

own seat when he puts the question hereafter.

SHRI M. C. CHAGLA: I have already answered the question. The whole House is aware of the assurance given by President Eisenhower to our late Prime Minister, Pandit Jawaharlal Nehru. The whole House is aware that that assurance was not kept by Pakistan and Patton tanks which were intended to be used against Communism were used against us. President Eisenhower had given us an assurance that the arms supplied by the United States to Pakistan would never be used against India, and they were used as we know in large numbers in the Indo-Pakistan conflict. We have drawn the attention of the United States to this. We have protested. More than that we cannot do.

MR. CHAIRMAN: Next question.

SHRI BHUPESH GUPTA: What about the question about the Prime Minister's House?

MR. CHAIRMAN: That is not coming today.

SHRI BHUPESH GUPTA: The house problem has been solved? All right.

*151. [Transferred to the 7th June, 1967.]

CANCELLATION OF 'MAY DAY' BROADCAST

*152. SHRI BHUPESH GUPTA:†

SHRI NIREN GHOSH:

SYED NAUSER ALI:

SHRIMATI USHA

BARTHAUR:

SHRI P. ABRAHAM:

SHRI R. S. KHANDEKAR:

SHRI A. P. CHATTERJEE:

SHRI CHITTA BASU:

SHRI B. D. KHOBARAGADE:

SHRI CHAMAN LALL:

SHRI A. D. MANI:

SHRI NIRANJAN VARMA:

†The question was actually asked on the floor of the House by Shri Bhupesh Gupta.

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is a fact that the Calcutta Station of the All India Radio suggested certain modification in the script for the 'May Day' broadcast by the West Bengal Labour Minister; and if so, what are the reasons therefor; and

(b) whether it is also a fact that as a result thereof the Minister refused to make the broadcast, and if so, the reaction of the Government thereto?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH): (a) and (b) Before recording the talk of the West Bengal Labour Minister the Station Director, Calcutta, read the script and found that certain references appeared to violate the accepted code of conduct which *inter alia* did not permit reference to any political party by name. It is also necessary for functioning of democratic institutions that no party is allowed to attack the Constitution or plead for a change in the Government except through constitutional means. It is also necessary to prevent any aspersion on or derogatory references to judiciary. He requested the Labour Minister for an opportunity for a discussion to be able to bring these points to his notice. The Minister declined to discuss his script and cancelled his broadcast. It was unfortunate that Minister did not give an opportunity to the Station Director and cancelled his broadcast.

SHRI BHUPESH GUPTA: It is very difficult to ask supplementaries because I have a version of the speech which is at variance with certain material points in the text which he has got. I should like to ask these supplementaries. First of all there was nothing in the speech which is contrary to the Constitution, and I am prepared to go before any legal authority to establish it. The

hon. Minister has repeated more or less what he said on the 24th in reply to the calling attention notice. Has he studied the statement he made? He took exception to the reference to revolution in the speech. It is a matter of opinion. In the speech the Labour Minister said that the socialist system free from all sorts of exploitation of man by man needs a revolution. We talk about Gandhian revolution. There is nothing unconstitutional in it. I believe he has also been wrong when he said it legitimate and lawful. There again the Minister said that it is lawful for people to be retrenched by the employer but it is not legitimate. This is also a matter of opinion, certainly it is not unconstitutional. Then he said something referring to the Congress. Has he considered it again, studied it again since the 24th? The word Congress occurs only; thrice in his speech in respect of the Congress rule in West Bengal. He said the judiciary sent . . .

MR. CHAIRMAN: Do not refer to judiciary.

SHRI BHUPESH GUPTA: I am not reflecting on the judiciary.

MR. CHAIRMAN: Because it is *sub judice*. It seems some case has been filed.

SHRI BHUPESH GUPTA: Because it is unfair on his part to suggest again and again that the Labour Minister was insulting the judiciary. Not at all. He was on the contrary upholding the judiciary. He said: May Government will try to re-establish the full independence of the judiciary which has been lost under the Congress rule.

