

[Shri Bhupesh Gupta.] the time by which the Government decision on the Pay Commission's Report will be known?

THE VICE-CHAIRMAN (SHRI AKBAR ALL KHAN): He has already said "as early as possible".

DR. R. B. GOUR (Andhra Pradesh): Let them lay the Report on the Table of the House. The decision of the Government can come later.

SHRI BHUPESH GUPTA: Sir, the Report is an important thing. It concerns hundreds of thousands of Government employees. I suggest that the Report be circulated to Members of Parliament and let us discuss it concurrently with them. Thereafter they can take a decision within a limited time. The Government should be fair in this matter. The Government employees have been put to a great disadvantage, as you know.

SHRI B. R. BHAGAT: The Report has been submitted today, the Cabinet will consider it first. But, certainly the suggestion of the hon. Member will be in the mind of the Government then.

**RESOLUTION REGARDING PRO-
CLAMATION ISSUED BY THE PRE-
SIDENT IN RELATION TO KERALA —
*continued***

THE VICE-CHAIRMAN (SHRI AKDAR ALI KHAN): Mr. Ganga Sharan Sinha.

THE MINISTER OF LAW (SHRI A.K. SEN): Before Mr. Sinha rises, I want to make a statement on facts because the hon. Mr. Govindan Nair has stated that the Government of Kerala was not given a copy of, what is called, the charge-sheet of the Kerala Pradesh Congress Committee. Well, I entirely agree with him that if there is such a memorandum a copy should be given to the government and a reply should be sought from the govern-

ment. And that is exactly what the Governor had done. I desire to point it out so that there may not be a misunderstanding on the point. I am not quite sure, but probably Mr. Nair was not properly informed when he made that statement. The facts are that the Governor of Kerala not only mentioned about the memorandum to the Chief Minister as soon as he received it, but he gave a copy of it to the Chief Minister asking him to send a reply to the so-called charges contained in the memorandum. That is a statement of fact. It may be verified.

SHRI BHUPESH GUPTA: Statement, of fact, as you understand.

SHRI A.K. SEN: We are quite sure of the facts. He not only made that request once but several times. The stand taken by the Chief Minister at that time and the Government of Kerala was—I am not going into the merits of the stand, I am only giving the facts—that since the memorandum was not sent to them directly by the Home Ministry and no reply was sought for from them directly, they were not going to send the reply officially, but that they would publish the reply through the press. And that is exactly what they have done.

I may also add that in a subsequent case, where a similar memorandum was given to the President, the same procedure was followed by the Home Ministry, namely, that they sent a copy of the memorandum to the West Bengal Governor.

SHRI BHUPESH GUPTA: The Communist Party submitted simultaneously a copy of the memorandum to the West Bengal Government, as you know.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Mr. Bhupesh Gupta, it was a point of information.

SHRI BHUPESH GUPTA: I want a clarification. Here is the statement

dated the 19th August, 1959 by the Kerala Chief Minister:

"... Up to the moment when the President's Proclamation was issued we did not receive a copy of the K.P.C.C. Memorandum either from the Central Government or from the K.P.C.C. itself. We had to content ourselves with perusing the press copy of the K.P.C.C. Memorandum and answering it through the columns of the paper. It was thus without giving an opportunity to refute the charges against us that the Governor thought it fit to give his verdict that the charges made against us are substantially true."

This statement of the Chief Minister belies the utterances made by the Law Minister.

SHRI V. K. DHAGE: What the Minister has said is that the copy of the memorandum was given by the Governor to the Chief Minister.

SHRI BHUPESH GUPTA: Sir, he is a good lawyer. I have read it. It just makes it absolutely clear that he did not receive any memorandum from the Central Government directly or through the Governor to enable him to give an answer to the charges contained therein. Mr. Asoke Sen is a very loveable person and a good lawyer. I am sorry he is misled on facts and he is trying to mislead us.

SHRI A. K. SEN: May I just say a word in this connection? I will be the last man to mislead this House. I think that that assurance need not be repeated. About the statement of the Chief Minister, I appreciate it, because their whole stand was that they had not received the communication directly either from the Home Ministry or from the K.P.C.C. They might be justified in their stand, but we are not going into that question. It is quite understandable that they should have expected the K.P.C.C. to have given a memorandum to the local Government. I am not at all disputing that stand or the merits of that stand.

All that I am concerned with is the question of fact, namely, that the Governor had in fact given his own copy.

DR. R. B. GOUR: Yes, his own copy.

SHRI BHUPESH GUPTA: You ask him: At what point of time? When exactly was the Governor good enough to pass on that memorandum?

SHRI A. K. SEN: Nobody has noted that time, Sir. But the fact is that it must be his own copy.

SHRI BHUPESH GUPTA: When where and in what circumstance ...

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): Mr. Bhupesh Gupta, let him finish.

SHRI A. K. SEN: It was given by the Governor, soon after he received it, to the Chief Minister of Kerala, with a request to send a reply. The Kerala Government took the stand that they were not supposed to send a reply officially.

SHRI GOVINDAN NAIR: The Governor's copy was not given to the Chief Minister. The Governor said "If you want a copy, you can see it." Even a copy of it was not given by the Governor to the Chief Minister.

SHRI A. K. SEN: May I enlighten the hon. Member again? He is apparently not in possession of all the facts, although I wish he had been. What happened is that on the 15th, immediately after the Governor received it, he told the Chief Minister that he had received one copy and he asked him whether he would like to see it. The Chief Minister said that the charges were substantially the same as previous charges. Then immediately after the Governor had perused the memorandum himself, he gave a copy of it on the 20th of July to the Chief Minister.

THE VICE CHAIRMAN (SHRI AKBAR ALI KHAN): No more discussion. Shri Ganga Sharan Sinha.

श्री गंगा शरण सिंह (बिहार) : जनाब कार्यकारी सभापति महोदय, आज जो मामला पेश है हमारे सामने, वह साधारण फैसलों से अधिक महत्व रखता है ।

DR. R. B. GOUR: Sir, I am sorry to say that—let there be no misunderstanding about it—those of our friends who do not understand Hindi are leaving the House for taking tea or lunch. So, let there be no misunderstanding about it.

SOME HON. MEMBERS: Shame, shame.

DR. R. B. GOUR: You do not understand Tamil. When we do not understand Hindi, there is no question of shame for us.

श्री गंगा शरण सिंह : श्रीमान्, मैं यह कह रहा था कि जो मामला हमारे सामने पेश है यह रोजमर्रा के फैसलों से अधिक महत्व रखता है । आज हम इस सम्बन्ध में जो निर्णय करेंगे वह हमारी डिमोक्रेसी के लिये, हमारे जनतन्त्र के लिये, हमारे कांस्टीट्यूशन के लिये, हमारे संविधान के लिये, एक परम्परा का काम करेगा । इसलिये इस मसले पर हम को ज्यादा गम्भीरता के साथ और ज्यादा संजीदगी के साथ सोचना और उस पर अपना फैसला करना है ।

आज जो सवाल हमारे सामने पेश है उस पर विचार करते समय सब से पहला और सीधा प्रश्न जो हमारे सामने आता है वह यह है कि केरल में जो घटनायें घटित हो रही थीं, केरल में जो परिस्थिति उत्पन्न हो गई थी, उस से हम क्या इस नतीजे पर पहुँचते हैं कि नहीं कि वहाँ संविधान के अनुसार शासन का चलना सम्भव नहीं था और संविधान के अनुसार शासन नहीं चल रहा था । अगर हम इस निष्कर्ष पर पहुँचें कि संविधान के अनुसार शासन चल रहा था फिर हमारे लिये कोई दूसरा

चारा नहीं है कि हम जो राष्ट्रपति की घोषणा है उस को अस्वीकार करें । लेकिन अगर हम इस नतीजे पर पहुँचते हैं कि वहाँ जो घटनायें घटित हो रही थीं, वहाँ जो परिस्थिति उत्पन्न हो गई थी, उस के चलते वहाँ शासन का काम नहीं चल रहा था संविधान के अनुसार, तो हमारे लिये कोई दूसरा चारा नहीं रह जाता है सिवाय इस के कि हम उस का समर्थन करें । किसी भी डिमोक्रेट के लिये, किसी भी जनतन्त्रवादी के लिये, किसी भी आदमी के लिये, जो सही मानों में डिमोक्रेसी में विश्वास रखता हो, उस के लिये ऐसे अवसर पर विचार करना एक दुःख का विषय जरूर होता है और काफ़ी संजीदगी का यह काम होता है । इसलिये आज जब हम इस पर विचार कर रहे हैं तो काफ़ी संजीदगी के साथ हमें सोचना और विचारना चाहिये । हम जनतन्त्र की जिस पद्धति को अपने देश में अपनाये हुए हैं, डिमोक्रेसी का जो तरीका हमारे यहाँ प्रचलित है, जिस के आधार पर हम ने अपना संविधान बनाया है, उस की दो तीन सतहें हैं । पहली सतह उस की राजनीतिक है । राजनीतिक सतह यह है कि हमारे यहाँ जो डिमोक्रेसी है, जनतन्त्र है, उस में पार्टी का, गवर्नर का और स्टेट का अलग-अलग फंक्शन है, अलग अलग उन के अधिकार हैं, अलग अलग उन की सीमायें हैं, और उन्हीं सीमाओं के भीतर उन्हें फैसला करना है । तभी जो जनतन्त्र हमारे यहाँ चल रहा है, सफल होगा ।

दूसरी बात यह है कि जो जनतन्त्र हमारे यहाँ चल रहा है उस में अगर विरोधी पार्टियाँ नहीं हैं, विरोध करने वाला दूसरा दल नहीं है तो सही मानों में हमारा जनतन्त्र नहीं चल सकता है ।

यह तो हुई राजनीतिक सतह की बात । जहाँ व्यावहारिक रूप में हमारे जनतन्त्र को चलना है वहाँ दो चीजों की नितान्त आवश्यकता है । पहली आवश्यकता तो यह है कि अगर जनता के अधिकार अक्षुण्ण रहने हैं, जिससे

जनता के अधिकारों पर हमला नहीं हो और संविधान सही मानी में कारगर हो, तो उसके लिये आवश्यक बात है कि एक स्वतन्त्र सिविल सर्विस हो जो पार्टी के दबाव से, पार्टी के इन्फ्लुएंस से, प्रभाव से, अलग हो और जो अपने विचारों को दबा कर के भी तत्कालीन सरकार की नीति के मुताबिक शासन के काम को चला सके । उसके साथ ही साथ आवश्यकता है जुडीशियरी की, न्याय विभाग की, जो स्वतन्त्र हो कर हमारी डिमोक्रेसी की रक्षा कर सके, हमारी डिमोक्रेसी में जो साधारण नागरिक हैं उनके हितों की रक्षा कर सकें और जहां कोई सरकार, कोई गवर्नमेंट संविधान की धारा का उल्लंघन करे या व्यक्तिगत मामलों में हस्तक्षेप कर नागरिकता के अधिकार को मिटाना चाहे तो उसे रोक सके । इन दो चीजों की नितान्त आवश्यकता होती है ।

सबसे पहले मैं यह बतलाना चाहता हूं कि केरल में जो सरकार चल रही थी उसने कहां तक इन सिद्धान्तों को, उसने कहां तक इस पालिसी को, उसने कहां तक इस तरीके को अपनाया । सबसे पहिले पब्लिक सर्विसेज को आप ले लॉजिये, सिविल सर्विसेज को ले लॉजिये । केरल में जो सरकार चल रही थी उसने सिविल सर्विसेज के मामले में क्या किया ? इसीलिये कि सरकार का सिविल सर्विसेज पर अधिकार नहीं रह सके, सरकार उन पर दबाव नहीं डाल सके । हमारे यहां संविधान में नियमों में इस बात का ख्याल रखा गया है; अलग अलग पब्लिक सर्विस कमिशन बनाई गई हैं । सरकार को बड़े अधिकारियों को बहाल करने का अख्तियार नहीं दिया गया जिससे पब्लिक सर्विसेज कमिशन स्वतन्त्र रह सके । कम्युनिस्ट पार्टी की सरकार ने सबसे पहले वहां क्या किया ? उसने सबसे पहला काम यह किया कि पब्लिक सर्विस कमिशन के जो तीन मेम्बर होते थे, पहले तो उनकी संख्या बढ़ाई, तीन से उनकी संख्या पांच कर दी और एक आदमी का स्थान जब खाली हुआ तो उसकी जगह पर

एक भर्ती की गयी । और दूसरे दो आदमी जो भर्ती किये गये वे कैसे लोग थे ? पब्लिक सर्विस कमिशन में निष्पक्ष व्यक्तियों को जाना चाहिये, ऐसे लोगों को जाना चाहिये जिन पर दूसरों का प्रभाव नहीं पड़ सके, ऐसे लोगों को जाना चाहिये जिनकी निष्पक्षता निर्विवाद हो, जिनके बारे में किसी को शक नहीं हो । अगर हम उन लोगों के बारे में गौर करें जो पब्लिक सर्विस कमिशन में लिये गये, तो हम क्या पाते हैं ? व्यक्तियों के संबंध में चर्चा करना हमें अच्छा नहीं लगता है और मुनासिब भी नहीं होता । लेकिन, जब ऐसा अवसर आ जाता है, तब व्यक्तियों के सम्बन्ध में चर्चा करना हो पड़ता है । केरल के पब्लिक सर्विस कमिशन में जो तीन सज्जन लिये गये, उनमें से एक का नाम कुंजी पक्की था जो पहले एक्टिंग डायरेक्टर आफ एजुकेशन थे और पांच सौ रुपये माहवार पाते थे, लेकिन जब पब्लिक सर्विस कमिशन में लिये गये तो उन्हें बारह सौ पचास रुपये माहवार मुशायरा दिया गया । दूसरे साहब श्री केशवन थे, जो तीन सौ रुपये में रिटायर हो चुके थे, लेकिन जब उन्हें पब्लिक सर्विस कमिशन में लिया गया तो बारह सौ पचास रुपये में बहाल किया गया । तीसरे पी.टी. साहब भास्करन थे, जो केरल के जाने माने कम्युनिस्ट थे, प्राइवेट सेक्रेटरी टु एजुकेशन मिनिस्टर और मालाबार डिस्ट्रिक्ट बोर्ड के प्रेजिडेंट थे । जब मालाबार डिस्ट्रिक्ट बोर्ड भंग कर दिया गया तो वे बेकार हो गये और उन्हें प्राइवेट सेक्रेटरी टु दि एजुकेशन मिनिस्टर बना दिया गया और उसके बाद उन्हें पब्लिक सर्विस कमिशन का मेम्बर बना दिया गया । इन सब बातों के होते हुए आप किस तरह से उम्मीद कर सकते हैं कि पब्लिक सर्विस कमिशन एक इंडिपेंडेंट बाडी रह सकती है ? जो पब्लिक सर्विस कमिशन सर्विसेज को इंडिपेंडेंट रखती है। अगर बड़ी पार्टी के हुक्म पर लोगों को बहाल करे, लोगों को निकाले और छोटे-छोटे लोगों को पार्टी के स्वार्थ के लिये तरक्की दे, अपनी पार्टी के आदमियों को उसमें रखें,

[श्री गंगा शरण सिंह]

तो ऐसी हालत में पब्लिक सर्विस कमिशन की निष्पक्षता के बारे में शक होता बिल्कुल लाजमी होता है। इससे तो ऐसा लगता है कि आग के लिये देश में सही तौर से सरकार नहीं चल सकेगी क्योंकि सरकार पार्टी को लाइन पर चलेगी। पार्टी के हुक्म को मानने में जो रुकावटें पैदा होती हैं वे रुकावटें पैदा न हो सकें। और सरकार ज्यों की त्यों हुक्मत चला सके इस दृष्टि से सरकारी अधिकारियों को बहाल करने की जो मशीनरी—पब्लिक सर्विस कमिशन—थी, उसकी दूषित करने की चेष्टा की गई।

दूसरी चीज होती है, जूडीशियरी को। जहां तक सबाल न्याय विभाग और जूडीशियरी का है, उनमें सब से बड़ा चीज यह होता है कि जो फैसले हों, जो जूडीशियरी के फैसले हों, जो न्याय विभाग के फैसले हों, उन फैसलों पर अमल करने की कोशिश की जानी चाहिये। उस पर सरकार को अमल करना चाहिये, तब ही जनतन्त्र चल सकता है और हमारा संविधान कायम रह सकता है। लेकिन केरल में यह देखने में आया कि जो फैसले किसी मजिस्ट्रेट या जज द्वारा वहां का हुक्मत की पार्टी के आदमियों के खिलाफ किये गये, उन फैसलों के खिलाफ सरकार ने अपनी तरफ से फैसले किये। मेरी समझ में यह बात नहीं आती कि जब प्रेजिडेंट ने केरल के एक आदमी द्वारा मर्सी की अपील किये जाने पर उसे खारिज कर दिया तो वहां की सरकार ने उस आदमी को रिहा कर दिया जब कि कानून के सब विद्वानों ने उसे न छोड़ने को कहा था। इसके बारे में केरल सरकार द्वारा यह उदाहरण दिया गया कि कांग्रेस मिनिस्ट्रीज ने भी बहुत जगह इस तरह की छूट दी है। इस बारे में मैं यह बतलाना चाहता हूँ कि कांग्रेस मिनिस्ट्रीज ने इस तरह की जो छूट दी है, वह किस लिये दी है, उसका जवाब कांग्रेस के लोग देंगे, वह इसलिये कि उनमें जवाब देने की काफी शक्ति है, वे इसकी बात कर लेंगे और जनता का भी समर्थन प्राप्त

कर सकेंगे। लेकिन मैं अपने कम्युनिस्ट भाइयों से एक चीज कहना चाहता हूँ कि उन्हें कांग्रेस गवर्नमेंट का नाम लेने की आदत पड़ गई है, अगर उसका बहुत उपयोग न करें तो बहुत अच्छा होगा। मुझे याद है कि जब सन् १९३७ में नेशनल स्टूडेंट्स हुन्ना था, राष्ट्रीय युद्ध छिड़ने के बाद जब पहले पहल कांग्रेस मिनिस्ट्री देश में हुई थी तो उस समय बहुत से कैदी छोड़े गये थे। इतना ही नहीं हुन्ना, सन् १९३८ में बिहार और यू० पी० की कांग्रेस गवर्नमेंट ने इस बात पर इस्तीफा दे दिया कि जब तक अन्धमान जेल से हमारे भाई रिहा नहीं किये जाते तब तक हम मिनिस्ट्री नहीं चलायेंगे। यह ठीक है कि कांग्रेस का विश्वास हिंसा में नहीं था, उनका यह तरीका नहीं था। कांग्रेस के लोग हिंसा करके जेल में नहीं गये, उन लोगों ने अहिंसा के तरीके पर काम किया और उसी के कारण वे जेल गये। इसलिये हम जब किसी को जेल से छोड़ने की बात सोचते हैं, किसी को सजा कम करने की बात सोचते हैं, तो उस में हमें दो बातों पर गौर करना पड़ेगा। एक बात तो यह है कि जो आदमी जेल गया, उस का उद्देश्य क्या था और किस काम के करने पर उसे सजा दी गई। हम सब कांग्रेस वाले अहिंसा पर विश्वास करने वाले थे, हिंसा के खिलाफ थे और शान्तिमय संघर्ष के तरीके से अपना हक हासिल करना चाहते थे। लेकिन हमारे भाई इसी उद्देश्य की पूर्ति के लिये दूसरे तरीके से जेल में गये। जिन लोगों को फांसी या काले पानी की सजा हुई थी उन्हें छोड़ने के लिये हम ने भी जोर लगाया था, हम ने कोई गलत काम नहीं किया था। इसके साथ ही साथ यह भी देखना होता है कि जो कैदी रिहा होता है, वह किस उद्देश्य से जेल गया था, उसके पछे उद्देश्य क्या था और उसने कौन सा ऐसा कार्य किया जिस को वजह से उसे सजा हुई। सन् १९३७ में और उसके बाद भी बहुत से ऐसे मौके आये जब कि कैदियों को छोड़ा गया। दूसरी चीज यह है और सब लोगों को इस का तजुर्बा होगा कि जब कोई संघर्ष होता है, चाहे वह

