RESOLUTION REGARDING PROCLAMATION ISSUED BY THE PRESIDENT IN RELATION TO KERALA—*continued*

THE PRIME MINISTER AND MINISTER OF EXTERNAL AFFAIRS (SHRI JAWAHARLAL NEHRU) : Mr, Chairman, I did not have the good fortune to be present here yesterday for the greater part of the time when this debate was going on. But I atoned for this by going through almost the entire record in the small hours of last night, the record of yesterday's debate. Reading it and knowing what has been said on this subject elsewhere in the press all over the country during the last three or four weeks, I wondered if I could take any profitable part in this discussion because almost every aspect of it has been thrashed out. Nevertheless, since you had been pleased to announce that I will speak here today, I have to perform that duty.

Now, in the course of the discussions that have gone on over this matter—over the President's Proclamation—a great deal has been said which, though interesting, though perhaps important in its own context, had lit'le to do directly with this matter. The first question that arises is—perhaps a legal one—is there anything unconstitutional about this? I am not going to deal with that partly because better lawyers than I am have dealt with it, and partly because I do not really see how that question arises.

Much has been said. Words have been thrown about about the unconstitutional character of what haj been done. The first thing to remember is th^t this i_s the essence of the Constitution, I mean what has been done. It. is from the Constitution, in the Constitution and with the help of the Constitution. In following the Constitution this has been done.

SHRI BHTJPESH GUPTA (West Bengal): And against the Constitution.

SHRI JAWAHARLAL NEHRU: This repeated reference to Section 356, hon. Member opposite seems to forget— that is an Article of the Constitution. It docs not come out of the stratosphere. Therefore, what has been done—whether it is. right or wrong is another matter, whether it is desirable or not is another matter—is wholly and absolutely constitutional. And as it happens, if the matter went to a court of law, inevitably that would be the decision. Nobody can challenge it.

SHRI BHUPESH GUPTA; How do you know that?

SHRI JAWAHARLAL NEHRU: That is the Constitutional aspect. That is one thing.

Secondly, when this action was taken, that is, the President's Proclamation was issued, was it justified at the time it was issued? I say this because most of the time we have discussed the distant past—I mean a year or two previously—and it is right that we discussed it here. I am not challenging it. Nevertheless, the point is: Was the President's Proclamation justified by the. situation? The situation before us is not one point, one day or one hour. The situation itself covers a period, the best part— may be the whole period,—of two years and some months. But unfortunately, one has to consider whether it was justified.

Now, I venture to say that whatever opinions people might have about various aspects of this past history, leading up to this Proclamation, nobody—I say so with respect—nobody really in his heart of hearts can feel or can say that this was, not justified or this should not have taken place at the time it took place. I have no doubt about it. A situation had arisen when it is recognised by, if not everybody, but almost everybody, that this had to be done.

[Shri Jawaharlal Nehru.]

Then oiher aspects come up—how did that situation arise? It is interesting and important—although they do not actually deal with* this present Resolution, which is a justified constitutional act, is something that is justified and done on behalf of the President. There the matter ends in the narrow interpretation of this Resolution which is before this House. But I am not saying that other aspects are beyond the ken of this House or beyond discussion. I think they are important. I am glad those aspects have been discussed. But I do say, do lay stress again, Sir, that what has actually been done was inevitable and unavoidable and desirable, and there was no way out of it. That is quite clear.

Now, when we go back into the past history of this agitation that arose some weeks before Ibis Proclamation —agitation against the then government of Kerala—when we go back into what the Kerala Government did in the past two and a quarter years or thereabouts, how all that arose, that shows that the agitation was justifiable. Whether their methods, were right or wrong, interesting as it is, is slightly beside the point. For instance, I was reading what our learned friend, Dr. Kane, said yester-/ day, and with a great deal of respect to what Dr. Kane said, I may say that I am in agreement with not all of it, but a great deal of it, about direct action and all that. He criticized me for not putting my foot or my thumb down and stop all that was happening there. Well, Sir, his criticism may be right that I might have functioned somewhat differently, more carefully or vigorously. That may or may not be so. But I think that essentially, basically, I did take up the attitude which he has suggested. Perhaps he has not seen all that I said in regard to it. But he might be quite right in saying that I could have done much more if I was so inclined. I cannot answer that question. But there is one point, I remember, in Mr. Shiva Rao's speech here in ihis House yesterday. He said something io this effect. I think I nad better quote him. He said:

> "... 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."

Now, I must confess frankly that I have been influenced and considerably influenced not only by the few days i have spent there, what I have seen, what I have heard, but during the past many many months a stream of things that had come to us, more particularly, of course, in the last few weeks before this Proclamation. What I saw, what I heard, what I felt there, the atmosphere I sensed there, was that people there, people on all sides, people of rival groups etc. were, if I may say so without meaning any disrespect to anybody, somewhat beyond reason, beyond a logical discussion of anything. They were too much excited and they were too much hysterical and all that. And there is no doubt in my mind that on either side—but of a different type—there was some fear and an abounding fear. On the one side, there was some fear with regard to governmental authorities, and on the Government's side there was an increasing fear of this agitation which had become bigger ind bigger and contrary to all expectations. It was easy enough for me or for anybody to ride the high horse and condemn the Government for this and the opposition people for hat. And to some extent I did that. ^ut surely, Sir, what I had to deal 'vith was as to how to meet the situation that had arisen there. If any one thinks here that I, in my capacity as Prime Minister or as an important member of the Congress Party, could have issued a decree to put an end to all these things, surely he does not realise what was happening there. I tried to check it and to minimise it. But I

have no doubt that they were reacting to something which had tremendously upset the people there. It was not something sudden, and such a major upheaval could not have taken place because of certain objections merely to the Education Act or to some other Bill or Act. So far as these Bills and Acts were concerned, the Education Act as such had really no particular relevance, as far as the Congress Party was concerned. Th.j Congress Party hardly took any great interest in it. So far as the Agrarian Bill was concerned, they were very largely in favour of it except, of course, some minor points. And among the other measures that have been mentioned is the Debt Relief Act. I was a little surprised at our friends in Kerala—the members of the Communist -Government or their supporters and sympathisers—when they put up these various Bills as if they had started some new era in Kerala. The Education Act was. of course, special, although not so special either, except some clauses. But so far as the Agrarian Act and the Debt Relief Act are concerned, I have an idea that several States in India have been much in advance of Kerala.] know that in Uttar Pradesh the Debt Relief legislation was enacted in a much bigger way. That was dont; about 20 years ago. So, Sir, this was only some attempt to spread the idea that here was a progressive Government taking Kerala out of the rut of poverty and unemployment, with progressive legislation and with all the vested interests coming forward to oppose it. That seems to me to be very very imaginary and not based on any facts. The real difficulties that arose in Kerala were not due to legislative activities, except, of course, the Education Bill, and with that too the Congress was not as much concerned as others were. And there is no doubt that others felt it. The Roman Catholics and the managers of certain private schools did feel it. Of course, there may be some among the Congressmen also who might have felt it, but not the organisation. The real difficulty in Kerala has been a growing sense of uneasiness and of things happening which were lessening the freedom of speech and action of the people, not wholly, but progressively. Now, Sir, I am not, at the moment, going into that matter and saying whether this was true or not. I think it had a large measure of truth in it. But what I am saying is that this idea had spread. There is no doubt about that. Once or twice, Sir, I ventured to say something—not now, but a year ago—about the feeling of insecurity in Kerala. And I make it clear once again that I had been anxious throughout this period not to say or do anything which might be unjust to the Government of Kerala, because it is quite possible that my partiality might make me somewhat unjust towards a Government which was not functioning according to my liking. So, I tried to avoid public criticisms. I ventured to say once or twice, however,—because I was asked—that there was this feeling of insecurity there, and I haVe not the slightest shadow of doubt that this feeling was there and it grew from time to time. In spite of this feeling and almost to the extent of some people feeling terrorised—others not terrorised, but still a little nervous— this idea was spreading. This House is no doubt aware of many instances, and the hon. Members have read many things in this connection. But the real thing is something imponderable. This feeling of insecurity is an imponderable thing, and yet a bad thing. You saw this agitation suddenly becoming so big. It was obviously not any reaction merely to what the Catholic bishops sai(jU or what Mr. Mannath Padmanabhan said. No doubt Sir, they said a great many things, and some good and some not good. But somehow or other, all this concentrated and accumulating fear of insecurity, of injustice, of not being treated under the law etc. grew and covered practically every section of the community in Kerala, apart from those who had, directly or indirectly, associated themselves with the Gov-

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Then, Sir, I put it to the members of the Kerala Government and I said 'I really am surprised. Will you tell me how you have managed to become so frightfully unpopular and disliked by large sections of the people?' I also said 'I cannot take any census and find out who are with you and who are against you.' Of course, they told me that certain vested interests were doing this and the Catholics were doing this. Well, I have no doubt that the Catholics and vested interests are in it. I accept that. But I told them 'If the vested interests, Catholics and others form a big majority of the people in Kerala, then your position is odd.' It was no explanation to say that certain vested interests' were there in the case of the Education Bill. Of course, certain vested interests were there, but there was something much more than those vested interests, and that was the solid blocks of the people of Kerala, broadly speaking, belonging to no political Party. And that is important enough. If people who normally do not function on the political plane, who are busy with their day-to-day activities and who keep away from controversial politics, are drawn in it, then it shows that something big has happened to upset their normal lives. And that had happened. And it was that that gave this tremendous strength to this agitation. All these various people were not txained people to go about doing *Satyagraha* in particular ways and all that. They simply rushed in and did it. To face this kind of a situation, may be the advice 1 gave was not as good as it might have been. I quite admit that. It is a difficult situation but my whole desire and object was to prevent direct action or to limit it to some kind of a formal expression and not in large numbers. I did not succeed but I think it is true and I have seen evi-ence to that effect that the Congress's coming in for this either formal or token so-called Satyagraha—because remember it consisted of six persons in one day going and offering themselves to be arrested, not crowds, there were crowds but I am talking about the Congress—did help in maintaining a relatively peaceful atmosphere on those occasions. I am not saying that the whole thing was peaceful everywhere. But this particular thing was peaceful although I was afraid that later on it may cease to be that because the atmoshpere was so thick with mutual suspicion and hatred and all that. But they did help and that was the object, instead of the whole thing being completely uncontrolled and everybody behaving or misbehaving, which was a far greater danger, and so I agreed with great reluctance and for a temporary period, that they might have this six-men token thing because I thought that might bring some order there. Otherwise it would be an individual effort or everybody functioning. May be that was not a wise thing to do, may be it would have been better, as Dr. Kane said, to put one's foot down with authority. But we were entangled in a difficult situation and one had to deal with so a3 to keep some mental and psychological control over it. It was a very difficult situation. However, as I said, I do agree with Dr. Kane that in the existing circumstances, it is basically wrong for these big so-called direct action movements to be started or carried on. The Leader of the Praja Socialist Party, in his speech yesterday defended *Satyagraha* as a basic right. Well, Sir, that is a philosophical question really and I do not know whether it is worth my while to express any opinion about it but is a basic right.

SHBI BHUPESH GUPTA: You supported in a practical way also.

SHRI JAWAHARLAL NEHRU: It is just like the basic right of a peopie •to rebel. It is a basic right to rebel and you can do it. If a man rebels,

lie faces the consequences of that rebellion. That is a different matter. Such basic rights everybody possesses, facing the consequences of the rebellion. If the rebellion succeeds, well and good. They become the heroes of the day. If it fails, then they suffer for the failure. In that sense whether it is *Satyagraha* or civil disobedience, it is a basic right which anybody can exercise but if we go back and think in terms of, well, the person who started these ideas in our country, Gandhiji, I have grave doubts if he would have even accepted the name of *Satyagraha* for these various activities that often go under that name which are very nearly aligned to hatred and violence.

