

[Shri Satya Narain Sinha.) (2)
Consideration and return of the
following Bills, as passed by Lok Sabha
:—

The Appropriation (Vote on
Account) Bill, 1965.

The Kerala Appropriation (Vote on
Account) Bill, 1965.

O) Further consideration and passing of
the Industrial Disputes (Second
Amendment) Bill, 1964.

(4) Consideration and passing of the
following Bills, a^ passed by Lok
Sabha :—

The Warehousing Corporations
(Supplementary) Bill, 1964.

The Representation of the People
(Second Amendment) Bill,
1964.

(5) Discussion on the Statement re-
garding allegations against certain
Chief Ministers and other Ministers
of State Governments made in the
Rajya Sabha on the 22nd February,
1965, on a motion to be moved by
Shri Dahyabhai V. Patel and others
on Wednesday, the 31st March, at
2-30 P.M.

DEPUTY CHAIRMAN: The House
adjourned till 2.30 P.M.

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

House reassembled after lunch at
half-past two of the clock. The VICE-
CHAIRMAN (SHRI M. P. BHARGAVA) in the
Chair.

**THE BUDGET (KERALA), 1965-66—
*continued***

S«RJ JOSEPH MATHEN: Mr. Vice-
Chairman, I had been talking about the
aecessity of developing the fisheries of the
State to solve the food problem of the State
and in other parts of the country. As I
mentioned, we have nearly 450 i>-f sea coast
and during the last few

years we had been experiencing erosion ia sea
coast and because of sea erosion a good area
of the sea coast had been washed off and the
people in the coastal area have been
dislocated. I do admit that the Central
Government have taken immediate steps to
prevent the sea erosion but in the beginning
there had been a controversy with regard to
meeting the expenditure for preventing sea
erosioa. It is my opinion that the Central
Government will have to take the
responsibility of maintaining the entire sea
coast, whatever may be the cost, because
maintaining the sea coast should be their
responsibility as the sea and the sea coast are
controlled by the Centre. The Central Gov-
ernment have been providing funds for
preventing erosion at Chambal Valley and
Yamula Valley and other places. So the Slate
Ministry or administration should take care to
meet the Central Government so that they may
get ample funds to protect the entire sea coast
of that State. This coastal area should be given
much importance and those lakhs of people
who are settled there, living on the fishing
industry should find employment, should find
ample funds to develop their fisheries.
Thousands of mechanised boats should be
distributed to these people in that area and
improved implements should be provided,
factories should be started for marine diesel
engines, nylon threads and such other things
should be made available to those who may
need to use them. If this is done I am quite
sure a portion of the food problem of that area
will be solved as fish is one of the major
subsidiary foods of that area- Over and above
the food problem, the most vital problem that
i9 troubling the State is unemployment as has
been pointed out by my friend here. You find
that lakhs and lakhs of matriculates are turned
out of schools every year and also graduates
are sent out but they do not find employment.
If at all they can find some employment, they
are suitable only for white collar jobs, clerical
jobs or jobs of a nontechnical character. It is
my request that in that State, from one end to
the other, we should have technical training
centres and every matriculate who comes out
of the school who wants to get admission in
the technical training centres for under-

going training in tradesmanship either as turner, grinder or welder or whatever trade it may be, gets admission. We are falling short of tradesmen and it is my humble request that a sufficient number of training institutes should be established at the expense of the Centre to see that all these people are converted into technical people so that they may be absorbed in the various technical industries in the various parts of the country and in the State. It is found from all statistics that the State is the biggest employer and this House may be surprised to know that even the appointment of a peon in the State is done by the P.S.C because such is the tension existing in the employment sphere. Much of the conflicts between the communities, between the forward and backward sections, are all created because of the employment position. If some protection is given to the backward section, the forward communities are discontented and they organise themselves in the name of the Kerala Congress or whatever it is because of vested interests in the employment sphere. All these things are happening and all these uncertainties in the political arena are there because of the employment question. We will have to see that more industries are established there. It has been pointed out that the Central sector industry has not developed in Kerala. Whenever you are to establish an industry in this country at the expense of the Centre, various reasons are given to locate the industry in various other States and you do not consider the great problem that is created. There is so much uncertainty and confusion in social and economic sphere and political sphere and even in all the other spheres of activity. It is my request that every effort should be taken to see that more and more industries are licensed and started at the expense of the Centre in that area so that employment may at least solve some of these problems.

Lastly I wish to point out that the other day one of the Members of this House pointed out that in Kerala affairs the Central Government and the Congress had bungled. I wish to inform the hon. Member that it is not now that the Congress had bungled in handling the Kerala issue but it was at that time when such

time servers had been included in the Congress Cabinet, and such time-servers were not seen in Kerala after resignation of the Cabinet until he comes to this House announcing this new discovery about Kerala. He had been the reason for creating all these problems in the State—the communal troubles—and he has gone, after resignation, to fresh pastures to seek new avenues of comforts and convenience. My only request is that the State may be saved from such super-politicians so that we may have our own peaceful way of approach to political issues. Thank you.

PROF. M. B. LAL (Uttar Pradesh): I have very carefully heard the speech just delivered by my friend Mr. Mathen for whose sincerity I have great regard and for whom I have great affection. He has tried to throw the responsibility for the present sad plight of Kerala on the opposition parties. It is very difficult for any of us to say that for the present conditions of the country, the opposition has no responsibility whatever. No doubt in Kerala also such democratic forces, or social democratic forces that are playing with pro-Peking Communist forces to achieve some political objective, party objective, will have to shoulder a certain responsibility for the present critical situation in that State. But I am sure Mr. Mathen will not like all opposition parties to be liquidated in Kerala so that, willy-nilly, all voters may have to vote for the Congress Party, whatever the Congress may choose to do. No parliamentary democracy can function that way. If Mr. Mathen had been candid enough, he would have told this House openly that for the present miserable condition of the State of Kerala no Party is more responsible than the Congress Party. Kerala undoubtedly is a great challenge to our patriotism, to our sense of responsibility, to our constructive statesmanship and to our faith in democracy, and I have no hesitation in saying that the Congress Party has miserably failed to stand this test properly.

Yesterday Mr. Nanda, the Home Minister, invited our attention to the fact that in the elections of 1965 communists

[Prof. M. B. Lai.] secured less votes and less percentage of votes than they were able to get in previous elections. This clearly indicates that voters by themselves cannot be held responsible for betraying the cause of democracy. Mr. Nanda also told us that more people voted for Congress forces in 1965 than they voted in previous elections. He told us that 36 Congress and 24 Kerala Congress, in all 60 Congressmen are returned by the electorate, and he also told us that if they had not quarrelled among themselves, the Congress could have won 12 seats more. So, there would have been 72 in a House of 133. The Congress would have been in a clear majority if the Congress had not chosen to be divided and the Congress High Command had not compelled the Congress voters to be divided in their loyalties. If that is the position, I wish to ask who is responsible for the present situation if not the Congress leadership, which failed to compose differences in Congress ranks, which failed to present to Communist forces a united front. If the official Congress was returned as the second party, none but the Congress is responsible for it-

Sir, a great friend of mine, who is not a member of the Congress Party, who is older to me in age, and whose loyalty to democracy is greater than his loyalty to any other cause, has written to me that in this election of 1965 the Congress—I am quoting the letter—"the Congress forgot the national danger. Chinese invasion was in the background. Jibing at Mannam and ridiculing the Kerala Congress was the Congress theme for winning the elections. To pulverise the Kerala Congress was the main objective of the election campaign of the Congress." With regret he informs us that "the Congress had become so drunk with power that they thought that they had only to parade their might and glory for the voters to get dazzled." He says that "he had hardly ever seen such vanity as the Congress leaders showed in Kerala. That fifteen Congressmen refused to obey the Congress High Command was, to them, the national issue. They had to be taught a lesson, given a chastisement, and the Congress was going to do it." This is how,

with agony, he described to us the attitude of the Congress leadership during the Kerala elections, and I have no doubt whatsoever in my mind, whether I would have liked the Congress to be in power in Kerala again, or not, that Congress would have been able to form a stable Government in Kerala if the Congress had not chosen to follow the lead of a particular person who is rejected by the electorate by an overwhelming majority and if the Congress leadership had the wisdom to keep united, if not all democratic forces, at least such forces as were loyal to the Congress. Sir, I have no doubt in my mind that, even after the election, if the Congress had so chosen, there could be a duly constituted democratic Government in Kerala. Mr. Nanda chooses to include Kerala Congress members as Congress members when he tries to prove that Congressmen command greater confidence of the people of Kerala than the Communists do. But when there is the question of constituting a democratic government in that State, the claims of the Kerala Congress as Congressmen, are completely ignored and no assurance is given whatever of any support to the Kerala Congress for running the government. Sir, as was pointed out by my hon. friend Shri Vajpayee yesterday, once the Congress chose to lend its support to the Praja Socialist Party to form the government while the Praja Socialist Party was in an absolute minority. I am one of those who feel that ideologically, the Praja Socialist Party is very different from the Congress Party.

SHRI M. S. GURUPADA SWAMY (Mysore): Not now.

PROF. M. B. LAL: Some friends do not think so. But even those who think that the Praja Socialist Party and the Congress Party are ideologically near to each other will agree with me that the Kerala Congress is nearer to the official Congress than the Praja Socialist Party can ever be, especially when the leaders of the Praja Socialist Party constantly hammer in that ideologically they are different from the Congress. So if passive assistance or support to the Praja Socialist Party could be rendered for some time, why could not that support and assistance be extended to the Kerala Congress? I

can very well understand the Congress not assuming power themselves. There is a precedent in British politics. The Conservative Government fought an election. The Conservative Party in that election was not returned in a majority, though it was a major party. It refused to shoulder the responsibility because it also failed to secure the support of the majority of the people which it claimed before the elections. So I could very well understand the Congress refusing to shoulder the responsibility for the administration of the country, because the Congress which was in a near majority before the elections was converted into a minority after the elections. But I do not see what reason was there for the Congress to take an attitude which made it impossible for the ordinary democratic government to be formed. Sir, in the Note which has been circulated to us, it is said that Mr. Abraham, the leader of the Congress Party, reaffirmed before the Governor the Congress stand and said that the Congress Party would function as a constitutional opposition to whoever else formed a government, that the Congress would support the actions of any non-Congress ministry if such actions were in line with Congress policies and otherwise the Congress Party would not support them. Now, I feel that the Governor should have tried to secure a further clarification from Mr. Abraham, if Mr. Abraham's attitude was equally applicable to the Communist Party and the Kerala Congress, or if he wished to make a distinction between the two. If he was equally benevolent to the Communist Party and the Kerala Congress, then the claims of the Communist Party deserved to be carefully considered. And in case Mr. Abraham, the leader of the Congress Party wished to make a distinction between the two or was conscious of the fact that ideologically the Congress Party was nearer to the Kerala Congress than it was to the Communist Party, and could expect from the Kerala Congress an administration and implementation of policies, more or less, on the Congress lines, then the claim of the Kerala Congress was a strong one. If that was the attitude of Mr. Abraham, I have no doubt in my mind that the Kerala Congress should have been given an opportunity to

form a government. And then the statesmanship of the leaders of the Kerala Congress was to be tested. If they had chosen to act in a manner offensive to Mr. Abraham and the Congress Party, then the Congress Party would have voted against the Kerala Congress government and the people of Kerala would have known that the Kerala Congress men are not really Congressmen. If the Kerala Congress had acted, more or less, in line with the Congress policies and than Mr. Abraham and his friends had chosen to vote against the Kerala Congress government, then the people of Kerala would have known that the Congress leadership is not for Congress policies, but is only for power and for the chastisement of rebels in their party. So, Sir, I personally feel that however grave the situation was in Kerala, a democrat would feel that the situation was not so grave that the Governor should declare that an ordinary, regular and constitutional machinery could not 3 P.M. function and President's rule should be established. There is a provision in the Constitution with regard to the establishment of President's Rule. Therefore, the establishment of President's Rule is legal. But I wish to maintain that this provision in the Constitution cannot be claimed to be a significant feature of democracy or democratic constitutional procedure. It is at best an extra-democratic constitutional procedure provided in our Constitution perhaps because the Constituent Assembly felt that we Indians are not sufficiently used to democratic processes. Let us not get used to the idea that President's Rule is also a normal feature of Parliamentary democracy; let not the people of Kerala or of India be told that President's Rule could be a normal feature of a democratic government. I have no doubt in my mind that if there had been no provision in the Constitution with regard to President's Rule under certain circumstances- a democratic government would have been established in Kerala. But because there is some such provision and because an important party

in Kerala feels that if this provision could be applied, power would revert to it through the Centre, this situation is created.

SHRI P. N. SAPRU: After all, there is no provision for President's Rule in countries which have a federal form of Government. Take Australia, take Canada, take the United States of America. This is an exceptional provision and this should have been borne in mind by the Governor.

SHRI BHUPESH GUPTA: This is in the spirit of section 93 of the Government of India Act.

PROF. M. B. LAL: I am much obliged to Dr. Sapru for inviting the attention of this House to the fact that President's Rule is not a salient feature even of the federal government not to speak of other democratic governments.

Sir, I feel that even when the Congress was in power and when the Centre ruled through the Governor, the Congress failed to do what was needed to ameliorate the conditions of the people of Kerala. My friends belonging to the Congress Party hailing from Kerala did very well in inviting our attention to the economic conditions of the people of Kerala. As I said yesterday, and I repeat it again, unemployment and poverty breed communism. If you are unable to solve that problem through manipulation of caste votes, you cannot retain power. If you just boost the leadership of a lower community, you lose the support of certain higher sections of the community. You can have the general support of the people only when you ensure to the people fair justice, prosperity and freedom. Therefore, . . .

SHRI AKBAR ALI KHAN: That is why we decided to be in opposition, Professor.

PROF. M. B. LAL: I am sorry I do not happen to agree with Mr. Akbar Ali. you did not choose to be in opposition but you chose to rule from the Centre when it was not possible for you to rule at the State level.

SHRI A. B. VAJPAYEE: They think they are born to govern.

SHRI BHUPESH GUPTA: It was a political bluff you put acwss there.

SHRI JOSEPH MATHEN: I can understand Professor Lai criticising but Mr. Bhupesh Gupta's Party and the Jan

Sangh lost their deposits in most of the constituencies.

SHRI A. B. VAJPAYEE: So what?

SHRI BHUPESH GUPTA: We will have to bring Ganges water to wash this off.

PROF. M. B. LAL: It matters little whether the P-S.P. lost the deposit or not but we did not lose our faith in democracy.

SHRI K. DAMODARAN (Kerala): They have lost it.

SHRI JOSEPH MATHEN: Not faith but as far as deposits are concerned, Mr. Bhupesh Gupta's Party and the Jan Sangh lost them in almost all the constituencies.

SHRI BHUPESH GUPTA: We did not lose faith in the absurdity of your Party.