किसानों का संघर्ष हो, मजदूरों का संघर्ष हो या किसी वर्ग का संघर्ष हो, उस संघर्ष के दमियान सैकड़ों और हजारों आदमी जेल जाते हैं। जब संघर्ष समाप्त हो जाता है तो हर पार्टी का यह तरीका रहता है और वह यह चाहती है कि हमारी पार्टी के जो आदमी जेल में गये हैं वे जेल से वापस आ जायें। लेकिन जब किसी वर्ग का संघर्ष चलता है और वह अपने काज के लिये उसे चलाता है तो उसके समाप्त होने के बाद सब लोगों को छोड़ दिया जाता है, सिवाय उन लोगों के जिन्होंने मर्डर, कत्ल, हत्या या डकैती में हिस्सा लिया हो। इस तरह के लोगों को जिन्होंने इस तरह के अपराध किये हों, उन्हें नहीं छोड़ा जाता है। इस तरह से इन दो तरह के कैदियों को एक में नहीं रखा जा सकता है। इसलिये मैं अपने कम्युनिस्ट भाइयों से कहूंगा कि जब वे कैदी छोड़े जाने की चर्चा करते हैं तो वे इस बात का थोड़ा ख्याल रखें और सभी धान बाईस पसेरी वाली बात न करें। जिन लोगों ने अपने स्वार्थ का त्याग कर के बलिदान किया, त्याग किया और सब कष्टों को झेल कर जेल गये, उनका उन लोगों के साथ मुकाबला नहीं किया जा सकता है जो अपने स्वार्थ की पूर्ति लिये जेल जाते हैं; हत्या, कत्ल, और डकैती करते हैं। हमारे कम्युनिस्ट भाइयों को इस तरह के दो कैदियों को एक में ही रखने की चेष्टा नहीं करनी चाहिये। इस तरह से अगर आप इन सब बातों का सबेरे करेंगे तो आप को पता चलेगा कि बड़ी तादाद में जो बंदी किसी पार्टी या संगठन के छोड़े जाते हैं, उनका ज्यादातर संबंध किसी पार्टी या संगठन के संघर्ष से रहता है, चाहे वह किसानों का संघर्ष हो या मजदूरों का संघर्ष हो और उस पार्टी के संघर्ष के लिये उन लोगों को जेल में भेजा जाता है। लेकिन केरल में कम्युनिस्ट सरकार द्वारा उन लोगों को छोड़ा गया जो मारपीट, हत्या, डकैती के मामले में जेल गये। इसलिये इन दोनों

चीजों को एक साथ रखने की चेष्टा हमारे भाइयों को नहीं करनी चाहिये।

हमारे कम्युनिस्ट भाइयों ने केरल में अपने अधिकारों का दुरुपयोग किया और अपनी पार्टी के ऐसे आदमियों को माफी दी जिन्होंने ऐसे अपराध किये थे जिनमें माफी नहीं दी जा सकती थी। इस तरह की बात मेरी समझ में नहीं आई और यह बात हमारी डेमोक्रेसी और जनतन्त्र के लिये बहुत ही खतरनाक है। इतना ही नहीं, केरल की अदालतों में जो फैसले हुए उन फैसलों को वहां की सरकार ने नहीं माना। इस तरह की सब बातें अखबारों में आ चुकीं और उनका उस हाउस में भी जिक्र हो चुका है। मैं उन बातों को दोहराकर हाउस का समय नष्ट नहीं करना चाहता हूं। लेकिन इसके साथ ही एक बात यह भी हुई कि वहां सिर्फ फैसलों को ही नहीं माना गया, बल्कि फैसला होने के बाद भी उन कैदियों को रिहा कर दिया गया जिन्हें सजा हो गई थी। इस बात की भी कोशिश की गई कि जिस समय उन लोगों के ऊपर मुकदमे चल रहे थे, उस समय मजिस्ट्रेट और जजों को प्रभावित कर के मुकदमा वापस लिये गये और उनके अनुकूल फैसले देने की भी चेष्टा की गई। इतना ही नहीं, बहुत से ऐसे मामले हुए जब कम्युनिस्ट कार्यकर्ताओं पर मुकदमे चलाये गये तो प्रासीक्यूटर से कहा गया कि तुम मुकदमा वापस ले लो। कहीं कहीं तो मजिस्ट्रेट ने मुकदमा वापस कर लेने दिया और कहीं ऐसा अवसर भी आया कि मजिस्ट्रेट ने मुकदमा वापस नहीं करने दिया। जहां पर मजिस्ट्रेट ने मुकदमा वापस नहीं करने दिया, वहां पर उसे इसकी कीमत चुकानी पड़ी। इस संबंध में मैं एक उदाहरण आप के सामने देना चाहता हूं। आर्टिगल के पब्लिक प्रासीक्यूटर ने मजिस्ट्रेट के सामने एक कम्युनिस्ट वर्कर के खिलाफ मुकदमा वापस करने के लिये कहा तो मजिस्ट्रेट ने इस चीज को कबूल नहीं किया। नतीजा यह हुआ कि उस मजिस्ट्रेट के जो फर्स्ट क्लास पावर्स थे, वे छीन लिये गये। श्री राधकृष्ण साहू, जो होम मिनिस्टर के एक बहुत नजदीकी

[श्री गंगा धरण सिंह]

संबंधी हैं, उन्होंने एक कम्युनिस्ट को, जो कि किसी देश में गिरफ्तार हो गये थे, छुड़ाने के लिये अपने दोस्त द्वारा मजिस्ट्रेट से कहलाया कि अगर वह अभियुक्त को नहीं छोड़ेगा तो उस की सजा मजिस्ट्रेट को भुगतनी पड़ेगी। और सचमुच उस मजिस्ट्रेट को यह सजा भोगनी पड़ी और दूसरे ही दिन उससे मजिस्ट्रेट के अधिकार छीन लिये गये और उसे रेवेन्यू आफिसर बना दिया गया। इतना ही नहीं, २८ अक्टूबर, सन् १९५७ को एक हैड कांस्टेबल और एक कांस्टेबिल किसी कम्युनिस्ट अभियुक्त की तलाश में एक गांव थेवाकडु में गये। वहां पर कम्युनिस्टों ने पुलिस वालों को एक घर के अन्दर कैद कर दिया। जब बाहर से गांव वाले आये तब उन्हें छोड़ा गया। पहली चीज यह है कि जो जुडीशियल फैसले होते हैं, उनका पालन न किया जाना और फैसले के वक्त मजिस्ट्रेट और जजों को प्रभावित करना और इसके साथ ही पार्टी की तरफ से एक समानान्तर न्याय विभाग खोल देना जो वहां फंक्शन करता रहे।

3 P.M.

सेल कोर्ट्स की बहुत चर्चा हुई है। आप सब लोगों ने पढ़ा होगा। इस बारे में बहुत सी बातें कही गई हैं, लेकिन मुझे यह नहीं पता है कि अभी तक इसका कहीं डिनायल आया है या क्या डिनायल आया है। इसको प्रमाणित करने की चेष्टा यहां तक की गई कि श्री पट्टम थानु पिल्ले ने चतनतरा सेल कोर्ट के जो मिस्टर मणि और मिस्टर जोन के नाम के सम्मन थे उनको स्थानीय असेम्बली में पेश किया। फिर जहां तक मुझे याद है केरल के चीफ मिनिस्टर ने बहुत धीमे स्वर में यह कबूल किया कि हां, कहीं कहीं ऐसी छोटी मोटी घटनायें हुई हैं। इस प्रकार जब वह सम्मन असेम्बली में पेश किया गया था तो स्वयं चीफ मिनिस्टर ने स्वीकार किया था। मवालीकारा, पत्न-मटिट्टी, चतनतरा और ऐसी ही कितनी जगहों पर सेल कोर्ट बने हुए थे। पत्नमटिट्टी में इस सम्बन्ध में मुंसिफ को प्रभावित करने

की चेष्टा की गई और जब लोग उनकी प्रभावित नहीं कर सके और मामला आगे बढ़ा, तो उन लोगों ने लिखित माफी मांगी और फिर उसी माफी के आधार पर हाई कोर्ट ने उनको रिहा किया। इतना ही नहीं, उनकी तरफ से नोटिसेज जाते थे, लोगों को बुलाया जाता था, सजायें दी जाती थीं, जर्माना किया जाता था और शारीरिक सजायें भी दी जाती थीं। इस तरह से एक तरफ फैसलों को रद्द कर के दूसरी तरफ फैसलों को प्रभावित कर के और तीसरी तरफ खुद फैसला कर के जुड़ शियरी को समाप्त किया जा रहा था। तो ये जो दो संविधान के रक्षक हैं, जनतंत्र के रक्षक हैं, एक पब्लिक सर्विसेज और दूसरा जुडीशियरी, इन दोनों को जब समाप्त करने की चेष्टा की जाये तो आप ही सोचिये कि हमारा संविधान कैसे चलेगा, हमारा जनतंत्र कैसे चलेगा।

सब से बड़ी जो राजनीतिक चीज है वह यह है कि अभी हमारे यहां यह आइडिया है, यह भावना है, कि गवर्नमेंट और पार्टी दोनों अलग होने चाहियें। लेकिन पार्टी जब गवर्नमेंट का स्थान ले लेती है, तब जनतंत्र के लिये, हमारे संविधान के लिये खतरा हो जाता है और यह बात वहां हुई। केरल में यह बात घटनाओं से प्रमाणित हो चुकी है कि पार्टी ने वहां गवर्नमेंट का स्थान ले लिया। इतना ही नहीं, बल्कि इसके प्रमाण दिये जाते हैं कि वहां पार्टी के लोग गवर्नमेंट से ऊपर हो गये थे। इसके अतिरिक्त वहां कम्युनिस्ट पार्टी के लोग एक स्तर पर थे और दूसरे लोग उससे निचले स्तर पर थे। वहां ऐसा हो गया था कि दूसरी पार्टी के लोगों का जीवन संकटमय हो गया था। वे साधारण रोजमर्रा के काम नहीं कर सकते थे। इस सम्बन्ध में बहुत से उदाहरण आप के सामने आयेंगे। श्री पट्टमथानु पिल्ले जो वहां के चीफ मिनिस्टर रह चुके हैं और जिनका नाम आप जानते हैं, वे एक बार कार पर जा रहे थे, और एक प्रोसेशन के चलते, एक जलूस के चलते, उनको अपनी कार रोकन

पड़ी थी। जितनी देर उनकी कार रुकी रही, उस कार पर लोगों ने ढेले फेंके, आवाजें कसीं, और आगे क्या करते पता नहीं है। इतना ही नहीं है। आपको शायद मालूम होगा कि श्री गोविन्द मेनन जो वहां के प्रधान मंत्री भी रह चुके हैं और शायद पी० सी० सी० के प्रेसिडेंट भी रह चुके हैं और श्री उदयभानु जो वहां कांग्रेस के अधिकारी रह चुके हैं और उनकी पत्नी श्रीमती भारती उदयभानु एक कार में जा रहे थे। उन की कार को भी वैसे ही भोगना पड़ा जैसे कि श्री पट्टम थानु पिल्ले की कार को भोगना पड़ा था।

श्री व्यंकट कृष्ण ड्यो : जो यहां पार्लियामेंट की मेम्बर हैं।

श्री गंगा शरण सिंह : जी हां। और त्रिवेन्द्रम के भूतपूर्व मेयर को जिस तरह से बेइज्जत किया गया, उन पर धूका गया, वह इस बात का प्रमाण है कि जब भूतपूर्व चीफ मिनिस्टर, कांग्रेस के प्रेसिडेंट और प्रान्त के सबसे बड़े कार्पोरेशन के मेयर की इज्जत सेफ न हो, वे घर उधर घूम न सकते हों, उनको इस तरह की घटनाओं का सामना करना पड़ता हो, तो एक साधारण नागरिक का जीवन कितना खतरे में होगा, यह आप स्वयं सोच सकते हैं।

कम्युनिस्ट मिनिस्ट्री बनने के बाद मैं तीन-चार बार केरल गया और वहां एक-एक सप्ताह रहा। अंकमाली जहां पहले फायरिंग हुई थी, वहां भी मैं गया था। जो लोग गोली से मारे गये थे उनके घर मैं जाता था। जब मैं वहां जा रहा था, ऐसे लोग जो हमारी पार्टी के नहीं हैं, ऐसे लोग जिनका हम से कोई सम्पर्क नहीं है, उन्होंने हमसे कहा कि शाम के समय इस इलाके में जाना सेफ नहीं है। अभी भी इस आन्दोलन के बावजूद जो दूसरे लोग उस इलाके में जाते हैं उनकी भरमस की जाती है और उन की बुरी हालत बना दी जाती है। तो ऐसे

लोग जिनका किसी राजनीतिक दल से सम्बन्ध नहीं था, जिनकी हमसे कोई जान-पहचान नहीं थी, वे एक मोटर लेकर हमारे साथ गये। जब मैं मरे हुए लोगों के परिवार के घर गया तो मैंने यह देखा कि उनमें बहुत ही आतंक छा गया है। जो कम्युनिस्ट पार्टी के मेम्बर नहीं हैं, जो कम्युनिस्ट पार्टी के सिम्पेथाइजर नहीं हैं उनके सिर्फ नागरिक अधिकार ही नहीं छिन गये हैं बल्कि उन को अपना काम और अपना पेशा चलाने का भी अधिकार नहीं है और उनका जीवन खतरे में है।

[Mr. Deputy Chairman in the Chair]

इतना ही नहीं हुआ, २५ जुलाई को, "तोड़ी-लाली" एक पत्र है, उस के सब एडिटर और इगनीशियस, म्युनिसिपल कमिशनर को पीटा गया। ३० जुलाई, सन् १९५८ को इम्बीची मुहम्मद हाजी जो कुन्नामंगलम कांग्रेस कमेटी के प्रेसिडेंट हैं उनको पीटा गया। २१ जुलाई को श्री कुमारन जो सब एडिटर हैं "मात-भूमि" के, और बालकृष्णा मेनन, जब वे अपनी कार पर जा रहे थे तब उनकी कार को रोका गया और उनको भी पीटा गया।

इतना ही नहीं हुआ, वहां राजनीतिक हत्याएँ भी हुईं। ताज्जुब यह है कि जो राजनीतिक हत्याएँ हुईं उनके सम्बन्ध में ज्यादा खोजबीन, ज्यादा छानबीन, ज्यादा पता लगाने की या मुकदमा चलाने की या सजा देने की कोशिश नहीं की गई। मैं ऐसे कुछ लोगों को जानता हूँ। उनके घर पर मुझे जाने का मौका मिला। कुछ लोगों से मेरा व्यक्तिगत सम्बन्ध भी था। हमारे एक कार्यकर्ता थे शंकर पिल्ले, वे बुरी तरह मारे गये। वे इस तरह मारे गये कि पहले उनके घुटने से नीचे की हड्डियां तोड़ी गयीं, उसके बाद उन का सिर तोड़ा गया, और फिर उनकी लाश को एक खाली कम्पाउंड में फेंक दिया गया। हमारे एक दूसरे अच्छे वक़र थे, इयुन्नी। वे हमारे बहुत ही अच्छे कार्य-

[श्री गंगा शरण सिंह]

कर्त्ता थे। वहाँ टेक्सटाइल मिल यूनियन के वे बहुत ऐक्टिव कार्यकर्त्ता थे और कम्युनिस्ट पार्टी उनकी प्रतिद्वंदी थी। एक रात जब वे अपने कारखाने से आ रहे थे तों एक कलवर्ट के नीचे छिपे लोगों ने उनको मार डाला। एक और श्री कारीकट्टिल उल्लुनी थे, जिनको पत्थरों से मारा गया और उनकी हत्या की गई। हम लोगों के लिये यह जानना बड़ा मुश्किल है कि कौन कम्युनिस्ट पार्टी का मेम्बर है और कौन नहीं है। दूसरी पार्टियों की मेम्बरशिप खुली हुई होती है, उनका रजिस्टर खुला हुआ होता है और कोई जा कर यह देख सकता है कि कौन उनका मेम्बर है और कौन नहीं है। डिमोक्रेसी में विश्वास प्रगट करने के बाद भी आज तक यह पता लगाना बड़ा मुश्किल है कि कौन कम्युनिस्ट पार्टी का मेम्बर है और कौन नहीं है। इसलिये वे किसी के बारे में इनकार कर सकते हैं कि वह उनकी पार्टी का मेम्बर नहीं है और दूसरों के पास कोई ऐसा सबूत नहीं होता है जिसके अनुसार वे कह सकें कि वह कम्युनिस्ट पार्टी का मेम्बर है।

डा० राज बहादुर गौड़ : इससे आप को आसानी होगी। आप सबको कम्युनिस्ट बता सकते हैं।

श्री गंगा शरण सिंह : एक अंचूपारा पप्पन थे जो कम्युनिस्ट पार्टी को छोड़ कर कांग्रेस में आ गये थे। एक और श्री कुमारन थे, मन्थोर विलेज के जिन्होंने कम्युनिस्ट पार्टी छोड़ दी थी। इस से कम्युनिस्ट पार्टी के लोग इनकार कर सकते हैं लेकिन वहाँ की लोकैलिटी के लोग जानते हैं और उनकी कार्यवाहियाँ कम्युनिस्ट पार्टी के साथ थीं। कोई रजिस्टर ऐसा नहीं है जिसकी बिना पर यह कहा जा सके कि वे कम्युनिस्ट पार्टी के मेम्बर थे या नहीं। लेकिन अपनी कार्यवाहियों से वे सदा कम्युनिस्ट पार्टी के साथ रहे। फिर जब उन्होंने कम्युनिस्ट पार्टी छोड़ी तो उसके थोड़े ही दिनों बाद वे

इस संसार से कूच कर गये। उन्हें इस संसार से कूच कर जाना पड़ा, खाली कम्युनिस्ट पार्टी से ही नहीं कूच करना पड़ा, संसार से भी कूच करना पड़ा। एक श्री डेविड थे, जिनको कि मैं व्यक्तिगत रूप से जानता था और मुझे ऐसी उम्मीद नहीं थी। लेकिन अचानक मुझे उन की हत्या का तार मिला, मुझे यह खबर मिली। ये तो मैंने कुछ उदाहरण आप को दिये हैं। इस तरह की हत्याएँ तो बहुत हुई हैं। मैंने तो कुछ उन्हीं के बारे में उदाहरण दिया है जिनको कि मैं प्रायः व्यक्तिगत रूप से जानता रहा हूँ और जोकि हमारे कार्यकर्त्ता रहे हैं, उनसे हमारा व्यक्तिगत सम्पर्क रहा है। आप कल्पना कर सकते हैं कि उनके परिवार वालों पर क्या गुजरी होगी और मुझ पर क्या गुजरी होगी। ये ऐसे लोग थे जिनके चरित्र के बारे में, जिनके काम के बारे में मुझे पूरा भरोसा था।

एक बात मैं और शुरू में ही कह दूँ। हमारे कम्युनिस्ट दोस्तों ने भी यहाँ उसकी कुछ चर्चा की है और दूसरी जगह भी उस की चर्चा की गई है। बार-बार कहा गया है कि वहाँ की जो पार्टियाँ थीं उन्होंने पहले से ही एक कांस्पिरेसी कर ली थी, उन्होंने पहले से ही आपस में ऐसा तय कर लिया था कि अगर कम्युनिस्ट पार्टी पावर में आयेगी तो इसका विरोध करेंगे और जिस समय से कम्युनिस्ट पार्टी पावर में आई उसी समय से वे असन्तुष्ट थे और उसका विरोध करना चाहते थे। मैं बहुत सफाई से कहना चाहता हूँ कि हमारा दृष्टिकोण कभी यह नहीं था। मैं कम्युनिस्ट पार्टी के अपने मित्रों का ध्यान उस प्रस्ताव की तरफ आकर्षित करना चाहता हूँ जोकि उनके पावर में आने के बाद ६ से ८ अप्रैल तक की अपनी बम्बई की मीटिंग में हमने पास किया था। उसके सम्बन्ध में मुझे विशेष कुछ कहना नहीं है, सिर्फ मैं प्रस्ताव का थोड़ा सा अंश जोकि इससे सम्बन्ध रखता है, पढ़ देना चाहता हूँ। प्रस्ताव यों है :

"The National Executive of the Praja Socialist Party welcomes the end of President's rule in Kerala. By a clear verdict, the public of Kerala have given the Communist Party a working majority and it is the responsibility of the latter to implement the programme they have placed before the public and to carry out the promises."