SHRI N. R. MALKANI (Nominated): The atmosnhere was surcharged with violence.

SHRI JAWAHARLAL NEHRU: That is what I am saying.

MR. CHAIRMAN: He is endorsing votir statement.

SHRI JAWAHARLAL NEHRU: That | is what I am venturing to say. That ' I ran understand and although T do not. myself envisage anything happening which might induce me tn go in for civil disobedience 'or *Satyagraha* myself yet I dislike the idea of giving up that right if I feel that way. But then, that would be rather an individual thing. There is a great difference between an individual doing it quietly, calmly and suffering for it and masses doing it which has nothing to do with *Satyagraha* or anything like it. These are philosophical questions which we need not go into.

What are we considering in this Resolution? It is the President's Proclamation certainly but in effect it. is not the Government of India that is in the dock. It is the Kerala Government in effect that you are judging and the speeches etc. have also brought that out necessarily. I should like to say, speaking for myself and I think also for my colle- | agues in the Government, that if what had happened in Kerala had happened in any other State where a Congress Government was functioning, I think I may well say that we would have taken that action sooner than we did here.

SHRI BHUPESH GUPTA: You would have put all of us in jail. The Opposition Benches would have been empty.

SHRI JAWAHARLAL NEHRU: I have always welcomed the periods wher. I was in the prison. It does one: good if one goes there in a proper frame of mind.

SHRI BHUPESH GUPTA: It gives us pain to be imprisoned under Jawaharlal Nehru. That is the trouble.

SHRI JAWAHARLAL NEHRU: The difficulty that faces us is rather a basic one. It is how far a party like the Communist Party which is something more than a national Party— I am not using the word in any disrespectful or critical way but merely in an analytical way—and which therefore depends for its thinking and working not only on internal and national factors but on external and supranational factors, fits in or can function in a spirit of some measure of give and takf and in co-operation with the other groups and parties in India under conditions existing in India. It is an interesting question. In that too my views are probably somewhat less rigid than perhaps some other people's, because in spite of the rigidity of the Communist Party and its creed, I think and history teaches us also that all this so-called rigidity becomes, flexible by the fonoe of events, by the course of events. Even rigid philosophies tone down, certainly in practice thev tone down very much, even as rather aggressive crusading religions have toned down and have found a peaceful platform for living with other religions, other crusading creeds. So. I do not believe that anything is rieid for long in the changing world. And

[Shri Jawaharlal Nehru.] therefore I have always expected and hoped for a progressive reasonableness even in the rigid Communist approach. And I talk of Communists I am not discussing communism andl am not thinking so much of the economic aspect of it which one may a crept or not accept. But rather I am thinking of what is called the technique of that Party, the technique of seizing power, wliich is something entirely different from the social or economic creed of communism for which so far as I am concerned, though I do not wholly agree with their interpretation, I have not any ffreat hostility. But I feel that changing conditions in the world, the tremendous advance of technology and the arts of production etc. have rather falsified what used to be prophecies which were made 50, 60, 70 or 80 years ago and we have to take these into consideration. But that is a matter one can discuss and one can accept with regard to a particular country's state of affairs. But what w*» come up is not the Communist economic creed v. ' 1 ich you may or may not approve of, but rather the technique of action which has been associated with the Communist Party, the technique of action which was laid down when there was no so-called democracy anywhere in the world and there was no way out except perhaps through that technique of action. I don't know. But now that has been so firmly impressed on the mind of the adherents of the Communist Party that even when conditions may completely differ, though the world might have changed and conditions in another country may be wholly different, yet they cannot get out of that steel frame of thinking and action. It is that which creates trouble, not the economic theory. It is this that creates trouble, these ways of seizing power, of encouraging conflicts, more and more conflicts and out of the conflict hoping that something will emerge. Whether it is class conflict or something else, the world is full of conflicts now. all kinds of conflicts. And when there is an increase of class conflicts it becomes a question of exterminating this class and that class. But there are ways of removing class conflicts and even classes. In fact, it is an odd thing today that even the highly capitalist countries in the world talk today in terms of a classless State.

SHRI BHUPESH GUPTA: That only shows the superiority of our ideas.

MR. CHAIRMAN: Sit down, Mr. Gupta, you will have your chance.

SHRI JAWAHARLAL NEHRU: Mr. Bhupesh Gupta is to some extent right, and because he is to some extent right, when he is wrong, that stands out much more. Today the world is dominated not by communism, nor by capitalism, but it is dominated by modern technology, by the tremendous machines. They dominate the Soviet Union, they dominate America and this brings them nearer to each other, quite apart from any philosophies or theories of either capitalism or communism. I do not think there is anything now of communism or capitalism and we seem to live in our minds in a world that has vanished. But our friends of. the Communist Party more especially, inspired often by high ideals, get caught up in this narrow framework of thinking and somehow try to think in terms of action, comparing them to something that happened in a distant country and under altogether different conditions and in a different decade. But it seeems reasonable and quite Seemingly intelligent people get lost in this maze of controversy and living in a state of super-excitement all the time, naturally, they tend to go wrong. They not only go wrong but because not being exactly of the soil of India completely, because of ideological and mental contexts and other things, they cannot easily be put right. That is the difficulty.

All this created a curious problem in Kerala and I have no doubt that the Kerala Government realised the

difficulties of their situation from their point of view, that is to say, they had to function under a certain Constitution, parts of which they did not like. Remember, if I may say so, that for years after we became in dependent, several years after, the Communist Party of India went on saying that India is not independent. It shows what I call the steel-frame of thinking. Facts do not make any difference to the steel-frame, because they had learnt to associate indepen dence in a certain context and nor mally they call it "liberation" and liberation counts.

SHRI BHUPESH GUPTA: That you see in Kerala.

SHRI JAWAHARLAL NEHRU: Therefore, for years and years, they did not recognise, they did not honestly recognise that India was independent. They did not participate in our Independence Day. They said, 'It is all false. We are not independent, we are still in some kind of a secret colonial status under the British.' I am pointing this out, not to criticise our friends of the Communist Party but to try to understand the peculiar working of their minds. So we have got to do it.

Well, when this Kerala Government came into power there, they had not an easy situation to face from their point of view, because they could not well go out of the Constitution. They knew that it would lead to trouble. On the other hand, their own conditioning was to do things in a different way and they could not exactly fit into the Constitution either. They might fit in and they did try to fit in and they did largely fit in, in the external and broad things. There was no open, deliberate proclamation of violation of the Constitution. But their whole conditioning made them function in a different way. It is sometimes a little difficult for them to realise that they function in a different way. although it may appear to Others so obvious.

The very first thing they said was, I think and I hope I am right in saying, , that they liberated Kerala. I am not quite sure, but I think I saw it.

DR. R. B. GOUR (Andhra Pradesh): No, no. Never, never.

SHRI JAWAHARLAL NEHRU: I accept it.

SHRI BHUPESH GUPTA: That il the Chacko version of it.

SHRI JAWAHARLAL NEHRU: I accept what you say.

MR. CHAIRMAN: All right, all right.

SHRI BHUPESH GUPTA: We accept things from Congress leaders. So why not accept this from us?

DR. R, B. GOUR: Years ago you said, Sir, "there is a theory against it, there is no evidence against it," and that is what he is doing to us now.

SHRI JAWAHARLAL NEHRU: They called it the first people's government. That I think I can say with some assurance. Now, it does not make much difference what they called it. I am really trying to understand the working of their minds and that working of their minds has naturally resulted in the conditioning of their actions.

They, the Communist Party, their supporters and adherents were the people and the others were something slightly less. It is like a story that everbody should be equal but some are more equal than others.

SHRI BHUPESH GUPTA: That *is* the belief under the Congress regime. They have said 'more equals' are there.

SHRI JAWAHARLAL NEHRU: Things were happening there from the beginning almost. , There was the question of the release of prisoners. Now, release of prisoners may be understood in various ways. Much has been said about the Andhra release of prisoners. May I say—and I hope my colleague sitting here will not mind

[Shri Jawaharlal Nehru.J • my saying this—that when the release took place, we took the strongest exception to it. The then Chief Minister of Andhra overnight, and I believe without even consulting his colleagues and his Government, issued the order for large-scale release The action had been taken and nothing could be done after that but we took strong exception to it and we pointed out this fact. It is not that we are against release but the point is about the release of everybody regardless of the acts for which they were punished. Even there, so far as I remember, there were only a few bad cases in the sense of serious crimes and I doubt whether there was any case quite so bad as some of the people who were released in this case, talking from the criminal point of view. However, there it was and other things gradually followed step by step. Mind you, some of these people who were released—I am talking about Kerala— were actually found to be creating : trouble later on, mixed up with . violence and all that. In spite of all ! this, I do say this that the Kerala Government wanted to remain within the constitution because they did not want to get into trouble because of that but by their very conditioning, by their training and by the pressures exercised on the poor Government by ! others—a government has always a watch dog next to it, may be a comrade—they were led into doing things i which were not individual errors as I might do or any of us might do but rather an organised way of working on party lines which created progressively this feeling of insecurity and injustice. Now, there is a great deal of difference between an individual Minister not keeping up to the mark or showing partiality or, if you like, nepotism—it is bad; it is an individual error which you can try to correct or punish—and a whole party doing it, a Government doing it. Then it is on a different level. That is how even in communal troubles things become very bad when a whole community, in a Hindu-Muslim riot or something like that, behaves badly. Each member of the community thinks that he is protecting the rights of his community. That man will commit every kind of crime thinking not of himseff but for the community. He will say, 'I am doing it for my community'. That is how we sink. That is how it makes a great deal of difference. When an individual misbehaves he is ashamed and he tries to hide it. He may be caught but when it becomes almost a policy then no individual has any shame. He may or may not participate but he is certainly there and it is there that the new thing comes into the picture. I am not going into the various incidents. Many were mentioned here and many more are in our files and other publications. All this resulted in this tremendous fear. That spread to large numbers of people in Kerala which brought together in the course of this agitation all manner of people who had little in common. Hon. Members are right in pointing out thet this was an odd assortment. The Revolutionary Socialist Partv, the P.S.P...

SHRI BHUPESH GUPTA: The Muslim League.

SHRI JAWAHARLAL NEHRU: .... the Muslim League and others. They came together. It is an odd assortment and the point worth considering is that this odd assortment was functioning together, the Congress, the P.S.P. and the others. As is well-known, whether rightly or wrongly I do not say, the Congress as an organisation was pulled into this movement. It was dragged into it. It took no lead in it. The Congressmen certainly got entangled but the Congress was absolutely dragged by force of events. It was trying to keep out as far as possible but it could not because all over the State such strong feelings had arisen. There was this kind of two polarization on the Jane side the Government, the Communist Party and their supporters and, on the other, the rest. It was an extraordinary state of affairs.

The basic question that arises and which requires consideration for the future is how far there is a possibility of working on what I consider democratic lines in this country, not superficially democratic but really democratic, and I am prepared to admit that our own activities—I mean the Congress Governments in the States or, if you like, in the Centre even have erred—-have not been fully upto the mark because mv conception of democracy means not merely the victory of the majority party—that is part of it no doubtt—but. the majority always taking into consideration what the minoritv feels and the minority alwavs thinking that there is the majority. That is to say, an element of mutual consideration. Naturally, in the final analysis when there is a conflict, the huge majority view is likely to prevail but it is a very foolish majority that tries to impose its views on the minoritv.

DR. R. B. GOUR: Why not give this sdvice tn the Congress?

