

**SHRI M. GOVINDA REDDY** (Mysore): Mr. Deputy Chairman, I have no objection to the Rs. 60,000 which they seek to appropriate. This is in order to construct a railway branch line connecting the Pipri railway station to the Rihand Dam site. I want to know whether in the Budget Estimates of 1960-61 we framed this was not visualised. The Rihand Dam was a project of the Second Five Year Plan, so it was known and it was known also that a power-house would be constructed on the Rihand Dam site. The sanctions accorded to the proposal of the Rihand Dam site must have also assessed the needs of the power-house, and the fact that coal will have to be transported to the dam site for the thermal power station should have been known before. By the Memorandum that has been supplied to us one can guess that the Railways have been informed of this demand at a later stage, a stage after the Budget was passed. But the blame exactly for bringing forward the Supplementary Demand is not on the Railways. I feel that this Demand should have been included in the Budget, and it seems that there was lack of co-ordination between the planning authorities of the Rihand project, the Coal Development Corporation and the Railways.

**MR. DEPUTY CHAIRMAN:** Mr. Reddy, you can continue after lunch. The Prime Minister will make a statement.

#### STATEMENT RE. SITUATION IN THE CONGO

**THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS (SHRI JAWAHARLAL NEHRU):** I am grateful to you, Sir, for giving me this opportunity of intervening. There was a Motion for Papers—I believe it is so called—from one of the hon. Members of the House opposite about the situation in the Congo. Just at the present moment the Security Council

is discussing this very matter at great length. Nevertheless, I should like to draw your attention to certain aspects of the situation. It is a very dangerous situation, and not only dangerous for the Congo but for the whole of Africa, and not only for the whole of Africa but for the future of the United Nations itself, because if the United Nations cannot deal with the situation and fails, then naturally its capacity to deal with any other situation or similar situation will also go.

Another fact should be remembered that recent developments there have been a matter of not only deep concern and anxiety but in a measure even of anger to many people in many countries in Asia and Africa. A number of countries have had their representatives thrown out, a number have withdrawn their contingents in the U.N. Force, and no one quite knows what other developments of this kind may take place later. There is a danger not only of the civil war which is practically taking place in a small way now, of the civil war spreading but of foreign intervention on a bigger scale, because, as things are in the world, if one major Power intervenes, its opposite number on the other side wants to intervene also and comes in to create some kind of balancing intervention.

“ So, Sir, the situation is a dangerous one. We have to consider it from this larger point of view. We have also to consider our own attitude and whether we should keep our personnel there or not. Now, we did not send any combat troops to the Congo. We have sent our Armed Forces there for specialised work like hospital work—we have sent a full-fledged field hospital with 400 beds—and for signalling, transport, communication work and the like. These people are not armed in the normal way. They may have some small arms, our officers, but, as I said, they are not fighting troops. Their number is

[Shri Jawaharlal Nehru.] nearly 800 or maybe 770 or thereabout, nearly half of these being connected with hospital. Now, the question does arise whether we should continue this or not. We have been gravely perturbed at the treatment given to our officers there by the so-called Congolese Army. We have not been selected for their treatment. They have been fairly impartial in beating and insulting citizens of other countries, European as well as others. Nevertheless, if we cannot function there with dignity, we do not want to push ourselves in. We have not gone there for any advantage for ourselves. We went because we wanted to serve the cause of the people of the Congo, help them in their difficulties and serve the cause of peace.

And we shall keep this in 1 P.M. view. But looking at this matter apart from the question of our nationals being there and even apart from the fact that much has been done by the United Nations which has not seemed to us to be right, I think it would be a disaster if the United Nations Mission were to be withdrawn. It would really be a defeat, a confession of defeat and an act of despair and it would leave the Congo to go up in flames affecting the whole of Africa and certainly affecting international affairs very greatly and intimately. So, I do not want this thing to happen. Nevertheless, it is obvious that the United Nations can only remain there if they can function properly; they cannot remain there just for some little humanitarian work which they are doing well, and just to bolster up some odd regime there or some odd party there and to carry out their orders.