SHRI C. D. PANDE: Does the hon. Member mean that before this Ministry came to power in Bengal everything was being tampered with by the Congress Government? Is that your meaning? Don't you hear?

MR. CHAIRMAN: You may not refer to that point. You may refer to the other points.

SHRI BHUPESH GUPTA: May I invite his attention, since Mr. Pande is angry, to this part of the speech in which reference to the judiciary was made?

"In strengthening the movement for emancipation from exploitation, in terminating the vicious circle in administration, and even in restoring independence of the judiciary which it had lost during the Congress regime, it was necessary that the Congress should be defeated."

Certainly it is not a reflection against the judiciary according to us. Finally has his attention been drawn to the ultimate paragraph, last paragraph of the speech in which the Minister asked the people to support the legitimate Government in West Bengal, the United Front Government, to rally behind it, and also warned against all adventurist acts and then called upon people to build up support for the United Front Government's progressive labour and other policies? Sir, I submit that if the hon. Minister thinks in these terms . . .

MR. CHAIRMAN: Please put a question.

SHRI BHUPESH GUPTA: Why is not the Government sending the authorised text of the speech for the opinion of the Supreme Court under article 143 of the Constitution? Why are they not advising the President of India to make a reference to them in order to find whether anything in the speech was against the Constitution or contrary to the law of the land. It is open to them to seek their opinion in this matter. And before I sit down, may I know whether any communication has been sent to the Chief Minister of West Bengal and to the other Chief Ministers of the States asking them to

come to a conference in order to discuss the question of the AIR broadcast so that proper norms and rules could be evolved in order to meet the changed situation?

SHRI K. K. SHAH: It is very customary for my learned friend always to go round about and evade the issue. The issue, as I have answered now in this reply, is that no party's name should be taken. As I pointed out last time, Sir, if we go on discussing as to what is stated about one party or the other party, then the interpretation is bound to create complications. It is from this point of view that all along, the All India Radio has insisted upon no party being named. Now, Sir, last time so far as the . . .

SHRI D. L. SEN GUPTA: On a point of information . . .

SHRI K. K. SHAH: I am on my legs.

MR. CHAIRMAN: I will give you an occasion.

SHRI K. K. SHAH: I do not yield to him. I do not want to be disturbed; I did not disturb him. And Sir, you will be good enough to allow me to reply. Last time also . . . (Interruptions) I am not able to reply, I want to be heard. Sir, so far as the interpretation is concerned, I know something about the interpretation. We have come to power through the ballot box; it is not revolution. Now, any statement must be construed in the context in which it has been said, no statement can be removed out of context and tried to be explained in a different way . . . (Interruptions) I have no doubt whatsoever that any judicial authority who tries to argue this point can come to only one conclusion that a resolution besides the ballot box is contemplated by the statement. And what I have been saying has been amply testified to by the fact that a notice has been issued by the Calcutta High Court. It has been said that the judiciary lost its inde-

pendence during the Congress regime. Can anybody, any reasonable man, who can think can say that this is not an attack on the judiciary? I would have been in difficulties if I were permitted to say that; I would have been hauled up for contempt of court. Sir, I will cite an instance. In 1936 or 1937, Mr. Tushar Kanti Ghosh mentioned in his paper—whether the word is there or not, I cannot say; but about this I am sure—that if the judiciary hobnobs with the executive, it will lose its independence. Tushar Babu was hauled up before the High Court of Calcutta; he was defended by Sir Tej Bahadur Sapru. But he was sentenced to three months' rigorous imprisonment. I am sorry—in comparison with what has been stated here, Tushar Babu's statement was much less . . .