SHRI JAWAHARLAL NEHRU: It onttht to try. Except in the most serious matters, it ought to try to win as much of the minority to its opinion as possible, to find common ground and to reduce differences of opinion. Differences will remain. Let them remain but the mere fact of trying tn reduce those differences does create an atmosphere of co-operation and of rpcognising that each group or each individual even has a place in the democratic system and that it is not merely a question of a steam-roller majority going through regardless of other opinions. We cannot define these things. These are broad approaches, mental and other, psychological approaches which I should like developed in India. They do not necessarily solve every problem. There are differences on basic ecomic matters, on basic, if you like, social matters. Well, one has to face them and decide one way or the other but «ven in facing those differences, the approach in a democratic structure would be to minimise them as far as possible. The whole structure ol our Government is like that. You have got select committees for Bills which aim that way. Now, if a majority has its place, as it has undoubtedly, the minority also has a place and where the two are isolated and live in different worlds then it is rather difficult for the democratic structure to function adequately as one would like it. It is very easy of course to lay down these theoretical propositions but not easy to act up to them; I realise that, but that difficulty which faces majorities and minorities everywhere becomes a bigger difficulty naturally in dealing with the Communist Party whether it is in a majority or a minority. Because, as I said, their way of thinking has been conditioned in a somewhat different manner. I do not think that that conditioning need be permanent: it may change as things are changing. Things change much more rapidly in countries that have to face realities. In the Soviet Union itself, the mother or the father Communist country, call it, what you like, things change because they face realities. You may like it or not, it is a different matter, but they do change but often in other countries where Communist parties function without that touch with reality and a sense of responsibility they become much more rigid.

SHRI BHUPESH GUPTA: But we also face realities, asking supplementaries, moving Bills, adjournment motions and so on!

SHRI JAWAHARLAL NEHRU: So there is this question. We talk about co-existence, co-existence in the international field, co-existence in ihe national field. Co-existence in the final analysis is a state of mind which tolerate? differences, tries to accommodate each other and all that. There is no hope for India; I think—I am not, talking in terms of politics or political policies—broadly speaking there is no hope for India excepting in terms of co-existence, different provinces, different groups, different

[Shri Jawaharlal Nehru.]

languages, different habits and ali that. But that co-existence has been existing in India and there has been that philosophical approach to coexistence in India for long ages past in suite of India being split up into many States, many kingdoms and all that. It is that, a certain approach to co-existence and toleration, that has carried us through. Now, in the modern world by and large religious conflict does not take place except when people get excited over some very trivial matter. Not a religious issue but a tiny thing occurs. A story will go round that somebody has been converted into some ether religion and a huge crowd will gather in the Delhi bazaars. It is extraordinary. A story will go round that a boy and a girl have eloped and there will be tremendous excitement all over Delhi. It seems to me amazing; it seems to me a sign of backwardness, this kind of thing happening in the country. Let the police deal with it. It is a police matter. Why should a crowd collect for such a thing? By and large religions live at peace with each other. Surely, .if religions live at peace with each other, political and economic groups should also live at peace with each other. They can argue, try and convince and all that but they should live at psace; they should not be warring teams all the time, more especially when we function in a democratic mannqr when there are opportunities for the general public to express its wishes in the elections from time to time.

There is now a big question before me-—what is the future? I may differ—as I do—very much from poiiUcal parties in India. In some matters I differ less from the Communist Party than I differ from other political parties in India. I am frank about it. I am talking about the economic theory. I may be nearer to their economic theory, although I do not accept it in its entirety, than the economic theories of some political parties in India. I think apart from economic or political theory, the approach that is normally called the communal approach is more harmful to this country than almost anything else. This is a narrow, separatist, backward-looking and quarrelsome approach, intolerant approach. Nevertheless all these groups and parties are functioning within * the Indian framework and one deals with them. One may struggle with them; one may fight with them if you like but they are being conditioned by things in India. Sometimes they are conditioned too much by what happened a thousand years ago. We cannot get out of it; still we have to. Now ths problem of the Communist Party is that although it is functioning in the present day its conditioning sometimes prevents it and often it isolates it from the rest of Indian humanity and I say it isolates it from the basic thing. It isolates them from the basic thins that I would call India. I myself am no true representative of India; I realise that and I always try to under -- stand it, try to accept it, try to imbilw it. To seme extent I succeed but the Communist Party does not try to do that because it is already tied up in a different complex and ideas and I put it to you this way. If the great majority of people in India for some reason or other became Communists in the sense of thinking in that way--that may be good or bad, I do not know—but I am quite convinced that, it would not be India; then it would be something else. And I do not want that to happen even though I want. India to imbibe modern scientific techniques, scientific theories, economic theories, economic organisations. I accept all that, to the extent that it is good for India. It is for us to choose. I do not rule out anything but I do rule out being uprooted from India and maybe made into some kind of a hot-house plant which may IOOK in the hot-house beautiful to look at but has no roots anywhere in the country. I am sorry; perhaps I am drifting away beyond the scope *ot* this Resolution.

SHRI BHUPESH GUPTA: I suggest, that the Prime Minister can develon it; we can set apart a day for discus -sion on Communist philosophy.

SHRI JAWAHARLAL NEHRU: Therefore the real point is that the Communist Party had a chance in Kerala and according to my thinking they failed in that chance. And it is not my judgment that comes into the picture but the judgment fundamentally of a very large number of people in Kerala.

Now, Sir, when I went to Kerala and I saw the situation, I had not the least idea till then, I had no conception, that there was a question of Presidential Proclamation or elections or anything. During the last two-years I had never thought of that. I thought in the normal course oi events the State Government would last, like other Governments, for the full term of five years or four years, whatever it is. I went there; of course, to some extent my mind had been conditioned by what I had read in the last year or two. Still it had not led me to this conclusion. But stiU when I went there on the third day of my visit it seemed to me that the only way somehow to direct Kerala in more peaceful channels where possibly an element of reasonableness might return would be first of all to get a disengagement from this terrible tussle that was going on. It was quite impossible for each to meet or argue and sometimes on both sides a language was used which terrified me; terrified in the sense that it was a language of concentrated hatred, of extermination of the other party. I said, what' is this kind of thing? How can we get out of it? So I felt that perhaps the only way was to have an election. Have a period, whatever it might be, three months or four months. If an election was decided upon then all this business would probably subside, not entirely, but still there would be an immediate disengagement. They use this word in Europe now—disengagement between the two blocs. And then b> the time elections came other things will happen. Anyhow there will be an immediate disengagement and disentanglement and I suggested it to the Keraia Government. And mind you, there was no question in my mind of Presidential proclamation. I suggested it for them to take the lead, to agree to it and make this proposal which would have been completely ia order and which I think would have been, well, more advantageous 1 p.M.to them. However, they did not. Ever since that time I could not get out of this idea of election from my head because I saw no other way. It is all very well for me to go to condemn the Communist Government or the Opposition. I might have done that more or less, or not. But the point was I just could not see any other way of getting out of this terrible tangle. And so I suggested that and I had suggested it later too here. Finally it came to this, at any rate I felt convinced that others were also convinced, that this was the only way. Now. obviously I am not going to, and I &** not wish to put words into the mouth of anybody, but it was my belief that even the Communist Party leaders, circumstanced as they were, were driven to the conclusion that there should be this kind of intervention—not that they liked it . . .

SHRI BHUPESH GUPTA: Never.

SHRI JAWAHARLAL NEHRU: I am merely saying my own view, not that they liked it. They were in a difficult situation. I can very well understand it. However, there it is. So, in so far as this Resolution is concerned, the Resolution itself is quite simple and I cannot understand how anyone can really oppose it. Circumstances were such that it had become inevitable. Legally, constitutionally, it is a perfectly straightforward one and within the terms of the Constitution. In fact, it is the Constitution funcr tioning.

Going into past history, we find that a very basic issue arose in Kerala, that is, the functioning of a Communist State Government in this democratic | structure and that issue has not been] solved yet. It failed of solution and I do not, and I am not prepared [+]a deny that to some extent the fault may have lain with others. For

[Shri Jawaharlal Nehru.J instance, I think the Opposition in Kerala was very non-cooperative right from the very beginning. Whether . any other attitude would have been helpful to them or not, I do not know. But I do believe that in an Assembly, the majority-minority, Opposition-Government, even though they oppose each father stoutly, the opposition is based on a measure of co-operation. That is the basic structure of the Government. And I do not think the Opposition in Keraia had this outlook at all. But the basic fact is that the Communist Government in Kerala found it very difficult to fit in with this democratic apparatus—mentally they may have tried to do it—and therefore they were constantly coming into difficulties. My colleague here, the Home Minister, has got piles and piles of letters in his office on what happened there, of little things which seemed to us wrong. He wrote in a friendly way: This might not be so. We get letters from all kinds of States about many mistakes and many things and we try to advise them. But here is something happening in Kerala which is outside the? ordinary. That is the main point, and possibly nap-pending not accidentally but deliberately because of the very conditioning of their approach. We were worried by this and at the same time we were very anxious not to interfere. In many matters we have interfered privately, sometimes even publicly, much more with Congress Governments than we did with Kerala, because we know that—they may like or dislike our interference—they wil] n«t suspect us of *mala fides* in this matter. Here we were always thinking that we belong to a different Party and they might think or we might unconsciously act in a way which is not considered quite fair and impartial. So, really we checked ourselves all the time. Same hon. Members talked about it that this aclion ought to have been taken a year ago. Well, I do not know, I do not think so. I do not think that we were at all wrong in

avoiding such action as l«ng as we

could avoid it.

Mr. Shiva Rao, I believe, suggested that the Governor should be given much more powers, amend our Constitution. I do not personally agree with him. I do not think that we should change our. Constitution, vary and amend it, in order to meet a particular situation, which might perhaps come in our way. I do not think that is the right way of dealing with a democratic Constitution. Anyhow, this Kerala business has been a lesson for all of us, from many points of view, and these debates have been good for us and good for the people, because they have brought out, I hope, the essential features of our democratic system, which I hope we shall preserve, and if that democratic sys tern is undermined in some way, then we should check and stop that undermining. Otherwise, we shall neither have democracy nor anything better than that or .worse than that. Therefore. I submit that this Resolution should, of course, be accepted. But behind that acceptance should be the acceptance of our maintaining our democratic system basically and with that also this-idea that this democratic system has to be based on a spirit of mutual accommodation between majority ^minority, Government-Opposition, and trying to find, as far as is possible, agreed ways of working, and where we do not agree, well, we part company, but we part company after discussion and full consideration of even' aspect of the question.

Thank you, Sir.

SHRr JASWANT SINGH (Rajasthan): Sir. 'one clarification I want from the Prime Minister and that is this. Supposing the Communist Party again comes into power in Kerala, what wil'! happen? Or, the Congress Party could see that they are never allowed to come into power again? This is a point which' I will be very glad if the Prime Minister explains.

MR. CHAIRMAN: We have got just two hours for this discussion. I want the Home Minister to reply to thi? debate at 3.15. You have just two

hours more and I have to cross out 1 with regret a large number o. gpeakers. I have put down here a number' of them who will speak. The Communist Party has withdrawn everybody except its leader. So far as the Congress Party is concerned, I am giving Mr. Samuel, 15 minutes, Shrimati Bharati, 15 minutes, Shri Jagannath Kaushal, 15 minutes. Then, Mr. Bhupesh Gupta 45 minutes, Mr. Khobaragade 15 minutes and Mr. Mulka Govinda Reddy 15 minutes. At 3.15 the Home Minister will speaK You want to speak, Mr. Bhupesh Gupta.

• SHRI BHUPESH GUPTA: Mr. Chairman, the Prime Minister has spoken at length and he has been more concerned with finding out the working of the mind of the Communists.

MR. CHAIRMAN: No interruptions and no exceeding the time-limit.