Now, that is the position, and if I may say straightway it is very difficult for us to advise, in any complicated system, what they should do in the Congo; it is very complicated. But two or three things stand out. One is that in this welter there is not much law and order left in

the Congo. There is no real governmental authority functioning except in some local areas where a bit of the army is present. The army itself is completely undisciplined and ill-disciplined, and does more or less what it chooses. Also, the army itself is very much now functioning, interfering in politics, and politics of not of a high grade. Constitutionally speaking, the only legal authorities in the Congo are President Kasavubu and the Parliament which is not functioning, which cannot meet; all the others cannot be placed in this category. We may accept them as functioning authorities. Until recently, the United Nations Mission there did not recognise there any authority in a formal sense but dealt with them because they had to deal with somebody who was functioning. The other authorities are—there is Col. Mobutu who came into the picture by a *coup d'etat*, that is, illegally, but who subsequently has been broadly accepted or recognised by the President. Now, whether the President can legally do so or not is another question to consider but he did. It is said that a person coming in by illegal means cannot assume a legal garb unless something else happens. Now, Col. Mobutu appointed a number of students from the college as a Commission to carry on the government of the country and there they are. They may be good people or not, I do not know, but they are young people without experience, and they have got with them advisers—Belgian advisers; in effect, it is the Belgian Army that is functioning there through the student commissioners and possibly through Col. Mobutu. In fact, one of the basic facts of the situation there is how the Belgians have come back in large numbers everywhere. They do not call themselves an army; they are not there as military people except that they come as advisers, technicians and experts. Certainly, Col. Mobutu and Mr. Tshombe in the Katanga Province do everything through their Belgian advisers even militarily and otherwise,

and Mr. Kasavubu also, I believe, has some such advisers, so that we see these Belgians functioning there in various capacities and not only influencing but practically controlling the activities of these gentlemen who have some control there of the army as well as of civil affairs.

Now, the House may remember that at the end of October, I think—or some time in October—Mr. Rajeshwar Dayal, who represents the Secretary General of the United Nations, sent a report, a second report, on the Congo which was circulated. It was a revealing report, an objective report by a person who had the full opportunity of judging the situation and who was neutral, who took no sides. That report brought out the state of lack of order there, how these various authorities functioned and quarrelled, and it more particularly brought out how the Belgians had come back and were continuing to come back in very large numbers. The Security Council's Resolution passed, maybe, three or four months ago had expressly stated two things, that the integrity of the Congo Republic should be maintained and that the Belgians should go out, that is, military Belgians. A little later, it was reported that they had gone out but about six hundred of them, military people, remained at one of their bases there. But now I suppose there are about twenty-five thousand Belgians, mostly civil, some military, spread out there and in all the responsible and important places. In effect, indirectly but fairly effectively, it is the Belgian influence and direction that is counting there. In fact, therefore, it is an attempt to build up, after the ruins of the ending of the first Belgian empire, a second one. Of course, it may not be an empire in the old sense of the word, it cannot be; conditions have changed in the world and in Africa. But it is extraordinary how, after their rather precipitated departure from the Congo, they have come back in a different garb and have the cover, some kind of a legal cover, under

President Kasavubu and Col. Mobutu and Mr. Tshombe. Now, what do the United Nations do in these circumstances? Sometimes they take up a very strict and narrow legal view that they cannot intervene in anything. Sometimes they have done something which is the clearest intervention. I do not understand it. The other day in the Katanga Province where another tribe was fighting, the ruling authorities there, United Nations authorities captured several hundreds of the tribe and handed over their leaders to the Katanga officers whom they did not recognise. That is very extraordinary, but I am saying that there they do this. Here it is another case of a Prime Minister—or if you like an ex-Prime Minister, Mr. Lumumba—being captured, beaten and his face being disfigured and all that, and they have not got the authority even to send a doctor to see him. It just seems to me to be a very extraordinary state of affairs for the United Nations Mission. If they cannot function properly, well, they are doing more harm than good. Now, as I said, I do not want them to go away. I think that would be fatal but I do think that they should be made to function properly; they should be given authority by the Security Council, and there should be no vagueness or shilly-shallying about this question as there has been. I cannot precisely state in detail what should be done especially when the Security Council is considering this. But I do think this problem will not be solved except by the Congolese. The Congolese can only solve it through their Parliament. It would be difficult of solution, of course, but anyhow that is the way and they have to come together. If the Belgians are there and further continue and rather interfere and if others encourage them to continue it will not be solved, and it would lead to a major conflagration. I have no doubt about it. And therefore Parliament has to function and the Belgians have to go. And it is no good anyone telling us that there is not the Belgian Government function-