PROF. M. B. LAL: I concede, Mr. Mathen, that the Congress Party commands much greater confidence of the people of Kerala than the Praja Socialist Party, the Jan Sangh and the Right Communist but all that I wish to say is that the Congress Party . . .

SHRI P. N. SAURU: ... has failed the people of Kerala.

PROF. M. B. LAL: ... has faile'd the people of Kerala, as my hon. friend. Dr. Sapru, says. I may add further, that it has not only betrayed the trust of the people of Kerala but also betrayed its own faith in democracy.

SHRI M. RUTHNASWAMY: Mr. Vice-Chairman, at the outset I would say that I support the Budget because if we did not pass the Budget. Kerala would be in a worse mess than it is at present. I have the greatest sympathy with the Members from Kerala who plead for the economic development of that State and I hope and trust the Budget framed not under Congress auspices but at Presidential discretion and under the sponsorship of the Governor aided by civil service advisers would give Kerala a better deal than it has had from the Congress. This debate which is professedly a debate on the Kerala Budget has

telescoped into a debate the constitutional position and political developments in Kerala. As has been pointed out by more than one Member, article 356 contemplates a situation under which the government of the State cannot be carried on in accordance with the provisions of the Constitution. What are the provisions of the Constitution? They are laid down in articles 163 and 164 according to which the Government of the State is to be carried on by Ministers responsible to the Legislature. Therefore, the ordinary constitutional government of Kerala State would consist first in a Legislature elected by the people being constituted and in the appointment and functioning of Ministers responsible to the Legislature. Now, these provisions of the Constitution would secure the functioning of a constitutional government in Kerala but they have not been followed.

And it has not been followed because the Governor in his judgment has thought that no such Council of Ministers as could be held responsible to the legislature could have been formed. Now, of the parties that proved successful at the election the left communists are out of the question because physically they find it impossible to form a Government, even to be present in the legislature, and it is a notorious fact that no other group in the legislature would have supported them. So they are ruled out. But among the other groups, the Congress, if it had not been out to punish the Kerala Congress members for their recalcitrance, could, with the Kerala Congress members, have formed a Ministry. The Kerala Congress members offered to join with the orthodox Congress members in order to form a Ministry.

SHRI AKBAR ALI KHAN: Would you like to form any Government or any organisation with those who do not have any regard for discipline and principles?

SHRI P. N. SAPRU: What is discipline?

SHRI BHUPESH GUPTA: May I know whom you took in Orissa? Gana Tantra, was it not?

SHRI M. RUTHNASWAMY: It is all rather comic. Apart from the state of discipline in the Congress Party, one would have thought that a statesmanlike party would have welcomed the rebels from its midst; in order to form a constitutional democratic government would have welcomed even the rebels because after all they rebelled not on account of any principle or policy but on account of certain personalities which brought the Congress Government into contempt in Kerala.

SHRI AKBAR ALI KHAN: Selfish motives.

SHRI M- RUTHNASWAMY: If the Congress refused to form a Government with the Kerala Congress, the Congress group was willing to support any constitutional democratic government that could be formed. And I think, Mr. Vice-Chairman, that if the Governor had given an opportunity to the other groups they could have combined and formed a stable Government provided of course that the orthodox Congress group would have been statesmanlike enough to support such a coalition Government. And such a coalition Government, provided it did not suffer from any ideology but was willing to govern the State on a minimum programme of efficiency and good administration, could have, I think, given a stable democratic government to the Kerala State. I am afraid the Governor did not use his judgment and did not exhaust all the possibilities that were open to him. Of course, people would say that it would have been a minority Government. But there have been minority Governments in other democratic countries. In England in the early years of the 19th century one minority Government followed another and even in this century the Labour Government formed minority Governments twice in 1924 and in 1929. Why was it? Because the other parliamentary groups were not pinned down by partnership but were statesmanlike enough to allow a minority Government to govern the country in a situation where they themselves, the majority, were not able to do so. It is a famous constitutional maxim, uttered, curiously enough, by a military command-

[Shri M. Ruthnaswamy.]

der, Duke of Wellington, that the King's Government must be carried on in any instance.

SHRI BHUPESH GUPTA: Here also Mr. Nanda's Government must be carried on in any instance.

SHRI JOSEPH MATHEN: Is it the hon. Member's contention that Mr. Namboodiripad, being the leader of forty members, should be asked to form a Ministry?

SHRI M. RUTHNASWAMY: I have already said at the beginning that the left communists are out of the question altogether. Speaking in India, that I will say the country's Government must be carried on but according to the parliamentary method. It is a parliamentary Government that we want, not the Presidential dictatorship that has been set up in the present instance. And as one contemplates this melancholy fact, Mr. Vice-Chairman, one begins to think somberly and sadly of the future of parliamentary government in this country. Parliamentary government has been strangled in the birth almost in Kerala. The other day a Lady Member made a powerful plea in a speech whose manner I admired but whose matter I deplored for legalised abortion. Legalised abortion seems to have come out of the domestic into the political sphere in Kerala.

SHRI BHUPESH GUPTA: It is a good one, I think.

SHRI M. RUTHNASWAMY: And we have the farce of a legislature being dissolved even before it was summoned. According to article 176 of the Constitution a legislature after a general election has to be summoned, has to meet and has to function as a legislature.

SHRI P. K. KUMARAN: They were afraid of losing more Congressmen to the Rebel Congress.

SHRI JOSEPH MATHEN: There was nobody from your side to cross the floor because you were only three.

SHRI BHUPESH GUPTA: It does not matter; why are you obsessed of our being three or "thirty"?

SHRI AKBAR ALI KHAN: Who is to address?

SHRI M. RUTHNASWAMY: If only the Congress Party had not been animated by partymanship, if it had been animated by statesmanship, we could have had a democratic Government in Kerala. The Congress Party has always been notorious for keeping party before Parliament, for choosing party before Parliament, for considering the interests 'of the party before the interests of Parliament, before the interests of the country. Once before also this partymanship of the Congress was in evidence. When under the Government of India Act of 1935 Congress Governments were being formed all over the country, the Congress Party refused to admit members of the Muslim League into their Government just because they were the party in majority and therefore only the partymen could constitute Governments, as if we had a full-fledged parliamentary Government in those days, as if we had a full-fledged independent national democracy in those days. In a time of transition when all parties had to be rallied round the banner of freedom the Congress Party chose to be noted for its partymanship ~rather than for its statesmanship. And once again, Mr. Vice-Chairman, I am afraid this partymanship of the Congress Government will lose the cause of parliamentary democracy in our country.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): I have still got a list of hon. Members who want to take part in this debate. I would therefore seek then-help so that they limit their remarks to ten minutes each.

SHRI D. L. SEN GUPTA (West Bengal): Mr. Vice-Chairman, Sir, I personally feel that we are arrogating to ourselves certain duties which really do not belong to us. It was the job of the Kerala State Assembly to pass their own Budget but unfortunately this Congress Government has taken such a stand at the Centre and also at the organisational level as a

result of which the Constitution, for the purpose of Kerala, stands bereaved and as a matter of fact I feel that we are here addressing a funeral ceremony of democracy in Kerala *vis-a-vis* India and high priests are reading Constitutional *mantras*. If I can place before you the statement laid on the Table yesterday, I find that there are certain figures and certain statements which require close analysis for an appreciation of the *bona fides* of the same. There is a portion which says:

"In the circumstances, the Governor found no possibility of the Communist Party commanding a working majority even if those of their members who are in detention were free to function as Members of the Assembly. The Governor did not, therefore, call upon the leader of that party to form a government."

It is as if, had Mr. Namboodiripad been in a position to form a government, they would have been released. That was not the position. The Government would not have released them at all. They made their position clear. So, there is no question of calculating with those 29 persons. The next para is very important, which says:

"The Governor explored other possibilities too, but in view of the decision of the Congress Party not to join with any other party to form a Government, and the combined strength of the Kerala Congress, Muslim League, etc., being only 37, the Governor came to the conclusion that there was no possibility also of any other party being able to form in combination with other parties and groups a viable Ministry."

Here, the figure is* 37, but this statement does not say what the position would have been with the Communists (Marxist) having 11 members out and 13 SSP members who were in favour of forming or supporting any non-Congress government. I find a strength of 37 is given. Plus 13 SSP plus 11 CPI it would have meant 61. That is in a House of 133 minus 29 in jail, in a House of 104. So, in a House of 104 if the Kerala Con-

gress was asked to form a Ministry, there was a possibility of 61 siding with the Government. The statement does not say what attitude the SSP or CPI had taken in respect of Kerala Congress forming a government. So long as that position is not made clear, this does not carry us any further.

In paragraph 1, the Government have explained the position already as to why they did not call the Communist (Marxist) Party to form the government, but in the second paragraph they have suddenly shelved it. The figures do not go to their logical end. This is not fair. If there was an election, at least the Assembly ought to have been summoned. I have carefully gone through the Constitution and I find that under Article 159 the Governor has got to take the oath. While taking the oath, it says: "I shall defend the Constitution." Defending the Constitution requires interpretation of Article 174(1). Article 174(1) clearly says that the Governor shall from time to time summon the House. Article 174(2) says:

"The Governor may from time to time—

- (a) prorogue the House or either House;
- (b) dissolve the Legislative Assembly."

Article 174(2) has got to be read with Article 174(1). You cannot read Article 174(2) without reading Article 174(1), or unconnected with it. So, the Governor had a duty to summon the House, shall summon the House. "Shall" cannot be interpreted as 'may' or 'may not'.

I do not find in the Constitution any provision which really says that without summoning, after due election, the Assembly could be dissolved. I raised this as a point of order day before yesterday when Mr. Hathi made the statement You cannot dissolve that which did not exist. 'Dissolve*' means that something exists and you are going to dissolve that. I also raised the point about the sense of Article 174(1). Now, what do we find? The position was not as simple as they have stated here. The Congress and the Gov-

[Shri D. L. Sen Gupta.] eminent also was very much in doubt. We find that they have consulted legal opinion and legalists as saying: You can do it. We want to know who are these legal experts. We want to know whether Mr. Setalvad, the former Attorney-General of India, was consulted. Was Mr. Daphtary, the present Attorney-General, was consulted? We want to know what was their opinion on the subject. We have seen in today's papers that 40 Supreme Court advocates have held that this is against the Constitution. A man like Mr. Harekrushna Mehtab, who is a Congress leader of eminence, has held the procedure was illegal. I may tell you that as a matter of fact this Kerala Budget cannot be constitutionally passed by us, cannot be legally passed by us. We should not do it and it is a challenge. I can say that this illegal order should be revoked. Till that is done it would not be wise and correct to proceed with it.

Now, there is the question of State security, national security and all that. I fully agree with the Government that on a question of national security there should be no compromise. I stand by that. But the question is if the 29 elected members of Kerala had been released, would our national security have been endangered? What for this military? What for this police? We really should see if the Communist Party or any other Parties were allowed to form a government in Kerala, they would function democratically. The Congress lost this election. The Congress will lamentably fail in the next elections too. If I have understood the Communist Party, they have approved of democratic methods, democratic principles of the Constitution. Now, they will go to the people and say: Look, here is democracy, look, here is your Constitution. And you are allowing yourselves to be played into the hands of the Communist Party. You cannot stop the communist game. You are allowing the communists to grow. So, the time is ripe enough. Instead of putting indiscriminately people in jail, find out who is the culprit. Try him and give him exemplary punishment. Let the people learn that the Government exists, that Govern-

ment does not tolerate treason, that Government does not tolerate disloyalty to the country. Instead of doing that you find out certain books, pamphlets and this morning I referred to one letter of Mr. Niren Ghosh written to the Craman. Mr. Sudhir Ghosh mentioned in this House that he had heard from the Chief Minister of West Bengal that Mr. Niren Ghosh was indulging in the sabotaging of Ordnance Factories. Now, what happened? If that was a fact, why does not that fact find mention in the Home Minister's booklet? Why does it not find a mention in the Home Minister's statement? So, I take it that it was not communicated to the Home Minister, that it was not communicated by the Chief Minister to him. Should we believe Mr. Sudhir Ghosh or should we believe what the Chief Minister says . . .

SHRI BHUPESH GUPTA: Mr. Sen Gupta, in the same way as President Kennedy communicated about the aircraft carrier

SHRI D. L. SEN GUPTA: All Congressmen are honourable men. I do not question his credentials.

He is supposed to be a man in the confidence of Jawaharlal Nehru, Kennedy and Khrushchev. So I do not claim to be a very important man as Shri Sudhir Ghosh. All I can tell you is that Shri Niren Ghosh has denied the allegations. Our Home Minister gathered it from police spies and on the basis of that on 31st December 1964 he rounded up the Communists. What did they do throughout 1964? Why did you not arrest them one by one? Why were all arrested on one day? What suddenly happened? They must have been doing something against the Government for some time. I have seen the Government stating that Shri Niranjana Sen Gupta, West Bengal M.L.A., Shri Satish Pakrashi, ex-M.L.C., Dr. Narayan Roy, present M.L.A., and Shri Ganesh Ghosh, present M.L.A., had been to Kulu Valley and were conspiring with the Chinese and all that against India's interests. Dr. Narayan Roy belongs to the group of nationalist Communists, that is Shri Bhupesh Gupta's group—he will bear me out. Shri Niranjana Sen Gupta from jail wrote to Shri Jyoti Basu that

he had never been to Kulu Valley in his life and his letter had been read out on the floor of the House of the West Bengal Assembly. How do you say that nationalist Communists like Dr. Narayan Roy conspired with China against Indian national interest or that the right Communists and the left Communists together conspired with China against India? We do not appreciate the veracity of it. I do not doubt Mr. Nanda's *bona fides*. But all I say is that *bona fide* action 'does not mean correct action. There might be wrong action, erratic action. Why is the Government not accepting its mistake? Why is the Government not admitting its wrong and correcting it?

