, that 92 Members lined up before the President. They had a roll call amongst themselves, and in that roll call they proved explicitly before the President that they were there solidly behind the Leader of the Samyukta Dal of the Rajasthan Assembly, Maharawal Laxman Singh. They told the President that they were unbreakable and, therefore, there was no question of thinking or imagining that a non-Congress Ministry could not be formed there in Rajasthan. Sir, there is no question

of thinking that the Government of the State could not be carried on along the lines that have been chalked and have been laid down in the Constitution. If that is so, Mr. Vice-Chairman, there is no reason at all why actually the President should have thought that the Government could not be carried on in the constitutional way because if I may read article 356 of the Constitution, it says:

"If the President on receipt of a report from the Governor of a State or otherwise, is satisfied that . . .".

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

SHRI A. P. CHATTERJEE: I am only reading the article.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): That is true. But that has been read many a time in this House.

SHRI A. P. CHATTERJEE: It does not matter. Sometimes repetition is good.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): You said "One Minute". I gave you one minute.

SHRI A. P. CHATTERJEE: Sometimes good words require repetition in order that they should go in the impervious minds of those who say many things which are silly. The article says like this:—

"If the President on receipt of a report from the Governor of a State or otherwise, is satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution . . ."

then only the President can make a Proclamation under article 356. Mr. Vice-Chairman, there is no reason for thinking that the Government of the State could not be carried on in the fashion laid down in the Constitution. There were 92 Members who attend-

[Shri A. P. Chatterjee.]

ed, if I may say so, a roll call by the President. It was clearly proved that they were there before the President. Therefore, the President also was satisfied and he should not have accepted the report of the Governor and issued this Proclamation.

Mr. Vice-Chairman, I conclude with this sentence that the only way to retrieve the damage which has already been done is by standing by the principles of democracy, namely, that this Proclamation should immediately be revoked and democratic principles should be restored to their rightful position. Thank you, Mr. Vice-Chairman.

SHRI P. N. SAPRU: Mr. Vice-Chairman, I feel that I cannot record my vote on this Motion without explaining my position and it is for this purpose that I sought your permission to say a few words. Let me make it quite clear that I am not going into the question whether the Governor's Report was seriously conceived or not. Those questions do not interest me. Let me also make it clear that I am not going to comment on the fact whether the 92 persons who were present at the President's House should or should not have been counted by the President. My objection is of a more fundamental character. And that objection is that there should be no President's rule in a quasi-federal Constitution such as ours. I have looked into the Constitution of Canada which is about the most unitary, which is more unitary than many other Constitutions. I have looked into the constitution of Australia. I have looked into the Constitution of the United States of America and of the Swiss Confederation and West Germany. I find no such provision as this in any of these Constitutions. A State Government cannot be suspended by the President on the report of his agent, and Governors in these countries are not the agents of the President or the Governor-General, as the case may be. Therefore, I want a truly federal or quasi-federal Constitution to be

evolved in this country. I am, therefore, opposed to the very principle of the President's Rule.

You will ask me: What will happen if there is no party to carry on the Government? May I answer by putting a counter-question? What will happen if there is no party to carry on the Union Government? Are you going to entrust that power to the President? The accepted principle in democratic countries is that a Republic or the King's Government must be carried on. Well, it is for the political parties to bear this principle in mind. It is for the Governors to bear this principle in mind and I think it is on account of a failure on our part to bear this principle in mind that many difficult situations arise. For these reasons, Mr. Vice-Chairman, I have decided to abstain from voting on this Motion. I cannot conscientiously support the motion as it is and I cannot support the Government as it is.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): What is the alternative, Dr. Sapru?

SHRI P. N. SAPRU: I have explained the alternative. Let me argue this way. Supposing there is no party with a majority at the Centre. What are you going to do? Is the President to assume all powers to himself?

SHRI M. RUTHNASWAMY: Have another election.