(Interruptions)

Then another thing was pointed out last time. Now I have gone through all the records. It was unlucky that the statement made by the hon. Mr. Nanda was not available at that time. An allegation was made that I found out the statement of 1949 but did not find out the statement of 1965. The 1949 statement was brought to my notice by Mr. Diwakar. Mr. Diwakar wrote to me. I have got his letter. It has been published in the papers. When that instance and the instance of 1965 were brought to my notice, it is true that some officers should have been more careful. But so far as Mr. Nanda's statement is concerned, any person who is friendly with the enemy of this country is not entitled to claim any exemption, whatever may be the exemption.

(Interruptions)

SHRI BHUPESH GUPTA: These are very very objectionable.

SHRI K. K. SHAH: It is very unfortunate that this was thrown at my face and an attempt was made to take advantage of something on the radio. This fact was discussed on

the floor of this House and it was amply discussed, you had given ample opportunities and we were detained. If the statement of Mr. Nanda was not correct, then they had an opportunity when they were detained; the grounds were supplied to them . . .

(Interruptions)

SHRI BHUPESH GUPTA: On a point of order. Is it permissible for a Minister, in the name of answering certain supplementaries, to go into things which are absolutely outside its scope? (Interruptions.) No, no. This will not do. Whether what Mr. Nanda said was a good thing or a bad thing should not be discussed. He took exception to the reference to the Congress rule here in the broadcast of Mr. Subodh Banerjee. We pointed out that Mr. Nanda in his broadcast in 1965 accused the Communist (Marxists) Party by naming it. We pointed it out. We asked you to explain why in that case the Home Minister could go and violate the code? In this particular case the Labour Minister referred to a historical fact that the Congress rule has ended in West Bengal. This was considered to be such an atrocious statement that the broadcast was censored and was not allowed to be made. This he should explain. He need not go into all those things as to which party named which other party. You tell us whether you did check up Mr. Nanda's statement on January 1, 1965? . . . (Interruptions) And is it a fact that that statement contains scurrilous references to one political party in the country?

SHRI K. K. SHAH: It is before the opinion of the public bar. I want to read what Mr. Nanda has said and I am prepared to be judged by the opinion of the public whether in those circumstances the All India Radio should not be utilised for the purpose of defending the interest of this country. I will read out:—

" . . . in July, 1964, the Left faction broke away from the Communist Party of India, and formed a

new party. There is reason to believe that the new party was formed under Peking's inspiration.

"2. There is reason to believe that the Left Communist Party has closed links with the Chinese from whom it draws ideological inspiration and receives support in other forms.

"3. It has consistently put out Chinese propaganda justifying her territorial claims in Ladakh and questioning the validity of the McMahon Line.

"4. A large portrait of Mao-Tse-Tung was prominently exhibited at the venue of the Convention."

(Interruptions)

HON. MEMBERS: Shame, shame,

MR. CHAIRMAN: Order, order.

SHRI K. K. SHAH:

"5. Some months latter, Mao-Tse-Tung's picture was displayed again at a meeting in Bombay.

"6. The Programme acceptor at the Calcutta Congress adopted Peking's . . ."

(Interruptions)

MR. CHAIRMAN: Order, order.

SHRI K. K. SHAH:

" . . . prescription of a peoples' democracy, as distinguished from a Parliamentary democracy which we have in this country and which we cherish.

"7. The Congress proceeded to amend the Party's constitution dropping the preamble to the Communist Party's constitution adopted at the Amritsar Congress in 1958 in which the possibility of peaceful transition to socialism has been emphasised.

"8. The programme accepted by the Left CPI at the Calcutta Congress bears striking similarity to the political resolution adopted at the second Congress of the CPI in 1948."

Sir, in view of this statement . .

SHRI BHUPESH GUPTA: Sir, it is not all the issue. The issue is . . .

(Interruptions)

SHRI K. K. SHAH: Please permit me to have my say. The issue is whether the All India Radio has accepted certain norms and Code of conduct, whether undue advantage has been taken. If somebody takes undue advantage, if the Government takes action against them in the interests of this country, whether the All India Radio can be utilised in the interests of the country . . .