श्री प्यारे लाल कुरील 'तात्त्विक' (उत्तर प्रदेश) : जनाब वाइस चेंबरमैन, जम्हूरियत में जनता के कुछ बुनियादी हकूक होते हैं और उन बुनियादी हकूक को हर हालत में कायम रखना चाहिये। जम्हूरियत क्या है? जम्हूरियत जनता के विचारों का एक खाका होता है—जनता की इच्छाओं का, जनता क्या चाहती है, उसका एक खाका होता है। आपने हजारों रुपया खर्च किया और इलेक्शन कराया ताकि वहां पर जम्हूरी हुकूमत कायम हो सके, वहां पर असेम्बली बन सके। आपका बुनियादी मकसद यह था कि वहां पर असेम्बली हो और असेम्बली के जरिये वहां हुकूमत चले बजाय इसके कि प्रेसीडेंट रूल जारी रहे। तो वहां पर चुनाव हुए और चुनाव के वक्त और चुनाव से पहले आपने यह भी कह दिया था कि कम्युनिस्ट्स की क्या एक्टिविटीज हैं। यहां तक आपने कहा था कि वे गद्दार हैं, यहां तक कहा कि वे वतन के दुश्मन हैं। इस पर भी जनता ने उनको चुना और चुनने के बाद आपने इतनी देर भी इंतजार नहीं किया—तीन महीने भी इंतजार कर लेते—और उसके बाद गवर्नर का यह काम नहीं था कि खामोशी से बैठे रहे। गवर्नर को भी एक्टिव पार्ट लेना चाहिये था, मुख्तलिफ पार्टी के लोगों के पास जाते और हुकूमत

बनाने का लय कह सकते थे। तो गवर्नर को भी एक्टिव पार्ट लेना चाहिये था ताकि जम्हूरियत का उसूल कायम रह सकता। आखिर असेम्बली के चुनाव पर आपने इतने रुपये खर्च किये। मगर गवर्नर ने क्या किया कि चंद दिनों में सिफारिश की कि यहां प्रेसीडेंट रूल होना चाहिये। जम्हूरियत में अवसरियत की हुकूमत बनती है, अकल्पित की हुकूमत बनती है, माइनारिटी की सरकार बनती है, कोएलिशन गवर्नमेंट बन सकती है। मुख्तलिफ पार्टियां समझ लें कि हमको हुकूमत चलानी है, एक प्रोग्राम बना लें, तो कोई बजह नहीं सरकार नहीं बन सके। डेमोक्रेसी में यह होता है। तो कोएलिशन गवर्नमेंट बन सकती थी, अकल्पित की गवर्नमेंट बन सकती थी। अगर हुकूमत चाहती है कि जम्हूरियत कायम रहे तो हुकूमत की यह इतिहाई कोशिश होनी चाहिये कि वहां असेम्बली बने और वह फंक्शन करे। आपने असेम्बली को बुलाया तक नहीं, आपको असेम्बली को बुलाना चाहिये, उसके बाद आप चाहे उसको डिजाल्व कर देते। हम यह नहीं समझते कि असेम्बली एग्जिस्ट नहीं करती है और आप उसको डिजाल्व कर सकते हैं। आप आर्टिकल 174 पर गौर करें जिसमें कहा गया है कि गवर्नर असेम्बली को समन करेगा। समन करने के बाद अगर वह फंक्शन नहीं करती है और दिक्कतें आती हैं या हुकूमत नहीं बन पाती है, ऐसी कुछ हालात हैं, तो उसको डिजाल्व कर सकते हैं। मगर असेम्बली को समन ही नहीं किया, असेम्बली को बनने ही नहीं दिया। यह कहना कि गजट में नाम आ गये, असेम्बली हो गई तो गजट में नाम आ जाने से तनख्वाह नहीं मिलती जब तक मेम्बरस "ओथ" न ले लें, कसम न खा लें। मैं तो यह कहूंगा, सरकार से दख्खास्त करूंगा कि यह एक ऐसा सवाल है जिसको सुप्रीम कोर्ट को भेजना चाहिये और इस पर राय लेनी चाहिये ताकि आयन्दा के लिये जम्हूरी हुकूमत यहां पर कायम रह सके। क्या

[श्री प्यारेलाल कुरील "तालिब"]

यह सही नहीं है कि जब यहां मरकजी हुकूमत कांग्रेस की थी और केरल में कम्युनिस्ट गवर्नमेंट थी तब क्या उस कम्युनिस्ट गवर्नमेंट ने और पार्टियों का कोआपरेशन नहीं लिया। महज इसलिये कि कम्युनिस्ट गवर्नमेंट हो जायेगी इसलिये बड़ी भारी दिक्कत सामने आ जायेगी, या वह कोआपरेट नहीं करेंगे, तआव्बुन नहीं करेंगे, एकदम से यह कदम उठा लेना और वहां असेम्बली न बनने देना—इसको मैं कहता हूं जम्हूरियत का गला घोंटा जा रहा है, जम्हूरियत के गले पर छुरी चलायी जा रही है। आप कहते हैं ये जो 29 एम० एल० एज० हैं उनको आप रिहा करते तो देश के अन्दर अशांति फैल जाती। क्या गवर्नमेंट अपने को इतना कमजोर समझती है जो 29 आदमियों से डरती है। आप अपनी दरियादिली का सबूत देते, आप अपनी दयानतदारी का सबूत देते, आप अपनी जेनरोसिटी का सबूत देते और उनको रिहा कर देते और रिहा करने के बाद असेम्बली को समन करते और समन करने के बाद एक एक आदमी के खिलाफ जो चार्ज हैं उन चार्ज को लगा कर आप उनके खिलाफ कार्यवाही करते, इससे हिन्दुस्तान के किसी आदमी को कोई ऐतराज नहीं हो सकता था। आप जम्हूरियत में डी० आई० आर० का इस तरह से इस्तेमाल कर रहे हैं जो अब्बल तो जम्हूरियत में होना ही नहीं चाहिये। जब चीन के साथ लड़ाई के दौरान सरकार ने डिफेन्स आफ इन्डिया का इस्तेमाल किया तब यहां कांग्रेस अपोजिशन चीख उठी और चिल्ला उठी और क्या कुछ नहीं किया। आज इमरजेन्सी भी नहीं है, लड़ाई भी नहीं है, तब भी यह डी० आई० आर० चल रहे हैं, आपके प्रिवेन्टिव डिटेन्शन लाज चल रहे हैं। उसमें पूरा एक चैप्टर है आफेन्सेज अगेन्स्ट दी स्टेट, उसमें सब चीजें आ जाती हैं। अगर कोई गद्दारी करता है, उसके लिये आई० पी० सी० मौजूद

है, दूसरे ऐक्ट मौजूद हैं, उसके मुताबिक उनके खिलाफ कार्रवाई की जाय। आप जनता को अपने आप हंसने का मौका देते हैं। डी० आई० आर० में आपने तमाम एम० एल० एज० को गिरफ्तार किया। क्या कहेंगे लोग कि आप अपने पांव पर कुल्हाड़ी मार रहे हैं, आप अपनी अकीदत से गिरे जा रहे हैं, आप जनता को, कम्युनिस्टों को, अशांति फैलाने का मौका दे रहे हैं। 29 एम० एल० एज० को आपने जेल में रखा, बगैर उनके ऊपर केस चलाए। अगर उनके खिलाफ चार्ज हैं तो यह कोई तरीका जम्हूरियत में नहीं होता कि एकदम से, आल-आफ-ए सडन उनको गिरफ्तार कर लिया जाये। यह एक जम्हूरी गवर्नमेंट को शोभा नहीं देता, यह कोई अच्छी मिसाल हम कायम नहीं करते हैं। मैं तो चाहता हूं कि अगर कोई देश का दुश्मन है, देश के खिलाफ कार्रवाई करता है तो आप उसके लिये सख्त से सख्त कदम उठाएं। कोई प्रो-रशियन हो सकता है, कोई प्रो-चाइनीज हो सकता है, कोई प्रो-सीलोन हो सकता है, कोई प्रो-बर्मा हो सकता है, प्रो होना कोई जुर्म नहीं है। जुर्म क्या है? जुर्म यह है कि एन्टी इन्डिया एक्टिविटीज तो नहीं हैं? हमारे देश के खिलाफ तो कोई काम नहीं करते हैं जिससे देश की शांति भंग होती है, देश के अंदर फिजा मखदूश होती है। महज यह कहना प्रो-चाइनीज है—आपके यहां इन्डो पाकिस्तान फ्रेंडशिप सोसाइटी है, इंडो चाइनीज फ्रेंडशिप सोसाइटी है, इन्डो बरमीज फ्रेंडशिप सोसाइटी है—प्रो के क्या मानी हैं? मैं भी तो दिल में किसी कन्ट्री का "प्रो" हो सकता हूं, मगर इसका यह मतलब नहीं कि मेरी एक्टिविटीज सरकार के खिलाफ हैं, देश के खिलाफ हैं। इसका यह मतलब नहीं कि मैं देशद्रोही हूं, इसका मतलब यह नहीं कि सारे के सारे हिन्दुस्तानी देशद्रोही हैं। अगर कोई देशद्रोही होगा तो वह उस जगह में नहीं रह सकता, उस मूहले में नहीं रह सकता, उस शहर में

नहीं रह सकता, उस मुल्क में नहीं रह सकता । हमारी जनता के अन्दर इतनी बेदारी है, जनता खुद जानती है और सख्त से सख्त कदम आप उसके खिलाफ उठाएंगे, वह आपका साथ देगी । मगर इस तरीके से एकदम तमाम एम० एल० एज०को गिरफ्तार करना, यह आपको शोभा नहीं देता है । आपने असेम्बली को समन किया होता, असेम्बली को समन करने के बाद आप अदालतों में चार्ज ले जाते, जनता को, अदालत को इस बात का फैसला करने का मौका देते कि आया वे वाकई देशद्रोही हैं, देश के दुश्मन हैं । वे लोग हमदर्द हैं, हम आपके हमदर्द हैं, मगर इसका यह मतलब नहीं कि आप अंधाधुंध काम करें । देश में जम्हूरियत है, जम्हूरी राज्य है कोई शाहंशाहियत नहीं है, कोई राजा की हुकूमत नहीं है । जम्हूरियत की परम्परा को आपने कायम रखना है । जो हालत आज केरल में हुई है मैं आपको यकीन दिलाता हूँ कि बहुत सी स्टेट्स के अंदर 1967 के चुनावों के बाद कोई पार्टी को अक्सरियत नहीं होगी, किसी पार्टी की एक्सोल्यूट मैजोरिटी नहीं हो सकती । हो सकता है, दूसरी स्टेट्स में मुख्तलिफ पार्टियां आएँ और कांग्रेस को एक्सोल्यूट मैजोरिटी हासिल न हो, तो क्या आप उस वक्त सारा प्रेसीडेन्ट रूल कर देंगे । आपको अभी से सोचना चाहिये, अभी से कोई कदम उठाना चाहिये । सोचिए, इन हालात में हमको क्या करना है । आज एक स्टेट में ऐसा हुआ है, कल बंगाल में भी हो सकता है और तमाम स्टेट्स में ऐसी बातें पैदा हो सकती हैं । आपको अभी से सोचना चाहिये, अभी से कोई अमली कदम उठाना चाहिये कि उन हालात में हमारी हुकूमत क्या करेगी ? इस हालत का हम कैसे मुकाबला कर सकेंगे इस बारे में आपको फौरन सोचना चाहिये था, मगर आपने वहाँ पर एकदम प्रेजीडेंट का रूल कायम कर दिया जो कि मैं इस हुकूमत के लिए एक मुनासिब कदम नहीं समझता हूँ ।

मैं ज्यादा न कहते हुए इस बात की तरफ जोर दूंगा कि यह एक ग्रहम मसला है और

इस चीज को सुप्रीम कोर्ट में भेजा जाय और यह मालूम किया जाय कि कान्स्टीट्यूशनल पोजीशन इस बारे में क्या है । सरकार ने जो कुछ वहाँ पर किया है वह अतकान्स्टीट्यूशनल है या नहीं ? मैं यह बात इसलिए नहीं कह रहा हूँ कि केरल में आपको असेम्बली चलानी थी जिसे आप नहीं चला सके । आप वहाँ पर प्रेजीडेंट रूल रहने दीजिए लेकिन आयन्दा के लिए सोचें कि जो आप करने जा रहे हैं क्या वह फ्यूचर के लिए ठीक होगा ? इसलिए मैं अर्ज करना चाहता हूँ कि आप इस बारे में राय लें, आप दफतरी साहब की राय ले सकते हैं, सीतलवाद साहब की राय ले सकते हैं, दूसरे जो लायर हैं, एक्सपर्ट्स हैं, उनकी इस बारे में राय ले सकते हैं और उसके बाद आप अपना नुक्तानजर बना सकते हैं और इन सब लोगों की राय लेकर आप आयन्दा के लिए एक फैसला लें । मैं इस वक्त यह कहूँगा कि आप अपनी हुकूमत की बेहतरी के लिए, आपके अपने मफाद के लिए यह बेहतर है कि आप उन तमाम कम्पुनिस्टों को रिहा कर दें और उनके खिलाफ अदालत में चार्ज लगायें । यह आपके लिए शोभा नहीं देता है कि आप डी०आइ० आर० का इस्तेमाल करें और मुख्तलिफ पार्टी के लोगों के खिलाफ इस्तेमाल करें ।

मैं ज्यादा न कहते हुए आपका शुक्रिया अदा करना चाहता हूँ कि आपने मुझे दो तीन बुनियादी बातों को कहने का मौका दिया ।

شوقی عبدالغنی (ملجب) : جالب
وائس چورمهن صاحب-جہاں تک
۱۹۶۵-۶۶ع کے کمرل بجٹ کا تعلق
ہے مہن اس کو ۱۹۶۳-۶۵ کے بجٹ
سے بہتر مانا ہوں اور اس لئے اس کی
تائید کرتا ہوں - لیکن مجھے اس

[شری عبدالغنی]

بات کا حکم ہے کہ جو بھرت کھل کی
ودھان سبھا کے سامنے آنا چاہئے تھا
وہ یہاں پارلیمینٹ کے سامنے آیا
ہے۔

وائس چہر مہن صاحب - مہن
نے 9 مارچ کو ایک خط واشٹریٹی
کو لکھا تھا اور مہن نے ان کو یہاں
دلا ہے کہ جب ہمارے ہفتت
جواہر لال نہرو جی ہم سے جدا ہوئے
تھے تو مہن نے کہا تھا کہ ایک پارٹی
کی گورنمنٹ نہ رکھ کر آپ اپنے دیس
کی بھلائی کے لئے نیشنل گورنمنٹ
بنائیں۔ مہن اس درخواست کو
جو مہن نے اپنے ساتھی لال بہادر
شاستری جی کو بھی، نندا جی کو
بھی اور کام راج جی کو بھیجی تھی
اس کو گرا دیا۔ مہن نے لکھا، اٹھیک
ہے اس کو آپ نے گرا دیا لیکن آج
شاید ہمارے دیس کے سامنے جو
حالت کھل مہن ہوئی وہ شاید
پیدا نہ ہوتی اور مجھے اس کا صدمہ
اس لئے بھی ہے کہ اس کی سب سے
بڑی ذمہ داری لال بہادر شاستری جی
پر ہے جو مہن کے ساتھی ہیں۔ لال
بہادر شاستری جی نے ایک سہلتر
کو طاقیت مہن لال کے لئے تھانو
پلے کو اس کے ایمان سے گرایا اس
کے ایمان کو خریدنا اور وہاں
بالکل ایک نقشہ ایسا پیدا کر دیا
جس مہن کھل کی کانگریس کا

وزن نہیں رہا۔ اس کانگریس نے
جس نے لاکھوں شہید دیئے تھے اور
لاکھوں اپنے آدمیوں کو چھل مہن
بھیجا تھا مجھے اس بات کا رنج ہے
کہ اگر اس وقت شکر پر ایکھن ہو
جاتا تو آج کانگریس کی جو حالت
ہوئی اس سے کہیں بہتر ہوتی۔
کانگریس مضبوط ہوتی اور کہیں
زیادہ طاقتور ہوتی۔ یہ صدمہ اس
لئے بھی ہے اور مہن شرمندہ ہوں کہ
ہمارے ہوم منسٹر صاحب جن
لوگوں کو دیس دروہی کہتے ہیں
وہ سب گروپ کی حیثیت سے
کہتے ہیں پارٹی کی حیثیت سے کہتے
ایک سب سے بڑی پارٹی چھت کر
آئی ہے۔ لیکن اس سے گھبرا کر
کانگریس سرکار نے کیا کیا۔ واشٹریٹی
جی کو جو مہن نے خط لکھا تھا اس
میں مہن نے عرض کیا تھا کہ مجھے
دور ہے چونکہ ہماری ہار ہوئی۔
میں اس کو اپنی ہار اس لئے بھی
کہتا ہوں کہوں کہ مہن سمجھتا ہوں
کہ جب ہمارے دیس کے ہوم منسٹر
کچھ لوگوں کو تریتر کہتے ہیں کہ وہ
اس ملک کے ساتھ انیائے کرتے ہیں
تو مہن اس بات مہن اپنی حکومت
کانگریس کے ساتھ ہوں لیکن اس کی
شکست ہو، عوام مہن اس کا اعتماد
نہ رہے کانگریس ہار جائے یہ بڑی
ذلت کی بات ہے۔ لیکن اس سے
غصہ ہو جائیں گے کام راج جی

کہوں کہ کافی لوگوں نے ان کو وہاں بھیجا اور رنچھوڑا ہوں گے شاستری جی کہوں کہ ان کی وجہ سے یہ ساری کانگریس کی ذلت ہوئی اور میں نے نندا جی اور شاستری جی کو ایک ایک چٹھی بھیجی ہے کہ جہاں تک ہمارے واشٹریٹی جی کا تعلق ہے میں اس بات کے لئے حیران ہوں کہ جو واشٹریٹی جی کے نام پر ہو رہا ہے اس میں واشٹریٹی جی کہاں تک ذمہ دار ہو سکتے ہیں - میں اس بات کو سمجھنے سے قاصر ہوں - انہوں نے مجھ کو اس طرح سے لکھا:--

"Thank you for your kind letter, I appreciate what you say and will do what I can."