SHRI P. N. SAPRU: The principle that must be remembered is that the King's Government must be carried on. I will give you some concrete instances from the British constitutional history. In 1892 the Liberals had no majority of their own but the Irish Nationalists were supporting them. Therefore they carried on the Government. In 1924 the Labour Party was the second largest Party in the House and the Liberals indicated their general support or discriminating support for the Labour Party. The Labour Party continued in office for 9 months and it would

have gone on for the full term had it not been for the timidity of Mr. Ramsay MacDonald. In 1929 a similar situation arose. The Labour Party was the largest single Party. The Liberals indicated support for the Labour Party. It was in office for about 2½ years and it could have gone on for another 2 years had it not been for the great depression, the timidity of Mr. Ramsay MacDonald and the treachery of Mr Thomas and the foolhardiness of Mr. Philip Snowden. That is the principle which we should follow in this country if we are to work a democratic Constitution. This is a provision which is to be found in colonial Constitutions. This is a provision which we borrowed from the old Government of India Act and there was perhaps some justification at the time when we borrowed it for this provision. We had part B States at that time. We have no part B States now. We have only Part A States now. Therefore I would say, with all respect that there should be no place for a provision like this in a Constitution based on federal principles.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Do I presume that although a party may not be in majority but still it should continue in the Government?

SHRI P. N. SAPRU: Yes, it can.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): That would be against the spirit of democracy.

SHRI P. N. SAPRU: The spirit of the Constitution should be there among all the parties and I find there is lack of spirit to work the Constitution even in the ruling party and therefore...

SHRI A. P. CHATTERJEE: If that is your stand, then why do you find it difficult to support this motion?

SHRI P. N. SAPRU: I am a Member of the Congress Parliamentary Party and I am therefore going to abstain from voting.

SHRI A. P. CHATTERJEE: Has the Congress Party issued any whip . . .

SHRI P. N. SAPRU: I am not going to take orders from my friend. I know what the correct procedure in these matters is. In Parliament I am not going to be deflected from the stand that I have taken and I say that I will not vote for the motion (*Interruptions*) You should appreciate the fact that I am for promoting this principle. I should have thought that you would give me some credit.

SHTI A. P. CHATTERJEE: I do give you half a credit.

SHRI P. N. SAPRU: You people will never appreciate.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): You must be generous to your elders, Mr Chatterjee

Mr Jagat Narain.

श्री जगत नारायण (हरियाणा): वाइस चमरमैन महोदय मैं आपकी वसातत से स्टेट मिनिस्टर शुक्ला साहब की खिदमत में यह अर्ज करना चाहता हूँ कि जब हम पार्लियामेंट में दाखिल होते हैं तो हम देखते हैं कि वहाँ पर यह लिखा है, 'सत्यमेव जयते' यानी सत्य बोलना चाहिये और सत्य को तस्लीम करना चाहिये। मैं समझता हूँ कि सच को तसलीम करने में कोई हर्ज नहीं है। यह जो कांग्रेस है यह महात्मा गांधी की बनाई हुई है और उनका यह कहना था कि हम को मजबूती से सच बात को तस्लीम कर लेना चाहिये। हकीकत यह है कि हमारे गवर्नर महोदय बड़े लायक, योग्य और विद्वान आदमी हैं।

श्री प्रकाश नारायण सप्रू : एस्ट्रालाजी में भी साहिर है।

श्री जगत नारायण : ये सारी बातें हैं मगर उनसे दो गलतियाँ हुई हैं। पहली गलती उनसे यह हुई है कि उन्होंने इण्डिपेंडेंस को अपोजीशन के साथ नहीं गिना। दूसरी बड़ी गलती उनसे यह हुई कि जब अपोजीशन के मेम्बर्स ने उनसे यह कहा कि हम आप जस्टिस चाहते हैं तो वे नाराज़ हो गये और उनका मूँड खराब हो गया। उसकी वजह से उन्होंने जिस