[Shri Jawaharlal Nehru]  
ing but that individual Belgians go there Surely, that is not an adequate or a convincing argument to put forward Yet, not only has it been put forward but great Powers are prepared to accept it, not realising that thereby they are preparing for one of the biggest disasters that the world may witness I use these words deliberately because there is deep anger at the things happening in the Congo in the countries and the people of Asia and Africa—and I do not say every country; I cannot say that, but masses of people—because to them it is not a question of this party or that party They do not know; we do not know the parties there, we do not know the individuals there, but we do see this cold war coming in there; we do see an old colonial power coming back there and creating all these difficulties, preventing the people from functioning, preventing their Parliament from functioning, preventing them from even meeting and talking to each other, and all kinds of suspicions rise in the minds of the people in Asia and Africa and no doubt in many in Europe and the Americas about this policy that is being pursued I hope the Security Council that is meeting will find some effective way to lay down, first of all, the broad policy that should be pursued the authority that should be given to the UN Mission there, and the resources, to see that that authority is obeyed and also, I hope, to make it clear that the Parliament should meet there It is very extraordinary that people who call themselves democrats and their countries democratic countries make excuses for Parliament there not meeting and encourage this kind of semi-military dictatorships all over in the name of law and order Many worse things have happened recently but the arguments that have been put forward in regard to the Congo have been quite extraordinary, because they have used the stick of the law to defend every illegal act that has been happening there That is the position, Sir, now,

and maybe in the course of a day or two we may have further information, we shall see what the Security Council has decided and we shall always have to keep this in view, because this is a developing situation and from time to time we shall have to consider what part we should continue to take in it

Thank you, Sir

SHRI M GOVINDA REDDY (Mysore) May I ask whether the Prime Minister can throw some light on the constitutional aspect? Obviously as the Prime Minister was saying the United Nations is in a quandary because President Kasavubu is the constitutional head of the Government, but there must have been some such constitutional document defining the powers of the constitutional head as well as of the Prime Minister The constitutional head there has issued a decree for the arrest of Prime Minister Lumumba, and the Secretary-General of the United Nations says that the warrant was signed by the President over there, that it was a legal document and that he could not intervene in the matter of getting the release of Mr Lumumba I want to know whether the President was within his constitutional powers to recognise Col Mobutu and encourage him, and to issue a warrant of arrest against Prime Minister Lumumba, and if it was not within his powers, is it not open to the United Nations to intervene in the matter?

SHRI ROHIT M DAVE (Gujarat) Sir in view of the heart-rending statement made by the Prime Minister here may I know why our delegation in the United Nations appearing before the Security Council did not press this point of view, namely that the first task over there is to establish law and order because the Parliament there cannot function unless law and order is established over there And why are we only emphasising one fact namely that the situation can be solved only if the Parliament is allowed to meet and function? Before the Par-

liament can meet and function, Sir, law and order has to be established. I am therefore wondering why our delegation did not put the first thing first and demand of the Security Council that its resolution should be so interpreted and such an agency should be created whereby law and order is established in the Congo first, and then let the constitution over there operate in any manner in which it is convenient for the Congolese Government to operate.

DR. H. N. KUNZRU (Uttar Pradesh): We shall have the opportunity of discussing the Congolese situation fully in a week, but may I ask the Prime Minister whether the second report of Shri Rajeshwar Dayal has been published? If the Government of India has got it and not published it so far, I think it ought to supply it to us.