بڑے مختصر میں واشٹریٹی جی نے مجھے لکھا - میں نے اپنے خط میں لکھا تھا کہ مجھے قرعہ کہ لا رہی جی آپ کے نام پر واشٹریٹی جی کا رول چلایا جائے گا اور آپ اس بات میں ہوشیاری کے ساتھ کام کریں گے - اور اسی کوئی بات نہیں کریں گے جس سے ملک کی بدنامی ہو اور ملک میں ایک حادثہ ہو - اس طرح سے تو ہماری سرکار ڈیموکریسی کو کل کونا چاہتی ہے -

وائس چیو مہن صاحب - میں اتفاق کرتا اس وقت واشٹریٹی کے رول سے یا ڈورنڈ کے رول سے اگر یہ خطرہ ہوتا کہ وہاں کی تمام ایوزیشن پارٹیاں اس بات پر تل گئی ہیں

کہ انہوں نے لہفت کمیونسٹوں کا ساتھ دینا ہے اور ان کو انہیں رہا کرنا ہے - ان پر سے پابندی ہٹا لینا ہے - ان کو جیل میں نہیں رکھنا ہے - اگر سب پارٹیوں کا مقصد ایک ساتھ مل کر کانگریس کے دھم کو اور کانگریس کے مقصد کو اور ملک کو نقصان پہنچانا ہے تو میں واشٹریٹی کے رول کی تائید کرتا اور جہاں تک دیہ کی حفاظت کا سوال ہے اگر واشٹریٹی کے رول کے علاوہ وہاں کوئی اور رول بھی ہوتا تو میں اس کو قبول کر سکتا ہوں لیکن وہاں تو یہ نہیں ہوا - وہاں یہ ہوا کہ جو آپ سے ناراض ہوئے تھے جو اس بات سے ناراض ہوئے تھے کہ انہوں نے شکایت کی تھی کہ یہ کمیونسٹ ہے - جنہوں نے یہ کہا تھا کہ یہ اس نے کرپشن کیا ہے - ان کو آپ نے کانگریس سے نکال دیا - اور ان کے نکلنے پر معذور کر دیا - آج یہ لوگ اس حالت میں تھے کہ مسلم لیگ کے ساتھ یہ سرکار بنا سکتے تھے مگر اس مسلم لیگ کے ساتھ نہیں جس نے ملک کے دو ٹکڑے کئے جس نے ملک کو برباد کیا تو نیشنلس تھیوری کے نام پر - آج وہی تحلیل ہے تو نیشنلس تھیوری کے نام پر - میں کہنا چاہتا ہوں کہ مسٹر جناح صاحب کی مسلم لیگ میں اور محمد اسماعیل صاحب کی مسلم لیگ میں زمینی آسان

[شری عبدالغنی]

کا فرق ہے۔ یہ ملک کے دو ٹکڑے دیکھنا چاہتے تھے اور آج کے محمد اسماعیل صاحب جو مسام لیگ کے پریذیڈنٹ ہیں وہ کانگریس کو اور نندا جی کو یقین دلاتے ہیں کہ ہم اس معاملہ میں جہاں ہمیشہ کے معاملہ کا سوال ہے ہم لہنت کیونستوں کی کسی طرح مدد نہیں کریں گے۔ نہ ان کو ہمت دلائیں گے کہ وہ مسگری بدلائیں۔ ہم ان کے کسی ایکشن میں شامل نہیں ہوں۔ ہم نندا جی کے ساتھ پورا اتفاق کرتے ہیں جو انہوں نے کہا جو ریبیل کانگریس والے تھے کیمرل کانگریس والے انہوں نے بھی یہی کہا کہ اس معاملہ میں ہماری دو رائے نہیں ہیں اور ہم یہی نندا جی کے ساتھ ہیں۔ تو پھر خطرہ ایک شکر ہے آیا لیکن ہمارے کانگریس کے پریذیڈنٹ اس بات میں اڑ گئے کہ میں کمرل میں گیا تھا فاتحانہ انداز میں اور میں جا کر وہاں ہرا دوں گا لیکن ان کی جو ہمتی تھی وہاں ختم ہو گئی۔ وہ نندا جی اور شاستری جی کو بھروسہ دلا کر گئے تھے۔ کہ میں کمرل میں جھپٹاؤں گا اور وچنی ہو کر آؤں گا۔ اور ہار کر آئے اس میں اتنے خفا ہو گئے ان لوگوں سے کہ جو کہتے ہیں کہ ہم تمہاری پالیسی سے متفق ہیں کہوں کہ

حکومت اس لئے نہیں بلے دیں کہ کے ایوزیشن والے گڈسٹی ٹوشنل ایوزیشن میں ہیں یہ ایک نئی نرالی بات ہے جو مہدی سمجھ میں نہیں آئی۔ اگر تھانویل کو آپ سہارا دے سکتے ہیں۔ اگر اس وقت پوجا سوشلسٹ پارٹی کو سہارا دے سکتے ہیں تو ان بھائیوں کو جو آپ کے بدلے سانی ہیں جن کی ہر حرکت سے آپ واقف ہوں چنگے ساتھ گہرائی سے واقفیت ہے ان کو سہارا دینے میں آپ کو تکلیف ہوتی ہے ایک منسٹر نہ ہوتا دوسرا منسٹر ہوتا اور یہاں آفیشل پارٹی میں کئی ممبر صاحبان ایسے ہیں جو منسٹروں سے کہیں زیادہ لائق ہیں لیکن ان کو موقعہ اگر کدی پر بیٹھنے کا نہیں ملا۔ تو اس کے یہ معنی تھوڑا ہی ہیں کہ ان کی قابلیت میں کوئی شک ہے۔ یہاں میں کہنا چاہتا ہوں کہ آخر وہ اور مسلم لیگ دونوں یقین دلاتے تھے اور اس معاملہ میں ہو سکتا ہے کہ ایس۔ ایس۔ پی۔ کی رائے وہی ہو جو گورنر براہری نے دی ہے۔ مجھے ہوا دکھ ہوا آج ان کی تقریر سن کر ہے۔ وہ بہت دور تک اگے چلے گئے ہیں کہ جس حد تک انہیں نہیں جانا چاہئے تھا۔ میں ایمان داری سے ایسا مستحسوس کرتا ہوں کہ باوجود اس کے میں اس بات پر متفق ہوں کہ کسی کو فہر معین عرصہ کے لئے چھل میں نہیں رکھا جا سکتا چاہے وہ کتنا ہی

ملک کا دشمن کہوں نہ ہو کہوں کہ اس کے لئے پھانسی کی سزا سامنے ہے - گولی کی سزا سامنے ہے - قہر کی سزا سامنے ہے - مقدمہ اس پر چل سکتا ہے - بغیر مقدمہ چلائے - زیادہ دیر تک کسی کو اندر نہیں رکھا جا سکتا ہے - لہٰذا یہاں تو مقدمہ چلانے کا سوال ہی نہیں پیدا ہوتا - یہاں تو حالت یہ تھی کہ وہ سلتول گورنمنٹ کے ساتھ تھے - پھر کہوں ایسا کیا گیا -

[The Deputy-Chairman in the Chair.]

جسپ گورنر صاحب سے جو کیرل کانگریس تھی انہوں نے جا کر کے کہا کہ ہم اتنے آدمی ہیں ہمارے ساتھ چار اور ہوں - سب مسلم لیگ والے ہمارے ساتھ ہیں - کانگریس والے مل کر تو ۷۷ ہو جاتے تھے اور اگر یہ ۳۶ آدمی ساتھ شامل نہ بھی ہوتے لیکن یہ کہتے کہ ہم منسٹری میں ان کے ساتھ ان کی مدد کریں گے - ہر اچھے کام میں تو میں نہیں سمجھتا کہ ان کا سر کہوں پھرا ہوا تھا کہ وہ ضرور کانگریس کے خلاف یا یہ کہتے کہ لہٹنگسٹ کمونسٹوں کے حق میں چوچا کرتے -

میں افسوس کے ساتھ کہتا ہوں کہ کانگریس اس وقت بھک گئی ہے - آئینشیل پارٹی اس وقت بالکل دھوکہ کھا گئی ہے - ان کو اپنا خیال آ گیا ہے جمہوریت کا خیال نہیں رہا - دیہس کا خیال نہیں رہا - کہوں کہ اگر جمہوریت کو بچاتے تو ان کی اپنی

طاقت اور ان کی اپنی عزت بچتی - اور اگلے الیکشن میں ممکن ہے کہ وہ سونپ کر جاتے لیکن یہاں حالت یہ ہے کہ اگر آپ خدا نہ ہوں قہر سے چھرمون صاحبہ - اور یہ خدا نہ ہوں تو میں کھڑا چاہتا ہوں کہ کانگریس اس وقت جو طاقت میں بیٹھی ہے وہ پارٹی خوب جانتی ہے کہ انہیں ملک کی اکثریت نے انہیں چنا اور ملک کی اکثریت روٹیوں کی جو ہے وہ ان کے خلاف گئی ہے - اس کے باوجود وہ ہم پر رول کر رہے ہیں - ۲۵ پرسنٹ یعنی ۲۵ کروڑ میں سے ۱۱ کروڑ نے ان کو چنا ہے - اور وہ گیارہ کروڑ کی رائے لے کر کے ۲۵ کروڑ پر اپنا رول کرتے ہیں - ہم مانتے ہیں کہوں کہ قیموگریسی کو زندہ رکھنا ہے اور قیموگریسی کی زندگی کے لئے سب کچھ کرنا ہے - لیکن کیرل میں ایسا کہوں نہیں کیا گیا ؟ آپ نے وہاں کروڑوں روپے خرچ کر دیا - غریبوں کی تمام انرجی آپ نے ویسٹ کرائی اور جو پھلے ہی سے ان اسپتالوں بہت زیادہ ہے وہاں اس کو اور زیادہ آپ نے بڑھایا تو پھر کہوں کرایا آپ نے یہ الیکشن کا تماشا - اگر آپ کو زندہ تھا بن رکھنا ہے قیموگریسی کو تو آپ نے اس الیکشن کے نتائج کو کہوں کرایا - میں نے شامتری جی کو لکھا تھا یہ خط اور ان کو کاپی بھیجی تھی - وہ کہتے ہیں کہ برا شکریہ کاپی مل گئی ہے لیکن دماغ میں بھی ہے ہم رول کرنا

[شری عبدالغنی]

چاہتے ہیں۔ جیسا کہ ہمارے مسٹر
سکت بہاری لعل نے کہا کہ وہاں آپ
طاقت نہیں لائے۔ رول نہیں کر سکے۔
تو سہلتر سے بڑھ کر آپ رول کرنا چاہتے
ہیں۔ میں قہقہے چیر میں صاحبہ
یہ درخواست کرتا ہوں بڑے ادب کے
ساتھ کہ یہ ملک کا ایک بڑا کنبہ
مسئلہ ہے۔ اگر آئین شمل پارٹی اس
وقت بھی سمجھتی ہے کہ انہیں
ڈیموکریسی کو زندہ رکھنا ہے۔ اگر وہ
اس وقت بھی یہ مانتے ہیں کہ انہیں
اپنی طاقت کو زندہ رکھنا ہے۔ اگر
اس وقت بھی یہ مانتے ہیں کہ جب
چین کی طرف سے ہر وقت خطرہ ہے
اور پاکستان چین کے ساتھ شہ پر آئے
دن ہندوستان کو دکھ دیتا ہے اور اس
کا مقابلہ کرنا ہے تو پھر میں یہ کہوں
کہ بڑی صفائی کے ساتھ کہ کانگریس کو
اپنی پالیسی کو پھر سے
ریوائز کرنا چاہیئے اور ان کو پھر
سے یہ سوچنا چاہئے کہ اس وقت دیس
کے حصے میں ان کی سرگرمیاں جا
رہی ہیں یا دیس کے خلاف۔ ان کو
یہ الزام نہیں لینا چاہیئے اور ان کو
کمونسٹوں پر مقدمہ چلانا چاہئے۔
میں اس کے لئے ہرج نہیں سمجھتا کہ
وہ دیس دروہی میں تو سری ٹرائل
کھڑے۔ آخر انگریز بھی دو طرح سے
سے ہمیں قہقہہ کرتا تھا جب وہ دیکھتا
تھا کہ ہم اس کے دل کو خطرہ میں ڈالتے
ہیں تو وہ ہم کو پکوتا تھا اور پکو کر
کے فیر سے ہڈی عرصہ کے لئے چول میں
رکھتا تھا۔ یہ میں مانتا ہوں لیکن