## [ श्री जगत नारायण ]

प्रेस काफेज को बुलाया हुआ था, उसको कैसिल कर दिया। फिर 48 घंटे बाद उन्होंने अपना हुक्म दिया। तो मैं समझता हूँ कि जो इतनी उच्च कोटि की पदवी हो उसको एक छोटी सी बात से घबड़ाना नहीं चाहिये और उसका मूँड खराब नहीं होना चाहिये। अगर वे उसी दिन अपना फैसला देते, चाहे वे सुखाडिया साहब को बजारत बनाने की इजाजत देना चाहे अपोजीशन वालों को बजारत बनाने की इजाजत देते, तो यह जितना क्लब खून हुआ और तमाम चीजें हुईं, वह सब नहीं होती। इस तरह मैं समझता हूँ कि गवर्नर महोदय से ये जो दो गलतियाँ हुई हैं, इनको तस्लीम करने में कोई गलती नहीं होगी।

जब 1962 में बजारत बनी थी, तो उस वक़्त 88-88 मेम्बर दोनों तरफ थे और इंडिपेंडेंट्स को लेकर वे सुखाडिया साहब ने अपनी बजारत बनाई थी। अगर एक इंडिपेंडेंट उस वक़्त आनेस्ट हो सकता था और उसकी मदद से बजारत बन सकती थी तो इस वक़्त जो 15 इंडिपेंडेंट्स अपोजीशन के साथ थे उन पर क्यों गवर्नर महोदय ने यकीन नहीं किया? उन्होंने यह क्यों कहा कि उनकी कोई पार्टी नहीं है, इस लिये मैं उन पर यकीन नहीं कर सकता? लेकिन उसका असर क्या हुआ। गवर्नर का यह कहना कि वे इंडिपेंडेंट्स पर एतबार नहीं कर सकते उसका असर यह हुआ कि उसके बाद के बाद दीगरे दूसरे सूबाजात में नानवाग्रस गवर्नमेंट्स बनना शुरू हुईं। पंजाब में जो इंडिपेंडेंट थे उन्होंने यह महसूस किया कि गवर्नर ने यह कह कर कि इंडिपेंडेंट्स पर कोई एतबार नहीं है, हम पर एक लाछन लगाया है और इस लिये हम नानवाग्रस गवर्नमेंट को पंजाब में कामयाब बनायेंगे। वायस चयरमैन साहब, मैं आप से अर्ज करूँ कि कांग्रेस के वहाँ 48 मेम्बर थे और अपोजीशन पार्टीज के 40 मेम्बर थे जो 6 इंडिपेंडेंट्स को लेकर गवर्नर के सामने हाजिर हुये और इस तरह उनकी वहाँ गवर्नमेंट बन गई।

DR ANUP SINGH (Punjab): May I intervene?

पंजाब में जो इंडिपेंडेंट्स थे, जहाँ तक मुझमें मालूम है, I was there, राजस्थान का उनपर कोई असर नहीं हुआ। उनकी पहली बात हो चुकी थी। I am not arguing about what he says but it has nothing to do with Rajasthan.