यह कांस्पिरेसी की भाषा है। यह विरोध की भाषा है? हमने प्रेसिडेंट के रूल के अन्त का स्वागत किया और हमने यह आशा प्रकट की कि कम्युनिस्ट पार्टी ने जो वायदे किये हैं उन वायदों को पूरा करे। यह कोई कांस्पिरेसी की भाषा नहीं हो सकती है। यही नहीं, शुरू से अन्त तक हमारा यही दृष्टिकोण था। जब इस संघर्ष के सम्बन्ध में मजबूर होकर कोयम्बटूर में हमें प्रस्ताव पास करना पड़ा तब वहाँ भी हमने यही कहा :

"Normally the Executive would want to extend its goodwill to any democratically elected Ministry, including the Communist Ministry in Kerala."

तो हमारा दृष्टिकोण बराबर यह रहा है। अगर उन्होंने डिमोक्रेसी को सही मानों में कारगर किया होता, उसको व्यवहार में लाया होता, हमारे संविधान के अनुसार काम चलाया होता, तो हम उनका साथ देते, हम उनको समर्थन देते। हमारी कभी यह नीति नहीं रही है, हमारी कभी यह नीयत नहीं है और न हमारी दो प्रकार से बोलने की आदत हो रही है। अगर हमारी यह नीयत न होती तो हमने उनकी गवर्नमेंट का शुरू में ही विरोध किया होता, उसको हमने शुरू में ही कहा होता, इतनी हिम्मत हम में थी। तो इस तरह की कांस्पिरेसी की बात जो की जा रही है वह असल मामले से लोगों की नज़र को हटाने के लिये और दूसरी तरफ़ ले जाने के लिये की जा रही है। इसलिये मैं बहुत अदब से कहना चाहता हूँ कि ज्यादा

अच्छा यह है कि हम घटनाओं पर विचार करें, उन घटनाओं से जो निष्कर्ष निकलते हैं उन पर विचार करें और हम किसी की नीयत पर खामख्वाह शक करने की कोशिश न करें नहीं तो राजनीति में जीना मुश्किल हो जायेगा। जो आशय निकलता हो, जो अर्थ निकलता हो उस पर विचार करें और जहाँ तक हो सके नीयत पर शक करने से बचें तो ज्यादा अच्छा होगा।

इन दो चीजों के अलावा जो सबसे बड़ी ज़रूरी चीज़ है वह यह है कि जो भी सरकार जनता का वोट पाकर बने—हालांकि वह पार्टी की सरकार होती है लेकिन जब वह अधिकार में जाय तो अधिकार में जाने के बाद—उसे इस तरह बर्ताव करना चाहिये जिससे कि दूसरी पार्टी के लोगों को भी यह मालूम हो कि सरकार निष्पक्ष तरीके से राज-काज चला रही है और राज-काज की जो मशीनरी है, राज्य के जो साधन हैं, उनका उपयोग पार्टी के काम को आगे बढ़ाने के लिये, पार्टी को आगे बढ़ाने के लिये नहीं किया जाय, या जितना कम किया जा सकता है उतना अच्छा है। लेकिन खतरा तब मालूम होता है जबकि अधिकार में जाने के बाद अधिकार का दुरुपयोग करके दूसरी पार्टियों को मटियामेट करने और एक ही पार्टी रखने की चेष्टा की जाती है। तब शक यह होने लगता है कि यह जो सरकार है, यह जो पार्टी है वह एक ही पार्टी का राज यहाँ चाहती है, तानाशाही चाहती है, डिक्टेटरशिप चाहती है और दूसरी पार्टियों का अन्त करना चाहती है। ऐसी हालत में हमें और आपको जोकि यहाँ हैं जिनका सही मानों में डिमोक्रेसी और जंतंत्र में विश्वास हो, उनको ज्यादा जागरूक और सचेत रहने की ज़रूरत है। ऐसे बहुत से मामले हमारे सामने आये जहाँ कि यह प्रमाणित हुआ कि हमारे कम्युनिस्ट मित्रों ने केरल की सरकार का उपयोग किया, अपने अधिकार का उपयोग किया अपनी पार्टी और पार्टी के संगठन को आगे बढ़ाने के लिये।

[श्री गंगा शरण सिंह]

पुलिस पालिसी के बारे में बहुत कहा गया। पुलिस की जो पालिसी चलाई गई उस की बड़ी तारीफ की गई। हमारे कम्युनिस्ट मित्रों में एक विचित्रता रही है और एक खूबी रही है। वह यह कि वे शब्द वही बोलते हैं जोकि हम बोलते हैं और प्रायः ऐसे शब्द बोलने की चेष्टा करते हैं जोकि अधिक लोकप्रिय हों। लेकिन जब बोलते रहते हैं तब और जब उनका प्रयोग करते हैं तब, दोनों वक्त में, उनके दिल में वह अर्थ नहीं होता है जोकि शब्दों में होता है और इसे मैं उनके कार्यों से प्रमाणित करना चाहता हूँ। आज हमारे जैसे आदमी को यह सोचने के लिये विवश होना पड़ता है, जोकि समझता था कि जनतंत्र के, डिमोक्रेसी के, सुजरेनिटी के, आटोनामस रीजन के यह माने हैं वह कुछ दूसरा मानी समझता आया था, वह यही समझता आया है, लेकिन आज की दुनिया को देखने से और अपने देश को देखने से लगता है कि ये ऐसे शब्द हैं जोकि एक से अधिक माने रखते हैं और अगर नहीं रखते हैं तो कुछ लोग इनका एक से अधिक अर्थों में और कभी-कभी प्रतिकूल अर्थों में प्रयोग करना चाहते हैं। जब कम्युनिस्ट पार्टी पावर में आई तो सब से पहले उन्होंने क्या किया। जो वर्ग-संगठन होते हैं, जो लेबर आर्गनाइजेशन होते हैं—जिन पर कम्युनिस्ट पार्टी को नाज है और समझते हैं कि इनको चलाते चलाते डिक्टेटरशिप आफ दि प्रोलिटेरियट कायम होगी—जो मजदूर संगठन थे उन्हीं में सब से पहले उन्होंने दखल देना शुरू किया और सबसे पहले वहां दो तरह का स्टैंडर्ड, दो तरह का मापदंड उन्होंने बनाया। वहां गवर्नमेंट प्रेस में यूनियन यू० टी० यू० सी० की थी। यहां बराबर दुहाई दी जाती है, हर पार्टी इस पर एग्रीड है कि मेनेजमेंट में और यूनियन में सहमति हो जाय, एक राय हो जाय तो उस फैसले को कारगर करना चाहिये। तो वहां गवर्नमेंट प्रेस की जो यूनियन थी वह यू० टी० यू० सी० वालों की थी। वहां मैनेज-

मेंट के बीच में, अधिकारियों के बीच में और यूनियन के बीच में समझौता हो गया था लेकिन उस समझौते को काम में नहीं लाया गया, उस को व्यवहार में नहीं लाया गया। उसके लिये, उस वक्त तक के लिये इंतजार किया गया जब तक कि कम्युनिस्ट पार्टी की यूनियन वहां न बन जाय और वह यूनियन बन जाय, उसकी रजिस्ट्री हो जाय, उसको जबरदस्ती स्वीकृति दिला दी जाय और वह यूनियन मेमोरेण्डम दे दे। और जब उसका भी मेमोरेण्डम मालिकों को मिल गया तब जो एग्रीमेंट हुआ था उसको कारगर करने की, काम में लाने की बात की गई। तो इस तरह से यह बात तब तक के लिये रोकी गई।

(Time bell rings.)

श्री उपसभापति : ४० मिनट हो गये।

SHRI RAJENDRA PRATAP SINHA: (Bihar): No, only 32 minutes, Sir.

MR. DEPUTY CHAIRMAN: He began at 2:37.

श्री अवधेश्वर प्रसाद सिंह (बिहार) : प्रोचियस स्पीकर का एक बंटा मिला था। यह एक पार्टी के लीडर हैं इनको भी और वक्त दिया जाय।

SHRI RAJENDRA PRATAP SINHA: He was to be given forty minutes, Sir.

MR. DEPUTY CHAIRMAN: Try to finish soon.

SHRI B. B. SHARMA: Curtail some other speaker's time, Sir.

श्री गंगा शरण सिंह : एक बात मैं और कहना चाहता हूँ। डिमोक्रेसी के लिये, जनतंत्र के लिये, यह निहायत आवश्यक है कि जो मापदंड हम अपने लिये तय करें, जो स्टैंडर्ड हम अपनी पार्टी के लिये या अपने व्यक्तियों के

लिये तय करें वही स्टैंडर्ड हमें दूसरों के लिये मां तय करना चाहिये। जो मापदंड हमारा हो वही दूसरों पर भी लागू करना चाहिये। जहाँ हम यह तय करेंगे कि हमारे लिये दूसरा मापदंड हो और दूसरे के लिये दूसरा मापदंड हो वहाँ उसमें डिमोक्रेसी का, जनतंत्र का और संविधान का अन्त हो जायगा। मेरी शिफायत कम्युनिस्ट मित्रों से यहाँ है कि उनका जो स्टैंडर्ड है वह डबल स्टैंडर्ड है, उनके पास दो मापदंड हैं। जैसे कि व्यापारो, जो कि बेईमानों करने वाले होते हैं; माल लेने के लिये बड़ा बटखरा रखते हैं और माल देने के लिये छोटा बटखरा रखते हैं उसी तरह से हमारे ये मित्र भी दो तरह का बटखरा रखते हैं, एक बटखरे पर अपनी जांच करते हैं, एक बटखरे पर अपने लिये रखते हैं और दूसरा बटखरा दूसरों के लिये रखते हैं।

श्री शीलभद्र याजी (बिहार) : यह इनको पुराना आदत है।

श्री गंगाशरण सिंह : जब मैं उन तरफ से सत्याग्रह के खिलाफ सिविल डिस्ओबिडियेंस के खिलाफ उस तरफ से आवाज सुनता हूँ और यह सुनता हूँ कि काबूत भंग करने की चर्चा या सरकार का वापस बुलाने की चर्चा गलत चर्चा है तो मुझे ताज्जुब होता है क्योंकि सिर्फ केरल का छोड़ कर हिन्दुस्तान के दूसरे हिस्सों में वे—चाहे अकेले और चाहे हम लोगों के साथ—बराबर इस बात के हामी रहे हैं कि जनता को अधिकार है कि जब उसका बात न सुना जाय और उसके पास कोई दूसरा चारा न रहे तो सिविल डिस्ओबिडियेंस करे, सत्याग्रह करे या सिविल नाकरमाना करे।

DR. R. B. GOUR: For demands not for overthrowing the Government.

SHRI GANGA SHARAN SINHA: I am coming to that. इस मामले में वे हमारे साथ तो रहे हैं। और जहाँ तक मिनिस्ट्रों के स्टाफ़ की बात है, मिनिस्ट्रों के

स्टाफ़ की बात है, मेरा खयाल है मुझे उनकी याद को ताजा नहीं करना पड़ेगा। बंगाल में और बहुत से सूबों में उन्होंने मांग की है कि मिनिस्ट्रों को रिजाइन करना चाहिये।

(Interruption.)

MR. DEPUTY CHAIRMAN: Order Order.

श्री गंगा शरण सिंह : तो इसलिये मैं चाहता हूँ कि अपनी ओर से यह स्पष्ट कर दूँ कि शुरू से हम इस विचार के रहे हैं कि डिमोक्रेसी में, जनतंत्र में, जनता को अधिकार है सिविल नाकरमाना करने का। जब सरकार ऐसी हो जाय जो जनता की बात नहीं सुने, जब सरकार इतनी बहरी हो जाय कि जनता के भावों की, हितों की और स्वाधीनता के उल्लंघन करने लग जाय तो ऐसी हालत में जनता का अधिकार है कि सिविल नाकरमाना के जरिये से अपने विचारों को सरकार तक पहुँचावे और अपनी बात को मनवाने के लिये बाध्य करे। इस बात को हम शुरू से मानते आ रहे हैं, आज भी मानते हैं और आगे भी मानते रहेंगे। इसलिये उन्हें चाहिये कि सब जगह एक ही स्टैंडर्ड काम में लायें।

दूसरी बात, जहाँ कहीं फायरिंग हुई, लोग मरे, हमारा शुरू से तरीका यह रहा है, हमारी मांग रहती है कि वहाँ इक्वायरी होनी चाहिये और देश के हर दूसरे सूबे में हमारे कम्युनिस्ट मित्र इस मांग में हमारे साथ रहे हैं कि जब गोला चले तब इक्वायरी होनी चाहिये, जब आदमी मरे तो इक्वायरी होनी चाहिये।

श्री शीलभद्र याजी : लेकिन केरल में नहीं होती चाहिये।

श्री गंगा शरण सिंह : लेकिन केरल में नहीं होनी चाहिये क्योंकि वहाँ पर कम्युनिस्ट गवर्नमेंट है। हर सूबे में इक्वायरी होनी चाहिये लेकिन केरल में नहीं होनी चाहिये। मेरी समझ में नहीं आता है कि अपनी पार्टी के लिये दूसरा, अपनी गवर्नमेंट के लिये दूसरा और

[श्री गंगा शरण सिंह]

बाकी दूसरी गवर्नमेंट के लिये दूसरा—माल खरीदने के लिये एक बटखरा, बेचने के लिये दूसरा बटखरा—यह क्यों हो रहा है? यहां केन्द्र में भी देखने का मौका मिलता है और प्रान्तों में भी देखने का मौका मिलता है कि जब किसी मिनिस्टर से गलती होती है, जब किसी मिनिस्टर को कोई गलती पकड़ी जाती है, जब उसके जरिये सरकार के एक्सचेंजर का या राष्ट्र का नुकसान होता है तब हम भी मांग करते हैं, हमारे कम्युनिस्ट मित्र भी मांग करते हैं कि उस मिनिस्टर को स्तीफा देना चाहिये, बार-बार यह आवाज उठती है लेकिन केरल में राइस डोल में जज ने फैसला दिया कि सरकार को नुकसान हुआ है, फिर भी न मिनिस्टर ने स्तीफा दिया, न मिनिस्ट्रों ने स्तीफा दिया। यह डबल स्टैंडर्ड नहीं तो क्या है? यह दो प्रकार के मापदंड हैं। मैं जानता हूं कि इसी तरह का प्रश्न यदि केन्द्र में उठा होता; दूसरे सूत्र में उठा होता तो हमारे कम्युनिस्ट मित्रों ने मांग की होती कि उस मिनिस्टर को, उस सरकार को स्तीफा देना चाहिये। लेकिन केरल की सरकार को स्तीफा नहीं देना चाहिये। दूसरी जगह गोली चले, लोग मरें तो इन्कवायरी होनी चाहिये, लेकिन केरल में गोली चले तो इन्कवायरी नहीं होनी चाहिये। शायद कम्युनिस्टों की गोली से जो आदमी मरता है ज्यादा सुख से मरता है

श्री व्यंकट कृष्ण ढंगे : जनत में जाता है।

श्री गंगा शरण सिंह : . . . और दूसरे की गोली से जो मरता है वह ज्यादा तकलीफ से मरता है इसलिए इन्कवायरी होनी चाहिये। इस तरह से डबल स्टैंडर्ड होगा तो डिमोक्रेसी के लिये चलना मुश्किल हो जायगा। इसलिए मैं निहायत अदब के साथ कम्युनिस्ट मित्रों से निवेदन करूंगा कि यदि सही मानों में वे चाहते हैं कि इस देश में डिमोक्रेसी चले और यहां सही मानों में देश की जनता को सुख मिल सके, यहां शांति कायम रह सके, यहां जनतंत्र कायम रह सके, हमारा

संविधान सफल हो सके तो मैं उनसे कहना चाहूंगा पीसफुल मींस, शांतिमय तरीके इस्तेमाल करें। साथ ही साथ एक मापदंड सबके लिये रखते हुए वे देश की मदद करें और सारे लोगों की मदद करें। आज यह कहने से काम नहीं चलेगा कि बहुत सी चीजें आज दूसरी सरकारें भी कर रही हैं। यह ठीक है कि कुछ चीजें ऐसी हैं जो दूसरी जगह भी हो रही हैं, चाहे उनके पीछे जो मंशा हो, जो आशय हो, जो फिलासफी हो, उसमें जो भी अन्तर हो।

इस समय मैं ज्यादा समय नहीं लेना चाहता। हमारे बुजुर्ग और साथी आचार्य कृपलानी ने इसके सम्बन्ध में काफी सफाई के साथ उस हाऊस में और देश के सामने हम लोगों का दृष्टिकोण रख दिया है। मैं अपने कम्युनिस्ट मित्रों से और कांग्रेस हाई कमांड के लोगों से और कांग्रेस के लोगों से बड़े अदब के साथ निवेदन करना चाहता हूं कि देश की जनता की मर्जी के खिलाफ जहां भी कोई काम हो रहा हो, कोई चीज हो रही हो, कोई संगठन बना हो, या कोई सरकार बनी हो वहां उसको मेहरबानी करके बदलने की, रोकने की, कम करने की कोशिश करें, नहीं तो जहां एक ओर खतरा है हमारे कम्युनिस्ट भाइयों की एक्टिविटीज से, उनके कारनामों से, वहां दूसरी ओर जनता में आज एक तरफ से निराशा फैल रही है और बहुत सी जगहों में सिद्धांत वह न होते हुए भी, फिलासफी वह न होते हुए भी, काम कुछ ऐसे हो रहे हैं जिन कामों के चलते साधारण आदमी के लिये यह मुश्किल हो जाता है पता लगाना कि कम्युनिस्ट सरकार में और हमारी अन्य सरकारों में फर्क क्या है। इसकी तरफ मैं खास तौर से ध्यान दिलाना चाहूंगा कि यह हमारा और आपका काम है। किसी ने कहा है : *Eternal vigilance is the price of liberty.*

(Time bell rings.)