وہ ایک ہی وقت میں ایسا ہوا۔
ہمیشہ اس نے ایسا نہیں کیا۔
ہمیشہ اس نے مقدمہ چلایا اور مقدمہ
دو تین طرح سے چلایا۔ کبھی سری
ٹرائل چلتا تھا۔ اور ایک ہی دن میں
ایک سال کی سزا ہو جاتی تھی۔
لیکن وہ ٹرائل کرنے کے بعد جس پر وہ
الزام لگاتا تھا اس کو صفائی کا موقع
دیتا تھا۔ اس لئے میں اس پر کہتا
ہوں کہ اس معاملہ میں بھی وہ غور
کریں۔ اور دوسرے یہ کہ یہ راشٹر
پتی رول وہاں زیادہ دیر کے لئے نہیں
رہنا چاہیئے جو آپ نے لاگو کر دیا ہے۔
بعثت آج آپ پاس کر دیں گے۔ مگر
یہ زیادہ دیر کے لئے نہ رکھئے۔ اس کو
ریوائز کیجئے۔ اور وہاں اسمبلی کو
بلائیے۔ اسمبلی کو بلا کر اگر آپ اور
کچھ نہیں کر سکتے اور چاہتے ہیں کہ
کمونسٹوں کو وہاں سے ختم کیا جائے
تو پھر بھی عرض یہ ہے کہ آپ یہ
کیجئے کہ جو آپ سے روٹے ہوئے ہیں
اور جو وہاں آپ کی پالیسی کو زیادہ
نہیں تو اسی فی صدی مانتے ہیں۔
سو فی صدی اللہ میاں کی بھی کوئی
بات نہیں مانتا۔ تو آپ ان کی
گورنمنٹ بنائیے اور گورنمنٹ بنا کر کے
وہاں کھول کے دھلے والوں کو اور وہاں
کے بہن بھائیوں کو موقعہ دیجئے۔
کہ وہ ان کے سامنے جواب دہ ہوں۔
اور ان اسمبلیات کے مسئلہ کو اور
بھوک کے مسئلہ کو حل کر سکیں۔

اس بجٹ میں میں نے نہیں دیکھا کہ آپ نے جو کمپنسیوں کی سرگرمیاں میں اس کو کچلنے کے لئے کتنا روپیہ رکھا ہے - کوئی نہیں رکھا البتہ اسمبلی کے ممبروں کے لئے رکھا ہے - اس بجٹ میں - لیکن پتہ نہیں کس لئے کیوں کہ جب اسمبلی بغی بھی نہیں اور جیسا کہ کویل صاحب نے کہا کہ پیدا بھی نہیں ہوئی اور اس کو پہلے ہی آپ نے تیزالو کر دیا تو اس کے لئے (روپیہ) اس بجٹ میں کیوں رکھا گیا ہے - ہندی کے پرچار کے لئے بھی اس میں مجھے کہیں روپیہ دکھائی نہیں پڑ - خاص طور پر جو اس وقت ہندی کی ایک بڑی پرابلم ہے اس کے لئے بھی مجھے کہیں روپیہ دکھائی نہیں دیا - ان اسٹیمینٹ کو بھی دور کرنے کے لئے کوئی مجھے اس میں سادھن دکھائی نہیں دیتے - میں اس بجٹ کی پھر بھی تعریف کرتا ہوں کیوں کہ یہ پچھلے بجٹ سے زیادہ پروگریسو ہے اور ساتھ ہی یہ اچھل کرتا ہوں کہ واشٹر یعنی رول ختم کھجئے اور وہاں قیموں کی زندگی کھجئے اور اگر زیادہ فراخ دل ہو جائیں اور مہدی عرض کو مانیں اور اس ملک سے بھوشن چار اور بھوک کو دور کرنے کی خواہش ہو - اس ملک کی اکانامی کو سنبھالنے کی خواہش ہو اس ملک میں جو س وقت سومایہ دار

چھا گئے ہیں اور جو ائے دن کانگریس کو اسمگلروں اور بے ایمانوں کے حوالے کرنا چاہتے ہیں اگر ان سے آپ بچنا چاہتے ہیں تو یقیناً آپ اپنے پد سے ہٹئے استعفیٰ دیجئے اور نیشنل گورنمنٹ بڈالئے - کیوں کہ اسی میں ملک کی بھلائی ہے اور اسی میں دیش کی بھلائی ہے -

[श्री अब्दुल गनी (पंजाब) : जनाब वाइस चेयरमैन साहब, जहाँ तक सन् 1965-66 के केरल बजट का ताल्लुक है मैं उसको 1964-65 के बजट से बेहतर पाता हूँ और इसलिए उसकी तारीफ करता हूँ। लेकिन मुझे इस बात का दुःख है कि जो बजट केरल की विधान सभा के सामने आना चाहिए था वह यहाँ पार्लियामेंट के सामने आया है।

वाइस चेयरमैन साहब, मैंने 9 मार्च को एक खत राष्ट्रपति को लिखा था और मैंने उनको याद दिलाया कि जब हमारे पंडित जवाहरलाल नेहरू जी हमसे जुदा हुए थे तो मैंने कहा था कि एक पार्टी की गवर्नमेंट न रख कर आप अपने देश की भलाई के लिए नेशनल गवर्नमेंट बनाइये। मेरी इस दरखवास्त को जो मैंने अपने साथी लाल बहादुर शास्त्री जी को भी दी, नन्दा जी को भी और कामराज जी को भी भेजी थी उसको गिरा दिया। मैंने लिखा, ठीक है उसको आपने गिराया लेकिन आज शायद हमारे देश के सामने जो हालत केरल में हुई वह शायद पैदा न होती और मुझे उसका सदमा इसलिए भी है कि उसकी सबसे बड़ी जिम्मेदारी लाल बहादुर शास्त्री जी पर है जो मेरे साथी हैं। लाल बहादुर शास्त्री जी ने एक सेंटर को ताकत में लाने के लिए थानु पिल्लई को, उसके ईमान से गिराया,

[श्री अब्दुल गनी]

उसके ईमान को खरीदा और वहां बिल्कुल एक नक्शा ऐसा पैदा कर दिया जिसमें केरल की कांग्रेस का वजन नहीं रहा— उस कांग्रेस ने जिसने लाखों शहीद दिये थे और लाखों अपने आदमियों को जेल में भेजा था। मुझे इस बात का रंज है कि अगर उस वक्त शंकर पर ऐक्यज हो जाता तो आज कांग्रेस की जो हालत हुई उससे कहीं बेहतर होती। कांग्रेस मजबूत होती और कहीं ज्यादा ताकतवर होती। यह सच्चा इसलिए था कि और मैं जरूरत हूं कि हमारे होम मिनिस्टर साहब जिन लोगों को देश-द्रोही कहते हैं वे सब ग्रुप की हैमिया से कहिए या पार्टी की हैमिया से कहिए एक नक्से बड़ी पार्टी जीत कर धाई है। लेकिन इससे धक्का कर कांग्रेस सरकार ने क्या किया। राष्ट्रपति जी को जो मैंने खत लिखा था उसमें मैंने अर्ज किया था कि मुझे डर है कि चूंकि हमारी हार हुई है—मैं उसको अपनी हार इसलिए भी कहता हूं क्योंकि मैं सज्जता हूं कि जब हमारे देश के होम मिनिस्टर कुछ लोगों को ट्रेडर कहते हैं कि वे इस मुल्क के साथ अन्याय करते हैं तो मैं इस बात में ज़ाती हूँ अपने कांग्रेस के साथ हूँ, लेकिन उसको जिक्र नहीं, अन्त में उसका ऐतबार न रहे, कांग्रेस हार जाए वह बड़ा तिलवत की बात है। लेकिन इससे गुस्सा हो ज़ाते कामराज जी, क्योंकि काफी लोगों ने उनको बर्दा भेजा, और रंजीदा हंगे शास्त्री जी क्योंकि उनकी वजह से यह सारी कांग्रेस की ज़िलवत हुई। और मैंने नन्दा जी और शास्त्री जी को एक-एक चिट्ठी भेजी है कि जहां तक हमारे राष्ट्रपति जी का ताल्लुक है मैं इस बात के लिए हैरान हूं कि जो राष्ट्रपति जी के नाम पर हो रहा है उसमें राष्ट्रपति जी यहां तक ज़िम्मेदार हो सकते हैं। मैं इस बात को समझने के कासिर हूं। उन्होंने मुझको इस तरह से लिखा :—

"Thank you for your kind letter, I appreciate what you say and will do what I can."

बड़े मुस्तसर में राष्ट्रपति जी ने मुझे लिखा। मैंने अपने खत में लिखा था कि मुझे डर है कि राष्ट्रपति जी आपके नाम पर राष्ट्रपति जी का रूल चलाया जाएगा और आप इस बात में होशियारी के साथ काम करेंगे। और ऐसी कोई बात नहीं करेंगे जिससे मुल्क की बदनामी हो और मुल्क में एक हादसा हो। इस तरह से तो हमारी सरकार डेमोक्रेसी को किल करना चाहती है।

वाइस चेयरमैन साहब, मैं इत्फाका करता उस वक्त राष्ट्रपति के रूल से था मर्यनर के रूल से अगर यह खतरा होता कि वहां की तमाम अपोजीशन पार्टियां इस बात पर गुज गई हैं कि उन्होंने लेफ्ट कम्युनिस्टों का साथ देना है और उनको उन्हें रिहा करना है। उन पर से पाबन्दी हटा लेना है। उनको जेल में नहीं रखना है। अगर सब पार्टियों का मकसद एक साथ मिल कर कांग्रेस के ध्येय को और कांग्रेस के मकसद को और मुल्क को नुकसान पहुंचाना है तो मैं राष्ट्रपति के रूल की तारीफ करता और जहां तक देश की तिकाजत का सवाल है अगर राष्ट्रपति के रूल के अन्तर्गत वहां कोई और रूल भी होता तो मैं उसको कबूल कर सकता हूं। लेकिन वहां तो यह नहीं हुआ। वहां यह हुआ कि जो आपसे नाराज हुए थे जो इस बात से नाराज हुए थे कि उन्होंने तिकायत की थी कि यह कम्युनिस्ट है, जिन्होंने यह कहा था कि इसने करप्शन किया है उनको आप ने कांग्रेस से निकाल दिया। और उनको निकलने पर मजबूर कर दिया। आज ये लोग इन हालत में थे कि मुस्लिम लीग के साथ वे सरकार बना सकते थे मगर उस मुस्लिम लीग के साथ नहीं जिसने मुल्क के दो टुकड़े किए, जिसने मुल्क को बरबाद किया टू नेशनल थ्यरी के नाम पर। आज वही तख्खिल है टू नेशनल थ्यरी के नाम पर। मैं कहना चाहता हूं कि मिस्टर जिन साहब की मुस्लिम लीग में और मुहम्मद इस्माइल साहब की मुस्लिम लीग में जमीन

घासमान का फर्क है। यह मुल्क के दो टुकड़े देखना चाहते थे और आज के मुहम्मद इस्माइल साहब जो मुस्लिम लोग के प्रेसीडेंट हैं वह कांग्रेस को और नन्दा जी को यकीन दिलाते हैं कि हम इस मामले में जहाँ देश के हित का सवाल है हम लेफ्ट कम्युनिस्टों की किसी तरह मदद नहीं करेंगे, न उनको हिम्मत दिनाएंगे कि वे मिनिस्टरी बनाएँ। हम उनके किसी ऐक्शन में शामिल नहीं हैं। हम नन्दा जी के साथ पूरा दृष्टिकोण करते हैं जो उन्होंने कहा। जो ग्विनल कांग्रेस वाले थे, केरल कांग्रेस वाले, उन्होंने भी यही कहा कि इस मामले में हमारी बी राय नहीं है और हम भी नन्दा जी के साथ हैं। तो फिर खतरा एक शंकर से था। लेकिन हमारे कांग्रेस के प्रेसीडेंट इस बात में अड़ गए कि मैं केरल में गया था तब नन्दा जी के साथ और मैं जाकर बड़ा दूरा दूगा लेकिन उनकी जो हेटी थी वह सब बड़ा खत्म हो गई। वह नन्दा जी और शान्ती जी को भरोसा दिला कर गए थे कि मैं केरल में जीत कर आऊंगा और बिजरी, हाँकर आऊंगा और हार कर आएँ। इसमें इतने खफा हो गए उन लोगों से कि जो कहते हैं कि हम तुम्हारी पालिसी में मुतफिक है क्योंकि इकमत इर्नाए नहीं बनने देगे कि अडोमीशन वाले कान्स्टीट्यूशनल प्रोजेक्शन में है। यह एक नई निराली बात है जो मेरी समझ में नहीं आई। अगर थानु गिल्ले की आप सहारा दे सकते हैं, अगर उस वक्त प्रजा सोशलिस्ट पार्टी को सहारा दे सकते हैं तो उन पार्टी की जो आपके पुराने साथी हैं, जिनको हर हरकत में आप आक्रिय हैं, जिनके साथ गहराई से वाक्फियत है उनको सहारा देने में आपको क्या तकलीफ होती है? एक मिनिस्टर न होता, दूसरा मिनिस्टर होता और यहाँ प्रोफेशनल पार्टी में कई मेम्बर साहबान ऐसे हैं जो मिनिस्टरी से कहीं ज्यादा लायक हैं लेकिन उनकी मौका अगर गद्दी पर बैठने का नहीं मिला तो इनके यह माने थोड़ा ही है कि उनकी कार्रवाय में कोई शक है। यहाँ मैं कहना चाहता हूँ कि आखिर वह और मुस्लिम

लोग दोनों यकीन दिलाते थे और इस मामले में हो सकता है कि एम० एम० पी० की राय यहाँ ही जो गोडे मुराहिर ने दी है। मुझे बड़ा दुःख हुआ आज उनकी तकरीर सुन करके। वह बहुत दूर तक आगे चले गए हैं कि जिस हद तक उन्हें नहीं जाना चाहिए था। मैं ईमानदारी से ऐसा महसूस करता हूँ कि बावजूद इसके कि मैं इस बात पर मुतफिक हूँ कि किसी को नैर मुग्रधन घस के लिए जेल में नहीं रखा जा सकता चाहे वह कितना ही मुल्क का दुश्मन क्यों न हो क्योंकि उसके लिए फाँसी की गद्दा नामने है, गोली की सजा नामने है, कैद की सजा नामने है, मकदमा उस पर चल सकता है। अगर मकदमा चलाये ज्यादा देर तक किसी को अन्दर नहीं रखा जा सकता। लेकिन यहाँ तो मकदमा चलाने का सवाल ही नहीं पैदा होता। यहाँ तो हालत यह थी कि वह लेफ्ट गवर्नमेंट के साथ थे। फिर क्यों ऐसा किया गया।

[The DEPUTY CHAIRMAN in the Chair.]