श्री जगत नारायण: मैं कह रहा हूँ कि वहाँ गवर्नर ने उनको टक्कर नहीं दिया और यह कहा कि मैं ऊपर एतबार करने को तैयार नहीं हूँ इससे लोग ठिठक गये कि जो इंडिपेंडेंट्स हैं उनपर एतबार नहीं किया जा सकता, आज जबकि कांग्रेस हरियाना में कांग्रेस को छोड़ गये और सब से बड़े प्रॉविंस यू० पी० में कांग्रेस छोड़ गये, तो कांग्रेस के मेम्बरों पर भी आप किस तरह से एतबार कर सकते हैं। इस तरह अगर वहाँ कांग्रेस की मेजागिरी होगी, तब भी गवर्नर वहेगा कि हम को उन पर एतबार नहीं है। तो मैं समझता हूँ कि उनका यह गलत फैसला था। हमारी सरकार को भी यह समझ लेना चाहिये कि दो गलत फैसले हुये हैं और उसको इन गलतियों को तसलीम कर लेना चाहिये और तसलीम कर लेने के बाद जैसा कि मैंने यहाँ फ्राइडे को भी कहा था और आज भी कहता हूँ कि केन्द्रीय सरकार को फौरान राजस्थान में अपोजीशन को विना दूर बनाने की पूरी छूट देनी चाहिये। अगर ऐसा न हो सके तो विधान सभा बुलाई जाय और उसमें यह देख लिया जाय कि उनके साथ कितने मेम्बर हैं। फिर बड़ी होगी जैसा कि यू० पी० में हुआ कि वहाँ गुप्ता जी ने इंडिपेंडेंट्स को साथ लेकर अपनी बजारत बनाई थी, लेकिन वह टिक नहीं सकी जैसा कि मैंने उस दिन ही कह दिया था कि यू० पी० में मिनिस्ट्री चलना मुश्किल होगा और आज सेशन शुरू होने से पहले ही पता लग गया कि यू० पी० का बजारत खत्म हो गई। तो मैं अर्ज करता चाहता हूँ कि जो सच्ची बात है उसको तसलीम करने से कांग्रेस सरकार को गुरेज नहीं करना चाहिये। सरकार इस चीज़ को

स्तोत्र करे कि वहाँ के वरिष्ठ ने गती हुई है। अब वहाँ पर राष्ट्रपति का राज लागू है। जब वहाँ के अपोजीशन वाले ने यह देखा कि हमें गवर्नर से इमाफ नहीं मिल सकता है, तो वे 92 अपोजीशन के मेम्बरो को यहाँ लाये गाडियो में बैठाकर, मोटरों में बैठ कर, और उनको राष्ट्रपति के सामने पेश कर दिया और राष्ट्रपति ने इशारा भी किया चव्हाण साहब को कि देख लो, गिन लो ये 92 है। उसी वक्त होम मिनिस्टर साहब को चाहिये था कि राष्ट्रपति का इशारा समझते और उसी वक्त राष्ट्रपति राज को खत्म कर देते। मैं समझता हूँ कि अब भी कुछ नहीं बिगड़ा। अब भी आज शुक्ला साहब सलाह कर लें श्रीमती इन्दरा गांधी से, होम मिनिस्टर साहब से, अपनी वजारत से और आज इसका जवाब देते हुये अभी एनान कर दें कि हमने राष्ट्रपति राज खत्म कर दिया। आप वहाँ का बजट पहले ही पास कर चुके हैं। अब वहाँ पर राष्ट्रपति राज खत्म कर दें और वहाँ पर जो वजारत बन सकती है, जिनको अक्सीग्यन हो उनको बनाने की इजाजत दें। मैं समझता हूँ कि उनको यह करना चाहिये।

इसके अलावा मैं यह भी अर्ज करना चाहता हूँ कि जिन ठा. से यहाँ पर आज ग. र. बनाए जा रहे हैं उसके बारे में बड़ा बौडेल दबे धन उठाया था श्री राज बिहारी ने। मैं उनको मपोट करता हूँ। मैं भी मिनिस्टर रहा हूँ पंजाब की वजारत में। हमारे जमाने में दो गवर्नर बदले थे और मुझे अच्छी तरह याद है कि गवर्नर बदलते समय चीफ मिनिस्टर को कन्सल्ट किया गया था और चीफ मिनिस्टर ने अपने कैबिनेट के मिनिस्टरो को कन्सल्ट किया था यह भी मुझे अच्छी तरह याद है। मैं समझता हूँ कि आज जब गवर्नर लगाये जा रहे हैं, जहाँ वजारत नहीं है, राष्ट्रपति राज है मैं समझता हूँ कि वहाँ ऐसी वजारत बने और फिर वहाँ के चीफ मिनिस्टर के साथ मशविरा करके वहाँ के गवर्नर को लगाया जाना चाहिये। मैं तो वैसे भी इस हक में नहीं हूँ कि जो लोक सभा के स्पीकर रहें हो उनके