इसीलिये मैं कहता हूं और मेरा यह निवेदन है कि आज उस इटर्नल विजिलेंस में कमी न

आनी चाहिये चाहे जितने भी हम यहां हैं, किसी भी दल के, किसी भी पार्टी के हों, हमें इसका खयाल करना है। तभी हमारी लिबर्टी, हमारी डिमोक्रेसी जीवित रहेगी, तभी हम आगे बढ़ सकेंगे, तभी उन्नति कर सकेंगे।

एक दो शब्द और कह दूँ। केरल में जो-जो परिस्थिति हुई है उससे हम लोगों को सबक लेना चाहिये और उसके साथ ही साथ हमें इस बात का भी खयाल करना चाहिये कि केरल के लोग अभी आहत हैं, अभी परेशान हैं और एक ऐसी परिस्थिति से होकर गुज़रे हैं जिससे सारे देश की सहानुभूति, सारे देश की सिम्पैथी, सारे देश की करुणा की आवश्यकता उन्हें है और हम उम्मीद करेंगे कि सारा देश एकमत होकर केरल की जनता को समर्थन देगा, उसके प्रति साहनुभूति दिखायेगा। जहां तक हमारे कम्युनिस्ट दोस्तों का सवाल है, हर मामले में उनका डबल स्टैंडर्ड होता है।

केरल के इस जन आन्दोलन के बारे में कम्युनिस्टों ने कहा कि यह नायर लोगों का आन्दोलन था। मैं उनको ध्यान दिलाना चाहता हूँ कि जनता की स्मरण शक्ति बहुत तीव्र नहीं होती है। लेकिन यह सब चर्चा वे न करें तो अच्छा है क्योंकि कम्युनिस्ट पार्टी के अतीत को बहुत से लोग अभी भूले नहीं हैं। जिस समय देश का विभाजन हुआ उन्होंने मुस्लिम लीग का साथ दिया था। उनके मुँह से कम्युनलिज्म की चर्चा आज बहुत शोभा नहीं देती। ये वही मन्त्रय पञ्चनाभन् थे जिनकी मदद से पिछले इलेक्शन में वे शक्ति में आये थे, उनकी मदद ली थी। उसी केरल में, उसी मलाबार में, आज वे कहते हैं, हम से और दूसरे लोगों से, कि तुम मुस्लिम लीग का साथ देते हो। लेकिन जिस समय उनकी ओर से कालम के कालम पेपर्स में रंगे जा रहे थे मापलास्थान बनाने के बारे में, उस समय हमारे कम्युनिस्ट भाई क्या कम्युनलिस्ट नहीं थे? उस समय वे साम्प्रदायिक नहीं थे? आज जब देश के किसी प्रान्त के इतने लोग एक साथ उठ खड़े हों, तब उनको साम्प्रदायिक

कहना अपनी समझ का उपहास करना है। साम्प्रदायिकता के मानी होते हैं एक कम्युनिटी दूसरी कम्युनिटी के साथ झगड़ा करे, एक कम्युनिटी दूसरी कम्युनिटी का हक झड़पना चाहे, एक सम्प्रदाय दूसरे सम्प्रदाय का अधिकार लेना चाहे। एक दूसरे के साथ सामंजस्य नहीं हो, तादात्म्य नहीं हो वह कम्युनलिज्म होता है, वह साम्प्रदायिकता होती है। लेकिन केरल में क्या देखते हैं? यह देखते हैं कि मुस्लिम लीग के भी लोग शामिल हैं, नायर लोग भी शामिल हैं, कैथोलिक लोग भी शामिल हैं। कैथोलिक लोग शामिल हो गये, क्रिश्चियन शामिल हो गये, मुसलमान शामिल हो गये, हिन्दू शामिल हो गये, उसके बाद समझ में नहीं आता कि साम्प्रदायिक रहा कौन? जिनके बारे में आलोचना की जाती है कि वे साम्प्रदायिक लोग हैं यदि वे किसी कामन ग्राउंड पर आपस में मिल सकते हैं तो मैं समझता हूँ कि ऐसा आंदोलन साम्प्रदायिकता के खिलाफ एक बहुत बड़े जिहाद के रूप में हमारे सामने आया। और, मैं कहना चाहूंगा अपने कम्युनिस्ट दोस्तों से, और चाहे वे जो कुछ करें, इस आंदोलन के चलते साम्प्रदायिकता के खिलाफ जो वातावरण पैदा हुआ है केरल में, इस वातावरण को वे जाग्रत रखें। इसी में हमारा और उनका भी फायदा है और देश का भी फायदा है।

SHRI K. P. MADHAVAN NAIR. (Kerala): Mr. Deputy Chairman, Sir, I rise to support the Resolution moved by the Home Minister. Before I go into the details which necessitated the intervention of the Centre which, to the best of my knowledge I can say, those responsible wanted to avoid till the last moment, I wish to strike a personal note and thank Mr. Govindan Nair, my old friend and leader of the Communist Party in my State, for the flattering way in which he referred to me. I am glad, in spite of the bitterness prevailing in my unfortunate State, he still did not hesitate to remember the old days when many of us worked together. He credited me

[Shri K. P. Madhavan Nair.] with some intelligence. He also said that with some others I have been responsible for giving the present movement, which started according to him for some undesirable purposes, ultimately a turn divested of those elements. I am sorry, however, that while he has been good to me, he has been very unfair to some of his old comrades. It is not necessary for me to defend some of those personalities against whom, perhaps for very good reasons of their own, they have now become very bitter. Number one of their enemies, according to what they have been saying outside and unfortunately in this House also, is the veteran Mannath Padmanabhan. He has become so popular and well-known not only in our State, not only in the rest of India but elsewhere also, that I will be failing in my duty if I allow the remarks of my friend to go unchallenged. I need not defend him or the other people who have become victims of his wrath, but I would only ask my friend when it was that he and his people parted company with Mr. Mannath Padmanabhan. People who have been following events in our State know that till very recently they were doing all they could to keep him on their side. In the 1957 election he was all for them, all his people were with them, and perhaps partly because of him and some of his friends the last Congress Ministry foundered.

Then there were some satirical remarks about statements issued from Delhi regarding matters taking place in Kerala. I do not know whether my friends object to only statements coming from Delhi and whether they have no objection to statements coming from Calcutta or statements coming from Bombay. (Interruption.) No "or from Moscow". I do not want to go beyond India for the present at any rate. They also similarly made a reference to some who are not members here but who are holding very high positions in the public life of India. While things happen which may not be to our liking, it is a very great pity if we lose all sense of pro-

portion and try to hurl words and use expressions which, I am sure, in calm moments my good friend would not have used. He referred to our previous President of the Congress. He and others referred to the present President of the Congress and the General Secretaries also in most unflattering terms. It is true that they are not functioning in the interests of the Communist Party, but I can remind him and his other friends that throughout the period the previous Congress President was in office he tried his best by friendly advice to put things right. If the Congress in Kerala were left to themselves, probably they would not have waited so patiently. It was on account of the action of the then Congress President and his colleagues here that things were allowed to drift, though according to many in Kerala and elsewhere the Centre should have taken action earlier on account of the conditions then prevailing. At the same time I want to make it perfectly clear that though things were very bad, though the Constitution was sabotaged and most undesirable things were, happening, the Congress never asked for Central intervention. The Congress wanted to give the longest rope possible to the most undemocratic Government functioning there, for the simple reason that that Government was not a Congress Government.

Now, I do not know whether I may have to repeat some of the things mentioned by my friend, because I have not been able to follow him in full, and you, Sir, and the House will pardon me if there be some repetitions. Mr. Govindan Nair referred to this agitation, this movement, which ended in the dismissal of their Ministry, as communal, as a movement started and controlled by a set of people, vested interests as he would call them. Now, with regard to the communal character of the movement, I do not know how he could sustain it when he himself contradicted it by saying that various people were

there. The Christians were there, the Muslims were there, the Nairs were there, and I do not know which other community was not there unless it be some other communities among the Hindus, and then again he cannot say that they were not in the movement. Even taking his view with regard to these three communities, I might inform all those who are not aware of it that these three communities by themselves constitute about 60 per cent, of the population of the State. With regard to the remaining 40 per cent, of the population I would say that a good majority of them also was in the movement.

The Governor in his Report has given more or less an idea of the opposition which led the present movement. I cannot understand how the summary was opposed here and elsewhere. I cannot understand what point was being made out with regard to the date of the summary; when there is an original and the summary of it is taken even after one year, I fail to understand how the document can lose its importance. The document, * from what I heard the Home Minister say, was dated the 27th of July, and the Proclamation came subsequent to that. There was a demand in the Lok Sabha as well as in this House that the Governor's Report should be placed on the Table. For very valid reasons the Speaker there and the Chairman here ruled that the Government cannot be compelled to place a document which according to them was not in the best interests of the public to be placed on the Table. However, the Government thought that as much information as could be given should be furnished to the House, and the Governor himself was asked to give a summary of his Report so that it might be as faithful a summary of the original as possible. I cannot understand, therefore, if the summary was prepared later than the original, and it cannot be prepared earlier, how the original document loses its importance.

.. Now, whatever my friends might say with regard to the summary of the
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Governor's Report, I cannot state better about the various parties who were in the agitation. He says:

"Most of the Opposition members of the Legislature resigned from the membership of the Advisory Bodies."

AN HON. MEMBER: Which page?

SHRI K. P. MADHAVAN NAIR: Page 13.

"All the 62 opposition members who were elected by 33,02,654 voters joined the agitation against the Government. Eighteen municipalities out of 29, including the Trivandrum City Corporation, passed resolutions demanding the resignation or dismissal of the Ministry. Three hundred and nineteen village panchayats out of 890"

according to the figures I have, it will be very nearly double this number, but I do not want to go beyond that—

"have passed similar resolutions. Thirty-five Bar Associations have also passed resolutions to that effect."

Members of the boards do not easily agitate this way or that way unless they are convinced about their ground. (*Interruption.*) Yes, I think they also form part of the population in Kerala, but I do not know what the position might be if again the State comes under the sway of my friend and his people. But we do not make a distinction between them and others as citizens of the State or of India. Then:

"All the non-Communist labour organisations have created a united front"

I do not know whether, if the labourers do not belong to the A.I.T.U.C, they cease to be toilers, 'unquote'— this is to satisfy Bhupesh Guptaji—

"against the Government and joined the demand for resignation or dismissal of the Ministry."

[Shri K. P. Madhavan Nair.] They, the non-communist labour, joined together and like one man, they were opposed to the Government. Perhaps, their opposition to the Government I might say, was much more than the opposition of persons like me.

SHRI BHUPESH GUPTA: Yes, on the 29th of June, I was in Kerala. The general strike of the opposition brought only ten thousand out of nearly five lakhs.

SHRI K. P. MADHAVAN NAIR: In the particular place where you were, the total might have been ten thousand out of the fifteen thousand.

All the non-Communist elements joined the struggle for ousting the Ministry. All non-Communist student organisations were participating in the struggle. It is common knowledge and it is now very well known that the students have been very much against that Government for the last so many months and we were trying our utmost to see that they do not take any part in an agitation for the removal of the Government. But it was rather difficult to control them as things happened to be too bad. There is no doubt, therefore, that the Communist Party has been completely isolated from the rest of the people. The opposition had become so widespread that there were absolutely no neutrals in the State. I might add here that with regard to the newspapers, we have got a number of them—there are about 32 dailies there—and of these thirty-two, four are run by the Communist Party themselves and out of the remaining twenty-eight twenty-six papers were totally opposed to the Communist regime and they were asking for the dismissal of the Ministry and for Central intervention.

DR. R. B. GOUR: Who owns these papers?

SHRI K. P. MADHAVAN NAIR: Papers are owned by their proprietors.

DR. R. B. GOUR: It is the proprietor or the proprietors.

SHRI K. P. MADHAVAN NAIR: I am sorry I did not keep a list with me, but if my friend is interested in it, I shall enlighten him.

Then the Governor has given his appraisal of the situation. Now, again, with regard to the communal nature of the movement, I was just referring to individuals, who were supporting them. When they found that it was impossible for them to support the Communists any longer and so turned against them, they have suddenly become bad boys and communalists. Similarly, with regard to political parties and the different organisations, it will be worth while to mention here that even in the 1957 elections, the Communist Party to the last moment tried their best to have some sort of an alliance with the Muslim League. They had it in a measure in 1952. Earlier, in the House, on a point of order or as an interpellation, it was mentioned by a friend from Madras that in 1952, the Communists in his State had an alliance with what is considered to be one of the most communal and reactionary parties in the South—the Dravida Kazhagam. I do not want to mention personalities. I do not want to describe in what glowing terms they praised the leader of that movement and how they published his photograph. I do not say they were wrong in doing that, from their point of view, I am saying. Any stick was good for them to beat the Congress and they did it then. I do not think I need go to 1952. What is happening today in every other State is common knowledge. Therefore, I need not dwell further upon that point but only ask as to why they have suddenly become so opposed to communal organisations. It will be worth while, in this connection, if I may mention that these people who are so much against the communalism of the Christians, the Catholics and the Muslim League, have themselves formed, with the paltry followers they have, a Christian League, and a Progressive

Muslim League as well. And they were trying to organise their meetings in different places for supporting them.

Now, Sir, I forgot to mention, when I gave the categories of people who are arrayed against them, the literary *men* as well. There have been people whom they tried to bring to their aid by all sorts of methods. But when they found that it was not possible for them to carry on with them, they also broke away from them and except a few, the others were very much interested in the movement.

I think I need not go much further with regard to the communal nature of the agitation or with regard to the sudden dislike of communalism by my friends.

Now, I would like to mention about the other point that this movement was organised by vested interests. The very classes and the various categories of people who joined the movement constitute an answer to that charge. But my friend, Shri Govindan Nair, particularly mentioned that they had introduced legislation of a progressive nature and that gave room for a lot of discontent and that it had been responsible for this upsurge. Sir, I feel that I have said sufficient to show that the movement was a mass movement. It was not confined to any section or any particular kind of interest or any particular community. But I shall now point out the hollowness of the claim that they introduced progressive legislation in the State. They have first referred to the Education Act. I would like to know the progressive nature of it. Sir, facts may not be very well known outside on account of the persistent propaganda carried on by our friends and their Ministers throughout the country at the time they introduced the Education Bill. I do not want to say whether the Education Act or the opposition to some of the provisions of the Act is right or wrong. I only want to place before you the real position with

regard to that so that legitimate conclusion may be drawn. One thing which was widely advertised about, the Education Bill was that it gave many rights to the teachers, which they were not enjoying. I would ask my friends to tell me what new right the Bill sought to confer upon the teachers, which was not enjoyed by them in the Travancore-Cochin areas. The integration . . .

DR. R. B. GOUR: To receive then-salary, and not to get . . .

SHRI K. P. MADHAVAN NAIR: I may inform my hon. friend that long before his party's Government came into power, the teachers were paid fully by the Government, from the Government Treasury.

DR. R. B. GOUR: Why did they go to the High Court?

SHRI K. P. MADHAVAN NAIR: I did not go to the High Court.

DR. R. B. GOUR: They went.

SHRI K. P. MADHAVAN NAIR: Let anybody go.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI K. P. MADHAVAN NAIR: In spite of Dr. Gour's protestations, the fact remains that these innovations were there at the time of integration. What was necessary was only to introduce what existed in the Travancore-Cochin area in the newly added area of Malabar as that provision, as I said, was already there. The whole amount of salary for the teachers was paid by the Government. The managers were to deposit the whole fee into the Government Treasury and they were given a small portion for meeting contingencies. The teachers' full salaries were paid by the Government themselves. I understand, even today the managements have no objection to that kind of payment to the teachers. As far as

[Shri K. P. Madhavan Nair] I could gather, their main objection has been to the interference of the Government in regard to many matters concerning the management, which were not of any public importance. For instance, the whole object of the Government with regard to the educational system was, to put it mildly ...

AN HON. MEMBER: Indoctrination of Communist ideas.

SHRI K. P. MADHAVAN NAIR: I am thankful to my hon. friend. It is indoctrination of that particular idea. Sir, I may tell my friends that I am a man of peace and I shall not be easily provoked. I am also thankful to the opposition for reminding me about certain things which I am likely to forget out of fear that I should avoid repetition.

Now, with regard to the private schools in my State, it is worthwhile that people have a proper appreciation of the whole thing. It is common knowledge that the percentage of literacy in our State is the highest in India. It is comparable to that in many other places as well. I do not want to advocate the cause of the private school-managers—I may not agree with all their demands, but I wish to mention one fact that the real reason for this high percentage of literacy in our State has been the initiative of private management and the private schools long in existence. It is only just recently, I may say during the regime of the Congress Ministry, a few years ago, that the Government came forward to pay the full salary of the teachers. Previously at very great sacrifice the institutions have been run by private management. I would just mention that there are in our State about 10,000 odd schools of which nearly 8,000 are privately-managed schools. There are about 55,000 teachers of whom 48,000 are employed by private management.

Now, I will mention another aspect of the question also. That probably

may be common knowledge, but I can say with reference to private schools in our State that the discipline there is much more than the discipline in the other schools. The results in these private schools are much better than those elsewhere. I have comparative figures of the passes in the S.S.L.C. examination. Just bear with me for two minutes.

No. of Schools in which the percentage of pass is	No. of Private Schools	No. of Government schools
Between 90 and 100	12	0
" 80 and 89	23	2
" 70 and 79	55	3
" 60 and 69	68	28
" 50 and 59	105	29
" 40 and 49	84	27
" 30 and 39	62	37
" 20 and 29	33	24
" 10 and 19	5	6
Less than 10%	1	2

When you come to the lower percentages of passes you find Government schools producing more, that is, up to 19 per cent. So, for these reasons one should not, without considerable thought, interfere in the affairs of these schools. Whatever is due to the teacher must be given to him and there has been, as far as I have been able to gather, no opposition on that ground. But the main opposition has been with regard to the right, which the Government wanted, to appoint these teachers, with regard to the right to indiscriminately prescribe text-books. In fact, I was in a very delicate position, because though the Committee, which was appointed to enquire into the charges regarding these text-books, this indoctrination and all that, had submitted their report to the Government, the Government published only what was according to them a summary, and that summary was said to be not true to the original by the Chairman of the Committee itself. And on that analogy perhaps the summary of the Governor's Report was attacked here and 90

it did not give me much surprise. Anyway, because the report was not published, it was not proper for me to make a reference to that. Somehow or other it has come in handy now for two days ago....

SHRI BHUPESH GUPTA: Now you have got it published.

SHRI K. P. MADHAVAN NAIR: Yes, and two days ago the report has been published, and the report clearly proves the charges and the fears which the public had expressed in regard to the particular matters raised.

SHRI GOVINDAN NAIR: What is the ultimate contention? What does it prove?

SHRI K. P. MADHAVAN NAIR: You want me to read out. . . .

SHRI GOVINDAN NAIR: What is the charge?

SHRI K. P. MADHAVAN NAIR: I may request Mr. Deputy Chairman that when he thinks of pressing the bell this may be remembered and I must be given the amount of time taken by these interruptions.

DR. R., B. GOUR: The Chair did not give us the time when we were interrupted by Mr. Dawood Ali Mirza.

SHRI K. P. MADHAVAN NAIR: There you have all my sympathies.

SHRI BHUPESH GUPTA: But you did not express it at that time.

SHRI K. P. MADHAVAN NAIR: I did.

SHRI BHUPESH GUPTA: But Mr. Dawood Ali Mirza did not hear it.

SHRI K. P. MADHAVAN NAIR: I shall help you by making him hear it hereafter.

Here is what the Kerala Text Book Scrutiny Committee has to say in regard to indoctrinating pupils with

Communist ideas. The Committee had expressed the opinion—

"There are certain lessons and passages in the social studies text books and Malayalam language text books which may tend to create in the pupils impressions favourable to Communist ideas."