[MR. DEPUTY CHAIRMAN in the Chair]

SHRI BHUPESH GUPTA: Sir, I submit that we are more acquainted with -the working of our mind than other people. Just as I would not like to understand the working of, the mind of the Prime Minister and to develop a thesis on that, so I would expect the Prime Minister not to embark on such a course. But as far as the philosophical side of Communism is concerned, if you like, we can set apart some day in the interests of th(? country to discuss these philosophical and other economic matters. I am now intimately concerned with the Proclamation, the developments leading to the Proclamation and the responsibilities of the party in power. I was a bit shocked when the Prime Minister said with a gusto, 'I have acted under the Constitution, under Article 356'. I have no doubt in my mind that the Proclamation has been issued under that particular Article. .The question is whether it has been proper, constitutional, in keeping with democratic traditions and in the best interests of our country. Sir, in 1922 when Mussolini marched into Rome, King Emanuel came and received him and made him the leader of the government. When he was asked about this, the King said, 'I have acted under the Constitution'. Likewise, under the Weimar Constitution, Von Papen made over power to Hitler and when the Communists and the Social Democrats challenged that, Von Papen said, 'I have acted under the Weimar Constitution'. We have known how under the Constitution, by abusing this power *o<* authority, we can destroy the Constitution. Sir, my contention here is this. The part they have played in Kerala by this Proclamation and the way they have acted would lead to the destruction of this Constitution when none of us would be here and someone else will be ruling this country. This is the path of perdition and I would ask the Government to ponder over this matter.

Now, Sir, very many aspects have been discussed The other day, Mr. Datar said that the' Kerala Government started with a fund of goodwill and according to him, we have lost everything now. I can tell Mr. Datar that he is partly right and partly wrong. He is right in saying that we started with a fund of goodwill. He is wrong in not saying that the fund of goodwill has gone on accumulating during the 28 months of Communist rule. Sir, if nothing is convincing to him, I would only point out to the demonstrations that took place in Calcutta, in Delhi and in every city of India when this unconstitutional, undemocratic and sacrilegious act struck down a popular, elected Ministry. Calcutta had the biggest procession in its history. The City of Processions—the Prime Minister wil] like to know—turned out the biggest precession in all its history. There was mass upsurge there. Here in Delhi and in every other city such demonstrations came out expressing spontaneous protest against the action of the Central Government. Sir, this upsurge Id be noted. I think, sometimes we must learn from the people. The reactions of the people must be judged

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from how they behave, from what they do and from how they react to the political events of the day. If anything is to be seen in this changing context of the situation in our country, only one thing is clear, and it is this. If the Kerala Government was popular when it came to office, it was even more supported when it was fighting the Central Government and the plan of Central intervention, and when it was struck, down, human sympathies overflowed in all directions and I must pay a tribute to all sections of our democratic people who at the hour of trial stood by the Constitution, stood by democratic tradition and parliamentary, constitutional institutions and projected themselves not only into the present, but into the future also. Now, I do not know whether this will make any sense to Mr. Datar, because, I believe, he does not know anything about mass meetings and I do not know if he has seen such an upsurge.

Now, Sir, here again, outside reactions were there. Here is the *Times of Indonesia.* It is an anti-Communist paper. It says:

> "The main blame, of course, will go to the Congress , Party, both for first having lost Kerala to the communists at the polls and then for getting rid of its opponents in a manner so patently unconstitutional. While Premier Jawaharlal Nehru has overnight become acceptable to nearly all the United States and" the lunatic fringe in Europe, South America and Australia for unseating a communist government. ..."

This is not a creditable thing. This is how even anti-Communist papers in friendly countries like Indonesia view this matter. I think, Sir, that democratic judgment and conscience is clearly on our side.

Then I would appeal to the Congressmen opposite, to their good sense, to their democratic sensivity and to their sense of justice. I know that all tMeir votes are in the pockets of the Chief Whip of the Congress Party. I cannot touch them. But I do expect that access will be given to their reason, to their understanding and to their concern for the future.

Now, I suppose hon. Members would like to view this question and discuss it on constitutional, political and moral grounds. I should start, Sir, with the constitutional aspect of it. But before that, I want to make one observation that it was highly improper for. this Government to have- issued the Proclamation three days before the Lok Sabha was meeting. I do maintain that this was done with a view to prejudicing an objective judgment of the situation. They presented a *fait accompli* to silence the dissenting voices within the Congress Party itself and also to condition the trend of discussion on the floor of the House. This was the technique behind it. Sir, we condemn when an ordinance is issued. We say that it should not be issued. But here just when Parliament was meeting in a matter of three days, the Proclamation was issued from the house-top in order to suspend provincial autonomy, dismiss a Ministry, dissolve an assembly and perpetrate the most heinous crime against the Constitution and democracy, and yet those gentlemen could not wait for even three days. I take it that they are. getting into very bad habits. Sir, they succeeded. Otherwise, I know that if we were discussing the question whether there should be a proclamation instead of Proclamation itself, the trend of the discussion would have been different not only on this side of the House, but also on the other side, because I do believe that there are many men sitting that side, men who cherish some fundamental rules of democratic institutions. They are sorry about what happened in Kerala. They would have got a better chance to express themselves freely and frankly on the matter.

, Then, Sir, I would come to the President's Proclamation which has been issued. It has been based, as the Proclamation says, on the Governor's Report and other matters. I would like to say one thing here. The Home Minister earlier said that he also received reports from the officers and that he would not like to place them before us because they are confidential. I ask him, who are those officers? Are they the officers of the Kerala Government? If so, Kerala Government officers should not have normally sent reports over the heads of the Ministry. If they did, they were clearly acting unconstitutionally and in a manner highly subversive. I do not think any Kerala officials did it. But who are those officers? Do you maintain a set of officers in Kerala io spy upon the government of a State—a government elected by the people—to send you secret reports? I would like to know who those •officers are. It is no good that espionage should be conducted not only against the Communist Party in the opposition, but also against the Communist Party when it comes to office in a particular State. I know the Central Intelligence Bureau had been strengthened in Kerala the moment *we* came into existence. This is not a good thing. Attempts were made to plant their agents in the offices of the Communist Party. Let it be known. This is a matter of interference: this has been the technique of this Government. Therefore. I would like to know about it.

Then, Sir, I will come to the Governor's Report. I know that Mr. Pattom Thanu Pillai, Mr. Padmanabhan and the gracious Shrimati Indira Gandhi, an met the President. Did they say •anything? What did they say? We are interested to know to what extent the President's judgment was influenced by this particular source of information. We are entitled to know this thing. That procession was there all the time awaiting at the doorstep of the Rashtrapati Bhavan in order to have Central intervention and deliver Kerala of this kind of regime. That has now been done. Then, Sir, comes the summary of the report. Here it is interesting. Now Mr. Datar said that day that the report was received on the 27th or 28th of July. He did not say exactly what date it was. Assuming that it was on the 27th, on the 27th of July a news item appeared in the morning papers that an informal decision favouring Central intervention in Kerala was understood to have been taken in the course after the latest round of discussions, and so on. This report appeared in the papers of the 27th morning. On the 26th therefore the decision had been taken, on the 26th at the latest, for Central intervention whereas the Governor's report is dated tlie 27th. It does follow therefore that the Governor's report came after the decision to intervene had taken place. It follows also that the Governor's report was a sort of excuse, a sort of affter-thought, which had been presented to the country, to beguile the people. Sir, it is a very very important thing. The President says that he acted on the Governor's report and we see that the Governor's report came on the 27th or 28th—we do not know whether it is the 27th or 28th, or when they received it. It is dated the 27th; it may have reached here on the 29th. But the newspapers contained this thing, that on the 26th the decision had been taken. On the 28th the Prime Minister told the General Secretary of the CommunTsT'Party that he had come to the conclusion that the Central intervention must take place in some form or other. Therefore it is quite clear that quite apart from the report of the Governor the decision to intervenieTook place, and I think it is an unconstitutional act; it is a fraud on the Constitution, I do maintain, Sir, in this House. This is one aspect of the summary of the report. I have studied it and I do not know how to describe it. It is a command performance. You read the document and you will find that tha text of the document is written in the past tense; past tense is us«d

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in many places. This document is written with the full knowledge that the decision favouring Central intervention had taken place. Referring to the Ministry the report says:

> •'which lasted for a period of 28. months."***

It is in the past tense. How is it in the past tense? It lasted for a period of twenty-seven months if the Gov er. nor was giving his advice on an appraisal of the situation. Certainly he was taking for granted what would happen at the end of twenty-eight months. He wrote it in the past tense only when he was clear in his mind that intervention was a settled fact. That is how he wrote this thing.

Then, Sir, again he saia that many of the things have to be looked into. He said that the allegations had to be looked into. He has not come to the conclusion—he refers to intangible things, and yet he felt that Central intervention was neeessary. I think it is a very clumsy way of attempting to help the Central Government; it wa; unconstitutional—politically and morally distrusting.

Then, Sir, let me come to the other aspect of the matter. I ask why the Governor did not tell the Chief Minister that he was of this kind of view, which ig expressed here in the report. In the course of 28 months he never told him. Is it the way for a constitutional Governor to function? I ask this question? Our Constitution is a written Constitution. It says how the Governor .should function. The powers are set out and defined, and I put it to you that the Governor acted in an unconstitutional manner, outside the purview of the Constitution, because it was his~du'ty at every stage to convey what he felt about the functioning of the Kerala Government, and if he had come to this conclusion, the first and foremost thing for him to have done is to take th<; Kerala Chief Minister into confidence. take counsel with him and come to his conclusions. The Governor was pr«-judging the Kerala Ministry. He was treating it not even as an accused would be treated, not even as a detenu detained under the Prevention Detention Act. It was absolutely something which is unimaginable in *n* constitutional set-up, functioning behind th* back of the Kerala Ministry. He had article 174 open to him and if he felt that the situation was such he could have sought the advice of tlie Ministiy even to dissolve the Assembly. He never sought such advice. Therefore it is clear that his mind up to that time, up to the end of July, was not working along that line at all, whether there should be tresh election or dissolution of the Assembly. The whole thing was clearly an afterthought.

Now I ask one question, Sir. Are we going back to the days of the Government of India Act, 1935, when Provincial Governors used to send reports to the Viceroy behind the back of the Ministry, over the head of the elected popular Government, when, for example, the U.P. Governor in 1937, 1938 and 1939 was sending reports against the Chief Minister Shri Govind Ballabh Pant to the Viceroy here? Are we reverting to tnose days? Is this the way of serving a democratic Constitution? Is this the way of setting good parliamentary conventions? Is this the way of defending the Constitution which the Governor by oath to the constitution and the country is bound to do? I say it is not. I think that the Governor's functioning has revealed another aspect of the conspiracy. The Governor has functioned in a manner incompatible with the Constitution, contrary to its provisions and basically opposed to its spirit. Now Mr. Shiva Rao wants Governors' powers to be extended. I say, if/this decoration and ornaments were to be retained, then let the Governors be directly elected By The-n^{0}" cu the State concerned. I would suggest an amendment of the Constitution along

that line. I do not like the Governors to function as the agents of the Home Ministry. 1 do not like that institution to be degraded, to be corrupted, to be used for party ends, to the advantage of the party in power in the Centre. I want this institution to remain as a constitutional head functioning with roeponsibility in a constitutional setup, more or less in the same way as the British Crown functions in relation to Parliament and the President is expected to function in relation to the Parliament here.

Then, Sir, let me come to the other aspect. I would not like Governors to sprout from the parlour of the Home Minister. Let them be elected if you want to have that institution" at all.