आदमी को गवर्नर बनकर जाना चाहिये। यह तो उनका काम है कि उनको जाना है या नहीं जाना है, लेकिन मैं एक बात जरूर कहना चाहता हूँ कि जहाँ भी नान-कांग्रेस गवर्नमेंट है, जहाँ कांग्रेस की गवर्नमेंट नहीं चल रही है आप को वहाँ के चीफ मिनिस्टर को कन्सल्ट करना चाहिये और फिर गवर्नर को नामजद करके वहाँ पर भेजना चाहिये। यह एक ऐसा हैल्दी प्रिंसिपल है जिसको आपको फालो करना चाहिये।

एक बात कह कर मैं खत्म कर दूंगा। गवर्नर ने अपने प्रेस इन्टरव्यू में एक बात कही है जिसको बाके बिहारी जी ने पढ़कर सुनाया 'स्टेट्समेन' के इन्टरव्यू में से। उससे एक बात बड़ी वाजह होती है कि गवर्नर महोदय का यह कहना कि मुझसे रिपोर्ट नहीं मांगी गई है मैं ज्ञाता हूँ कि यह गलत बात है क्योंकि पिछली दफे वहाँ का जवाब देते हुये श्री पन्त जी ने यह कहा था कि हम तो गवर्नर की रिपोर्ट पर गये हैं—वह ठीक है या गलत, हमने जो वहाँ पर राष्ट्रपति राज लागू किया है गवर्नर की रिपोर्ट पर लागू किया है। मैं समझता हूँ कि गवर्नर का यह कहना कि मुझसे रिपोर्ट नहीं मांगी गई है गलत बात है। जब हालात नार्मल हो जाते हैं तो गवर्नर खुद रिपोर्ट करते हैं। मुझे पता है। हमारे पंजाब में भी यह हुआ था। जब राष्ट्रपति राज हटाया गया था तो गवर्नर ने लिखा था कि वहाँ पर हालात नार्मल है, राष्ट्रपति राज हटाया जा सकता है। एक बात गवर्नर ने प्रेस को यह कही कि मुझसे पूछा ही नहीं गया, मुझसे यह मांगा ही नहीं गया कि यहाँ पर हालात नार्मल है या नहीं और यहाँ पर राष्ट्रपति राज खत्म करना चाहिये या नहीं। मैं समझता हूँ कि यह स्टेटमेंट भी उसी स्प्रिट में है, गुस्से की स्प्रिट में जिसमें उन्होंने पहले इन्कार कर दिया था, 48 घंटे तक प्रेस वालों को डिस्पॉज आफ कर दिया था कि 48 घंटे बाद मैं बताऊंगा कि मेरा फैसला क्या है। मैं चाहता हूँ कि अब होम मिनिस्ट्रो गवर्नर से रास्ता पैदा करें, टेलीफोन पर

[श्री जगत नारायण]

उनसे पूछे और हालात नार्मल हो तो इसी वक्त एलान कर दें इस हाउस के सामने कि हम ने राष्ट्रपति राज खत्म कर दिया। गवर्नर ने कह दिया है कि वहा हालात ठीक है, इसलिये हम राष्ट्रपति राज को खत्म करते हैं और वहा पर जो नार्मल डेमोक्रेटिक तरीका है उसे चालू करेंगे। बार-बार आपका शुक्रिया।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Mr. Mookerjee. As there are three speakers, I would request each speaker to take only ten minutes.

SHRI DEBABRATA MOOKERJEE (West Bengal): Sir, we have had a very thoughtful . . .

SHRI A. P. CHATTERJEE: Speeches should not be rationed in this fashion.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Sometimes we have to do rationing; you know very well.