After quoting from various text books and examples, the Committee however said that it did not consider that there had been any concerted attempt....

DR. R. B. GOUR: Why are you passing on?

SHRI K. P. MADHAVAN NAIR: I am passing on because of this that you find in the text-books this indoctrination. Different people wrote different text-books and so a concerted attempt was not there. But your people had it done in some text-books and you had such text-books prescribed.

SHRI M. H. SAMUEL: . . . Quote and unquote.

SHRI K. P. MADHAVAN NAIR: 'Quote and unquote' I shall do so.

The Committee has, in the report, given their detailed criticism on the syllabus and text-books on social studies. It said Chapter 6 of Book II, which gave biographical sketches of a few "world famous persons", would appear to be out of place. The Committee said that it was surprising that in this chapter, introduced in the book which dealt mainly with India, Mahatma Gandhi's life did not find a place.

SHRI PERATH NARAYANAN NAIR: Have you gone through all the textbooks.

MR. DEPUTY CHAIRMAN: Order order.

SHRI K. P. MADHAVAN NAIR: This is not my report. Only if it were mine I should have gone through all the text-books. This is the report of

[Shri K. P. Madhavan Nair.] a Committee appointed by the Government of Mr. Narayanan Nair's party.

SHRI PERATH NARAYANAN NAIR: The point is in particular books—he refers to social studies and other things—it is not there. But the biography of Mahatma Gandhi is published.

SHRI K. P. MADHAVAN NAIR: It is not my case or anybody's case that in every book you have done it. It is our case that in many books you have tried to do it and you have successfully done it in a number of books. (*Interruptions*) When the students get such books in their early stage, certain ideas enter their head and later on, even if you give something else, that correction will not serve the purpose.

(*Interruption*)

MR. DEPUTY CHAIRMAN: Order, order, let him go on.

SHRI K. P. MADHAVAN NAIR: As regards Book III, the Committee was of the view that the choice and presentation of the subject matter were not conducive to the proper understanding of the progress of the peoples in the countries dealt with. The Committee particularly dealt with Book VI, the main theme in which was the emergence of the modern world. On this the Committee said:

"There is a detailed description of the progress of China in chapter 14, but the description of the progress achieved by India in chapter 15 is very sketchy and does not do proper justice to her achievements after independence".

This is 'quote' not 'unquote'.

(*Interruptions.*)

The Committee said that there were in this book as well as in another, words and phrases which were unsuitable to their contexts in school text-books. It asked certain expres-

sions like "reactionaries" in support of this contention, and you know the purpose of the expression "reactionaries" in the text-books. Citing another instance, the Committee said that in the section dealing with "socialist pattern and the Welfare State" in Book VI, the society established by Russia was described to illustrate a socialist pattern while nothing was mentioned about the United Kingdom and other countries where the nearest approach to a Welfare State had been achieved. "The reference to Russia in this context is misleading," the Committee said.

SHRI BHUPESH GUPTA: Is it your contention that United Kingdom is a socialist pattern?

DR R. B. GOUR: He is approvingly quoting.

SHRI BHUPESH GUPTA: Smilingly and approvingly quoting.

4 P.M.

SHRI K. P. MADHAVAN NAIR: Therefore, it is very clear that there is something—I can even say there is so much—in the opposition of a section to giving unlimited powers to the Government. That is why there was the fear among a very large section of the people. And, therefore, there was the agitation.

SHRI PERATH NARAYANAN NAIR: To overthrow the Government.

SHRI K. P. MADHAVAN NAIR: It did not start with overthrowing the Government. There were a series of things, and when they felt that they were so unresponsive, that there was no possibility of mending them, they were left with no alternative and came to the only conclusion that any reasonable person will come to that there should be an end of such a rule in the State.

SHRI PERATH NARAYANAN NAIR: Yes, by all means.

SHRI BHUPESH GUPTA: He may not mind one or two interruptions

because he is the Major General of the Liberation stunt.

SHRI K. P. MADHAVAN NAIR: I am sorry I did not hear for sometimes we also share the same difficulty.

Now, with regard to the Land Bill. There again, with great respect to the framers of the Bill and sponsors who say that it contains revolutionary and progressive material, I have not been able to find anything there. They have been speaking about security of tenure for the tenants, the stay of eviction and all that. I might, for the information of those who are not aware of it, say that this provision of fixity of tenure in Malabar area—our State consists of three areas: Malabar area, Cochin area and Travancore area—was there from 1948. There was again an enactment in 1954 which made this position very clear—fixity of tenure and no eviction. In Cochin area, which part I come from, we had it from 1948. There is no question of eviction at all in the Travancore area. Soon after the Congress came to power, they enacted the legislation in 1948 and there is stay of execution by an enactment which is being extended from year to year. I do not, therefore, know what special thing is there for the tenants in this Act.

SHRI PERATH NARAYANAN NAIR: There is nothing in it.

SHRI K. P. MADHAVAN NAIR: I agree with him that there is nothing. But there is another thing. There is a disquieting thing there. While starting for Delhi the Ministers used to say that they were implementing the Congress programme there . . .

DR. R. B. GOUR: Which Congress is not implementing.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI K. P. MADHAVAN NAIR: According to the way in which you want it. The Congress had suggested a ceiling which the Bill provides. I

might say that for the first time there has been a provision for ceiling in the *new* Bill. But that is so provided as to enable distribution of the excess land to party members.

SHRI BHUPESH GUPTA: Is there such a provision?

SHRI K. P. MADHAVAN NAIR: Yes, in the legislation. He has not read the Bill. What I say is correct.

SHRI PERATH NARAYANAN NAIR: Will the hon. Member just read that section?

DR. R. B. GOUR: Let the hon. Member join the Communist Party to get the land.

SHRI K. P. MADHAVAN NAIR: That is how it happened. Unfortunately, the public have seen through the whole thing. The third legislation which they said was responsible for this agitation is the Debt Relief Bill. I wonder how my friends thought that memory was so short. Hon. Members of this House might remember, and the Home Minister will bear testimony that a Bill to this effect was passed and approved by this House itself fairly long before the Communists! even thought that they would come to power in our State. There was a legal formality and this Bill had to pass through the Assembly. That is that they have done. Therefore, this is the truth about these three progressive legislations and we know how this progressive legislation could have made vested interests and other people make common cause and go against the Government.

DR. R. B. GOUR: Why did not the Panampalli Government pass that legislation earlier?

SHRI K. P. MADHAVAN NAIR: Then you may ask: "Why was it not passed in 1937?" I am at the moment concerned with what happened before 1957 and after your Government came to power. I am only sorry I have no time. If I had time, I would have replied to all your questions.

SHRI BHUPESH GUPTA: If we had passed all your Bills, why did you join Mr. Padmanabhan?

SHRI K. P. MADHAVAN NAIR: For the information of my friend I might again repeat that Mr. Padmanabhan was with your friends till recently and there after he joined us, we did not join him.

DR. R. B. GOUR: To overthrow the Government.

SHRI K. P. MADHAVAN NAIR: When he found that even your long time friend could not tolerate you . . .

DR. R. B. GOUR: So, he joined you and took over the reins.

SHRI BHUPESH GUPTA: Are you becoming the General Secretary again?

SHRI K. P. MADHAVAN NAIR: You need not be surprised if that happens.

SHRI BHUPESH GUPTA: I would not be surprised because they are in need of people.

SHRI B. B. SHARMA: That would give you immense sorrow.

SHRI K. P. MADHAVAN NAIR: Now, Sir, my friend wanted to make it appear that he was not only directing and keeping in close touch with the functioning and organisation of the Communist Party, but also of the Kerala Pradesh Congress Committee, because for the first time today I heard from him certain things which, according to him, happened in regard to the elections in the organisation. I am sorry I am not reading all the 32 newspapers published from the State.

SHRI PERATH NARAYANAN NAIR: You ought to.

SHRI GOVINDAN NAIR: You begin with "Deepika".

SHRI K. P. MADHAVAN NAIR: I am not going to contradict what is

mentioned in those papers. I can only say that the "Deepika", as such, has very little to do with our organisation.

DR. R. B. GOUR: You have to do with "Deepika".

SHRI K. P. MADHAVAN NAIR: We have to do with everybody. He was speaking about some decision of the Catholics in Kanyakumari. Unfortunately we have not got his kind of spying system. Therefore, I do not know who were all concerned with this meeting or any such meeting. Anyway, he was saying that they met in Kanyakumari and somewhere else, and they decided to have the Congress flag for the P.C.C. Catholics and it is for that purpose that they put off the election and all that. I can only say that while I do not want to tell him as to what is taking place in regard to my organisation because it is a matter which is not relevant here, I must tell him that all that he said with regard to the Congress organisation is hundred per cent, wrong . . .

AN HON. MEMBER: Lie.

SHRI K. P. MADHAVAN NAIR: I do not want to say "lie". I am not quite conversant with Parliamentary language.

AN HON. MEMBER: It is incorrect.

MR. DEPUTY CHAIRMAN: You can say "untrue".

SHRI K. P. MADHAVAN NAIR: Yes, untrue. Thank you, Sir. Mr. Govindan Nair says that the Home Minister was wrong in saying that they did this or that for the simple reason that if they had done these things the strength of their party would have increased. I note that, though inadvertently and without knowing the implications, he has made an admission that he has not been able to add to the strength of his party during the twenty-eight months of their misrule. Then, Sir, with regard to these debatable matters about comparative corruption and all that, let me not go into them.

SHRI BHUPESH GUPTA: You read the West Bengal Memorandum.

SHRI K. P. MADHAVAN NAIR: Shri Govindan Nair was saying that the Congress was not able by themselves to fight them, and therefore we had gone in for this sort of alliance. I do not know what fine logic there is in that argument. We are strong by ourselves, and we have no doubt about it. As my friends have already pointed out, we have got before us the instance of Mahe. In the Malabar area, Sir, election was fought on the specific issue of the President's Proclamation.

SHRI PERATH NARAYANAN NAIR: Pondicherry?

SHRI K. P. MADHAVAN NAIR: Pondicherry too. I am glad that you are very often helping me. There were three seats contested on this specific issue in Mahe, and the result was that all the candidates—all the three of them—put up by us succeeded, and their candidates were defeated. I do not want to say anything further about it. I would not have referred to these things at all. Events will themselves prove it. But my friend specifically referred to this and he wanted to create some impression that there was an admission somewhere about our weakness. Therefore, I wanted that kind of misunderstanding to be removed.

SHRI PERATH NARAYANAN NAIR: Have you reported it to your Working Committee?

SHRI K. P. MADHAVAN NAIR: That is a matter between me and the Working Committee. If Mr. Narayanan Nair is very much interested in that, then certainly . . .

SHRI PERATH NARAYANAN NAIR: I happened to read some different thing in today's papers.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI K. P. MADHAVAN NAIR: Sir, I think I have dealt sufficiently with

most of the points which Shri Govindan Nair raised in regard to this struggle.

Now, speaking about the main subject, I wish to mention only a few facts as to why the Central intervention was absolutely necessary. As I said, I feel that that "matter has been dealt with by my predecessor. I could follow him here and there. He spoke with great feelings and I do not want to take away the effect of it by anything which I might say. But I wonder why my friends opposite are repeating this—the charge made against the former General Secretary of the Congress that within three days of 'their taking over he said this thing or that thing—except for the belief that if some falsehood is uttered a number of times, it becomes something like a truth. Now, what happened was that soon after they assumed office, they announced the release of the prisoners, and the former General Secretary made a statement with regard to that. His statement with regard to insecurity prevailing in the State was very much later, and at no time had he asked for Central intervention. I am mentioning this fact in order to remove the impression which my friends are unsuccessfully trying to create, that there has been a conspiracy from the very beginning. On the other hand, Sir, I might tell them that the general view among those who counted in the Congress was to give them the longest rope possible. Again, Sir, personally speaking, I felt somehow or other that they must be allowed to continue for the full period of five years, because if they could bring together within 28 months of then-rule the different communities which were not seeing eye to eye with each other for the last so many years to oppose them—they created such an overwhelming opposition for them—then perhaps in the course of five-years even most of my friends in this House and in the other House belonging to the Communist Party would have left the party and joined some newly started party—*(Interruptions.)*

[Shri K. P. Madhavan Nair.] you do not like to hear what is unpalatable to you. Well, if you think that by your interruptions you can make me lose the thread of my argument, you are mistaken. I am not likely to lose that thread. Well, Sir, they would have resigned from their party and might have joined some newly started party *(Interruption.)* I shall not mention any names.

SHRI BHUPESH GUPTA: Did you submit a memorandum?

SHRI K. P. MADHAVAN NAIR: I am coming to that. I felt that after all it would not be possible for us to exist in such a state, if they were to continue doing things in a manner in which they were doing. So, I had to choose between the two alternatives, whether to allow them to do this so that there would be no Communist Party left there after five years or whether to take action in order to protect the people who were so much in trouble—*(Interruption)* and indirectly helping you also to have a further lease of life

(Time bell rings.)

SHRI BHUPESH GUPTA: Sir, may I make the position clear?

The hon. Member

(Time bell rings.)

SHRI K. P. MADHAVAN NAIR: *(Turning to Shri Bhupesh Gupta)* I think the bell is for you.

MR. DEPUTY CHAIRMAN: It is for you Mr. Madhavan Nair.

SHRI BHUPESH GUPTA: That is the only good word that he has said so far.

SHRI K. P. MADHAVAN NAIR: -Sir, if you are so hard-pressed for time, we shall have our own arrangement. Let me get a little more time, and you can cut one of our speakers and thus make the adjustment.

Now, Sir, with regard to rule of law, I would not have referred to many of these matters, but in a very

strong language the Home Minister was condemned for his reference to certain matters. With regard to jail delivery, some question was put as to how the Home Minister could find fault with them when something had been done elsewhere. I do not think, Sir, that two wrongs can make one right. If something like this has been done elsewhere, it must be condemned. And I am sure that if a similar thing had been done elsewhere, proper attention must have been given to that matter as well.

SHRI BHUPESH GUPTA: - Sir, in Uttar Pradesh some case was started against . . .

SHRI K. P. MADHAVAN NAIR: I am not aware of any murderer having been released. I am not aware of the release of a single murderer or of the withdrawal of any case launched for any crime involving violence. I am very definite about it. I might just mention, Sir, that among those people who were released there were not merely murderers but also some abominable cold-blooded murderers. At least I can mention one instance because it happened in the very place from where I come.

In the dead of night, Sir, some of these friends, who were also the top-leaders there, went to a police station in that village and murdered the policeman with a view to releasing some of their comrades who had been arrested earlier in the day. And they did not stop at that. Certain organs were removed from his body, and they dipped their hands in the blood and had its impression left on the wall of that police station. Even such a man had been released. Others also who murdered police officers were released. And what do they say today in their publications? They say that those released were involved in labour troubles and they were fighting against certain vested interests. I wonder how they can now coolly say that the policemen were murdered on account of labour troubles and

matters like that, but that is with regard to jail delivery.

There have been several publications on the Government's side. With regard to figures, Sir, as has been very correctly pointed out by the Governor, they have been inflated by adding the number of those persons who, on account of the double standards of the Government, had to resort to Satyagraha, absolutely a non-violent Satyagraha, and who were arrested in Kattampalli, in the Sitaram Mills and also in the students' agitation. The Governor has mentioned that point on page three of his Report.

With regard to absence of the rule of law. Sir, I know that the Home Minister could not naturally go into details and therefore I have to mention a few cases. Of course, I myself would not have gone into those details because it is all public property now. But I have to do so because of certain statements of my friend totally disputing the points raised by the Home Minister.

With regard to the prosecutions, the police policy is sufficiently known. I would not have objected to it to this extent if that policy, bad as it is and against the provisions of law themselves, was applied to all the people alike. Now, this very policy which they say was enunciated for the protection of the toiling classes, the workers and all that, was applied differently with regard to this very category of people. If protection has not been given to an estate owner, he knows how to take care of himself but what has happened? This policy has been so implemented that it went to the assistance of one section and that section was the Communists and their supporters, whether it was in the labour field or in the field of peasants or with regard to the students.

Then what about the cases? If a crime is committed by one who

belongs to the Communist Party or who has got anything to do with the party, the cases are not prosecuted. If, by some reason or other, cases have to be prosecuted the prosecution is done in such a manner that the cases do not end in conviction. Very often without enquiring into the details or without making any enquiry with regard to the complaints, cases are charged omitting certain accused or impleading certain people only with a view that the case may not end in conviction. Supposing after all these hurdles, a person is about to be convicted, the Government will come forward with a petition for withdrawal and if withdrawal is not allowed, the Magistrate or the Judge will have to pay the penalty for it and I hope my friend, who spoke before me, mentioned certain instances with regard to that.

Then the next step comes. Suppose a case ends in conviction, what happens? Very often there is remission of the sentence or jail delivery. But this, you will note, is not with regard to all sections but all these privileges are only for one class and therefore we say there has been no rule of law.

SHRI PERATH NARAYANAN NAIR:
One or two instances please.

SHRI K. P. MADHAVAN NAIR:
Innumerable instances I can give.

MR. DEPUTY CHAIRMAN: When your turn comes, you can speak.

SHRI K. P. MADHAVAN NAIR: I attach so much importance to the value of time that I do not want to cover all the cases. Many cases have already been covered by my friend. This is—I have so far spoken—with regard to the prosecution of Communists or their sympathisers who committed the crimes.

Now, false prosecutions are brought upon people who are supposed to be Congressmen or their sympathisers. In general the Home

[Shri K. P. Madhavan Nair.] Minister referred to a few cases where the Magistrate or the Judge concerned has himself said that there has been discrimination shown in the prosecution. There were two cases¹ which directly involved two Ministers and there was another case in which a Communist happened to die. Now, the first case was in regard to some demonstration organised by certain people against the Education Minister. There was a clash. One man who was supposed to be in the batch who organised the demonstration actually died. The police enquired. A case was charged against those who demonstrated against the Minister but no case was charged against those who were responsible for the murder of one of the participants in that. Therefore, in that case the Magistrate gave a finding like this:

"It does not savour of an impartial and a wholly unbiased investigation in referring one case, unless, it be that there had been such clinching evidence of aggression against the group discriminated against which, going by the evidence on record in the case, it is difficult to hold there was."

He says that others should have been prosecuted and in this particular case, the prosecution failed and the accused were acquitted. In another case, a Communist, who, the judge has found, has been a notorious man in the locality, died. Certain persons were implicated in that case and the Judge after an elaborate enquiry, found that the case was false. He acquitted the accused and he says:

"The inference, therefore, possible to be drawn from the circumstances of the case is that Papachan was murdered by somebody unknown and the responsibility for the murder has been foisted on these people out of political enmity."

(Interruptions)

This is a true copy of the judgment.

SHRI PERATH NARAYANAN NAIR: Have you the A.I.R.?

SHRI K. P. MADHAVAN NAIR: Perhaps, Mr. Narayanan Nair is more conversant with the A.I.R., than myself. He does not give me enough leisure to do that. The other case was made out to be an attempted murder of the P.W.D. Minister. Several important persons in the locality were impleaded and a number of police officers who were not prepared to cook up a false case and bring on record persons who have nothing to do with it, persons holding fairly high status and importance in the locality, were all transferred and the case was charged. Important people were witnesses including the Minister concerned and a very good friend of mine— I do not want to describe him further.

SHRI M. BASAVAPUNNAIAH: What is wrong in it?