Now the allegation is that the Kerala Ministry violated Fundamental Rights. Much has been said. But then we have a written Constitution. Fundamental Rights are not what Shrimati Tndira Gandhi, Mr. Dhebar, Mr. Padmanabhan, Mr. Panampilly Govinda Menon, Mr. Pattom Thanu Pillai or others may say. They are set forth in the Constitution and the Constitution in article 32 also provides the remedy to move the Supreme Court whenever any Fundamental Right is violated. Do I understand judgments on the basis of cases, on that the Supreme Court has given the basis of a large number of writs to the effect that the Constitution has been violated, that the Fundamental Rights have been affected by the Kerala Government? Even if some writs were issued, they were issued in other States. It would not mean that Fundamental Rights have been violated, actually. However, the provision to move the Supreme Court is there. Havp many writs been issued and has thf Supreme Court said anything? Still the blatent lie is put across that somfv Fundamental Rights have been violated by the Kerala Government whpn everybody knows that Fundamental Rights are written things, tangible things and against the violation of such there lies the remedy in the Supreme Court. Mr. Nair, the former Congress General Secretary, said that he did not go to the Supreme Court. How could he? He would have toppled down at the steps of the Supreme Court if he ever dared to go there, because he knows that the Kerala Government never violated an iota of Fundamental Rights. On the contrary, I do submit that the Kerala Government was functioning according to the Directive Principles of the Constitution, Directive Principles af the Constitution which are not enforceable under the Constitution. They lived up to the Preamble of the Constitution. We do maintain it and we are prepared to stand before the bar of public opinion in contrast with any other State Government of the Congress and prove that we have been more loyal, more obedient and more concerned with the Directive Principles of the Constitution than any Chief Minister or any Government in the Congress-run States. We accept the challenge; we are prepared to place facts before the bar of public opinion and have the issue thrashed out. I know they will disappear in cowering fear before accepting the challenge, because at least the sense of guilt is on them. Therefore, do not say this kind of thing. Do not be misled.

Then comes the question of constitutional machinery. The Proclamation says that Government cannot *oe* carried on in accordance with the provisions of the Constitution. Why not? We want the answer. The Proclamation does not say that the Kerala Government did not carry on the administration according to the provisions of the Constitution. Sir, if some difficulties were created they were created by the Congress and their allies, the Muslim League, the Catholic Church, the Nair Service Society and all that. But even so, I do submit that the constitutional machinery was still working and did not break down. You will remember, on previous occasions when the

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President's Proclamations came, it was due to ostensible break-down of the Constitution in the sense that in the Assembly there was no one who could form a government. It was in this ostensible break-down that the Proclamations came. Nobody quarel-led with the Governments here. In Kerala before the direct action started on June 10, the Kerala Assembly had adjourned after passing one of the greatest land measures in the country. The legislature was in full trim and functioning. The Council of Ministers was functioning, taking decisions. The executive was functioning. The judiciary was functioning. Has the Chief Justice of the Keraia High Court told Ihe Supreme Court or the President that the judiciary was not functioning? No They have not told so.

They talk about certain strictures by Judges and magistrates here and there. Such strictures against the police you can find in any number in ajiy State. Does it follow from these things that the judiciary has broken down in those States? It is not so. Judges have made their comments on previous occasions also on prosecutions and defence end so on. It goes on. From that one should not come to the conclusion that the judiciary was not functioning. Therefore, I submit that the three organs of the State—the Legislature, the Executive and the Judiciary—were functioning despite the difficulties created by the pcntlemen there.

Now, Sir, they gave the slogan oi paralysing the Government. Let me come to the olfasr political aspect ol the matter. That is very importanl for us to consider. Sir, a slogan was given by the President of the Congress—not merely by Vimochana Samara Samiti—that they would starl a movement, direct action, to paralyse the functions of the administration tc «ust the Ministry. It is against th< Constitution and the Prime Minister should have said that it was against the processes of the Constitution. You have accepted the doctrine of direct action in preference to the processes of the Constitution for changing a Government. This is a very serious development especially when it comes from the party in power in India. Sir, direct action has been glorified against a popular, constitutionally elected government. Sir, I think hon. Members should ponder over this matter because the Constitution provides clearly for the means to change the Government. The Vimochana Samara Samiti. Mr. Shankar, Mr. George and others were seeking to overthrow the Government through extra-parliamentary methods. They said they would paralyse the administration. May I ask you, Sir, what would happen if, for example, the British Labour Party were to say that they would bring about a general strike and introduce other forms of direct action in order to paralyse the Government, in order to oust the Conservative Government? It would be considered by the British public something of a treason, and it will not be acceptable to any of them. Sir. this is what they have done. They are not sorry about it. If we are to accept the thesis of direct action to paralyse the functions of administration, be it said the functions of the Central Government, then goodness alone knows where the Constitution of the country or Parliamentary institutions will go. It will disappear in no time if these processes were to bp developed.

Sir, then came the measure of the movement. What was that movement? Much has been said about it. Pandit Jawaharlal Nehru says, "I asked the Kerala Chief Minister, 'How did you manage that everybody is united against you?'". He knows the answer. But may I ask him: "How you, Mr. Prime Minister, managed to unite the Congress Party with the Muslim League, the Catholic Church.

the Nair Service Society and others and that too in the life time of Pandit Jawaharlal Nehru, who is suppose-.[1] to be anti-communal and secularisiie." Tell us the understanding of that wonderful alliance, and then we shall give you the answer. I know they will not accept the answer. Here is the gentleman. If I put that question to him I know he will hot like to answer. But I can give the answer. The answer is: Political and moral degradation of the Kerala Congress, religious and communal prejudices, frustration—of which Shri Pattom Thanu Pillai is the living embodiment—anti-Communist prejudices and, above all, the power and pull of the vested interests brought about this unholy alliance in a violent reactionary processes against a popular elected Ministry. Have I given the answer?

SHRI K. P. MADHAVAN NAIR fKerala): You have not.

SHRI BHUPESH GUPTA: I have not? I can give the answer, but not the brains to understand it.

Now, Sir, let us not go into this. What was that movement? The Vimochana Samara Samiti movement was only inspired by communalism. I do not say that everybody was communal, The Congress was not in a position to fight on economic and political fronts. They knew about their limitations and if they were to fight within those limitations they knew they will get exposed before the entire country. They did not go in for that. They went in for some other thing and the Education Act was chosen. The Education Act was singled out for the opening, of the battle. Why? They •knew that they would be able io rouse the Catholics and the Catholics would come into the picture. The Catholics Toused the passions of their followers. I can only give you one example here of how they roused their passions. Sometimes it is necessary to know this thin?. Sir, I give you an example, not from any Communist paper because if I give anything from a 47 R.S.D.—*4.* Communist paper you will not believe it. Here it is the Hindustan Standard which is good enough for them. Trie cutting is dated 19th June, 1959.

DR. R. B. GOUR: It is Jagirdari' paper, Mr. Bhupesh Gupta.

SHRI BHUPESH GUPTA: They are not more reliable than the Kerala Vimochana Samara Samiti. The paper says:

> "... Every parish and church of the State has now been converted into a sort of Catholic fortress. The bogey of 'religion in danger' has been raised all over the State to rouse the religious feeling of the godfearing and peaceloving Catholics. The Bishops are going about villages calling upon their followers to be ready to sacrifice everything in the struggle to save 'our religion and culture'.
>
> In many Catholic strongholds in the State which I have visited I found the priests inciting people to violence saying that the Communists might give up their 'mischief if they found 'us ready to face them'."

This is how the Catholic Christophers were preparing for the battle of liberation which resulted in this kind of Central intervention here. Speeches were made. Preparations were made and passions were roused. The Congress limped behind the Catholics. They went there to get the support of the Catholics because they wanted to rouse passions somehow and them to capitalise on them. That was their technique. The Nair Service Society was also similarly utilised by them, cleverly. You cannot say the Congress is an organisation of fools. Never. That is an organisation of very clever, cunning and calculating people. They started this campaign with a communal incitement, with, the religious appeals, to set passions aflame.

[Shri Bhupesh Gupta.]

\ Then came the Deliverance Day on the 12th June. That was a shameful day. It was a day of deliverance to deliver Kerala into chaos and confusion and ultimately deliver provincial autonomy to autocracy by smashing the rights and liberties of the people provided under the Constitution. This was the deliverance day. Once we heard of this deliverance day in the days of Mohammad Ali Jinnah in 1946 and the second time we heard now.

SYED MAZHAR IMAM (Bihar): Your colleague.

SHRI BHUPESH GUPTA: Now the Vimochan Samiti leader, Mr. Mannath Padmanabhan, has said that he spent Rs. 50 lakhs. He is very proud that he could destroy one crore worth of government property. The destruction of public transport, he says, was of the order of Rs. 30 lakhs. Nobody opposite condemns them for these acts. This is an everlasting shame. And nobody from the Treasury Benches gets up and condemns such a statement and acts of such people. They are their friends. They are their bosom friends. They are their abettors in order to carry on their crusade against the Communists.

SHRI M. BASAVAPUNNAIAH (Andhra Pradesh): They have become their leaders.

SHRI BHUPESH GUPTA: He has become their leader. Shri Jawaharlal Nehru is forgotten. He is a helpless man. What can I do? I can tell you that I do not believe in Shri Jawaharlal Nehru when he says that he could have done much more. I can tell you that I have a better estimate of Shri Jawaharlal Nehru than he himself has about him. This is all that I can say.

Now, Sir, I ask the Congress leaders here one question. How much did you •pend on the Non-Cooperation Movement of 1921? The Tilak Swaraj Fund was only one crore of rupees and with that money you started that movement and shook the British Empire all over India. Then I ask you: How much did you spend in the 1930 Civil Disobedience Movement? Will the A.I.C.C. kindly tell us how much they spent on account of these movements or, if you like, on the Quit India Movement of 1942? We will not get this figure. I tell you that the Vimochana movement has been financed by the vested interests, and we are told that certain foreign cheques were cashed. There is a report in the parliamentary papers that in the first four months about Rs. 4 crores came from abroad to the missionaries, much of which went to Kerala. This is the position. You are not ashamed o[f] il. Sir, the combination—power, communalism, vested interests and finance— is dangerous for everybody who believes in democratic institutions. This is what I say. This path will lead us outside the bounds of parliamentary democracy into the realm of dictatorship, totalitarianism and an authoritarian regime. Now here is the occasion, here is the occasion to be aware of the danger that is involved in this kind of thing.

Therefore, Sir, I did not go into that. Let us see one more thing. Much has been said about this Vimochana Samiti. In Kottayam this Vimochana Samiti was formed. And out of the 32 members 21 are landlords holding 25,000 acres of land amongst themselves. All landlords become Vimo-chanawalas. Then in Chenganore, Sir, who was that prominent figure? Mr. M. O. Mathai's brother. It is a familiar name. He also became a landlord, as remittances went from the South Avenue to Kerala, Now, Sir, having been a landlord, how-could he have refused to help the Vimochana Samiti? Now this is your Vimochana Samiti. It is a combination of vested interests, reactionaries and communalists—the Congress getting into it out of sheer frustration. As far as the P.S.P. is concerned, well, frustration. That frustration has t»-

fce pitied, perhaps. Shri Pattom Thanu Pillai—I do not know—poses problems more pathological than political. That is how the movement started and it went on. Then came Hie Centre. What was the Centre's role? Right from the beginning of tfie Kerala Government—within 72 kours of the Kerala Ministry's assumption of office—Mr. Shriman Narayan ki Ernakulam, on April 8th was *outing against the Kerala Government. That chorus was joined by Mr. Morarji Desai and later by Mr. S. K. Patil who made a speech in Singapore, and by others. The Congress orchestra was in full play. The A.I.C.C; •rchestra was playing its tune of late against the Communist Party. This is what I say. Then, Sir, there were many liberation struggles. The Sitaram Mills were turned into a liberation struggle in 1957 by Shri Panam. palli Govinda Menon. These were certain other struggles, of course, including the boat-fare liberation struggle. They are liberators and therefore they must liberate everybody from everything. But they never liberate themselves from the clutches of the vested interests. Therefore, Sir, that liberation struggle went on and it became a chain of action leading to this present movement of the Vimoehana Samiti.