जब गवर्नर साहब से, जो केरल कांग्रेस की उन्होंने जा करके कहा कि हम इतने आदमी हैं हमारे साथ चार और हैं, सब मुस्लिम लोग वाले हमारे साथ हैं, कांग्रेस वाले मिल कर तो 77 हो जाते थे और अगर यह 36 आदमी साथ शामिल न भी होते लेकिन यह रहते कि हम मिनिस्ट्री में उनके साथ उनकी मदद करेंगे हर अच्छे काम में, तो मैं नहीं समझता कि उनका सिर क्यों फिरा हुआ था कि वे जरूर कांग्रेस के खिलाफ या यह कहिए कि लिफ्टरट कम्युनिस्टों के हक में वक्ता करते।

मे अफसोस के साथ कहता हूँ कि कांग्रेस इस वक्त बहक गई है। आफिशियल पार्टी इस वक्त बिल्कुल धोका खा गई है। उनको अपना खयाल आ गया है। जम्हूरियत का खयाल नहीं रहा, देश का खयाल नहीं रहा क्योंकि अगर जम्हूरियत की बचाते तो उनकी अपनी ताकत और उनकी अपनी इज्जत बचती और अपने इन्वेक्शन में मुमकिन है कि वह स्वीप कर

[श्री अब्दुल गनी]

जाते। लेकिन यहां हालत यह है कि अगर आप खफा न हों, डिप्टी चेयरमैन साहिबा, और ये खफा न हों, तो मैं कहना चाहता हूँ कि कांग्रेस इस वक्त जो ताकत में बैठी है वह पार्टी खूब जानती है कि उन्हें मुल्क की अक्सरियत ने नहीं चुना और मुल्क की अक्सरियत वोटों की जो है वह उनके खिलाफ गई है। उसके बावजूद वह हम पर रूल कर रहे हैं। 25 परसेंट यानी 45 करोड़ में से 11 करोड़ ने उनको चुना है। और वह ग्यारह करोड़ की राय लेकर के 45 करोड़ पर अपना रूल करते हैं। हम मानते हैं क्योंकि डेमोक्रेसी को जिन्दा रखना है और डेमोक्रेसी की जिन्दगी के लिए सब कुछ करना है। लेकिन केरल में ऐसा क्यों नहीं किया गया? आपने वहां करोड़ों रुपये खर्च करा दिया। गरीबों की तमाम एनर्जी आपने वेस्ट कराई और जो पहले ही से अन-इम्प्लायमेंट बहुत ज्यादा है वहां उसको और ज्यादा आपने बढ़ाया। तो फिर क्यों कराया आपने यह इलेक्शन का तमाशा? अगर आपको जिन्दा नहीं रखना है डेमोक्रेसी को, तो आपने इस इलेक्शन के तमाशे को क्यों कराया? मैंने शास्त्री जी को लिखा था यह खत और उनको कापी भेजी थी। वह कहते हैं कि बड़ा शुक्रिया, कापी मिल गई है लेकिन दिमाग में यही है हम रूल करना चाहते हैं। जैसा कि हमारे मिस्टर मुकुट बिहारी लाल ने कहा कि वहां आप ताकत नहीं ला सके, रूल नहीं कर सके तो सेंटर से बैठे आप रूल करना चाहते हैं, मैं, डिप्टी चेयरमैन साहिबा, यह दरखास्त करता हूँ बड़े अदब के साथ कि यह मुल्क का एक बड़ा गम्भीर मसला है। अगर आफिशियल पार्टी इस वक्त भी समझती है कि उन्हें डेमोक्रेसी को जिन्दा रखना है, अगर वह इस वक्त भी यह मानते हैं कि उन्हें अपनी ताकत को जिन्दा रखना है, अगर इस वक्त भी वह मानते हैं कि जब चीन की तरफ से हर वक्त खतरा है और पाकिस्तान चीन के साथ शह पर आए दिन हिन्दुस्तान को दुःख देता है और उसका मुकाबला करना है तो फिर

मैं यह कहूंगा कि बड़ी सफाई के साथ कि कांग्रेस को अपनी पालिसी को फिर से रिवाइज करना चाहिए और उनको फिर से यह सोचना चाहिए कि इस वक्त देश के हित में उनकी सरगमियां जा रही हैं या देश के खिलाफ। उनको यह इल्जाम नहीं लेना चाहिए और उनको कम्युनिस्टों पर मुकदमा चलाना चाहिए। मैं उसके लिए हर्ज नहीं समझता कि वह देशद्रोही हैं तो समरी ट्राइल कीजिए। आखिर अंग्रेज भी दो तरह से हमें कैद करता था। जब वह देखता था कि हम उसके राज को खतरे में डालते हैं तो वह हमको पकड़ता था और पकड़ कर के गैर मुअय्यन अस्र के लिए जेल में रखता था। यह मैं मानता हूँ, लेकिन वह एक ही वक्त में ऐसा हुआ। हमेशा उसने ऐसा नहीं किया, हमेशा उसने मुकदमा चलाया और मुकदमा दो तीन तरह से चलाया। कभी समरी ट्राइल चलता था और एक ही दिन में एक साल की सजा हो जाती थी। लेकिन वह ट्रायल करने के बाद जिस पर वह इल्जाम लगाता था उस को सफाई का मौका देता था। इसलिए मैं उम्मीद करता हूँ कि इस मामले में भी वह गौर करेंगे। और दूसरे यह कि यह राष्ट्रपति रूल वहां ज्यादा देर के लिए नहीं रहना चाहिए जो आपने लागू कर दिया है। बजट आज आप पास कर देंगे मगर यह ज्यादा देर के लिए न रबिए उसको रिवाइज कीजिए और वहां असेम्बली को बुलाइये। असेम्बली को बुला कर अगर आप और कुछ नहीं कर सकते और चाहते हैं कि कम्युनिस्टों को वहां से खत्म किया जाए तो फिर मेरी अर्ज यह है कि आप यह कीजिए कि जो आपसे रुठे हुए हैं और जो वहां आपकी पालिसी को ज्यादा नहीं तो अस्सी फीसदी मानते हैं—सौ फीसदी अल्ला मियां की भी कोई बात नहीं मानता। तो आप उनकी गवर्नमेंट बनाइये और गवर्नमेंट बना करके वहां केरल के रहने वालों को और वहां के बहन-भाइयों को मौका दीजिए कि वे उनके सामने जवाबदेह हों और अन-इम्प्लायमेंट के मसले को और भूख के मसले को हल कर सकें।

इस बजट में मैंने नहीं देखा कि आपने जो कम्युनिस्टों की सरगर्मियां हैं उसके कुचलने के लिए कितना रुपया रखा है, कोई नहीं रखा है। अलबत्ता असेम्बली के मेम्बरों के लिए रखा है इस बजट में लेकिन पता नहीं किसलिए क्योंकि जब असेम्बली बनी भी नहीं और जैसा कि कुरील साहब ने कहा कि पैदा भी नहीं हुई और उसको पहले ही आपने डिजाल्व कर दिया तो उसके लिए रुपया इस बजट में क्यों रखा गया है। हिन्दी के प्रचार के लिए भी उसमें मुझे कहीं रुपया दिखाई नहीं पड़ा। ख़ासतौर पर जो इस वक्त हिन्दी की एक बड़ी प्राबल्य है उसके लिए भी मुझे कहीं रुपया दिखाई नहीं दिया। अन-इम्प्लाइमेंट को भी दूर करने के लिए कोई मुझे इसमें साबित दिखाई नहीं दिए। मैं इस बजट की फिर भी तारीफ़ करता हूँ कि क्योंकि यह पिछले बजट से ज्यादा प्रोग्रेसिव है और साथ ही यह अक्षील करता हूँ कि राष्ट्रपति रूल ख़त्म कीजिए और वहाँ डेमोक्रेसी को ज़िन्दा कीजिए और ज़रूर ज्यादा फ़राख़ दिल हो जाएँ और मेरी अर्द्ध को मानें और इस मुल्क से भ्रष्टाचार और भ्रष्ट को दूर करने की ख़्वाहिश हो, इस मुल्क की एकानामी को सम्भालने की ख़्वाहिश हो, इस मुल्क में जो इस वक्त सरमायेदार छा गए हैं और जो आए दिन कांग्रेस को स्मगलरों और बेईमानों के हवाले करना चाहते हैं अगर उनसे आप बचाना चाहते हैं तो यकीनन आप अपने षट से हटिए, इस्तीफ़ा दीजिए और नेशनल गवर्नमेंट बनाइये क्योंकि इसी में मुल्क की भलाई है और इसी में देश की भलाई है।]

SHRI AKBAR ALI KHAN: Madam Deputy Chairman, in this debate instead of concentrating attention on the provisions of the Budget, I think the line taken by hon. Members on the Opposite is to challenge the decision of the Government regarding the Proclamation and in this connection to charge them of sabotaging democracy and in many other ways undermining the democratic principles. I have a great regard for the hon. Members !

who sit opposite, particularly Prof. Lai. But the more I think about the arguments that have been advanced the more I feel that what he has said is out of anger and hatred for the Congress.

PROF. M. B. LAL: I have no hatred for the Congress.

SHRI AKBAR ALI KHAN: I am glad that Prof. Lai at this juncture should say that he has no hatred for the Congress. The position is very simple. Let us be very clear about the provisions of the Constitution. It is a different matter if somebody says that the Constitution should be altered or modified. That is a difference province. This is neither the occasion nor the time to take up that matter and discuss that situation. But having the Constitution and democratic practice as it is established in this country, let us see what is the situation after the election.

PROF. M. B. LAL: Madam, what I said was that it is legal but not a proper democratic practice.

SHRI AKBAR ALI KHAN: I am glad that he made this confession that he accepts that the position that we have taken is a legal position and a constitutional position. I am glad for 4 P.At. this another concession that he accepts that the position that we have taken is a legal position and a constitutional position. As regards that fact, if you will pardon me. Professor, I am reminded of the Aesop's Fable when a father and child were riding a donkey and the different alternatives were taken tip and ultimately the whole thing was destroyed. I do not think that any of the opposition leaders would envisage a position where Kerala itself will be in a most miserable condition.

SHRI M. RUTHNASWAMY: Which is the donkey?

SHRI AKBAR ALI KHAN: Please do not stretch it. It is not for me, you can imagine. My serious and considered opinion is that from all democratic principles, from the point of view of establishing a democratic Government there was no other alternative left for the Government but to have the Governor's Rule. I have full sympathy with my friend of the Socialist side, the single leader and follower, but what I say is, let us consider it dispassionately. You know that after a regular constitutional election no party secured a clear majority and if the Congress would have joined hands with the rebel Congress or the Kerala Congress, I am sure these hon. friends would have said 'You s'icy do not want to leave the *Gaddi*. even the rebels they are embracing, they are doing everything to see that the Opposition is kept out.' That would be the position. I am glad that my Government, my Party adopted the right course—I am sure that the world and even my friends—will in course of time appreciate that the decision that this Government or for that matter my Party took was a correct decision, was a just decision, was the only decision possible in the circumstances.

SHRI BHUPESH GUPTA: We have reason to be excited. Why are you excited?

SHRI AKBAR ALI KHAN: Your excitement sometimes is passed on to this side also.

SHRI G. MURAHARI: He is excited because Mr. Nanda will rule Kerala.

SHRI AKBAR ALI KHAN: The position we took was, the official Congress will not try to form a coalition with Kerala Congress or any other. What was the Second alternative? The second alternative was, the Communist Party—I will call Marxist Communist Party—because my friend, Bhupesh Gupta, lost ground there. There was no position for rightists but I can understand that he has to defend it in order to regain the position which he has lost in Kerala. For that sake he is doing all the demonstration that he did yesterday, he will do today and in the

future also, to show to the world this: "Although we do not join, although we condemn the Left Communist as we did in the Kerala campaign, still we have become the advocates and sponsors and want to see that the Leftists are treated according to law". Now about the Marxist Communist Party, it was made abundantly clear. If my friends would have been pleased to read the report of the Governor, they made it very clear . . .

AN. HON. MEMBER: It was a note of the Governor but prepared by the Congress.

SHRI AKBAR ALI KHAN: Whatever it may be—we may differ on that—but we all know Mr. Giri and we all have great respect for his independence of judgement, for his clarity of thought and the way he has worked in Kerala for so many years. There is no party which can point a finger at Mr. Giri. You are again getting excited, Mr. Gupta.

SHRI BHUPESH GUPTA: No.

SHRI AKBAR ALI KHAN: In that situation he called the Kerala Congress and the Muslim League. They made it clear: 'In no case we will support the Communist Party.' Is it the fault of the Congress? Is it the fault of the Government when these parties say: 'We will have no coalition with Communists—Marxists?' What was the other thing left? There was no party which could form a Government and if a Government is not formed, can we imagine how a House can be called? By whom? And the Address of the Governor being delivered according to which policy?

SHRI JOSEPH MATHEN: Our friends think it is a co-operative society summoning the general body.

SHRI AKBAR ALI KHAN: I will not say that.

SHRI BHUPESH GUPTA: You raised a very good point. Who will convene the House? The Governor. To whom he shall deliver the Address? To the M.L.A*. And what shall he say? He shall say: 'Try to create a Government and run the Constitution.'

SHRI AKBAR ALI KHAN: My hon. friend will appreciate that it would have been a very good position for a debating society and not for a Government. A House is not constituted unless there is a Government.

SHRI G. MURAHARI: After that the House could be dissolved.

SHRI AKBAR ALI KHAN: I know that you want a tamasha. We do not want. You want to show to the world that some confusion is created. We have the privilege to see it every day but we want to work upon certain definite principles, according to a definite Constitution.

SHRI M. RUTHNASWAMY: May I ask Mr. Akbar Ali Khan whether there are no Parliaments in the world without representatives of the Government being present there?

SHRI AKBAR ALI KHAN: I have got a great regard for you but when you say that, you forget the provisions of own Constitution. I know . . .

SHRI BHUPESH GUPTA: Where is your Constitution? Which article says?

SHRI AKBAR ALI KHAN: I will give you. I have all the provisions. The whole position is this. According to the established procedure when elections are over the Governor has to lay down the economic programme and other programmes as to how the Government will be run. Should the Governor assume that responsibility on his shoulders? What will he say? When the Governor addresses, the Governor shall address the Assembly and the Governor, according to our Constitution, will address the speech which is prepared by the Chief Minister.

SHRI BHUPESH GUPTA: No.

SHRI AKBAR ALI KHAN: It is so. Will he give the speech prepared by Mr. Gupta?

SHRI BHUPESH GUPTA: You see the article regarding Governor's position.

(Time bell rings)

SHRI AKBAR ALI KHAN: I have to obey the Chair. When the Chair order* you can carry on, but I have to obey. I must look to the Chair. Otherwise you come to the Lobby and I will give you all that you want. My respectful submission is that the charge against the Government and my Party is absolutely unfounded and it is only through sheer malice and disaffection it is made. My only point is that it was the right stand according to law, it was the right stand according to the democratic principles, it was the right stand according to all standards of morality absolutely and we will have done a disservice to the people of Kerala if we had tried ourselves to form a Government or we would have aligned with such people who could not form or create a Government even for a single day. I am not stretching that point. Even if we had re-leased your people, they would not have formed the Government.

SHRI BHUPESH GUPTA: How do you know?