(Interruptions)

SHRI NIREN GHOSH: I repudiate the allegation made by the hon. Minister. He seems to be very angry. I make a counter allegation. They can be friendly to the enemies of the country. Certain factions of the Congress leaders are friendly to the enemies of the country, and the enemy number one of the country is the United States of America. I make this pointed allegation.

MR. CHAIRMAN: You put a question.

SHRI NIREN GHOSH: He reads a whole statement and I stand by my right to answer that.

MR. CHAIRMAN: You come next. Put a question. Do not make a statement.

SHRI NIREN GHOSH: I am putting the question. If he can make a statement, I can also make a statement.

MR. CHAIRMAN: You can now put the question.

SHRI NIREN GHOSH: May I know, Sir, of the State Government was informed when the code of conduct was formulated? He misled the House that the hon. Mr. Nanda did not make the statement. Why did he mislead the House that Mr. Nanda did not make such a scurrilous, de-

famatory statement? It is a statement which only an irresponsible Minister, one who does not think well of the country, can make, a Minister of a recognised political party which rules in the country. We did not draw inspiration from Peking or Mao Tse-Tung's portrait. We draw inspiration from Marxism-Leninism, our ideology. Mao Tse-Tung is not even the head of the State. He is the Chairman of the Party. They draw their inspiration from the United States of America.

(Interruptions.)

MR. CHAIRMAN: Order, order.

SHRI NIREN GHOSH: This is what they do.

(Interruptions)

MR. CHAIRMAN: You put the question.

SHRI NIREN GHOSH: Yes, I am putting the question. So they misled the House. Why did they mislead the House and why did they allow the statement against a whole convention? Is it open in the Code of conduct that Mr. Nanda should make such a statement? (Interruptions) I put the question. If there was any such thing in Mr. Nanda's broadcast, they would have brought our party before the court. But they did not have the courage to do so. They were not telling the truth. (Interruptions). As regards the judiciary may I know, Sir, if it is not a fact that though the congress did want to separate the executive from the judiciary to maintain the independence of the judiciary, the Congress Government did not do it and the Labour Minister of West Bengal Government was within his right to say so? It was not a reflection on the judiciary.

As regards the Director of the All India Radio, is it not a fact that he was posted there in order to do certain things in favour of the ruling party at the Centre, and is it not a fact that it is the deliberate purpose of the Government to stem the progressive views so that they can use the A.I.R.

for their nefarious purposes and for party propaganda?

SHRI K. K. SHAH: My friend ought to know that neither temper nor any strong language can improve a bad case. You must remember that once and for all. I am going to give you a reply on every point made by you. . . .

SHRI NIREN GHOSH: . . .

SHRI K. K. SHAH: You must be quiet now.

(Interruptions)

MR. CHAIRMAN: Both of you sit down.

SHRI K. K. SHAH: He must hear. I would not have referred to Mr. Nanda's broadcast but for the fact that it was referred to by him. I did not refer to Mr. Nanda's broadcast. You brought it to my notice. You are defending Nanda's broadcast. (Interruption by Shri Niren Ghosh) And, therefore, I am obliged to point out how Mr. Nanda's statement was justified.

The third point on which my friend was so much exercised. (Interruption by Shri Niren Ghosh) Well, you have kicked up this quarrel and you must be prepared to pay the price for it. It will not help you now to wriggle out of it. I say it will not help you. (Interruption by Shri Niren Ghosh). It is my chance now. It will not help you now.

SHRI NIREN GHOSH: You are an enemy of the country.

SHRI K. K. SHAH: You sit down.

SHRI NIREN GHOSH: You sit down.

MR. CHAIRMAN: Next question.

SHRI R. S. KHANDEKAR: What about my supplementary?

MR. CHAIRMAN: If twenty gentlemen begin to talk like this what is my position?

SHRI BHUPESH GUPTA: Sometimes the Opposition does this.

MR. CHAIRMAN: Therefore, I shall continue.

SHRI BHUPESH GUPTA: There are others also.

SHRI R. S. KHANDEKAR: Why should I suffer because of this?