Then there was direct action. Preparations were made for closing the schools and for boycotting many things. And when the schools started •pening, teachers went to the schools and students started joining classes, tfie slogan was changed from 'closure' to 'destruction of school property'. About, 13 schools were set on fire. Students were intimidated and pounced upon by these liberators of the Timochana Samiti. Buses were stopped and destructive activities were indulged in, and ultimately they decided to lay siege on the Secretariat. They wanted some general strike on the 29th but that was a fiasco. The Congress High Command leaders and tfie leaders of the Central Government are not small liberators. Therefore, they decided . . .

SHRI D. A. MIRZA (Madras): May I know, Sir, why the hon. Member .

(Interruption)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI BHUPESH GUPTA: Then, Sir, some plan was made for laying siege on the Kerala Secretariat. It was a declaration of rebellion. I put to you one question, Sir: What would have happened if in West Bengal or in any other place the Opposition Parties had said that on such and such date they were going to march to Calcutta or Bombay and lay siege on the Secretariat? Would you have not called it a declaration of rebellion? But nobody said anything here. On the contrary, the gentlemen who made that declaration had the privilege of meeting the President, the Prime Minister and the Congress President and dis. cussing things with them. There was no difficulty about meeting the Congress President. She meets everybody. How is it? Then, Sir, Mr. Sankar went to Bombay and he declared about this siege taking place on the Secretariat on the 9th of March. That was declared from Bombay. I ask you as to which civilised Government, talking about democracy and parliamentary institutions, has given quarter in so cynical a manner as that to such declarations of rebellion. And ultimately you satisfy them by meeting their demands.

Sir, as far as we are concerned, we were prepared to sit across the table and we made proposals for a round table conferences to discuss all things.

SHRI SONUSING DHANSING PATIL (Bombay): Sir, I rise on a point of order.'

MR. DEPUTY CHAIRMAN: No Member can speak as long as another is on his legs. Please sit down, Mr. Patil.

SHRI SONUSING DHANSING PATIL: Am I not on a point of order?

MR. DEPUTY CHAIRMAN: You cannot get up and speak unless he sits down.

SHRI SONUSING DHANSING PATIL: Sir, I am on a point of order.

SHRI BHUPESH GUPTA: You have always been on a point of disorder.

SHRI SONUSING DHANSING PATIL: Sir, how can he take the law into his hands?

SHRI BHUPESH GUPTA: I cannot do that. Sir, he is a Vimochana.

MR. DEPUTY CHAIRMAN: What is that point of order?

SHRI SONUSING DHANSING PATIL: He says that the situation developed almost into a rebellion. Is not Law and order, Sir, the concern of the State Government?

MR. DEPUTY CHAIRMAN: You can say it in your speech. There is no point of order. It is an argument.

SHRI BHUPESH GUPTA: Sir, that is the position. The Central Govern, ment's role, right from the beginning, has been one of encouragement and abetment. This situation which they talk about was manufactured by the leaders of the Central Government, abusing their authority from Delhi, and by these Vimochana Samiti leaders and others in Kerala in order to bring about this thing. It was a manufactured situation in order to provide some pretext for Central intervention. It is a shame. It is a shameful thing for them to have done that. I say that they were conspira. torial. Read the Indian Criminal Procedure and the Indian Penal Codes. They were all working for that common end of ousting the Kerala Minis, try somehow or other. And they knew that the Ministry could not be dismissed that way. Therefore, they wanted to do it by issuing some proclamation. They created that situation in order to find some pretext for that proclamation. That is how the wnole drama was enacted. The Prime Minister discussed about the upsurge and he referred to it. I can tell you this. Let them not talk about the upsurge. He may have noticed hys-,'i Mr. P.Govinda Menon or Mr. Pattom Thanu Pillai but there was no hysteria whatsoever on the side of the supporters of the Communist Party. They remained calm and quiet. They showed fortitude, they showed political maturity, they remained quiet in the face of the gravest provocation because they were fighting the battle of democracy through the process of the Constitution. Backward Community, 70 per cent, of the population, did not participate in it. Are they not people? What are they? Just because they have not thrown stones at the buses, are they to be discounted in this way? Just because they did not come into the open or into clash, are you to ignore them as if they have nothing to say or as if they have no grievance or feelings or political understanding and consciousness? I think this is a perverse way of looking at things, I do maintain,, that.

Pantji referred to various interesting things. He said about percentage. The less they said about percentages the better. Yes, the Kerala Ministry came into office with 40 per cent, of votes, it is true.

AN HON. MEMBER: Thirty-five per cent.
!

SHRI BHUPESH GUPTA: And the Independents were supported by us. You take it from me. What happened? In the first general elections excepting in Bihar, nowhere had the Congress a majority. In the second general elections, except in Assam and Mysore, nowhere had the Congress a majority. In the first elections the Congress performed a great trick. I must say, in Madras. They had IM seats out of a total of 375 but there again they manage it. They got Rajaji in through the Council and

transformed the minority into a majority. That magic we do not know. They also tried other methods. In Kerala they tried to bribe the M.L.As. We knew that some Congress people took bribes with a heavy hand, handsome bribes. We never knew that they were also capable of giving it because, they had offered Rs. 1 lakh. In Orissa, what happened? You were transformed into a minority. You should have left the office. You somehow or other manipulated, corrupted and seduced people and got into a majority. This is the kind of trick we do not know. Therefore let us not j talk about it.

As far as the complicity of the Central Government is concerned, it is serious. The Prime Minister has failed miserably. Not only did he fail by his acts of omission and commission, he became a party to that conspiracy. I do maintain, it, because it was his constitutional duty to give protection to the Kerala Government in defending tfie Constitution. I am not going into article 355 or 356 at this stage. Article 355 says that they must protect a state government against internal disturbances. They should have protected us.

AN. HON. MEMBER: Did-you ask for that?

SHRI BHUPESB GUPTA: We did not ask for 356 either. Is this an argument? Did we ask for the Proclamation? You cannot hunt with the hare and run with the hound. It did not fulfil its function. On the contrary when the Vimochana fellows came and asked for intervention, they said 'Go and create more trouble and then come back'. Then they came back again. That is how the situation was created. Ooty was the final stage where the conspiracy was given the finishing touches. After that everybody showed himself up in his true colour. Mid-term elections, the Prime Minister said. Why should we accept the mid-term elections? You make it a principle in every State; then we can consider that. Why this discrimination against the Communist Gov. ernment? I tell you, we were not /functioning in the Kerala Government as the tenant-at-will of the Congress High Command that we must resign whenever they liked us to do that. We do not do so. We Communists have known how to die on our feet rather than to live on our knees. We stood by our constitutional rights, we stood by the constitutional principles, we held that we had the right to continue for a full term of 5 years and they conspired and the Prime Minister himself made many utterances, said so many things and gave his blessings, gave his support to the conspirators. I do not count others. These little Thomases and other Ministers count for nothing but the Prime Minister is a man who could have made a difference to the situation but he became a party to one of the grossest, one of the shocking, one of the historically outrageous conspiracies that our country has known in order to oust a Government, just because it did not belong to the Congress party, just because it did not toe the line of the vested interests and dance attendance on them. We have gone down fighting for the cause of the working people, fighting for democracy, fighting for the larger interests of democracy and Parliamentary institutions. Generations will see as to who is right and who is wrong. But what is more important today is this. I would ask the Congressmen and yourself, Sir, to ponder over the issue calmly and quietly in your cooler moments and come to your conclusions as to whether the path they had taken is the path that will strengthen our independence or blossom it or strengthen our democracy or defend our Parliamentary institution. I say, if you take a few more steps along this ruinous, disastrous path which the Government has chosen, it will lead to the ruination of the fondest dreams that sustain us, the hopes of the future and the strivings of the present generation. I would ask Congressmen to reject this Proclamation as a Procla-

[Shri Bhupesh Gupta.J

mation of dictatorship, as unconstitutional, as a Proclamation which is most undemocratic and against Parliamentary institutions. Shame on the Congress Party.

THE DEPUTY MINISTER OF LABOUR (SHRI AMD ALI): Shame to the Communist Party.

SHRI D. A. MIRZA: My submission to you is this. When there was such lawlessness, what were the custodians of law and order doing?

MR. DEPUTY CHAIRMAN: He will reply.

SHRI D. A. MIRZA: It was a desperate struggle. What were the custodians of law doing?

SHRI M. H. SAMUEL (Andhra Pradesh) : Sir, all things in this world have a habit of coming to an end. Some things come to a timely end and some to an untimely end. Sfflias Mr. Bhupesh Gupta's rather stormy, brave speech, so has the Kerala Government, the Communist Government in Kerala. I do not want to g'o into the various facts, the circumstances and events, that have brought about the Proclamation by the President.

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

They have been dealt with very well by Mr. Madhavan Nair who comes from there and by. other persons. So it would be just a repetition on my part to recount those circumstances although I happen to know some of them. But I would like to start my speech today from a point of view given by the Prime Minister this morning. The Prime Minister asked whether the Communist Government would fit in into the democratic set-up that we are having throughout the country, whether they would fit in into the constitutional set-up. I would like to begin my observations from that point and develop my argument to show—just as Mr. Bhupesh Gupta has stated, reiterated, that otheis other than they, have violated the Constitution, disrupted the democracy, —by my argument I will try to show that the boot is on the other 2 P.M. leg. After all that has happened in Kerala, I think the essence of the problem can be categorised into two general propositions. One is whether a Communist Government can be accommodated withim a non-Communist fabric, and the second is, whether Communism would ever reconcile itself to constitutionalism. Our experience in Kerala ha« shown that these are the two problems that existed there right from the beginning, that permeated the entire character of the Government there from the beginning to the end. These two problems you will find kept running through all the phases of the struggle in Kerala during the last 26 months. These two problems wil] recur again, I have *ne* doubt at all, whenever the Communists are asked to form a government in any other State in the country. Therefore, I thought it worthwhile and perhaps relevant to examine these two problems in Kerala as they existed i* Kerala, both retrospectively and prospectively. Permit me, Sir, to repeat these two problems: One, whether a Communist Government can be accommodated within a non-communist fabric, and two, whether communism would ever reconcile itself to constitutionalism.

We have seen that when the Communists came to power in Kerala in April, 1957, they were generally welcomed, not because they were a Communist Government, but as a change from several inefficient and unstable governments in the past. The electorate voted the Communists to power, not because the people had been converted to communism, but as aa escape, as I said, from inefficient and unstable governments. Let us remember again, that the Communists won the elections and came into power and formed the Government ia

Kerala in April 1957 after securing 35 per cent, of the total votes polled in the general elections; and the Congress, the single opposition party secured 37 per cent, of the total number of votes polled. Let me remind hon. Members that in no other State did a single opposition party secure more of the total number of votes polled than the party which formed the government. Let me put it the other way round. In no other State did a party which formed the Government secure less percentage of the total votes than any single opposition party. Let us al?o remember that tbe Communist Government, after it came into power, was welcomed by a large body of opinion and the people voted them to power because, in the past, they had inefficient, inept, weak and unstable governments and as a consequence, the Communist Government was shown a great deal of toleration, a degree of toleration which perhaps they themselves never expected. The Home Minister has said that since the Communists came to power, there have been a series of violations of the Constitution and he contented himself with merely pointing them out to the State Government and some he benignly ignored. This toleration, I think, was carried to excesses both within the State and outside by the Central Government and in my opinion, this excessive softness or toleration shown towards the Communist Government—for whatever reasons it might be and the Prime Minister referred to this, this morning —was unjustified and, I think, quite unnecessary. I say it was unjustified and unnecessary because neither was the Communist Government grateful for it, nor did they improve at all. In any case, it was clear from the very beginning that the Communist Government in Kerala was carrying on in a way to suit their own Communist conceptions, of course, which in my opinion, nullified, circumvented or subverted the Constitution, and I am of opinion that action should have been taken immediately. If no action was considered necessary, apart from pointing out these violations to the State Government, at least the country should have been told about the violations. The country was not aware of the fact that a series of serious violations of the Constitution was taking place in Kerala.