SHRI K. P., MADHAVAN NAIR: I may tell you that if I mention his name it will go fundamentally against you. But as I said in the beginning, I do not allow myself to be provoked and I do not want to name my friend to your greatest discomfiture it would be, otherwise.

(Interruptions)

SHRI SHEEL BHADRA YAJEE: Not very near . . .

SHRI K. P. MADHAVAN NAIR: After an elaborate enquiry, the accused were acquitted. There are several strictures against these witnesses. As I said, I do not want to waste the time of the House but I will read only one sentence:

"Even though the prosecution witnesses had ample time to discuss and decide as to what they should tell the police officers and even though the CD. notes were taken under suspicious circumstances it will be seen that prosecution had to develop their case in this court as.

well as in the committing Magistrate's Court."

This is from the judgment and the Judge acquitted all the accused saying "This is a wanton prosecution".

SHRI BHUPESH GUPTA: I believe that for the first time in 12 years, this is where the Judges commented on the conduct of the police.

MR. DEPUTY CHAIRMAN: It is now time. Please wind up.

DR. R. B. GOUR: This shows that we have not interfered with the judiciary.

SHRI K. P. MADHAVAN NAIR: In fact, in fairness to all concerned, I should certainly say that in spite of the Government's best efforts, in spite of all the penalisation they tried to inflict, the judiciary in our State has not been affected. In spite of all the efforts, they have in many cases, withstood firmly. There are several other decisions likewise, but I do not want to cover all of them. So, that is the position regarding law and order. My friend referred to the Public Service Commission and how they wanted appointments to be given only to their people. The good system there has been that even a peon is appointed by the Public Service Commission. Somehow or other they wanted to upset the whole thing. From three or so, they increased the number of members • to five and appointed their party-men there, and thus you find how things : are.

(Time bell rings.) In a few minutes I will wind up.

SHRI H. P. SAKSENA: May I be permitted to put one simple question in one minute? I would ask the hon. friends of the Opposition to say whether this is all a "pack of lies" that Mr. Madhavan Nair has been placing before us?

SHRI BHUPESH GUPTA: AU divine huth!

SHRI B. B. SHARMA: Don't you know that lies are truths to them?

SHRI K. P. MADHAVAN NAIR: I have said nothing wrong. I have only quoted from judgments of responsible officers which according to them are not correct.

AN HON. MEMBER: Rather uncomfortable to them.

SHRI K. P. MADHAVAN NAIR: I said in passing . . .

DR. R. B. GOUR: Why in passing?

SHRI K. P. MADHAVAN NAIR: I did not want to go into details, but you were anxious to know things and I thought I might oblige you.

MR. DEPUTY CHAIRMAN: Mr. Madhavan Nair, you must finish now. •

SHRI K. P. MADHAVAN NAIR: I will, Sir, immediately. One of the reasons why it was difficult to have a democratic and fair election has been the undue inflation of the electoral rolls. For a time I personally was under the impression that they should continue for some time more. But the way in which they were manipulating even the electoral rolls and having this kind of double standards made me revise my opinion.

SHRI PERATH NARAYANAN NAIR: What had Mr. Sukumar Sen to say?

MR. DEPUTY CHAIRMAN: You will have your chance. Please do not interrupt.

SHRI K. P. MADHAVAN NAIR: I will only mention here. . . .

DR. R. B. GOUR: What about the Calcutta electoral rolls?

MR. DEPUTY CHAIRMAN: Order, order.

SHRI K. P. MADHAVAN NAIR: Calcutta will take care of itself.

SHRI B. B. SHARMA: What about the . . .

MR. DEPUTY CHAIRMAN: Mr. Sharma, please do not interrupt.

SHRI K. P. MADHAVAN NAIR: With regard to the electoral rolls, very recently. . .

SHRI N. C. SEKHAR: You had better. . .

MR. DEPUTY CHAIRMAN: Order, order, let him go on.

SHRI K. P. MADHAVAN NAIR: Very recently the Chief Election Commissioner had been there and he made a few checks of the electoral rolls in a few places. He found there has been inordinate nination of the electoral rolls.

DR. R. B. GOUR: In Kottayam also.

SHRI K. P. MADHAVAN NAIR: Not only in Kottayam but in many other places where your people revised the rolls.

MR. DEPUTY CHAIRMAN: This kind of thing cannot go on. Mr. Nair, you may finish your speech.

DR. R. B. GOUR: In Kottayam they had, done it, he admits.

MR. DEPUTY CHAIRMAN: Whatever it be, you will have your chance to reply. Please do not interrupt.

SHRI K. P. MADHAVAN NAIR: On account of their various acts of omission and commission there has been practically no rule of law. There have been double standards in the administration from the top filtering down to the bottom. If things were allowed to continue for any more time, they would have reached a stage when redemption would have been impossible. There-

fore, if the Centre has *now* intervened, I would say that it has taken too much time for them to intervene and that for the simple reason that they wanted to be as fair and as just and to give as much time as possible for them to improve. But unfortunately they did not learn and they will not.

SHRI PERATH NARAYANAN NAIR: Not from you.

SHRI K. P. MADHAVAN NAIR: And it is not possible for them to change, with the result that something has 'now happened, and that is the only way in which there could be peace and there could be any hope of democracy in that State as well as in the rest of India.

Sir, I support the motion.

MR. DEPUTY CHAIRMAN: Dr. Kane.

Du. R. B. GOUR: Sir, before you call Dr. Kane, I would with your permission like to call your attention to something that happened here when you were not in the Chair, and I would like to have your guidance-as to whether that is the right tiling to be done in such cases. Two hon. Members on the other side—Shri Sheel Bhadra Yajee and Shri Rajabhoj, cried "shame, shame" when some Members of this group, as they could not understand Hindi were going away when Shri Ganga Sharan Sinha was speaking. I myself got up and said that no disrespect was involved and as they did not understand Hindi, they would use that time for taking tea or water. But then they called out "Shame, shame". And not only that, they themselves went away when Mr. Nair started speaking, both Mr. Yajee and Mr. Rajabhoj. I do not know whet!' this is the proper thing for the ruling party, for the huge ruling party to do, to characterise lack of knowledge of Hindi as a shameful thing or the going away of these gentlemen ai a shameful act. I seek your guidance, Sir.

SHRI BHUPESH GUPTA: I think those words should be expunged.

MR. DEPUTY CHAIRMAN: I don't know what happened.

DR. R. B. GOUR: Please look into the record. It has gone on record.

MR. DEPUTY CHAIRMAN: Dr. Kane.

SHRI BHUPESH GUPTA: Is it the way to promote Hindi? You will make a mess of that also.

SHRI DEOKINANDAN NARAYAN (Bombay): Why did you not raise this objection when the other gentleman was in the Chair?

AN HON. MEMBER: It is an afterthought.

MR. DEPUTY CHAIRMAN: Order, order. Dr. Kane.

DR. P. V. KANE (Nominated): Mr. Deputy Chairman, my own reaction to the Resolution or rather this motion proposed by the hon. Minister will be given at the end of my speech. But I am going to address myself to the circumstances that brought on the present circumstance, namely, the Proclamation by the President. We have been treated to a down-pour of literature from both sides and I may say frankly that I have not had the time nor the inclination to read much of it. But I have got four documents on which I wish to rely. There is this document here prepared by the Congress itself. The Kerala Pradesh Congress Committee seems to have a publicity department and they have brought out this pamphlet which is about 40 pages and I shall refer to it here and there. The second document I shall refer to is the memorandum that was presented to the President. And then I shall refer to the summary of the report given by the Governor. And, lastly, I shall refer to the speeches of the Home Minister and the Prime Minister. These are the

only things on which I shall rely because we are people from outside who have no first-hand knowledge of things there unlike the hon. Member who preceded me just now and the other hon. Member. They both tried to demolish each other's arguments and I do not know what would have happened if they had been allowed to meet. Probably, I am the oldest man in this House and I am also a nominated Member and as such I belong to no party and I hold brief for nobody. On reading these documents, certain thoughts have come to my mind which I want to express here and ultimately, Sir, as I said, at the end" of my speech I shall give my reaction.

You will remember that we people in India have had no parliamentary or democratic institution for at least 1,500 years. Under the British rule we had no voice in the governance of our own country and we were never allowed to develop democracy or republican institutions. Our Republic is only ten years old or even less and it has given us certain things which never existed before. We have now got a regular, exhaustive, comprehensive, written Constitution. We have adult suffrage and we have the right to hold elections once in every five years or even less as will happen now under this Proclamation. Under the British rule, what were we doing? We had no power. So, we had mass movements, *Satyagraha* and so on. Students and other took the law in their own hands and things of this nature happened. As I said, I am now eighty years old and I have seen the worst of British rule and I have been myself the victim of their police methods, though I was not sent to jail.

SHRI BHUPESH GUPTA: And now you have seen the misrule of the Congress.

DR. P. V. KANE: Unfortunately or fortunately, I have not been to jail. Now, some ten years back

[Dr. P. V. Kane.J Swaraj came or it may be twelve years ago, and I was then nearly 68 years old and I was really overjoyed because in olden days we suffered things which others—who never went to jail—never suffered. But one thing must be clear. We have now a regular Constitution and our endeavour and the endeavour of everyone must be to act within the framework of that Constitution. Formerly, against the foreign government, anything was justified or at least excusable. We wanted to send away the foreign government and we could do anything, among- ourselves and we were most justified. But these may not be justified or excusable now. Our Constitution gives us certain fundamental rights. Briefly and in the present context, they are three. We have the right to the freedom of expression and speech. We have also the right to peacefully assemble and to have meetings etc. to redress our grievances and, thirdly we have the right of elections after five years. I do not find direct action allowed anywhere under our Constitution. The wording used is "peaceful assembly". You can't assemble peacefully and do whatever you like. You have freedom of expression and you can abuse the Government. I think probably ours is a country which has probably the greatest freedom of speech. You can abuse the Government, abuse the Ministers, but all this must be done within the Constitution. We are not allowed to take the law into our own hands. That is the most important thing. Our Republic is young and if you allow these things "to happen, we do not know what will happen to our Constitution and there may be such an occasion when the Constitution is not working. Therefore, I am emphasising this point because in the ultimate analysis. I must say frankly that if the Congress had not joined this agitation, this would not have assumed the magnitude and the proportion that it had as a matter of fact. That is my verdict after reading the whole thing and I shall

try to support it. I do not say that the present action is good or bad; that I may say at the end. We have always been lectured that we should not do things even if the greatest injustice is felt to have been done. Even in such cases we have been advised to follow democratic methods and on that footing I am going to examine what has happened there.

The Congress pamphlet says that there are 32 Malayalam dailies in the State out of which four are owned by the Communist Party. So, the propaganda machine is not in the hands of the Communists. Out of the remaining 28, they say that 26 had demanded the resignation of the Communists Ministry. That is to say, the propaganda machine is more or less entirely controlled by those who are non-Communists. That is the point. Now, how did this propaganda start? We have the Education Act. Something was said about it. I am not examining the Act. Government itself says that the education that we are now giving is bad. We want to improve it. Suppose the Act was bad. It came to the President for his assent. The President felt some difficulty and he referred it to the Supreme Court. The Supreme Court suggested some modifications and with those modifications the Act was passed. It must be remembered that ultimately the Act was approved by the President, the head of the nation. The State that originally passed the Act also made changes in the Act subsequently. If there was something wrong with the Act, the only way open was to get it repealed or to go to the President asking him to revise his opinion. Instead of that, there was a students' agitation on the Education Act as if they are independent men who have a right to do anything. I am not going into some of the other things said about the students but my point is that it does not lie with the Congressmen to say anything against the Education Act. Anybody may say anything but nobody can enter into it*

an agitation which is more or less illegal and unconstitutional. At least Congressmen should not have joined because that would be showing disrespect to the President who is elected by yourselves and who has been given certain powers under the Constitution. My point is that the Congress was wrong in joining the students and others in regard to this agitation over the Education Act.

As regards the agrarian reforms, I find from the very same brochure, namely, the Memorandum presented by the KPCC, on the very first page it is mentioned by them that they had been consistently supporting the agrarian reforms. The Governor in his Report says that the spearhead of the agitation was the Education Act. On the Education Act, they did not oppose the Act wholesale but only a few sections of the Act. As regards the Agrarian Reforms Bill, they say that they have been supporting it. That being so, I wonder why they should have joined the other parties particularly in these two matters. That is an important question which we have to answer and reflect upon. I do not want to waste more time of the House because I am not in the vortex of the problems or the troublesome area but I shall only refer to the statement of the Prime Minister as reported in the Press. I have not got a copy of his speech but shall read a few sentences from the Prime Minister's speech. I am now talking about picketing, picketing of schools, buses and of Government offices. I am not referring to other things but to these in which everybody was concerned. The whole society, the whole of the State, was concerned in sending the boys and girls to schools, in travelling by bus and in going to Government offices. All these three were picketed. Now, let us see what the Prime Minister says. He says "that some Congressmen brought up the question of picketing of schools started by Mr. Mannath Padmana-bhan. He advised them that it was

utterly wrong and that on no account should they participate in it. He further on says that events were happening in Kerala in a way that things could not be maintained by any reasonable advice. He also says that Congressmen were prohibited from picketing schools and, apart from individuals, they did not do so officially. This is a candid admission by the revered Prime Minister but the Congressmen there did take part in what was called token picketing. I have lived in Bombay where there have been so many strikes long before Acts relating to labour were passed. Picketing is never peaceful after a certain number of days. In the beginning it is—then there is no question of the strength—but afterwards when those who want to picket find that their strength is becoming less and less, they resort to violence. That is my experience, rightly or wrongly, and I have passed through it during the last sixty years. I can tell you that picketing is never non-violent except for the first few days and except when the people who organised it are succeeding. The Congressmen themselves, the Prime Minister says, did take part in token picketing. He further on says that none in the Centre approved of Congressmen taking part in direct action. When the matter came up before the party later, he says they were in a difficult situation. They were in a difficult situation because the local Congressmen got entangled themselves, in this token picketing. The Prime Minister is held in great esteem and affection throughout the country and if he had put his foot down, if he had said, "I cannot tolerate any direct action of a picketing kind, particularly by students", I suppose they would have stopped this thing at once. Towards the end of his speech he says that when the matter came up before the Congress Party later, they were in a difficult position. I do not understand what the difficult position was. If he had put his foot down, if he had told the local Congressmen that they would not be allowed to be Congressmen if they pro-

[Dr. P. V. Kane.] ceded against his authority, the matter would have dropped there or at least would have been nipped in the bud or even would not have assumed the proportion that it did. That is my honest conviction. The Prime Minister further on says that the Congress Parliamentary Board in its resolution frankly condemned the picketing of schools and the direct action but that considering the situation—again he harps on that—in the context of the entanglement of the local Congressmen with the movement the party had suggested token participation and a progressive withdrawal from the movement.

The first part is about token picketing. Not only token picketing but non-token picketing also they did. The latter part refers to progressive withdrawal. Later on he himself says that they wanted the Congressmen ultimately to get out of it. I do not know whether they got out of it. Then he goes on to say; this is a long piece but I will take only the relevant passages. Then he says, "I do not know the philosophy of *Satyagraha* that Acharya Kripalani advocated there. I do not know in what circumstances direct action would be justified nor am I prepared to say that there should be no *Satyagraha* at any time." That is what he says. I need not go into that. Later on he says, "There was no *Satyagraha* in that sense." That is, he means in the Gandhian sense; that is mentioned a little above. He says, "There was no *Satyagraha* in that sense in Kerala because I have seldom seen any place so filled with hatred and incipient violence. There was one thick wall of violence and hatred everywhere." Then he says that the Centre had asked the Chief Minister of Kerala what kind of help he expected from the Central Government. We have an article in the Constitution which says that help may be given. We need not go into that. It is said here, "The Chief Minister said, 'we were thinking in terms of moral help, not physi-

cal.'" I think that was the right thing that he emphasized. He said, "you can give us moral support" and that will dissolve the agitation or at least it will become very much less, meaning thereby that you should have condemned this movement much more strongly than you did. That is what the Chief Minister said. "I did not condemn it" that is what the Prime Minister is pleased to say. He did not condemn it. Further on he says, "I did not condemn the expression of people's will." No objection to that, because that is given by the Constitution. The Constitution says you can express your will in any strong terms. That was not the point. The point here was direct action, *Satyagraha* which was violent, not nonviolent, stopping buses and causing inconvenience to people, picketing buses, schools and even Government offices. He further says, "I told them, for Heaven's sake, don't call it *Satyagraha*." That was correct. Then he says, "how can I condemn people's will?" Let it be, but apart from that there was this direct action. Anyway, nobody listened . . .

SHRI DEOKINANDAN NARAYAN: May I know from my hon. friend if he was in favour of direct action in the British days?

DR. P. V. KANE: Certainly, I was. They were foreigners and they had to be driven out.

SHRI DEOKINANDAN NARAYAN: I wanted to know if he was in favour of direct action which was being practised by the Congress at that time.

DR. P. V. KANE: There is a difference between the two. Here it is our own Government. Anyway, I do not want to argue with you. You can speak afterwards.

MR. DEPUTY CHAIRMAN: Order, order. Let him continue.

DR. P. V. KANE: So, nobody listened to him. So, my submission would be that if the Prime Minister had

exerted the great influence he wields over everybody including Congressmen and if he had said particularly to the Congressmen who are in a majority there next after the Communists—you will find from the figures that while the Communists secured 60 seats the Congress secured 42 or 43 seats; I am not quite sure but it is somewhere there and the others got only eight or nine seats; P.S.P. got I think 9 seats and the Muslims got eight seats; I think the independents got five seats; so the Congress was the next big party—if the Prime Minister had exerted his influence . . .

(Time bell rings.)

I shall require another five or ten minutes; otherwise I shall stop. I do not represent any party. If you think that . . .

MR. DEPUTY CHAIRMAN: You can take three or four minutes.

DR. P. V. KANE: What I have been pointing out is, here the Congress High Command failed. That is my point. They are always lecturing to people elsewhere that people must proceed by constitutional methods and there should be no coercion. Now, what is picketing? Picketing is more or less coercion. When there is a dispute between labour and employers and there is picketing, that is a restricted thing. When there is picketing by employees in Bombay, they do not make me act in a particular way. They stop only those who want to work while the majority do not want to work. There it is picketing of a restricted kind. But when you picket schools, when you picket buses, every member of the community is affected. So, this picketing of schools and buses should have been put down with a strong hand, with a strong voice by the Prime Minister and the Home Minister and the great men of the party. I am really distressed by these. My point is if the Congress really want the people to be law-abiding always they must themselves be most law-abiding; they and their followers

who call themselves as followers of Gandhiji. Gandhiji never advocated violence. His followers are following only the *Satyagraha* part of it. But the need to be non-violent, peaceful and loving even your enemies, I think those parts are more or less forgotten. So, that way this whole movement became very vast and naturally it embarrassed the Central Government as well as the local Government. This is one aspect.

I have got to touch on another aspect. Now, everybody realises that students are most undisciplined. Everybody is saying that there is indiscipline among students. Now, what do you think will happen if you encourage students not only to march with torches but also to picket buses, schools etc.? I shall read out only one paragraph from the pamphlet issued by the Publicity Department.

AN. HON. MEMBER: Which Publicity department?

DR. P. V. KANE: Congress Publicity Department. This is what is said about picketing of buses by students. This is on page 26. Those who have got it may read:

"What remains is the picketing of transport buses. Transport picketing has not been adopted as a part of the agitation either of the opposition parties or of the liberation committee. It is the students who are picketing the transport buses."

That is the point. The students picket the buses. Then it goes on:

"We would not say that the students are not doing this. They are also engaged in a State-wide struggle against this unwanted Government."