SHRI AKBAR ALI KHAN: Although according to democratic principles there are two opinions—I can understand them—some say that they ought to be released and some say that in the best interests of the country they should not be released, but I am taking a favourable alternative. Even if they are released, they will not be able to form a Government. Then what is the position?

SHRI BHUPESH GUPTA: Give half a minute.

THE DEPUTY CHAIRMAN: Please continue:

SHRI BHUPESH GUPTA: Now he has yielded. Mr. Namboodiripad made it publicly known, and also to the Governor (*Interruptions*) that there were 6) already (here on the basis of those who had declared their support or who would be giving their support to his party. Now, if with the support of 61 the Assembly had been called, he would have had the chance of talking to others and persuading others. He had only to get 7 more to show that the Constitution would function the nor-

[Shri Bhupesh Gupta.] mal provisions come. Now you believe in democracy and I believe also in persuasion.

(Interruptions).

SHRI AKBAR ALI KHAN: I wish my friend had belived in democracy: I wish that; anyhow I take it for his word. And even according to the assertion of Mr. Namboodiripad—which was not supported; the Governor did not accept that statement that he commanded the support of • 61—why, as you yourself say, the position was such that he would not have been able to form a Government. (Interrup."us) How can the Assembly be called

tess the Governor has, a leader to form the government? (Interruptions) What I respectfully beg to submit, Madam, is that the charges—I have no time to refute them in detail; you have ordered me and I shall sit down presently finishing my concluding remarks—the charges that have keen levelled against the Government are absolutely unfounded. They do not deserve any consideration eilher from the joint of view of logic, reasoning or from the point of view of justice. If ours were ot democracy. Mr. Bhupesh Gupta or my other friends would not have had the opportunity to speak in that way, if it was in some of those countries—you know it and I know it. So do not take advantage ton much. Here we have to preserve democracy. We all have taken the vow that we are for democracy and believe in democratic principles, but when the elections show a position where it is not possible to run a democratic Government, the only provision that our elders, the Members of the Constituent Assembly thought best in the interest of the country was to have President's rule. So I support the Proclamation and I support the Budget and I do hope that in course of time our friends will realise their mistake and will appreciate what Government has done.

PROF. M. B. LAL: Will you allow me to ask a question of the hon. Member? My learned friend has tried to discuss the question both from the legal and the democratic point of view. I may ask one question. According to my reading of the Constitution it might have been possible for, the Go\eruor to establish President's

rule without dissolving the Legislature. If that step had been taken, it might have been possible to reestablish the normal democratic Government with the help of the same Legislature after some time. Now when the legislature is dissolved, the normal democratic Government would not be established without another election. I wish to know the views of my learned friend.

SHRI AKBAR ALI KHAN: Well, you are a professor and I am a student.

SHRI BHUPESH GUPTA: Please reply to my question also. Is the hon. Member aware that after the 1952 elections, in tie composite State of Madras, the Congress did not have a majority, there was tie United Front which had a majority, the Governor waited, and, not only that, your party brought in Mr. C. Rajagopalachari, nominated him to the Council and asked him to form a minority Government so that, by pressure or persuasion, he coul'd get some people and run the Government? That was done. Why do you forget that kind of practice?

SHRI AKBAR ALI KHAN: Let me now turn to the Professor's question. According to the Constitution you are perfectly right. It was possible for him not to dissolve; it was possible for the time being not to dissolve the Assembly; I quite see. But let us see whether there was any possibility in the foreseeable future for a party Government to be formed there. The elections were over and the parties were there. But there was no possibility that the parties who belonged to one group would change their group and join with others. For ten days, Professor Saheb, the Governor made an earnest effort , . .

AN. HON. MEMBER: For eighteen days.

SHRI AKBAR ALI KHAN: . . . to find out whether there could be a solution, whether there could be a majority party. Now Mr. Gupta said that there was an occasion, but there, as my hon. friend Diwan Chaman Lall says, they were waiting to sec how the Muslim League responded to the negotiations that were going on them with them. But here the Muslim League had made it abundantly

clear that they did not want to support the Communist Party. (*Interruptions*) Anyhow, if we had waited indefinitely, Madam, I sure we would have been charged, "You see, the election has been charged; everything is there; still they are continuing their own rule." So on all accounts I feel, and I genuinely feel—I am sure you will also in calmer moments feel—that the stand taken by this Government was a just, proper and right one.

THE MINISTER OF PLANNING (SHRI B. R. BHAGAT): Madam Deputy Chair—aa, in spite of the fact that the House debated the Kerala situation yesterday and all the points brought in today have been very elaborately discussed, unfortunately, this debate on the Kerala Budget escalated into a repetition of the points more or less discussed yesterday. I do not wish to add to that by dwelling more on the political issues. I entirely agree with my hon. friend who spoke last, who has stated the case, so far as Members on this side are concerned, very lucidly and emphatically. Only this morning the Proclamation and the legal and constitutional aspects of it were well stated by Mr. Chagla, who is an eminent jurist himself, apart from the fact that he is the Leader of this House. I only wish to say that it is very easy to charge the Government with any intentions—they may be described as undemocratic—but I think it is rather painful to see hon. Members, who are leaders of the opposition, and who have to play a role in the democratic set-up, to be guided by their prejudices and predilections, and to ignore the facts of the situation. The report that was placed before the House yesterday by the Home Minister, his explanations and the facts which have appeared in the press, or other appraisals, prove that the steps that the Government have taken were the only steps possible and warranted by the very situation. It is no use comparing the past. People have compared the situations in the nineteenth century, in England or in the early twenties or early thirties in England. The country is different; the context is different and even the times are different and therefore, because in a particular context certain things have happened— a coalition Government may have functioned; even

on that political theorists or students of political history have different opinions about the Governments that functioned under those situations.

SHRI M. RUTHNASWAMY: There was no Congress Party then.

SHRI B. R. BHAGAT: I am coming to the Congress; do not worry about it. To transplant those subjective conditions obtaining at that time in the situation in Kerala, I do not think is a scientific appraisal of the situation. The facts are that the Governor tried his best. The context is that no party Government could have been formed. So far as the Congress Party is concerned, right from the beginning, in the early stages, there were some people who were charging us. They were saying that the Government did not want to hold elections; if for some reason or other the elections were postponed for one week or two weeks, they were saying that the Government did not want to hold the elections, that they were perpetuating President's rule. But the Congress did hold the elections. And on what basis? It had a very clear cut programme and it wanted a stable government in Kerala. And on that issue, although other parties tried to collaborate and proceed on compromises, the Congress went to the polls on a certain definite programme and asked the people to vote for it on that basis so that a stable government could be formed in Kerala. The Congress could not get a majority and therefore, it respected the wishes of the people and again, immediately after the elections, it stated its position. The Congress went to the polls without any compromise or collaboration with any other party. It wanted a stable government. Therefore it kept out of it and gave the other parties the opportunity to form a government, the other parties which wanted to have compromises and collaborations. But they also could not form a government. Now, some hon. Members said that the Congress should have given up its position of having a stable government on its definite set programme and should have tried to form a coalition government. But I think if it had done it, the same people would have charged the Congress with having compromised on principles. There-

[Shri B. R. Bhagat.] fore, it was clear that the political situation as it emerged out of the election was such that no stable government could be formed and the constitutional provision for the proclamation of Governor's rule is there. Some hon. Members charged the Congress with undemocratic practice. I would ask them—and this is a challenge—to look to the history of the Congress for the last fifteen years and also look at the world picture and say where else is there such a party which has upheld these principles? There may be many failings in the Congress. But so far as professions and policies about faith in democratic principles are concerned, I do not think any party in the world has the record that the Congress has today.

SHRI M. RUTHNASWAMY: I agree about professions, but what about practice?

SHRI B. R. BHAGAT: The hon. Member may choose to shut himself to the facts of history or the facts of political situations. But I am giving this challenge and they will appreciate it when I say that there is no other party in the world today a big party (*Interruptions.*) Let me complete. Please do not interrupt. You see the world for the last 20 years or even earlier, wherever they have had a big party and a smaller party, what has been the result? The result has been the dictatorship of the big party, whether of one variety or the other, and the other smaller parties had been eaten up. So there is no other single country. It is only the Congress here which right from the beginning has been such a big party and even now today the Congress has preponderant influence and the Congress remains true to democratic professions and practices, and that is why there is in this country the democratic system. And it does not lie with hon. Members and in all fairness I would appeal to them that it is not fair to damage the reputation of the Congress in that respect. The Congress is democratic and it believes in democracy and I think nobody in the world will say that or can charge the Congress that the Congress is not democratic.

SHRI BHUPESH GUPTA: In a year four Chief Ministers have fallen and the CBI report and so many other reports are there.

SHRI AWADHESHWAR PRASAD SINHA: That is the might of democracy.

SHRI B. R. BHAGAT: You only see round the world and see the picture and contrast it with India and then say whose contribution is maintaining the democratic system in this country.

SHRI AWADHESHWAR PRASAD SINHA: A man like Khrushchev, was thrown out without rhyme or reason, a person whose line is being followed without changing a word. Here you see the might and excellence of democracy and there you see the might of totalitarianism.

SHRI BHUPESH GUPTA: I can tell the hon. Member that there was no CBI investigation into that question.

SHRI AWADHESHWAR PRASAD SINHA: Worse than that. The mightiest man Khrushchev was treated like a dog.

THE DEPUTY CHAIRMAN: Order, order.

SHRI B. R. BHAGAT: With your permission, Madam,

THE DEPUTY CHAIRMAN: Please give a quiet hearing to what the Minister says.

SHRI BHUPESH GUPTA: He is embarking on ground which is very broad.

SHRI B. R. BHAGAT: Since this question was mentioned, I thought I should state the position. Although the Home

Minister explained it fully, I just briefly explained the position.

Now, if I have the indulgence of the House, I would like to deal with some of the points relating to the Kerala Budget.

SHRI BHUPESH GUPTA: No, no. Speak on politics. We would like to hear you.

SHRI B. R. BHAGAT: If they are in a mood

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JAISUKHLAL HATHI): They do not want the Budget, it seems.

SHRI B. R. BHAGAT: If they don't want I can sit down.

SHRI BHUPESH GUPTA: We would like to know how the Congress leaders are training up young people like you.

THE DEPUTY CHAIRMAN: Do you not want to speak on the Budget?

SHRI B. R. BHAGAT: Some points were raised on the Budget and I shall deal with them, if the House wants it.

AN HON. MEMBER: Go on, go on.

SHRI DAHYABHAI V. PATEL (Gujarat): Address the Chair and speak on the Budget, instead of dabbling and rambling into other subjects which you cannot manage.

SHRI BHUPESH GUPTA: He is managing it.

SHRI B. R. BHAGAT: The hon. Member forgets that I am a politician too.

SHRI DAHYABHAI V. PATEL: Yes, I know, from the big province of Bihar.

SHRI G. MURAHARI: I am glad you manage it better than Mr. Nanda.

SHRI B. R. BHAGAT: I think my hon. friend there referred to the police firing of the 12th March. I may say that on 12th March, the Muslim League took out a Jatha to celebrate the victory of their candidate, in the election. It was attacked by a group of armed persons. Nine persons were injured. The police who were accompanying the jatha had to intervene to restore order, when a few armed persons attacked them with sword-like weapons. The Sub-Inspector had to order firing in self-defence when the group immediately dispersed. In the firing two persons, Jayachandran and Subramanian, received bullet injuries, one of them seriously. The situation in Tanur is now quiet and peaceful. The incidents of 12th March

are not likely to have any serious repercussions.

SHRI A. B. VAJPAYEE: Why not order a judicial enquiry?

SHRI B. R. BHAGAT: On every firing you cannot have a judicial enquiry.

SHRI A. B. VAJPAYEE: Yes, there must be.

SHRI B. R. BHAGAT: Don't excite the situation by such demands, you know.

SHRI A. B. VAJPAYEE: Madam, a Jan Sangh worker had been killed by point blank firing by a police officer and you say there is no need for a judicial enquiry?

SHRI B. R. BHAGAT: Well, it is a question of judgment.

SHRI JOSEPH MATHEN: There cannot be Jan Sangh people there.

SHRI BHUPESH GUPTA: His brief does not throw any light on that.

SHRI M. P. SHUKLA (Uttar Pradesh): The law of the land should take its course and that is the judicial enquiry.

SHRI B. R. BHAGAT: The hon. Member over there referred to the food situation in the State and said that though informal rationing was there, more food should be rushed. The position at present is like this. I think she said that six ounces are given per head under this informal rationing arrangement. I think that is not the fact. They get 12 ounces.

SHRIMATI DEVAKI GOPIDAS: Yes, 6 ounces rice and 6 ounces of wheat.

SHRI B. R. BHAGAT: Yes, 12 ounces 6 ounces of wheat and 6 ounces of rice, which is the minimum basic requirement for every person and we are trying to meet that. And then there, as you know, as a result of the crop, there is some market arrival and there are other stocks available.

SHRIMATI DEVAKI GOPIDAS: There is bad delivery.

SHRI BHUPESH GUPTA: You don't know. Market arrivals in Kerala? Lot of things go out side from there.

SHRI B. R. BHAGAT: Does the hon. (Member think there is no market in Kerala? I said there are some market arrivals. That is in addition to the ration. the other is to meet the requirements of common people, the poorer sections, •tit those who can afford to pay higher price* can go in for the better varieties ami thus replenish themselves. At the present moment there is no acute scarcity and there is no difficulty. In the coming weeks, I think the situation will improve a»d every step will be made to improve the market arrivats and to send more.

Then the point was made about the importance of developing hydroelectric power and potential in Kerala. This was realised long back and that is evident from the fact that the Third Plan for the State included a provision of Rs. 43'5 crores for hydroelectric projects out of a total of Rs. 170 crores. So this Rs. 43'5 crores was for power out of a total of Rs. 170 crores for the Third Plan. So tkis point of view was there even then. Aad actually the outlay on power programmes in the Third Plan is likely to •e more. That is to say, instead of Rs. 43'5 crores, it will be exceeded and it wll be something like Rs. 60 crores. The Cedtral Government is also making every effort to accelerate the assistance to the State for the purpose of power development and I can assure the hon. Members that subject to available resources, everything possible is being done to expedite these power projects under construction in Kerala.

Then a point was made about the pay of the non-gazetted staff. Shrimati Devaki Gopidas said that the pay scales were very low. In this connection, I might mention that the State Government has already appointed a Pay Commission to go into this matter and the matter would be considered further on receipt of this

Commission's recommendations. I might add further that the dearness allowance rates of the State Government employees were increased twice last year first with effect from the 1st April 1964 and secondly with effect from October 1964. The increases which have been indicated ia the Supplementary Demands for Graafc Statement range from three rupees per month to five rupees per month under the April revision and from seven rupees fifty paise per month to fifteen rupees per month under the October revision. These increases are for all the staff of private schools and also for employees paid from the contingency and work-charged establishments. So, apart from the regular employees these people also would be taken care of.