SHRI PERATH NARAYANAN NAIR (Kerala): They never existed.

SHRI M. H. SAMUEL: This was a serious matter. Let us be clear about the Communists' attitude towards the Constitution, towards democracy, the State and public law. The kind of Constitution that they comprehended is very different from the Constitution that we have formulated for ourselves. The kind of democracy that they comprehended is very different from the democracy that we understand. Their idea of a State is very different from our idea of the State. Also their idea of public law is very different from our idea of public law. Here I might quote the definition of the State by a very eminent Russian who was formerly the Foreign Minister of Soviet Russia. I quote from his book "The Law of the Soviet State". He says:

> "Force became neeessary in order that these contradictions, these classes conflicting with economic interests might not devour each other and society in a fruitless struggle. Force standing manifestly above society, force which would moderate the conflict and hold it within the bounds of order, this force issuing out of society, but putting itself above society and ever more and more alienating itself from society, is the State."

AN HON.. MEMBER: They govern by force.

SHRI M. H. SAMUEL: You don't govern on the basis of force or oppress other minorities on the basis of force.

DR. ANUP SINGH (Punjab): Who I is the author?

SHRI M. H. SAMUEL: I am sorry, it is Vyshinsky, formerly Foreign Minister of Soviet Russia.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : N'o interruptions, please.

. SHRI M. H. SAMUEL: At another place in the same book the author writes this:

> "The State is the machinery to sustain the domination of one class over another."

Please mark these words: "to sustain the domination of one class over another." In my humble opinion, this is exactly what happened in Kerala. Compare these words with what Mr. | Dange said in the other House when I the debate on the Kerala Proclamation took place there. I shall quote I believe Mr. Bhupesh Gupta id Mr. Datar yesterday for the iids, and I shall furnish him the quotation. This is what Dange said:

> "Democracy in this country, if it is to be democracy, must be the toilers' democracy. It cannot be an impartial democracy belonging to the exploiters and the exploited."

I would again beg of you, Sir, to mark these words "cannot be an impartial democracy." Anybody can see from the passages that I have quoted, how clearly the Communist conceptions of the Constitution, democracy, the State and the public law differ from our conceptions. And naturally conflicts arose. If you try to impose different conceptions of democracy, Constitution and State in a fabric which is conditioned by our own conceptions, naturally conflicts would arise. It is no wonder, Sir, that with these differing conceptions of our political instruments and institutions, they sought to formulate their own patterns of law, State or democracy when they came to power in Kerala. It is not easy for ordinary men, for everybody in the country to understand other systems pf government or Constitution, and it is difficult for ordinary men to perceive these differing conceptions and appreciate the shifts and strains imposed on our Constitution to make it subserve the communist ends and ideologies. But there they were, for ail to see in Kerala in what happened there, the two problems that I formulated at the beginning, namely, whether a Communist Government could be accommodated within a non-Communist fabric and secondly, whether Communism would ever reconcile itself to constitutionalism. The main issue underlying these two problems, also perhaps these two - problems, of course, is the character of the regime in- Kerala, the communist character of that regime.

It is this character based upon their conceptions of the constitution, democracy and all that that brought about this state of affairs. It is this character of the regime which alienated and estranged a large body of people in the State and then brought about the downfall of Communist Government. This character of the regime is but an expression of the Communist conception of the constitution, democracy, State and public law. You have heard in this House many instances quoted of cell courts dispensing justice instead of the ordinary courts of law that we are used' to in other parts of the country. You have also heard of a party cell functioning, supervising, overseeing and approving the actions of the State Cabinet. You have just heard from me the definition of democracy by Mr. Dange. These are their views of the constitution, democracy, State and Public law. We should be aware of them. They wanted to establish a class State, a partial democracy, for the establishment of which, since the Constitution does not provide for it, to establish which they have had to subvert the Constitution. This, of course naturally entailed considerable strain not only on the administration but also on the people, strain of physical suffering, discrimination,

inequality before law and a feeling of being second class or third class citizens. This, evoked resentment and a struggle for emancipation or, as they would call it, liberation followed, a irtruggle which, in my opinion, soon assumed a very serious proportion, assumed almost the character of a revolution, of course, a revolution without arms. Revolutions, Sir, are recognised in history. Revolutions •hange the course pf history. They bring about a *fait accompli* which cannot be ignored. Even in giving such a character to their regime in Kerala, I am afraid, our Communist friends have been quite out of date.. They have not been keeping themselves up to date with the Communist trends of thought. This idea of a class State or a dictatorship of the proletariat or, as Mr. Dange says, democracy of the toilers—all mean the same thing although they are expressed in paradoxical terms, one talks about dictatorship and the other of democracy—this idea of the dictatorship of the proletariat was never propounded by Karl Marx. Karl Marx never envisaged communism in that sense. Lenin conceived the idea and called it democratic centrism. Later it came to be known as Marxism-Leninism. Stalin, of course, robbed the idea of its democratic content and merely practised centrism. But Mr. Khrushchev—I must be fair to Mr. Khrushchev—Mr. Khrushchev has restored some of the democratic content into it.

DR. ANUP SINGH (Punjab): Is a correction permissible, Sir? It was Karl Marx ...

THE VICE-CHAIRMAN(SHRI AKBAR ALI KHAN): Let us confine ourselves to this problem before us instead of going into various theories.

SHRI M. H. SAMUEL: I believe our communists would want to follow Stalinism without any democratic content whatever. They were doing so at the cost of the other classes, but our Constitution does not provide for it and, therefore, they had to subvert the Constitution. The two-fold problem of Kerala thus remains with us, as experienced in Kerala during tha last 26 months and, I believe, it will remain with us as long as the Communists do not change their ideology. These two problems, I repeat, are one, whether a Communist Government can be accommodated within the non-communist fabric and two, whether Communism will ever reconcile itself to Constitutionalism. I believe that it is difficult for the Communists to accommodate themselves into our constitutional set-up and it is impossible for them to reconcile themselves to the Constitution unless they change their ideas on these matters.

{Time bell rings.)

I would like to have two minutes more to speak about Andhra.

THE " VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): I have already given you a few more minutes.

SHRI M. H. SAMUEL: I want to speak about Andhra because that was raised in the debate.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN): You will have to appreciate my difficulty, Mr. Samuel. I have got a number of speakers and there is only limited time at my disposal. The Home Minister will reply at 3-15 p.m. I hope you will co-operate with me.

SHRIMATI K. BHARATHI (Kerala): Mr. Vice-Chairman, the assumption of power by the President in Kerala and the dismissal of the Communist Ministry was something unprecedented. Therefore, I am not surprised or sorry, if the same has given rise to opposition and has attracted criticism. But, Sir, that was the only correct step the President could take in that situation. Otherwise, everything would have gone to pieces there and perhaps Kerala would have turned out to be in a state of perpetual revolution.

[Shrimati K. Bharathi.]

What happened in Kerala had to be seen with your own eyes to have believed it. No amount of words can convey the magnitude of the movement or the intensity of feeling behind it, or the dedication of the people to oust the Ministry. Perhaps it may be the result of the widespread fear, about which the Prime Minister referred to just now. Sir, when a bull runs amuck and hurts one, there is a limit to the fear created but when a tiger mauls one, the fear spreads throughout the area. After all, the tiger is a beast of prey.

Many came to Kerala with a critical mind but they all, inevitably and invariably, succumbed to the irresistible appeal of the mass upsurge there. In fact this momentous movement was christened "mass upsurge" by the very person who came all the way to Kerala, to criticise it and denounce it —I mean the Prime Minister. But once in Kerala, he too came under the spell, under the charm of the movement, even though he did not like it. Shrewd judge, as he is, of mass reaction and mass psychology, he could measure the feeling behind this strange phenomenon: it was too massive, too immense and too mighty to be engineered by any group of persons, however powerful and scheming they might be. You cannot manufacture an earthquake. It simply happens and behind that operate the inexorable laws of nature. So also here the inexorable laws of human nature were working, the instinctive and inevitable reaction of a people, arising from a feeling of discrimination, persecution, injustice and what not. It was something spontaneous, genuine—truly a mass upsurge in all its magnificence. Local leadership, local initiative, local finance and local volunteers, everything burst out like grass on the meadows after summer showers, breaking the spell of sweltering heat. Sir, it was like the storm clouds in the monsoons of mid-July. They appeared mysteriously in a] never-ending trail, completely covering the sky and pouring out a never-ending stream of water. Sir, it was something like an elemental force at work, something akin to a deluge even. The only way the angry wave* that lashed against the citadels of the Government, arising from an ever-swelling oceanic tide, could be stemmed was by removing the Ministry which created the stormy situation there. Otherwise, it would have swept away many things and the damage would have been irrepairable. Sir, I have no doubt in my mind that the Central Government wished with al their might not to interfere, till at last I there was no other alternative te restore peace and tranquility in that j unfortunate State. Friends on the opposite side insinuated that the move-i ment would never have gained I strength, but for an assumed feeling I that the Centre would intervene. This is far from the truth. The men who guided the movement always appre-; hended that the Prime Minister would j be unsympathetic and unfriendly. Nor did they expect much of sympathy j from the Congress High Command j also. Sir, they launched on the move-, ment as they were irresistibly pushed on by the masses which had become restive. For thejr own survival they had to lead the movement; otherwise they would have been swept away, and unguided and uncontrolled, it would have worked with elemental fury to everybody's destruction. Sir, it is a great triumph on the part of the leadership that they could keep this massive movement within the bounds of non-violence in spite of all the provocative measures and wantom repression indulged in by the Government. The Communist Party and the Government should be congratulated for bringing about this unity among' the warring communities and political parties of Kerala. Sir, that was the greatest achievement of the Communist rule for the last two and a half years. How they achieved this tremendous task, this Herculean task, is an interesting story.

Sir, the Communist Ministry tried j to work on class hatred, casteism and ' religion intolerance. They thought that 'Catholic-baiting' was a fine pastime and a shrewd political game too. In fact, the much controversial Education Bill, the haste with which it was introduced, the way it was announced, the ' type of propaganda ! with which it was backed, was, to say , the least, simply nauseating; more to work up animosity against the Catholics than to benefit the teachers was this Bill introduced. Sir, the Kerala Government thought that this Bill would drive a perpetual wedge between the Catholics and the Hindus —especially the Nairs. Alas, the irony i of it—the Education Act turned out to be the rallying point for these warring communities. It forged a new unity between them which was never there before. Even the teachers revolted. "When opposition crystallised around the Education Act, soon all the other seething, simmering discontent gathered into a big storm and it took the State in its grip and slashed about the Ministry in an unprecedented fury. Sir, I wonder how, except by relieving the Ministers of their burdens and removing the objects of the people's wrath, the situation in Kerala could have been saved. This mass upsurge in all its massiveness could not have been dealt with by any other means. There was not a village which was not swayed by it; there was not a community or a religious group which was not drawn to it; there was not a political party except the Communist Party that did not go into it. Even Mr. E. M. S. Namboodiripad in a speech at Trivandrum indicated, or rather proclaimed, that alone his Government could not stem the tide that was gathering and threatening to sweep Trivandrum on the 9th of August. Perhaps he had wished that the armoured columns of Army units of the Union Government would pour in through the Western Ghats to crush the non-violent revolution there. And perhaps Mr. Namboodiripad was dreaming of the Soviet armed units pouring into Budapest and drowning in blood the Hungarian revolutionaries. Sir, unlike the Hungarian revolution, ours was a non-violent one—scrupulously and meticulously so. *(Interruption).* Such a revolution could not be suppressed by ordinary human beings; only dehumanised men can think of it. In fact, Sir, the strong point, rather the good fortune of it all was that the movement was perfectly non-violent. In spite of the four police firings which in all killed 15 and injured many, and the repeated brutal lathi charges on non-violent crowds of women and children, the people of Kerala, I*am> proud to say, maintained wonderful calmness. The firings were certainly unprovoked and any impartial enquiry will show that there was no popular violence.