Now, what will be the age of these students? That is what we have to see. If they are school students they may be less than 17, if they are college students they may be about 20 or 21. I do not know whether they have a four-year course or a three-year course. In any case they will be

[Dr. P. V. Kane.] less than 21. These are the people who do not want the Government. Remember, our Constitution implies that students should not be engaged in such practices. Now, what are the qualifications for being a voter? For being a voter the age limit prescribed in article 326 is 21 years and not 18. Under the Indian Majority Act a young man of 19 or 20 may squander the whole wealth of lakhs of rupees and enter into valid contracts but according to our Constitution he has an immature mind and to elect representatives of the people who are to govern and pass laws, he must not be a man of immature mind. Therefore, they have put down 21 years as the limit. Those who were responsible for the drafting of the Constitution—many of them most eminent lawyers—knew all these and they purposely put down 21 years. Whether it appeals to you or not, it is a different thing but this is what they thought. Of course, peaceful meetings are allowed, whether young or old, but then you cannot go and say particularly if you are below 21 that you do not want this government or that government. How can the students decide that a government that came to power by the votes of voters above 21 years should be unseated? My point is, I am speaking here as a man who is now near-5 P.M. ly 80 years of age and who has not many years to live, eager to see students' indiscipline changed to discipline. I do not like it very much if this conduct goes on. This is what is stated there: "They might have included transport picketing as an item of their programme. But we are certain about one thing. The students are not causing any damage" etc. Who knows, who has taken any census on this point? For some time they may not but later on they may do. Later on it is said: "The students who picket the buses have only one object in view"—remember this is most important—"and that is, nobody should make payment to this Government and travel in their bus-

es". That is, they want to paralyse the Government. That is the underlying idea. As somebody said in Kerala—I do not know who—they wanted to paralyse the Government.

SHRI BHUPESH GUPTA: Mr. P. T. Chacko said it.

DR. V. P. KANE: I read in the papers. There is so much in the papers that it is not possible for an old man like me to keep pace with the names, places and 60 forth. It is difficult to pay sufficient attention to them for an old man like me. So, they wanted to paralyse the Government. We are here faced with this students' indiscipline.

Now, let us turn to the Governor's Report. The Governor refers to it and does not say what is in contemplation. As a summary I have nothing to say about the date. That does not mean very much to me. My stand is not that. My point is what he says about students' indiscipline. If you turn to page 13 where he sums up the evidence against the Kerala Government, he puts on that page one after another heaps of certain items. Let us see what he says about students. That is the most wonderful thing. He says just in the middle of that page: "All non-communist student organisations are participating in the struggle." If it was so in fact, he should have added one word that they should not have done so. That would have been better.

DR. W. S. BARLINGAY: That was not a part of his business.

DR. P. V. KANE: No question of part. Here I am reading from it. That is not the only thing.

DR. W. S. BARLINGAY: He is only stating facts.

DR. P. V. KANE: Very good. Let him state facts. (*Interruptions.*) I am saying that in the beginning you should not allow them to do it. What

is his reply to that? What is your reply, never mind the Governor?

DR. W. S. BARLINGAY: He has only to report.

DR. P. V. KANE: My point is, should you as Congressmen, not as other people but as Congressmen particularly because it is your Government at present and you are the largest party, should you allow students *to* take the law into their own hands and try to unseat a Government elected by the people who have the right to vote when they have no right to vote? Let the Communist Government or any Government come. My point is not that. My point is, you are laying down a very dangerous precedent. Provided you make sufficient noise, provided you make sufficient agitation, everybody will think that a Government can be unseated in a State. That is the point I am driving at. We do not want that. We already had plenty of trouble before we attained independence. We do not want this impression to be carried. You have a large number of papers saying "resign" and four papers of Communists saying "don't resign". Are we going to say that this is a good thing? I do not say that ultimately I will hold that this proposition may be carried this way. That is not the point. The point is . . .

SHRI SONUSING DHANSING PATIL (Bombay): What will you say about those Bombay papers who have lost all sense of decency?

DR. P. V. KANE: I am not dealing with Bombay here. We are dealing here with what has happened in Kerala.

DR. W. S. BARLINGAY: Does he approve of that?

DR. P. V. KANE: Nor do I say that I disapprove.

SHRI P. N. RAJABHOJ: You are from Bombay. Will you explain?

DR. P. V. KANE: I have nothing to do with Bombay at present. I do not want to spend more time than what is absolutely necessary.

The next point is, I have already submitted that as regards the Education Act the President has assented to it after some changes were made in it. The Act was there and the Kerala Government only acted under certain provisions of the Act. The proper method would have been to get that Act changed. After all, what could these people have done? Supposing at the next elections they have been turned out, you could have got the Act changed. That is all. In England the Labour Party did some things by way of nationalisation. The Conservatives came again and did away with some of those things. So, anybody could have done that. What is important is not this tremendous upsurge. That is not the thing. If it were so, our democracy will mean nothing. If it once goes about that way anything done by the State Government or the Central Government, will lose its meaning. If you make sufficient noise, if you create sufficient trouble, if you create a body of students who will picket buses in order that nobody will pay to the Government, who will picket schools—this was the impression that was carried by some people. Here is a pamphlet . . .

MR. DEPUTY CHAIRMAN: It is time you finish.

DR. P. V. KANE: I want five minutes more.

MR. DEPUTY CHAIRMAN: You have already taken ten minutes.

AN. HON. MEMBER: Let him go on. It is quite interesting.

' (Interruptions.)

DR. P. V. KANE: I want only five minutes.

MR. DEPUTY QHAIKMAJN: I have a large list of speakers.

DR. P. V. KANE: Here is a pamphlet of the Kerala Congress Publicity Department containing selections from different newspapers, 27 or 28 newspapers. I will read one sentence to show how the attitude of the men at the top of the Congress organisation was interpreted. I am quoting from a passage in a journal called "Thozhlali"—I do not know how to pronounce it. "Nehru had made it clear even a month ago that he did not like picketing of schools and buses." Then this is the important sentence: "Even then he did not oppose the token picketing¹ of government offices." I do not know whether the Prime Minister accepts this. This appears in the paper and Congress people will be surprised.

MR. DEPUTY CHAIRMAN: You should close now.

DR. P. V. KANE: There is one more sentence on the next page: "Mr. Nehru even while disapproving picketing has tolerated token picketing of offices."

श्री पा० ना० राजभोज : मैं जानना चाहता हूँ कि नानकोआपरेशन के वक्त क्या पिकेटिंग अच्छी लगती थी ?

DR. P. V. KANE: That was against the British Government.

(Interruptions.)

MR. DEPUTY CHAIRMAN: I cannot understand this disturbance.

SHRI B. B. SHARMA: Was it not a fact that even then you opposed it?

MR. DEPUTY CHAIRMAN: Order, order. Mr. Sharma, please don't disturb him. This sort of disturbance should not be made.

DR. P. V. KANE: I hold no brief either for the Communists or for the Congress. My point is that the

Communists did certain things in a hasty and tactless manner. They might have been guilty of certain things. These people know each other well and they will deal with each other. My point is that in the first flush of victory they did certain things. The Congress might have done certain things. I do not want to go into that point. It is said that power corrupts. It was said so by a professor of Oxford. Chanakya said two thousand years ago:

When a man gets "*adhikar*", power, his mind is warped. That is what he said two thousand years ago. The remedy was not to throw them out. What I am at present saying is that the Communist Government might have been guilty of mistakes, they might have been guilty of certain things. They must have been guilty of some thing. There is no doubt about it. But that does not mean that they should do it in that way.

Now, as regards this particular motion, about the application of article 356 of the Constitution and the Proclamation, look at the wording. Ordinarily, if you say that you are guided by the Constitution, then we have no alternative but to accept it. The wording is that the President has to be satisfied on a report of the Governor or even otherwise that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution. The President may issue a Proclamation in that case. My point is, there it is not in his discretion or anything like that. Simply his mind has to be satisfied and that may be satisfied not necessarily by a report; otherwise also it can be done. That is the Constitution. The President's mind is known only to the President. Therefore, my point is we have left with no alternative but to accept this motion. All that I said is by way of caution against the impression that will be created.

(Interruptions.)

MR. DEPUTY CHAIKMAN: Order, order.

SHRI BHUPESH GUPTA: We have to be satisfied.

SHRI B. SHIVA RAO (Mysore): Mr. Deputy Chairman, Sir, at this stage of the debate when so much has been said in support of the motion made by the Home Minister this morning, and really speaking, so little against it—I know my hon. friend opposite made an hour-long speech, though I did not see much that was relevant in that speech—I find that there is not much one can say along the lines the debate has followed so far. The motion before the House for the endorsement of the President's Proclamation, I have no doubt, will be carried by an overwhelming majority tomorrow. But it seems to me that implicit in this formal motion which has to be placed before Parliament under one of the provisions of the Constitution is a real issue concerning the future, and that issue is, how shall we—both Government and Parliament—deal with a situation which arose recently in Kerala, should one arise in any other State in future? Sir, as I listened to the last speaker, I shared with him some of the misgivings he expressed in regard to resort to direct action. Although I am speaking from these Benches, I have from the beginning of this crisis in Kerala striven honestly to take an objective and impartial view of the whole situation. When the movement first started, I addressed a public appeal to my friends in a portion of Kerala—the northern-most portion of that State—which at the time of the States reorganisation was most unfairly and wrongly transferred from my home district to Kerala. I made a public appeal through a Kannada paper in my home district asking my friends not to support that direct action movement, because I took the view then—and I still take that view—that in a free Constitution like ours based on adult-

franchise, there should be no room for direct action. After all, we have pledged ourselves to the principle of the supremacy of the ballot box and from that principle we should not deviate, whatever the circumstances may be. Having said that, I must also say that I have read all the literature that has been supplied to us, the various pamphlets that have been sent to us and also the summary of the Governor's Report. Because I come from a district which is on the borders of Kerala—and I know Kerala intimately well—in taking part in this debate, I feel you will never get a real picture of the situation that has developed in that State unless you have spent at least a few days in some part of Kerala while the Communist Party was in power. Sir, I had that experience about ten months ago when I visited what was once part of my constituency when I was a member of the Lok Sabha, and I saw for myself the abject terror in which the population of that part of Kerala lived. No one can realise, unless he has had that experience, what it means to the ordinary person if he is denied police protection when he is waylaid and robbed of whatever he has. Life and property in that part of the State—and in every other part of the State—have not been secure except for those who supported the Communist Ministry or who were members of the Communist Party. Sir, it is difficult in a debate like this to bring to the House a vivid appreciation of the atmosphere that has prevailed in Kerala and without it, I say, it is not possible to take any real part in this debate. After having visited that part of Kerala towards the end of last year, I brought all the facts to the notice of the Prime Minister and the Home Minister, and I regret to say that no action was taken. No action was taken until recently when the Central Government felt compelled to intervene because the people of Kerala felt, after having gone through that experience for 28 months, that they had no other course left to

[Shri B. Shiva Rao.] them except to resort to direct action. I regret as much as the speaker does, that this development should have taken place and I believe if I may borrow the language of the President of the Congress, that the Central Government's intervention was long overdue in Kerala. As I listened to the Minister of Home Affairs when he moved the motion this morning, I felt the whole of that speech was a powerful plea in favour of Central intervention. Only it should have taken place a year or eighteen months ago, and not only a few weeks ago.

Sir, I want to give the House a very brief account of the manner in which the Communist Ministry has carried on its administration. I have had my direct sources of information from that part of Kerala which was once part of my constituency and a part of my district. There have been cell courts which have been functioning and here I hold a photostat copy of an order passed by one of the cell courts known as the Raitha Sangha which means Tenants' Association.

DR. A. SUBBA RAO: What does it mean?

SHRI B. SHIVA RAO: All the members of that association are either members of the Communist Party or are supporters of the Communists.

DR. A. SUBBA RAO: You are completely wrong in it.

SHRI B. SHIVA RAO: My hon. friend will have his own chance to speak. I did not interrupt any one of them when they were speaking.

Sir, it is an order in Kannada, and translated, it runs something like this. This is addressed to two Muslim landlords of Moodambail village in Kasar-god Taluk.

DR. W. S. BARLINGAY: By whom?

SHRI B. SHIVA RAO: This is an order passed by the cell court known as the Raitha Sangha, members of

which are either Communists or supporters of the Communist Party.

It reads:

"You are informed that some members of the Committee of our Sangha had gone and seen the plot belonging to you both and regarding which there is a dispute between yourselves and Korikodiya Sub-banna Rai. On enquiry, we found that you were not there. You are summoned to appear before the-Committee . . ."

These two landlords did not appear.

"On enquiry we found that you were not there and therefore we decided to postpone the consideration of the dispute to a future date. Meanwhile, both parties shall not trespass on the plot and neither side shall effect any improvement thereon. The Committee may meet immediately to decide the dispute."

DR. A. SUBBA RAO: Does the hon. Member . . .

MR. DEPUTY CHAIRMAN: Order, order.

DR. A. SUBBA RAO: One thing . . .

MR. DEPUTY CHAIRMAN: Order, order. Please sit down.

DIWAN CHAMAN LALL: Mr. Deputy Chairman, may I, on a point of order, draw your attention to rule 197(9) on page 103 of the Manual which says—

"A member shall not obstruct proceedings, hiss or interrupt and avoid making running commentaries when speeches are being made in the Council."

If the hon. Member chooses to give way, an hon. Member is within his rights to interrupt, and if he does not choose to give way, then he cannot interrupt. Unless the Member yields you cannot stand up and interrupt.

MR. DEPUTY CHAIRMAN: I cannot allow these things. It is all right if the hon. Member yields.- Otherwise, I will have to take serious notice if such things are repeated.

DR. R. B. GOUR: Sir, you did not take such a serious view when another hon. Member interrupted from that side.

MR. DEPUTY CHAIRMAN: It is meant as much to the other side as to your side.

DR. R. B. GOUR: But you were not so serious . . .

SHRI B. SHIVA RAO: I thank my friend, Diwan Chaman Lall, for his helpful intervention, but he and I know our Communist friends for the last thirty years, if not more, and nothing hurts them more than truth.

Sir, this order which I read out, is a typical one passed by Communist cells in that Taluk, and probably elsewhere. These Sanghas, so-called, consist of day labourers, unemployed people in the villages and some rowdies. These cell courts threaten the villagers who are made to believe that everything that they do is being sanctioned by the Communist Ministry in accordance with the wishes of the Communist Party. And there are many instances in that region, Sir,—I take this from a report which I received only two weeks ago, there are many instances in which when any agitation is carried on by a Communist resulting even in a petty injury to a Communist, Communist M.Ps, visit the place and threaten the police by making speeches and getting them transferred in some cases. Members of the Raitha Sangha assert that even if they are parties to any civil litigation, they will not receive court notices without the sanction of their president.

Sir, I was under the impression that perhaps these were exceptional cases in isolated parts of Kerala. This, particular region to which I am

referring is the northern-most part of Kerala, far removed from Trivandrum. But to my regret I found ample confirmation for this, that it is a general phenomenon in the whole of that State, from the summary of the Governor's Report. I will not read much of it because my hon. friend, Mr. Madhavan Nair, has already referred to the Governor's Report in some detail. I would only say this, Sir, that the Governor has said in his Report—

"that the Government (that is, the Communist Government of Kerala) was really putting a premium on violence as long as it related to members of their own party or their sympathisers."

And in another part of the Report it is stated:

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"A general feeling of insecurity grew among non-Communists when it was found that "double standards" were being adopted in the implementation of all policies."

* * * *

"The demoralisation of services, especially the police, began with the enunciation of the new police policy by the Chief Minister."

Not only Communist leaders but even Ministers, according to the Governor, "constantly spoke about the 'anti-people' conduct of police officers."

Sir, I will not deal with other aspects of the situation, as it has developed, because they have already been dealt with by two of my predecessors. But I would like to refer now to certain inherent weaknesses in our Constitution which, to my mind, are responsible for some of the developments which have taken place in Kerala. The first point that I would like to make is that the Governor in a State— I regret to have to say this—the Governor in a State under the present ; Constitution, as it has been worked,

[Shri B. Shiva Rao.] is not much more than a glorified figurehead. I remember, Sir, that one Governor had said to me: I cannot ask for a file or a paper unless the Chief Minister of the State is pleased to send it on to me; I have to make periodical reports to the Centre, but without authentic information I fall back upon newspaper clippings.

Another Governor had said to me— he is no longer alive—Can you imagine my humiliation when I see the announcement of a session of the Legislature first in the 'Times of India' before the Ministry passes on that information to me? And that was in a Congress Ministry.

One lesson, Sir, which I think we should draw from the developments in Kerala is that the Governors in the States should have some of the status and the powers that they enjoyed in the old days restored to them. The Governor, it seems to me, can play a very useful part in the development of the Constitution by being a kind of balancing force; he can advise the Ministry, restrain it if it is going too far, and in the last resort, he can make a frank and objective report to the Centre. It is not the case under the existing circumstances, and it is because the Governor of a State has been reduced to that position that this dangerous tilt occurred in a State like Kerala. I would therefore suggest, Sir, to the Home Minister here that while, no doubt, we shall pass this motion tomorrow, for the future I would like the Home Ministry, in fact the whole Government, to consider whether we cannot by means of a convention, if not by a constitutional amendment, whether by a convention we cannot restore to the Governors some of their status and some of their prestige.

Sir, in the course of the debate it was suggested that the Central Government waited all these months to intervene in Kerala, because it did not

want its own position to be misunderstood, especially as it was dealing with a Communist Ministry. But that, it seems to me, with all respect to the Minister for Home Affairs, is a somewhat vulnerable position to take up, because the primary duty of the Central Government is the protection of the life and property of the people in the country, not the fear of being misunderstood by any particular Ministry and I regret more than I can say that the people of Kerala, in lakhs, all though the State, should have been driven to this dangerous course of action through despair and frustration. And here again, I would like to say, is an inherent weakness in our Constitution. When our Constitution was being first framed, in the first draft which was circulated to Members of the Constituent Assembly, it was suggested that the President's powers should be divided into two categories; one, for the discharge of which the President would rely on the advice of his Cabinet of the day, and the other, which was put into the category of special responsibilities, in which was mentioned particularly the threat of a breakdown of law and order in any State; in regard to the discharge of his special responsibilities it was suggested in the first draft of our Constitution that the President should have the advice of a Council of State. The Council of State, framed more or less on the lines of the Privy Council in Irish Free State, would have consisted of the Prime Minister of the day, the Chief Justice of the Supreme Court, the Attorney General, the Vice-President, the Speaker of the Lower House and every ex-Chief Justice of the Supreme Court. I will make a brief quotation from the note drawn up by the Constitutional Adviser when he circulated the first Draft. It says:

"These provisions have been adopted from the Irish Constitution. As already pointed out, the Council of State is a sort of Privy Council whose advice shall be available to the President whenever he chooses to obtain it in all matters of national importance in which he is

required to act in his discretion. An institution of this kind may be useful in India for various purposes."

It seems to me that had that provision found a place in the Constitution, as finally adopted, we would have today a Council of State. We may call it by any other name because this House is called the Council of States and it might lead to some confusion. Whatever name you may give to it, like the one in the Irish Free State, we would have a body of eminent persons belonging to *no* particular party, but with strong judicial element, which the President would have consulted before taking action of the kind he has done in regard to Kerala. Sir, a Constitutional amendment of this kind is certainly impracticable, but I would respectfully put it to the Government that nothing can prevent the President and the Prime Minister from coming to a mutual agreement whereby such a Board of Advisers can be formed with the Prime Minister, the Home Minister, the Vice-President, the Speaker of the Lok Sabha, the Chief Justice of the Supreme Court and the Attorney-General to advise him in regard to all representations whether they come from Kerala or from West Bengal or from any other State. It seems to me that if the President, after consultation with such an eminent body, comes to a decision, the whole country would accept it as having been guided on the merits of the case and not influenced by any partisan point of view.