SHRI DEBABRATA MOOKERJEE. Sir, we have had a thoughtful speech from my esteemed friend, Mr. Sapru, but I fear he has travelled beyond the limits of the motion that is before us. He has criticised the provisions contained in article 356 of the Constitution. He may have good reasons to do so and has in the course of his speech referred to the constitutional provisions to be found in other countries. But it is not necessary for me to traverse the ground for the purpose of demolishing the argument which he has made. I have nothing but the greatest respect for him, but I wish only to point out that, except for the fact that his speech furnishes a personal explanation of what he is going to do just now at the conclusion of this debate, it does not take us a bit farther than where we were when he started talking. He has said that article 356 smacks of a provision to be found in a colonial administration. Judged on its merits, there are two views possible and I concede that the view to which Mr.

Sapru has given expression is certainly a view which carries weight. But I wish to point out for the second time that it is entirely beside the point and I say so with respect. The simple question before us is whether, with the constitutional provision as is to be found in our Constitution, the exercise of power by the President is a proper exercise of power. That is the whole question before us. The question is not whether the provision contained in article 356 is a good, acceptable provision. Even if it were bad, we have to go by it just as we have to live with a bad heart or a bad liver. I do not take the view that it is a bad provision; I take it as a provision which is meant to keep the different parts of the country together. It is a provision giving power to the highest executive of the land to hold together the different parts of the country where there is evidence of disruption.

In the present case we find from the report of the Governor that there was danger of public peace being threatened. He has reported that circumstances did exist on the relevant days, which rendered it imperative that some drastic step should be taken according to the lines laid down in article 356. Law and order was endangered, and the very foundation of democratic institutions is the maintenance of law and order. Article 356 mentions not only the report of the Governor, but also keeps it wide open for the President to take into account other factors. The words used are "other information" and we cannot lose sight of that phrase, so that the President was not tied down to the report as it reached his hands. He was quite in order to take into consideration the surrounding circumstances for the purpose of reaching the conclusion that there was need for Central intervention. Accordingly the Proclamation was made, and it has been made abundantly clear by Government in this House as also in the other House that as soon as circumstances will permit, steps will be taken for the revocation of the Proclamation.

As far as I can see, there is hardly much of a dispute in this case. The only question is when that revocation is to take place. My friends opposite would have it here and now—at once. We on this side say that we will much rather leave it to the local authorities to decide and to report and on receipt of the report, the President will take action by way of revoking the Proclamation. Sir, the Proclamation came on the 13th of last month and we are on the 3rd of April. And nobody can say that much time has been allowed to lapse needlessly. No one can be heard to say that the people of Rajasthan have long been improperly kept from exercising their just democratic rights. The report says that there were as many as eight deaths and a large number of cases where people's safety was involved. That is a very important consideration. Another equally important consideration was the statement in the Governor's report that certain gentlemen were determined to prevent a certain party from assuming the reins of Government. If that is not a report on which we can place credence, then God be with us. If you want a democratic form of Government to function, you have to see that there do exist circumstances which should enable a democratic Government to function. If there is breach of law and order to the extent reported by the Governor, and about which there has been no contradiction yet. I can only say that we should wait a little and see what Government does in fulfilment of its promise that sooner than later steps will be taken to revoke the Proclamation. Sir, there is no use in rushing the Government. The Government is already committed to its view that quite soon, as soon as possible, it would take steps to revoke the Proclamation and see that the people of Rajasthan enjoy their full democratic rights of having their own Government, run by people of their own choosing. Let that chance be given to Government. Let us not lose our heads and take in the name of

democracy certain steps, or say anything in the name democracy, which would only have the effect of sullyng democracy.

SHRI M. RUTHNASWAMY: Mr. Vice-Chairman, I will try to be as unpersonal as possible in this debate, impersonal to the extent that I shall not deal with the private, domestic qualities and virtues of the Governor of Rajasthan. Neither I nor any Member of this House, at least on the Opposition side, is interested in or concerned with the private, domestic virtues of the Governor and I am quite willing to agree that he is a good man, a goody-goody man, an honourable man . . .