SHRI JAWAHARLAL NEHRU: The second report has been published, but I do not know which he calls the second report. The officially-called second report has not only been published but had been placed in the Parliament Library about a month or three weeks ago.

DR. H. N. KUNZRU: Is the Prime Minister referring to the report submitted by Shri Rajeshwar Dayal on the 20th September, 1960? Is that the report?

SHRI JAWAHARLAL NEHRU: Well, the report that has been published . . .

DR. H. N. KUNZRU: Is it the one under the United Nations' review?

SHRI JAWAHARLAL NEHRU: I do not know; this is the officially-called second progress report on the situation in the Republic of Congo. This was published as a Security Council document dated the 2nd November. This was published.

DR. H. N. KUNZRU: Is this report dated?

SHRI JAWAHARLAL NEHRU: I cannot say; it was published by the Security Council on the 2nd November. I do not know. Just a minute. I do not know if there is the date. I do not see any date in it except this date. But this we circulated, a large number of copies; we did not have enough for every Member, but I can send a few copies here, I can only send a few copies.

DR. H. N. KUNZRU: Would the Prime Minister mind reading the first two sentences of the report?

SHRI JAWAHARLAL NEHRU: I shall read. The first progress report of the Special Representative of the Secretary-General of the United Nations in the Congo was submitted on the 21st September, 1960. This second report covers significant developments during the period from 21st September to the end of October, 1960.

DR. H. N. KUNZRU: That United Nations' review of November is not yet available in the library.

SHRI JAWAHARLAL NEHRU: I do not know about the review. This is the second report that has been separately printed for distribution here and we have sent copies.

DR. H. N. KUNZRU: We have not received, Sir, this report.

SHRI JAWAHARLAL NEHRU: In the library we will place them; we do not have enough copies for every Member, but I can send a few copies for the use of Members. I may have half a dozen copies or even a dozen copies. I can send them, and I can give the hon. Member one copy immediately or place it here if you like. The Secretariat would probably get more copies from the External Affairs Ministry. As many as we can spare we shall send them.

DR. H. N. KUNZRU: I suggest to the Prime Minister that the report should be printed here and copies of it should be circulated to Members of Parliament.

SHRI JAWAHARLAL NEHRU: I am sorry but I was under the impression that a fairly large number of copies—how many I cannot say—were sent to both the Houses. Certainly, they were sent to the other House because there was a debate, and before that debate they had them.

DR. H. N. KUNZRU: What they had is not available to us.

SHRI JAWAHARLAL NEHRU: No, Sir, it was not supplied to each and every Member. I did not place it on the Table of the House. They had it from the library. Now I remember. We did not have enough copies. We placed about half a dozen copies in the library of Parliament, and a number of copies were supplied to the Secretary, about 20 or 30, or something like that. We did not have them enough, and we can do the same thing here, and we can give them to the leaders of parties, etc. here.

DR. H. N. KUNZRU: Since every Member of Parliament is interested in this affair, I suggest again to the Prime Minister that this report should be printed in India and circulated to the Members of Parliament. After all, the expense will not be heavy.

SHRI JAWAHARLAL NEHRU: I am prepared. This, in fact, was printed in India for this very purpose. Whether a sufficient number of copies was printed I cannot say.

DR. H. N. KUNZRU: Have more copies printed then.

SHRI JAWAHARLAL NEHRU: Sir, two or three matters were raised here.

SHRI JASWANT SINGH (Rajasthan): Sir, I want to ask one question. That can also be replied at the same time. I know that President Kasavubu has been recognised by the U.N.O. and we also recognise him as head of the Congo State. I want to know whether he wants the United Nations to be there in the Congo. If he is not in favour of it, would it not

be a direct interference in the internal affairs of the Congo?

SHRI N. SRI RAMA REDDY (Mysore): Sir, I understand from newspaper reports that the Egyptian and Ceylonese personnel, now engaged in the difficult task of maintaining peace in the Congo, are being withdrawn. I want to know if the Prime Minister has done anything to see that they are not withdrawn from the Congo area.

SHRI JAWAHARLAL NEHRU: Of course, the Ceylonese personnel are being withdrawn. But the Ceylonese did not have too many people. I think altogether they had about a dozen, just a small number of some experts.