Sir, I do not want to take more time because there are many more speakers to come after me. But there is only one suggestion I would like to make to the Government before I sit down.

There is, at the present moment, dealing with Kashmir, a separate Secretary for Kashmir Affairs who is attached either to the Home Ministry or to the External Affairs Ministry. I would like to suggest to the Minister

for Home Affairs that this suggestion should also be considered in regard to Kerala. I would like to see at the Centre, attached either to the Prime Minister's Secretariat or to the Home Ministry, a Special Secretary who will deal entirely with Kerala affairs so that there may be no avoidable delay in the dispatch of business so long as Parliament has to deal with the affairs of Kerala.

SHRI JASWANT SINGH (Rajasthan): Mr. Deputy Chairman, Sir, the Home Minister has come before this House to seek approval to the Proclamation of the President in regard to Kerala. Sir, this is an ordinary provision of the Constitution and under certain circumstances such things have happened and might happen again. This is not the first time that intervention by the Centre has come in the States. As far as I can remember, there have been four interventions after we attained independence. There is the case of Punjab; there is the case of Kerala when the Congress Ministry was there; at one time there was intervention in Rajasthan also in 1950; and an intervention in the case of a non-Congress Ministry in PEPSU.

Sir, when such interventions took place we find that there was not so much fuss or so keen interest evinced in the country and outside the country also. Therefore, we will have to apply our mind to find out the speciality about Kerala that the Proclamation of the President has evoked so much interest all over.

Sir, at this late date the Proclamation has been promulgated by the President in Kerala. We have heard debates in the other House. I have read every speech that was made in that House. Here too, from the very beginning, I have been very attentively listening to the speeches made in the House. I would submit that there have been certain discriminations in matters of intervention, and I would be very pleased if the hon. Home Minister, when he replies,

[Shri Jaswant Singh.] throws some light as to the reasons for these discriminations from time to time.

Sir, as far as Punjab, Rajasthan anti Kerala are concerned, I would call it only a family quarrel. Naughty boys were made to sit on the carpet and spanked. Afterwards they were promoted to the posts of Governors or brought to the Centre and something like that. But, in this particular case I do not know what is going to happen to the Chief Minister and the other Ministers.

We have been told by the Government that the delay in taking action in Kerala took place because it was a non-Congress Ministry. Sir, I would like to remind the House that in PEPSU also there was a non-Congress Ministry when the Centre took over there as soon as they found that there was misrule. Therefore, while dealing with Kerala we have to examine the whole position from a non-partisan angle and in a dispassionate manner.

From the speeches made in the Lok Sabha and here, what do we find? We find two blocs arrayed against each other. Each side put up before the Houses a catalogue of misdeeds and sins and acts of omissions and commissions of the other side. Therefore, the whole issue has become befogged. So, in order to come to the real situation we will have to examine the whole issue in a non-partisan spirit and in a dispassionate manner. Sir, if the Government had taken action against the Kerala Government immediately, there would have been no objection at all. As has often been stated in this House, they were doing certain horrible things for a very long time, and even the Governor has mentioned those things in his summary report. If action had been taken immediately, there would have been no objection, because it would have been according to the provisions of the Constitution and we would have lent our wholehearted support to the Government in regard to that matter. But

why have the Government delayed their action for so long? And, Sir, the justification that has been given by the Home Minister in his opening speech and also by the Home Minister in the other House in his opening speech as well as in his reply to the debate is not at all convincing. We know that our Government is very brave. It is not afraid of anybody. It could easily have taken action against the Communists. We have already lost our friendship with China, and at the most probably we would not have cared for our friendship with the U.S.S.R, if it had taken the side of our Communists, because our Government is so strong that it does not care for the strength of any nation. But then what was the matter? The Communists were doing such horrible things and we were going through that trial in Kerala for all those 28 months. And the Government was sitting idle for all this time. It seems that the Government has failed in its duty towards the people of Kerala. Now it comes forward at this stage to seek the approval of Parliament for this Proclamation. Of course, it would get the support of this House, as it has of the other House, because it is in a majority. But no credit can be given to the Government for the delay which has taken place and for the manner in which it has made a mess of the whole thing.

Sir, we all know that these political parties have got their own ideologies. There is the Congress Party which has got its own ideology. Then there is the Communist Party which has also got its own ideology. When the Communist Party assumed power in Kerala, did the Congress expect that the Communist Party would oblige it by carrying out the Congress ideology? In that case, Sir, they would not have been the members of a different political party at all. Our Communist friends have got their own ideology to which they are devoted. They have a mission of their own to fulfil -that ideology. Therefore, Sir, to every thinking man it was quite clear that

when the Communists assumed power there, they would have only their own programme. Just now, Sir, one hon. friend mentioned that when the Labour Party was in power in the United Kingdom, they had nationalised many things, but when the Conservatives came back into power, they denationalised many things. So, it was quite clear to every thinking man that the Communist Government in Kerala would advance only the cause of their own party. And moreover, Sir, they had full justification for doing so just as the Congress has full justification for furthering its own programmes.

Sir, I would submit that man by nature is fond of power. After independence, Sir, power was inherited in this country by the Congress. (*Interruption*). Well, my hon. friend says that it was inherited by the people but snatched away by the Congress. I do not know which thing is true.

DR. ANUP SINGH (Punjab): Both are true.

SHRI JASWANT SINGH: My friend says that both are true. Let both be true. But in any case, Sir, power was with the Congress for so many years, and we can well realise how painful it was for the Congress to have been dislodged by the Communist Party there. But, Sir, we have to go deep and find out as to why this thing happened. This thing happened because the Congress Government there did the same thing which the Communist Government did or which the Communist Government is alleged to have done during the last 28 months of its rule. If the Congress had done its duty towards the people there, if it had done justice to the people there and if it had been fair to the people there and had been mindful of its duty, then certainly, Sir, with the backing of the Centre and with lakhs and lakhs of rupees at its disposal, and with people like Mundhras prepared to oblige it—from my part of the country—there could not have been the slightest doubt that the

Congress would not have been dislodged in Kerala. But it was dislodged because of its own acts of omission and commission and it was responsible for all those things that are now happening in Kerala.

As my friend, Dr. Kane, pointed out that he did not hold any brief on behalf of the Communists, I also beg to submit that I hold no brief on their behalf. I am very far-off from their ideology. And if they come into power, people like me would be the worst sufferers. That thing I know perfectly well, because our ideologies are so different. I am much nearer the Congress than our Communist friends. But if we have to see things in fairness, then I am afraid people like me cannot lend their support when the Congress wants our approval at this late hour for this Proclamation.

SHRI B. B. SHARMA: May I know whether he would have supported it if it had come ten months back?

SHRI JASWANT SINGH: Certainly yes. But if you want us to join your sins, I am not prepared to do that. Now, Sir, we have been told by our friends how bad and dangerous the Communists are. The crux of their speeches all through has been that they are very dangerous people, they are very bad people and they do not deserve to rule lest they should utilise these democratic processes in order to destroy our democracy. That is the crux of their speeches.

SHRI H. P. SAKSENA: And hence support the Proclamation.

SHRI JASWANT SINGH: That way, you can as well ask me to support your sins. If our Communist friends are so bad and so dangerous as our Congress friends are saying, then I would be with them if they outlaw the Communists. There are countries in this world which do not care for the Communist Party and which have outlawed the Communists. Similarly,

[Shri Jaswant Singh.] Sir, in certain other countries—Communist countries—they have outlawed the other parties. And there is nothing wrong in it.

SHRI AKBAR ALI KHAN (Andhra Pradesh): But it is against the fundamental principles of democracy and of decency. You can outlaw only dacoits.

SHRI JASWANT SINGH: Sir, if I had got enough time at my disposal, I would have replied to all those things. My friend knows it that the Congress Party has violated certain fundamental rights of the people to a very great extent. That thing can be proved. And I am sure that before he joined the Congress, he was also of the same opinion. Anyway, Mr. Deputy Chairman, you will bear me out that during the last four years I have never interrupted any hon. Member and I have never opened my lips. I would, therefore, request that I may be given a little time to speak in my own way.

MR. DEPUTY CHAIRMAN: Let there be no interruptions.

SHRI JASWANT SINGH: Therefore it will be quite fair that if the Communist friends are so dangerous that they do not deserve to rule, then certainly outlaw them and every sensible man will be with the Government but what have we seen? We have seen that as soon as the Communist Party took the reins of the Kerala Government in their hands, the Congress organisation as such got perturbed. Charges began to be framed and if we see closely the charges framed soon after the Ministry came to power, they are more or less the same charge? which now, after 28 months, are framed and circulated to the general public.

AN HON. MEMBER: They are confirmed.

SHRI JASWANT SINGH: It is, therefore, very difficult to understand the

position they are taking that the time has come for the President to take over the Kerala State in his hands. It should have been done then and there. There also, as my friend here was saying just now, we respect the fundamental rights and therefore we do not outlaw the Communists. It is very kind of him and I am sure the Communist friends are very grateful to him also for this little consideration that he is paying to them otherwise I would certainly join the Government in outlawing them provided they are as dangerous and as bad as the Congress depicts them to be.

SHRI M. BASAVAPUNNAIAH: That is again what they depict.

SHRI JASWANT SINGH: Therefore, before this action was taken, was it not incumbent on the Government of India that they should have taken other necessary constitutional action in the matter? They could easily have brought a no-confidence motion against the Ministry and turned them out. They could have done it. As my friend said—I do not remember who the hon. Member was but one friend from this side stated—that either the President of the Congress or the General Secretary of the Congress had actually gone to Kerala to buy over the independents or other members but he failed. There is no dearth of money with them. They could have given and anybody would have fallen a prey to the temptation if Rs. 10 or 15 lakhs were given to 3 or 4, Members and they could have been bought over and thus the Ministry could have been thrown out. But it must be said that the Members of the Congress Party may probably fall a prey to this temptation; but Communists are the people with some mission, they are devoted people and probably that is why they could not be tempted by this offer but in my case, publicly at least they could have made some show by bringing a no-confidence motion against the Government in Kerala. If they had done that at least, then people like me—

would be satisfied that the Government had done one constitutional art. If this was not done and the Communists were running amuck and -were doing all sorts of things in Keraia all round, certainly some discussions could have been held with the Mmis-try. They could have been called up to the Centre and asked: 'Why are you doing these things?'

Here in regard to the charge-sheet which was supposed to have been given by the K.P.C.C. against the Communist Ministry, there was an argument between the Law Minister and our friends this side and the Law Minister says that the charge-sheet was given and these people say that it was not given. As an independent man I would like to know what is the fact, and I will be happy if the letter, with which the charge-sheet was forwarded to the Kerala Ministry, is placed before the House or shown to us privately that under that letter the charge-sheet was forwarded. If it was not forwarded and if in a friendly way it was shown, then I cannot say that it was officially given to the Ministry. Therefore, at this stage to take a drastic action against them in this manner is certainly not fair and I would go to the extent of saying that it is even unconstitutional.

Sir, Dr. Kane, in his own characteristic manner, stated as to whether the Congress was justified in associating itself in the direct action. We know that all the parties joined together, all the anti-Communists joined together, in ousting the Communist Government. They did not do any of the constitutional acts which it was incumbent on them to do but now when we are a free people, when there is 2 constitutionally and legally formed Government in any State or at the Centre, was direct action justified? I would like to know whether the Congress Party as such, which is the strongest and the biggest political party in the country and which is ruling at the Centre, should have been a party to a direct action in oust |

a Government of a federating unit of this country. Not only that. But it » is a matter of regret and a tragedy of the worst kind that the Congress took the leading part in the direct action, throwing all canons of democracy and morality to the winds. In this connection I would say. . .

DR. W. S. BARLING AY: Did they take part in any violence?

SHRI PERATH NARAYANAN NAIR:
Oh Yes.

(Interruptions.)

SHRI JASWANT SINGH: I would go to the extent of saying that in this direct action not only the Congress organisation was involved but the Congress Government was patiently looking at the events taking place and they never condemned it. Therefore, it could be said that the Central Government which was in the place of a father—because we have a federation where the Centre is the father and the federating units are the children—was watching the son being murdered and they had a hand in it. Therefore, there cannot be any worse condemnation of the Congress Government than in regard to their taking part in the direct action. The worst thing is this that they took part in the Deliverance Day when it was observed by the Opposition. Have they forgotten the Muslim League action of observing a Deliverance Day against the Congress Governments? I realise that political memories are very short but I never realized that the bitter experience that the country had when our motherland was cut into two pieces as a result of the Deliverance Day, would have been forgotten so easily. Very significantly on this question of deliverance, a paper says:

"The decision of the Kerala Congress to observe June 2 as 'Deliverance Day'—a prelude to its aggressive agitation to overthrow the Communist Ministry in the State—has all the marks of the 'Deliverance Day' staged by the Muslim League prior to Partition.

[Shri Jaswant Singh.]

The ghastly tragedy that followed the League's 'Deliverance Day' is now a matter of horror-laden history. Yet today Congress, which should have learnt the lesson has ganged up with the very same Muslim League and other parties in Kerala to stage another 'Deliverance Day'."

DR. W. S. BARLINGAY: Please tell us whether there was any case of violence.

SHRI JASWANT SINGH: Excuse me. Two friends went to 6 P.M. hear a Ramayana recital and after hearing it for the whole night, next morning one of them asked the other, "What is Sita's relationship to Rama?" Similarly my hon. friend here, after having heard the whole day from twelve o'clock up to six in the evening, the horrors and other things that had taken place there from hon. Members here, now asks me at this late hour as to what has happened in Kerala.

DR. W. S. BARLINGAY: I never asked that.

SHRI JASWANT SINGH: So I had better not reply him.

DR. W. S. BARLINGAY: HorroTS perpetrated by whom?

SHRI JASWANT SINGH: Sir, the . . .

MR. DEPUTY CHAIRMAN: There are a large number of Members to speak and I would like you to finish your speech today.

SHRI JASWANT SINGH: We have got one hour, Sir.

MR. DEPUTY CHAIRMAN: No.

SHRI JASWANT SINGH: Our group has got one hour.

MR. DEPUTY CHAIRMAN: No, you have got 30 minutes and you have already taken twenty-seven minutes.

SHRI JASWANT SINGH: I will take another ten minutes and the other friends will take the rest.

MR. DEPUTY CHAIRMAN: But I would like you to finish your speech today. Many more want to speak and so please take another two or three minutes and finish the speech.

SHRI JASWANT SINGH: It is our responsibility and we will divide our time. . .

MR. DEPUTY CHAIRMAN: No no. Tomorrow we have to close the debate at four o'clock and you have only three hours. The Prime Minister and the Home Minister are also to speak. Even now I do not know if sufficient time will be available to the Opposition Members.

SHRI JASWANT SINGH: I agree, Sir, and I am prepared to obey your order. I am always ready to do so and I will not trespass the time even by a minute. But the point is we have been given one hour and. . .

MR. DEPUTY CHAIRMAN: Not one hour, but only forty minutes.

SHRI JASWANT SINGH: No, it is one hour, I understand.

MR. DEPUTY CHAIRMAN: No, I have got the list here. The Democratic Group has 40 minutes.

SHRI JASWANT SINGH: Only forty minutes?

MR. DEPUTY CHAIRMAN: Yes.

SHRI JASWANT SINGH: If that is the position, I shall end my speech in another five minutes, Sir.

Having brought about this situation for which the entire responsibility rests on the shoulders of the Congress Government they come out with the statement that the policy of the Communist Government had raised walls

of hatred which had rent the people of the State into two irreconcilable camps and that this intervention has thus become inevitable. And now the approval of Parliament is sought. This artificially created crisis in Kerala became the focus of international attention also. The issue at stake is not so much the fall of the Communist Government in Kerala as the fall of parliamentary democracy to which India is wedded. And then we have been told that there has been a genuine upsurge in Kerala. The Prime Minister said so and the Home Minister also said so here that there was an unprecedented upsurge. I would like to know whether the upsurge in Bombay after the decision of the States Reorganisation Commission was anything less than that. And similarly, what has happened in the Punjab to the Hindi Samiti people particularly and what about the incident in Feroz-pore Jail? My hon. friend was speaking about the horrors in Kerala.

DR. W. S. BARLINGAY: I have said nothing.

SHRI JASWANT SINGH: I would like to know from my hon. friend whether in any country, in even the most dictatorial country, sick people, people in the bath-rooms, people dining, prisoners in jail could be beaten in hundreds and most ruthlessly. And some people were even killed.

SHRI PERATH NARAYANAN NAIR: In Salem Jail it happened.

SHRI JASWANT SINGH: And the enquiry says that it was a heinous crime that they had committed. And what action have they taken against the Government of Punjab? Sir, I will finish just now. Our Constitution is of the federal type with a Centre and federating States and it is the duty of the Centre to intervene for the protection of a legally constituted State Government, whatever party might have formed that State Government. But what has happened here? The Centre has intervened, not

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for the protection of the State Government but to give protection to the law-breakers, to the rebels against the legally constituted Government there." Sir, I just could not understand the thesis that the hon. Home Minister was propounding this morning and he was speaking so highly of the action that his Government had taken. I want to know whether the Centre went to the rescue of the legally constituted Government of Kerala or to the rescue of the rebels and the lawbreakers? What have they done in Kerala? If they argue that whatever they alone say is correct, then of course, there is no use arguing with them. But with regard to this matter, Sir, if public opinion can be any guide to the correct position, we must admit that never before was such feeling roused both in this country and outside. Sir, I have not got the time for me to elaborate this point and I shall end my speech in a minute or two. I will end by saying that we may take the opinion of the biggest people. No bigger Congressman or no wiser man can be found in India than Shri Rajagopalachari.

AN HON. MEMBER: He is no longer a congressman.

' SHRI JASWANT SINGH: But has all wisdom departed from the Congress since he* left the Congress? May be, I don't know. But the Congress has not produced a bigger man than Shri Rajagopalachari, next to Gandhiji. What has he said?

(Interruption)

I am glad my hon. friend over there says that since he left the Congress all wisdom has also left. Then what does Dr. Subbarayan who is a veteran Congressman, say about this agitation? And then one of the greatest judges—Shri Patanjali Sastri—who held the highest legal position, what did he say about it? Take the consensus of opinion of the biggest papers—I am not talking about the Kerala papers—the papers in the country, what did they say when this decision of the Congress to take

[Shri Jaswant Singh.] part in direct action was taken? What was the consensus of opinion of the press in the country"; They in unequivocal terms have condemned the action of the Government.

Sir, in the end I will end my speech by saying that it was a really tragic event in the history of India when the Communist thought it best to dislodge the Congress. The country would have been saved a great deal of worries if they had minded their own business and let the Congress run the Government in any manner they liked. Having dislodged them, all these calamities not on the people of Kerala alone but on the whole country has befallen; this tragedy has happened. Therefore, at least for this reason I do not appreciate the steps taken by our Communist

irienas m dislodging

great organi-
sation and thus involving us all in this affair.

MR. DEPUTY CHAIRMAN: I have to make an announcement.

On the conclusion of the debate on the Kerala Proclamation tomorrow, the House will take up for consideration and passing the International Monetary Fund and Bank (Amendment) Bill, 1959.

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

The House then adjourned at ten minutes past six of the clock till eleven of the clock on Tuesday the 25th August, 1959.