SHRI DEBABRATA MOOKERJEE: He is a good man, not a goody-goody man.

SHRI M. RUTHNASWAMY: . . . and that he has all the virtues of a Congress man. But what we are concerned is with his political competence. . . .

SHRI DEBABRATA MOOKERJEE: We want to share with you all these virtues.

SHRI M. RUTHNASWAMY: With regard to his political competence, we had one instance last year when he took upon himself the duties of the Speaker of the Assembly, and on this occasion, every step that he took seems to prove his political incompetence . . .

SHRI A. P. CHATTERJEE: Ineptitude.

SHRI M. RUTHNASWAMY: First of all, as soon as he received the election results, he should have called upon the largest single party in the House to form the Ministry. Why did he take 10 days to consult all kinds of people and then come to a decision which he might have come to on the morrow of the elections? This timing of his decision makes the whole decision wrong. And then when a mem-

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ber of the Opposition, on taking leave of him at one of the interviews, implored him to be impartial, he was so sensitive that he took offence at this reminder of one of the duties of the Governor, namely, impartiality. Such a sensitive flower or sensitive plant should not be in the hot-house of the Government House. It ought to be in a nursery tended after very carefully by a careful gardener . . .

**SHRI DEBABRATA MOOKERJEE:** Old age is second childhood.

**SHRI M. RUTHNASWAMY:** And then, look at this wonderful report he wrote to the President. It is a document that ought to be framed with black borders and put in the chamber of political horrors, because it says everything that a Governor should not say in a report. For instance, he says in the third paragraph "I cannot for a moment expect such persons to follow democratic methods and procedures in administration"—that is, members who have taken part in demonstrations, in processions and so on. Now it looks very much like the report of an old British Governor to the Secretary of State in regard to the performance of Congressmen on the eve of . . .

**SHRI A. P. CHATTERJEE:** It looks like the report of a Police Inspector.

**SHRI M. RUTHNASWAMY:** . . . the first Congress Governments in 1937. The British Governor could have sent a report like this to the Secretary of State saying that all these Congress Ministers should not be called upon to form the Government because they had taken part in civil disobedience and non-co-operation movements, mass demonstrations and all kinds of activities which the British Government did not like. It looks very much like one of those reports and I think any Government, the Central Government that acted on such a report is worthy of our condemnation. And granting that the law and order situation in Rajasthan did not justify

the Governor in calling upon one or the other party which was competing for power, to form a constitutional Government, what has happened since then? For at least ten days, there has been normalcy in Rajasthan. Why is this President's Rule not revoked? What is the Central Government waiting for? If the present Governor cannot stomach this revocation of his previous orders, why not send the new Governor immediately to take his place so that he may be saved of embarrassment, so that this slight embarrassment to the Governor might be tolerated, in view of the fact that democratic Government is being stalled in Rajasthan. Everything considered, Mr. Vice-Chairman, this has been a very sorry affair, a very sorry incident in our political and parliamentary history. For no reason whatsoever, for no justifiable cause whatsoever, the people of Rajasthan have been deprived of parliamentary Government and the sooner this President's order is revoked, the better it will be for the prospects of democratic Government in this country.

**SHRI SHANTILAL KOTHARI** (Rajasthan): Mr. Vice-Chairman Sir, in the short time at my disposal, I will only refer to one or two points which need further attention. My friend on this side, Prof. Mookerjee, has very admirably put before us the arguments, the logic of which should convince anyone who could look at the situation objectively. He had proved very convincingly that in imposing the President's Rule, constitutional propriety and political neutrality have been preserved. This was called for in the midst of the political confusion that was created by the arguments and counter-arguments of different parties. I do not want here to refer to what all happened in the course of those distressing days of violence because the whole thing is being enquired into by a judicial inquiry and we are awaiting its results. We want to see the conclusions arrived at so that we may know where we



can locate the responsibility for the creation of that civil disturbance and insecurity to the lives of individuals.