Now, the hon. Member opposite talked about law and order being the first necessity. I entirely agree with him. Law and order is the first necessity, and that has been the effort of the U.N. Mission there and others, but in spite of their efforts they could not succeed, partly because they were not given the authority to function adequately—the broad policies laid down did not allow them to do anything—partly also because, if it is a question of enforcement of law and order by U.N. agencies, that requires a far larger force which they did not have there. In a huge country, half the size of India, they have . . .

SHRI K. SANTHANAM (Madras): Three-fourths of India.

SHRI JAWAHARLAL NEHRU: . . . I think, about 18,000 or 19,000 armed personnel at their disposal spread out, 5,000, 2,000, here and there. They can, of course, concentrate them in one place and improve that place, but first of all, even before they do that, a policy has to be laid down by the Security Council, and they can only do it ultimately through the Congolese authorities. They will be wrong if they impose themselves as a superior power and take over the whole governance of the Congo.

About the legal aspect, we have examined the fundamental law which

was passed before the establishment of the Republic. Sir, more or less it is a copy of the Belgian Constitution, not a bad Constitution also. Under that it is not clear—because odd things have happened, President Kasavubu dismissing the Prime Minister and the Prime Minister dismissing the President and so on—all these contingencies are not specifically provided for. But, broadly speaking, both the President and the Prime Minister owe their position to Parliament and any action that the President might take has to be ratified by the Parliament. If he takes it, it has to be ratified. That, of course, applies to the Prime Minister also.

With regard to the ratification that took place of these dismissals of both the Prime Minister and the President, when the Parliament met last they refused to accept either dismissal and said that both should continue, the President and the Prime Minister. Therefore, so far as the Parliament is concerned, they confirmed both in their respective positions. Since then the Parliament has not been allowed to meet.

Now, there are various legal interpretations. Whether the President, being acknowledged, constitutionally, can take such an action, well, the answer to that is that he could take this action but he must immediately summon Parliament to confirm it. Secondly, some people, the apologists, as a justification for not calling Parliament say that this Constitution has never been fully applied yet—all kinds of apologies. Our own advice was that in a sense, in theory and in law, Mr. Lumumba has not ceased to be Prime Minister but he is not functioning as such because he cannot function. But, as I said, this is a matter on which legally there might be two opinions. The only legal organs, as I repeated the other day, are the President, President Kasavubu, and the Parliament which is not allowed to function. All else can be challenged; their legality or constitutionality.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2.30

782 R.S.D.—5.

The House then adjourned for lunch at twenty-six minutes past one of the clock.

The House reassembled after lunch at half past two of the clock, Mr. DEPUTY CHAIRMAN in the Chair.

#### THE APPROPRIATION (RAILWAYS) NO. 5 BILL, 1960—continued

SHRI M. GOVINDA REDDY: Mr. Deputy Chairman, a Supplementary Demand normally comes to cover an item of expenditure which could not have been foreseen at the time the Budget was framed or for an item of expenditure incurred for reasons not within the control of the particular Ministry and for reasons which could not certainly be visualised at the time of the framing of the Budget. This Rs. 60,000 which is covered by this Supplementary Demand is to cover the cost of the survey of the railway line I referred to which will be made during the course of this year. I have no objection for this expenditure but I want to point out that this is an item of expenditure which is going to be incurred on permanent works. Normally, expenditure on permanent works will have to be anticipated or foreseen and provided for. It is only unforeseen expenditure that should be covered by a Supplementary Demand. This being a permanent work which could have been foreseen, I want to know how the Ministry justifies this Demand. It could have been very well visualised at the time the Rihand project was sanctioned. I now learn that the power station that was sanctioned was, in the beginning, for a hydel power station and later on the Planning Commission thought that with the coal resources near about the project area, a thermal power station could very well be set up in addition and so they seem to have accorded sanction for the establishment of new lines. I also learn that the Singaneri collieries being very near the dam site, it is considered, and I agree, that it is advantageous to have a thermal station there and that naturally a line is