SHRI M. M. DHARIA: Sir, ****. He should withdraw his statement.

(Interruptions)

MR. CHAIRMAN: I want decorum to be maintained.

SHRIMATI USHA BARTHA KUR: May I know, Sir, whether the Government have decided to evolve a new code of conduct for politicians and for the A.I.R. officers?

SHRI K. K. SHAH: No, Sir.

SHRI R. S. KHANDEKAR: May I know, Sir, if the whole trouble has arisen because the All India Radio is a Government department? Therefore, have the Government considered the recommendations of the Chanda Committee to convert A.I.R. into a Corporation so that these troubles will be over and there will not be any political influence, and whether the Government contemplates in view of the changed circumstances to convene a meeting of all the political parties, State Ministers and others to evolve a certain agreed policy so that these troubles may not arise in future.

MR. CHAIRMAN: A good question.

SHRI K. K. SHAH: So far as the question of changed conditions are concerned, the recommendation about converting the A.I.R. into a Corporation is under very active consideration of this Ministry. So far as the suggestion about consulting all the parties is concerned, the first time I received a wire was from Mr. Bhupesh Gupta. I have already made an offer to him in a wire sent to him saying, "let us sit, discuss and come to an agreement." Unless he says that he has not received that telegram that offer stands.

SHRI BANKA BEHARY DAS: Only Mr. Bhupesh Gupta?

SHRI K. K. SHAH: He sent me a wire and, therefore, I sent him a wire. The offer is to all parties, not to him alone.

SHRI CHITTA BASU: Will the hon.'ble Minister be able to state whether he is aware of the fact that the West Bengal Cabinet considered these things, that is, the situation arising out of the censoring of the May Day broadcast of the West Bengal Labour Minister and held the opinion that it was not an affront to the West Bengal Labour Minister but it was an affront on the West Bengal Cabinet by the Station Director there and the West Bengal Chief Minister has lodged a protest against it to the Government of India? Is he aware of that? If so, what is the attitude of the Government of India towards the protest lodged by the West Bengal State Government? That is number one.

DIWAN CHAMAN LALL: The time is up.

SHRI CHITTA BASU: I am not responsible for that. Will the hon. Minister agree with me that this position has strained the relations between the Government of West Bengal and the Government of India on this particular issue?

SHRI K. K. SHAH: I am glad my friend has given me an opportunity. In fact, the Labour Minister himself has said "I have no quarrel with All India Radio's Code of Conduct." His contention is that he has not gone against it. But he has not said he has any quarrel with the code of conduct, if you look up all the newspapers. So far as the West Bengal Government is concerned, I understand that a letter has been received by the Prime Minister and the Prime Minister is going to talk to them. Therefore, on that point you should have no difficulty. At my level, I have already made it clear that I am going to consult all the parties on this

question and you need not worry about any one-sided decision. Even though I am satisfied that the Code of Conduct is 100 per cent. correct, even then any consultation or suggestion and ultimately a joint conclusion is always welcome.

MR. CHAIRMAN: The Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

P.M.'S TALKS WITH REBEL NAGA LEADERS

*153. **SHRI M. P. BHARGAVA:**
SHRI R. P. KHAITAN:

Will the Minister of **EXTERNAL AFFAIRS** be pleased to state:

(a) whether any date has been fixed for the next round of talks between the Prime Minister and rebel Naga leaders;

(b) whether recent activities of Nagas in crossing over to China have been brought to the notice of the representatives of rebel Naga leaders; and

(c) if so, whether any reply has been received from them?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI M. C. CHAGLA):
(a) No date has yet been fixed.

(b) and (c) These activities are in violation of the Agreement on Suspension of Operations. We have on earlier occasions brought such violations to the notice of the Underground. They either denied any knowledge of or hand in such activities, or explained this to be the work of some irresponsible persons. There has been no opportunity to discuss the reported crossing over to China by two groups of Underground Nagas as these reports were received after the last round of talks.