I would only like to remind my friends of the Opposition, Mr. Vice-Chairman, that there are two intangible elements in the situation. We should look at the political sociology of Rajasthan and see whether even political consciousness exists all over there. There are some parts where it has been difficult to have political modernisation. It was really very difficult to look at the fluctuating picture presented by many friends there, most honourable friends in Rajasthan belonging to various political parties. In the midst of all this political confusion and in the background of such uneven political sociology, what was the alternative left? The Governor has certainly pointedly stated that as for himself he could not say how many Members were there in which parties. Nobody is more unhappy than myself and my people of Rajasthan to have President's rule soon after the elections were over. But some times, Mr. Vice-Chairman, a deep surgery is necessary for an ailment which has gone beyond the capacity of allopathy or homoeopathy or any other system of medicine for cure. To my mind, this is a kind of constitutional surgery for a deep political ailment and I am sure that this would have only a very short duration. It cannot last long. It will not.

Some friends from the Opposition have charged us with some *mala fides* as far as my Party is concerned. I must submit that they are mistaken. They seem to forget one factor, namely the sportsmanship with which our Prime Minister, Shrimati Indira Gandhi has greeted the non-Congress Governments in the various States and also how those Governments have reciprocated the approach with equal cordiality and warmth. They should not forget the cordiality and warmth with which my Party has approached the whole electoral scene and this we have done to make the federal polity which has come into operation

now, most effective so that it may successfully operate in this country and be a model to the various emerging nations in this regard.

I would refer only to one more point and that relates to the independents, the independent Members of the Rajasthan Assembly. I am afraid that sometimes the Governor is being misquoted. He had never said that he did not trust the independents. He only had said that the confusion was so deep and so varied, that the political picture was moving so fast, and that it was changing so very quickly and in such quick succession that he could not judge and decide at the moment who supported which party. If only the Congress wanted to bring about any confusion and even in the remotest sense bring about mutilation of the democratic process in this country, Mr. Vice-Chairman, until the elections of 1967 took place, there was no one party which could have prevented it. But that is not the Congress way. We have a conscious attempt on the part of not only my Party alone but of all political leaders to have the fullest collaboration so that democracy functions properly. There should be a sense of conscious participation. Only yesterday we have seen it in Uttar Pradesh. The Congress Government there, the moment it was convinced that there was a slicing off of its majority, the majority of the party in power, namely, the Congress Party, the leader of that party took no time to tender his resignation and to advise the Governor that he should look for another party. This is proper and clean in this competitive politics. Mr. Sukhadia, although he was convinced that he commanded a majority, was also convinced of one more thing, that with mere quantitative majority in the Assembly where there were these qualitative changes, no responsible government would be able to operate without further disturbances. He said that although he was the Chief Minister designate and was asked to take over, he would not do so because he was not sure what

[Shri Shantila Kothari.]

would happen outside the Legislature because, Mr. Vice-Chairman, sometimes when emotions are aroused, logic takes leave of the individual, and more so in the politics of the crowd, in the politics of mass society. Therefore it was very necessary to see that normalcy returned, enabling the constitutional and responsible government to function in my State of Rajasthan.

Mr. Vice-Chairman, I have no doubt and I am sure my friends of the Opposition have no doubt, that we shall all be very much interested in seeing whether the Congress or the Government of the alliance, whichever commands majority in the State Legislature, comes up and delivers the goods to the masses. All should, however, also be equally interested in seeing that no Government puts the clock back. I have no doubt, Mr. Vice-

Chairman, that soon my people in Rajasthan and we all of us here, will see normal polity restored, see constitutional government restored, responsible government restored and a responsible government with a sense of participation irrespective of party affiliations will soon be in operation. Thank you.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): I am glad to announce that we have exhausted the list of speakers now. The Home Minister will speak tomorrow and Mr. Chordia will then reply.

The House now stands adjourned till 11 A.M. tomorrow.

The House then adjourned at one minute past five of the clock till eleven of the clock on Tuesday, the 4th April 1967.