Then a point was made about anti-sea erosion work in Kerala where land is ia short supply and any effort to bring about the stoppage of erosion, stopping lamd going under the sea, land under cocomut plantation or under rice cultivation, is necessary and the importance of this has been recognised and this year, consistent with the resources available, every effort is being made to make vast progress im the implementation of anti-sea erosioa schemes. The original Third Plan estimate was Rs. 3-6 crores and by the end of this year almost all this will be spemt. There is a provision in the Budget this year for sixty lakhs of rupees and we anticipate that in the Fourth Plan which is under preparation—and when the Stats Plans are finalised—this work will be given greater importance, the importance that it deserves.

A general question was raised about unemployment and the tensions, political and social, that it creates. There were also the questions of cash crops, expediting industrialisation so as to diversify economy and absorb more people in employment. All these are general questions and I can assure the House . . .

SHRI D. P. KARMARKAR (Mysore): May I respectfully interrupt my esteemed colleague for a moment? I am sorry to hear him calling all these as general questions. If I can ask a straight question of him today, is it not a fact that un-

employment is one of the principal problems in Kerala which has to be tackled before the rest of the things are tackled? Are Government serious about the matter of thinking out some schemes by which employment could be" created as, for example, in Punjab and other States?

SHRI B. R. BHAGAT: When I said "general" I did not mean to minimise the significance of the problem. What I had in mind was that it was not a specific problem; it was a general problem, a larger question. That is why I myself referred to social tensions and political tensions arising out of unemployment and I think the problems of Kerala are very well known all over the country. Exactly the hon. Member has snatched away words from my mouth. I was going to add that every effort would be made to tackle this problem but it has also to be realised that it cannot be done immediately.

SHRI M- M. DHARIA (Maharashtra): Regarding the question raised by Mr. Karmarkar, if the hon. Minister feels that unemployment is the major problem in Kerala, may we know what provision has been made in the Budget to deal with this unemployment problem at least to some extent?

SHRI B. R. BHAGAT: As the hon. Members know it cannot be tackled in one year. It has been there for so many years.

SHRI BHUPESH GUPTA: But tell us your plan for next year.

SHRI B. R. BHAGAT: I am coming to this. One way of tackling it is to increase the Plan resources so that whether it is agriculture or industry or small industries or various other activities . . .

SHRI BHUPESH GUPTA: These are in the economic text books.

SHRI B. R. BHAGAT: When he sees the amount every year, there is a step-up.

SHRI BHUPESH GUPTA: What is your exact plan?

SHRI B. R. BHAGAT: How can I say? The hon. Member wants it in one sentence.

SHRI BHUPESH GUPTA: Take it two, five.

SHRI B. R. BHAGAT: Yes. but please wait. Apart from that, this year the Plan is bigger than last year and particularly in respect of industries provision has been made for developing all the existing industrial potential. For example, an additional sum of ten lakhs has been provided for modernisation of soap and oil industry.

SHRI BHUPESH GUPTA: What is wonderful about it?

SHRI B. R. BHAGAT: Wonderful? It adds up. You add up all that and see where it leads to. It is only one of many items. I am sorry the hon. Member unnecessarily gets excited and tries . . .

SHRI BHUPESH GUPTA: Not excited but humoured.

SHRI B. R. BHAGAT: The ceramics industry gets a provision of Rs. 86 lakhs for additional machinery. This is expansion of existing industry. All this is for one year; a provision of Rs. 975 lakhs for the modernisation and expansion of rubber works.

SHRI BHUPESH GUPTA: But modernisation leads to retrenchment.

SHRI B. R. BHAGAT: There is provision of Rs. 7*16 lakhs for the expansion of the Trivandrum Spinning Mills; similarly, there is provision for private enterprises in respect of various industries to the tune of Rs. 236 lakhs.

SHRI BHUPESH GUPTA: Assistance.

SHRI B. R. BHAGAT: Yes for expansion but they are all related to exact projects.

SHRI BHUPESH GUPTA: But expansion may be of various types; it may lead to employment potential.

SHRI B. R. BHAGAT: I mentioned soap, oil, ceramics and the spinning mills. If you add up all these, in one year it comes to a sizable sum.

SHRI BHUPESH GUPTA: How many⁹

SHRI B. R. BHAGAT*: The various provisions are Rs. 34 lakhs, Rs. 9 lakhs, Rs. 10 lakhs, Rs. 8 lakhs. You add all that and this comes to a sizable figure.

SHRI JOSEPH MATHEN: Has Government gone into the employment potential of the expenditure which the Minister has mentioned?

SHRI B. R. BHAGAT: I do not have the figure of employment potential but I am only saying that . . .

SHRI BHUPESH GUPTA: It means nothing.

SHRI B. R. BHAGAT: It means many things.

SHRI BHUPESH GUPTA: It may not be quite possible for industry or certain loans and yet keep employment at existing levels

B. R. BHAGAT: It is well known that expansion generates new employment and it is not a very highly capital intensive . . .

SHRI BHUPESH GUPTA: The entire jute industry absorbed the . . .

SHRI B. R. BHAGAT: There is no jute here in Kerala.

SHRI BHUPESH GUPTA: I am only saying that much money was spent here but it did not create much employment potential.

PROF. M. B. LAL: What Mr. Mathen wanted to know was whether Government has made any calculation of the employment potential or has just only made certain provision in the Budget.

SHRI M. RUTHNASWAMY: I also would like to know.

SHRI B. R. BHAGAT: If the hon. Members want it, it can be worked out but just now I do not have that. Even in this year's Budget . . .

SHRI M. RUTHNASWAMY: May I know how many technical schools are to be established this year, 1965-66?

SHRI B. R. BHAGAT: I do not have that information.

SHRI M. RUTHNASWAMY: What provision has been made?

SHRI B. R. BHAGAT: The hon. Member did not raise it. I do not have any information. I can get that information.

SHRI BHUPESH GUPTA: We have heard of many "have nots" in the world and he is one of them.

SHRI B. R. BHAGAT: I am sorry, Madam, this point about technical education was not asked earlier. It is being asked just now. I could not anticipate this. I have not got the information with me. I am not an encyclopaedia on Kerala.

SHRI BHUPESH GUPTA: Have you heard of Ethelred the Unready?

SHRI B. R. BHAGAT: I wish those points had been raised.

PROF. M. B. LAL: The Opposition wishes the State Government to function on democratic lines because we know that it is not possible for the Central Government to know everything about the State

SHRI B. R. BHAGAT: I agree with the hon. Member.

SHRI BHUPESH GUPTA: Then why are you doing all this?

SHRI B. R. BHAGAT: I was talking of the State sector and there is participation in the private sector. Apart from these, there is a provision of twenty lakh* of rupees for share participation in the Titanium Project. The figure then comes to a sizable proportion and this is all done to expand the economic . . .

SHRI BHUPESH GUPTA: Buying shares in a private company does not increase the employment potential. The existing shares are bought; they are just transferred. How does it increase the employment potential?

SHRI B. R. BHAGAT: All this will increase the employment potential.

SHRI BHUPESH GUPTA: Madam, ask him how buying of shares will increase the employment potential.

SHRI B. R. BHAGAT: I am not yielding. Let me complete what I have to say and then, if the hon. Member wants to put a question, he can do so.

This is all about industries. They are not capital intensive industries. They are industries which will generate more employment. Then development of piggery, poultry and fishery. In the context of Kerala . . .

THE DEPUTY CHAIRMAN: What about family planning?

SHRI B. R. BHAGAT: Unfortunately. Madam, no Member raised that point.

Now, Rs. 20 lakhs have been provided for piggery development alone and this is employment-intensive programme. A sum of Rs. 32 lakhs has been provided this year for poultry development and I think the hon. Member will agree that it is employment-oriented. Then Rs. 28 lakhs for fishery craft and Rs. 25 lakhs for construction of fishing harbours and landing centres and another Rs. 2 lakhs for training. So whether for industries, medium industries or agro-industries or processing industries, a sizable amount has been set apart and all these are bound to speed up the economic activity. I know and I entirely agree with the hon. Member that the employment situation in Kerala has got to be tackled in a big way and in the Fourth Plan, when it is drawn, I hope that this particular aspect will be taken care of. Whatever has been included in this Budget is in the light of the resources available and a good deal of Central assistance has been granted. Out of Rs. 42 crores of Plan expenditure,

Rs. 30 crores has been given by way of Central assistance in this year alone. And that is how all this was possible, to take up activities that will give more employment. More has got to be done in the coming years if you want to tackle the unemployment situation and the hon. Member should not go away with the impression that these things will not be done in a big way . . .

Madam, these are the points that I wanted to touch upon and I hope the House will approve the Budget.

SHRI MP. SHUKLA: The hon. Minister has not replied to Mr. Vajpayee's question about judicial enquiry into the incident of firing. I think the administrative practice all over the country is that when there is any firing by any Government servant, especially by the police, an enquiry is held by a judicial magistrate.

SHRI B. R. BHAGAT: I have said that there is no case for a judicial enquiry.

SHRI A. B. VAJPAYEE: May I know whether the hon. Minister has gone into the case or he has read out some prepared brief? He does not know that there was no magistrate to order the firing; the police officer fired on his own accord and a political worker has been killed.

SHRI B. R. BHAGAT: The firing was in self-defence; he was attacked by a mob.

SHRI A. B. VAJPAYEE: The facts have been disputed. The Sarvodaya Leader, Mr. Kelappan, has issued a statement contradicting the version given by the Kerala Government. How can the Minister say . . .

THE DEPUTY CHAIRMAN: Was there a death by firing?

SHRI A. B. VAJPAYEE: Yes; there was. That cannot be denied.

SHRI B. R. BHAGAT: We have no information.

SHRI DEPUTY CHAIRMAN: But, they have no information.

SHRI BHUPESH GUPTA: Then what are they here for?

SHRI B. R. BHAGAT: I think I can give the information if hon. Members put up a call attention notice.

SHRI M. P. SHUKLA: A person has been killed by the firing by the police and the police officer claims that it was done in self-defence but that can be adjudged by a judicial magistrate and the court and not by the Government, but that is the normal practice. I have been in the Government and I know that it is the normal practice in such cases for an enquiry to be made by a judicial magistrate. Here there was firing by the police officer without the order of the judicial magistrate.

SHRI B. K. P. SINHA (Bihar): As far as I understand, normally it is provided that a magistrate in suitable cases orders firing but then there is a general law or the principles of self-defence which is available as much to the officers of Government as to any citizen which makes it legal for a person in order to save his life to resort to whatever means are available for saving his life. In this case I feel though there was no magistrate the mob was in the most riotous mood and they were attacking the Sub-Inspector of Police.

THE DEPUTY CHAIRMAN: The self-defence issue itself is being challenged. Therefore I hope they will not arrive at any conclusion. What I would request the Government is that they collect the information and give it to us later.

SHRI M. P. SHUKLA: May I ask . . .
(Interruptions).

SHRI BHUPESH GUPTA: You listen to the ex-Minister because they are always sensible.

PROF. M. B. LAL: Madam, the problem with which we are faced is very serious. The Central Government has assumed responsibility for the administration of Kerala through the President's Rule. The Central Government therefore will have to get itself acquainted with the

affairs of Kerala more than with the affairs of any other State, if to every question they say "We have no information" they are only making a case for transferring the power from the Centre to the State authorities there. That is a thing.

Secondly, I beg to submit. Madam, that whenever there is death in any condition other than normal an inquest is held; so in any case of death due to firing there should be an enquiry and it should be for the Commissioner of the Enquiry to decide whether the action was taken self-defence or not.

SHRI M. M. DHARIA: In view of the fact that a responsible Member like Mr. Vajpayee has made serious allegations so far as the firing is concerned, since the hon. Home Minister is present here, may I request him to get the information and make a statement in the House regarding the firing?

SHRI B. R. BHAGAT: That will be done.

SHRI BHUPESH GUPTA: Madam, first of all. I rise on a point of procedure, you may say. The Kerala Assembly does not exist any more. Today the Budget discussion is taking place and there is a serious allegation that at point blank

shot a police officer has killed somebody, made here. Now we expect in such cases the Ministers would come prepared with all the material information. We have not been given even a serial information on this subject. Therefore, Madam, I say it is very unfair because everything is taken for granted. Therefore I would request that on Monday the Government should come here make a clear statement and would tell us what they think the case to be, to what extent they are satisfied or not satisfied with it regard to the various allegations that have been made in this connection and ask the officers of the Kerala Government to brief the Ministers a little better if they would show small mercies to us.

SHRI B. R. BHAGAT: For that not as if we should not pass the Budget today. Certainly I have given all the

available information just now. If hon. Members have obviously any doubts we shall collect further information; if they give proper notice certainly all the information will be made available. There is no difficulty about that.

THE DEPUTY CHAIRMAN: The Government will collect all the information, now that the Centre is responsible, and will give it to us in detail on Monday.

MESSAGES FROM LOK SABHA

I. THE KERALA APPROPRIATION (VOTE ON ACCOUNT) BILL, 1965

It. THE KERALA APPROPRIATION BILL, 1965

SECRETARY: Madam, I have to report to the House the following messages received from the Lok Sabha, signed by the Secretary of the Lok Sabha:—

a)

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha. I am directed to enclose herewith a copy of the Kerala Appropriation (Vote on Account) Bill, 1965 as passed by Lok Sabha at its sitting held on the 26th March, 1965.

The Speaker has certified that this Bill is a Money Bill."

(II)

in accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Kerala Appropriation Bill, 1965, as passed by Lok Sabha at its sitting held on the 26th March. 1965.

The Speaker has certified that this Bill is a Money Bill."

Madam, I beg to lay a copy of each of the Bills on the Table.

STATUTORY RESOLUTION *RE. CREATION OF CERTAIN NEW ALL-INDIA SERVICES*

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JAISUKHLAL HATHI): Ma'dam, I . . .

SHRI BHUPESH GUPTA (West Bengal): What is he doing?

THE DEPUTY CHAIRMAN: We are taking up the next item on the order paper.

SHRI JAISUKHLAL HATHI: Madam, I beg to move the following Resolution:—

"This House do resolve in pursuance of clause (1) of article 312 of the Constitution that it is necessary and expedient in the national interest that Parliament should by law provide for the creation of the following All-India Services common to the Union and the States and regulate the recruitment, and the conditions of service of persons appointed, to each of these Services, namely:—

(i) the Indian Agricultural Service; and

(ii) the Indian Educational Service (General Education, Technical Education)."

SHRI BHUPESH GUPTA: Madam....

THE DEPUTY CHAIRMAN: He has not finished.

SHRI BHUPESH GUPTA: I want to rise on a point of order?

THE DEPUTY CHAIRMAN: What is the point of order? This is on the order paper. Let him speak on it.

SHRI BHUPESH GUPTA: Before he speaks, the point is whether his speech will be *intra vires* or *ultra vires* of the Constitution.

(Interruptions)

THE DEPUTY CHAIRMAN: Let him move.

SHRI BHUPESH GUPTA: He has moved. I ask you to consider whether he has the authority to move it. Our Constitution is a federal Constitution.