Sir, the lead taken by the women of Kerala was something beyond one's imagination. How they came out in their thousands and hurled themselves into the movement was something simply amazing. In fact, they were the decisive force in the Kerala revolution.

Sir, in fact, the law and order machinery completely broke down and the State could not meet the challenge. In several places the State did not simply exist. The indiscriminate firings and lathi charges show that the Kerala Government wanted to make the Centre intervene but still the Centre hesitated. In the face of all these it was indeed an act of kindness on the part of the President to have intervened and saved the Kerala Ministers by a mere dismissal.

Sir, when you turn critical of the movement and of the Central intervention, please do stop for a moment and ask this question: What was the cause of this mass upsurge which swept the entire State and in its sweep carried all the communities and religions and political parties? Sir, how is it that all the Bar Associations in the State came up against them? Not a single one supported them. How is it that out of 27 municipalities,

[Shrimati K, Bhara thi.] 24 including the Trivandrum Municipal Corporation, demanded the immediate dismissal of the Ministry? A good many of the panchayats also did so and only a very few supported the Ministry. Sir, why did the Kerala v.nent cancel the scheduled date nicipal elections? Because they had no confidence to face the people. Why did the Kerala Government retreat from the loan market? It was definitely a confession of failure- on their part. Sir, what they wanted was an honourable retreat and the Central Government was kind enough to accede to their wishes. Now they cry hoarse here about the assault on democracy in Kerala and how the undemocratic Nehru Government committed a surprise assault on the very democratic Communist Government in Kerala.

Mr. Vice-Chairman, Democracy cannot survive at the hands of parties •and rulers who tlo not exalt it as an article of faith and adhere to it at all costs. In 1948 the Communist Party tried to sabotage the Constitu-. tion by direct assault. In 1957 they tried the Dhritrashtralingan, that is, the embrace of Dhritrashtra to crush it with the weight of their massive love. The Communist Dhritrashtra feels angry when democracy which is Bhima is being removed from that crushing embrace by Lord Krishna, that is, the Central Government. Sir, Mr. Dange's latest exposition of democracy in the other Jlouse pinpoints the real cause of the revolution in Kerala. There the representatives of the so-called toiling masses ruled for the welfare of the toiling masses alone, and as far as the Communist Party is concerned, the toiling masses are the Communists and that section of the people who accept their leadership. Even organised labour like the R.S.P. and the LN.T.U.C. are not accepted by them as toiling masses. It is because of this partisan approach that the real toiling masses of Kerala totally rejected them in the F.A.C.T. in the industrial town of Alwaye just after the President's intervention. Sir, Mr. Dange has substantiated all that we in Kerala have been complaining all these days; what Dhebarji and Mr. Shriman Narayan had been saying all these days. Sir, in the face of his unequivocal statement on trte police policy and conception of democracy which are quite contrary to our Constitution, one has to ponder as to whether they have any moral rigat to fight an election and assume power.

Sir, Communism which is a cancer to Democracy has- shown itself as an ulcer in Kerala. The cancerous cells are everywhere in India. The real danger to our infant democracy lies in the Communists misusing democratic methods to capture power and enforce one-party dictatorship. It JS because the Communists spell the word 'democracy' as 'dictatorship' that they failed completely in Kerala.

(Time *bell rings.)*

When it took 25 long months for the people of Kerala to be aroused into a non-violent revolution, I am. not surprised if some people outside the State are not fully aware of the situation in Kerala and the factors that led to it. Poor myself was crying in the wilderness on the floor of this House when I narrated and catalogued the misdeeds of the Communist Ministry. Few cared to understand ana catch the significance of what I said except Mr. Bhupesh Gupta who triea to explain away my charges as 'simple falsehoods uttered by the good lady from Keraia'. Sir, truth seemed to tremble in this House when Mr. Gupta appeared as the champion of truth against the Kerala lady till at last an eminent judge of the Kerala High Court revealed to the world that what I said was the truth. In fact, in the course of the last two and a half years they in Kerala were subverting the Constitution, corrupting the co-operative movement, undermining law and order, slowly and almost imperceptibly forging the monolithic structure where in the party and the government become the two sides of the same coin. To bring about a favourable climate to carry

out this programme, they adopted various methods. While they talked aloud about the Constitution, they acted effectively against it. Sir, the Constitution was not openly challenged, but by subterfuges and subtle methods. Can I get two minutes .more?

THE VICE-CHAIRMAN (SHRI ' AKBAR ALI KHAN) : Yes, only two mmutes.

SHRIMATI K. BHARATHI: As you know, Sir, the remission of sentences and wholesale jail delivery of criminals, resulting in the sudden phenomena? rise in the record of crimes under the Penal Code had their own psychological reaction on the people, who are traditionally peace loving. In this context, it was very significant that the Kerala Chief Minister pronounced his special policy on police, that he would not use the police on the side of the vested interests, landlords and employers. It was an ominous statement. One can imagine the reaction that these pronouncements and expositions produced on the .rank and file of the Communist Party, who had perpetrated a number of murders and acts of violence on the police.

Then, Sir, the statement of the Chief Minister at Coimbatore wherein he warned that if the Opposition united there would be civil war, was another signal for another' wave of crimes. The Party chief added fuel to the fire' by his timely call at Quilon to thi rank and file to take law into their own hands to protect the Ministry. Sir, I challenge Mr. Nair, on the opposite, to refute my statement that it was after his exhortation to his party-men at Quilon that a reign of terror began throughout the State. Toddy tappers of Trichur roamed about in jeeps and lorries of the so-called socialised toddy societies of Trichur to maintain peace. My esteemed •colleague here should knew that though we on this side, of the House talk so much about socialistic pattern -of society, it is the Communist Government in Kerala which has implemented it at least in our toddy front This socialised sector of the Kerala Government supplies the Communist Party with 'Keral vodka', money and desparadoes. These societies transport the red armies for attack on non-communists. Sir, I myself had the rare honour of being attacked by this red army under the leadership of tlie brother-in-law of the Finance Minister of Kerala. My crime was that I dared to cross into the Trichur district where there was a reign of terror for a few weeks. Of course, I returned home with a thorough shake up mentally, if not physically.

Sir, I want to place here two cartoons published in the *"Deshabhi-mani",* the premier Communist daily of Keraia, with which the ex-Chief Minister is very closely and intimately connected, to which he gave a loan of Rs. 75.000 when he was in office. Cartoon number one says that the Union Home Minister is the culprit in the Munnar firings where two communist workers were killed by the Communist Government. The second cartoon is about the recent brutal attack in Trichur of Shri Kurur Nambudirippad. The cartoon says: "You rascal, you are also sending telegrams! See how the Communists crushed Kurur. How many telegrams did he send?" These are symbolic of the attitude they adopted towards thf Central Government and the rule of law. Sir, the people, of Kerala have assessed the Communist Party by their experience of 27 months of red rule. *(Time bell rings).* Sir, in Kerala was a new ruling class, the amalgam of Brahmana, Kshatriya, Vaisya, to whose bogus camp went all businessmen, to whose orders the officers bowed, to whose wisdom the schools yielded, to whose might the newspapers surrendered. But the people of Kerala rejected them wholeheartedly. Now, let us go and ask the demos of Keraia, let our masters decide, as to whether Central intervention was democratic or not. We will abide by their verdict. Sir, we are not afraid of the people. On the other hand, I am sure my friends

[Shrimati K. Bharathi.]

opposite are mortally afraid of the people. Otherwise, they would have listened to the advice of the Prime Minister to hold general elections. Sir, they thought . . .

THE VICE-CHAIRMAN (SHRI I AKBAR ALI KHAN) : Shri Mulke I Govinda Reddy. *(Interruption).* Order, order.

SHRIMATI K. BHARATHI: . . . they could sell Kerala in the next election and win other States. But what a tragedy! Kerala is going to be their doom in other States. When the much trumpeted Kerala Ministry totally fails, with what face can they woo other States? Kerala will be a warning in big bold red letters, 'Beware of Communists'. I thank you, Sir.

SHRI MULKA GOVINDA REDDY: (Mysore): Mr. Vice-Chairman, the issuance of the President's Proclamation on the 31st July, 1959, three days before the Lok Sabha met, is a flagrant breach of privilege of Parliament. It is an insult to the Members of Parliament. Sir, they tried to muzzle public opinion inside the Congress Parliamentary Party by their issuance of this Presidential Proclamation. By this they tried to put down the bitter criticism that was raised against the Presidential Proclamation by some prominent members of the Parliamentary group in Parliament. Sir, this issuance of the Presidential Proclamation has dealt a deep blow to the parliamentary system of democracy in India. It has made us feel as to whether the parliamentary system of democracy is safe in the hands of the Congress that is now ruling in most of the States, except Kerala, and also now in Kerala and at the Centre. The Central Government, through their intervention, are having double standards. When similar or worse situations arose in different States, they did not care to intervene in the interests of the people of the State. When in U.P., on August 7, it was alearly made out that the present Sampurnanand Ministry had lost the confidence of the people, though technically the vote was not there, morally the Chief Minister in U.P. was bound to resign. The Congress High Command should have advised him to resign. When in Orissa actually the Congress Government was defeated, through the machinations of the Governor there and through the connivance of the Congress High Command and the Central Government, the same Ministry was allowed to function. When in Keraia, the Ministry had not lost the confidence of the members of the Kerala Assembly, when they still had a technical majority—as they would call it, but still they had a majority—the Central Government had intervened under article 356 of the Constitution. Technically it may not be unconstitutional, but morally they have no right to intervene in the affairs of the States. That means provincial autonomy of the States is given the go-by, by this .Central intervention. Either under article 352 or 355 or 356, the Centre should not intervene. If the Ministry has lost the confidence of the people of the State, as has been made out in the Governor's Report, it was left for the Ministry to resign or for the people to overthrow them by peaceful and legitimate means. On the other hand, by this Central intervention, the Central Government came to th.? rescue of the Communist Ministry in Kerala. Sir, the misdeeds of the Communist Government have been catalogued by many of the speakers who have spoken here and elsewhere, but the misdeeds of the Congressmen in other States, where the Congress is governing, are much more horrible. They have resorted to influencing the judges and interfering in the day-today administration. Mr. Shiva Rao was quoting yesterday that the cell courts were functioning. They were interfering in the day-to-day affairs of the people of the State. Equally, if not in a greater measure, thu Mandal Congress Committees are ' doing the same thing in most of the States. Grave interference in the administration of the districts by-Congressmen is being tolerated ir

ther States. Yesterday, somebody was saying that the Communist Party had nominated its own members to Ihe Public Service Commission. What have you done in other States? In' Mysore State, they appointed a Congressman—an active Congressman—as a member of the Public Service Commission. When the same Public Service Commission was reconstituted, another member of the Songress Party—an M.L.A. at that— was appointed as a member. It is But natural for any party to utilise the opportunity, when it is in office, to patronise its own people.

SHRI PERATH NARAYANAN NAIR: That is Congress.

SHRI MULKA GOVINDA REDDY: The Congress is doing it. If the Communist Party had been doing it, it was wrong. But the Congress which wants to preach the principles and tfie philosophy of high policy is doing tfie same thing. They are appointing men of their party as judges of the High Court and as members of the Public Service Commission. They are appointing men who were defeated in elections. Out of men who wera ttirown out from the Mysore Ministry one is Chairman of the State Trading Corporation and another is Chairman •f the Oil Distributing Company.

SHRI PERATH NARAYANAN NAIR: Many as Governors.

SHRI MULKA GOVINDA REDDY: This is patronage and this is the extent •f degradation to which the Congress kas gone.

Sir, if we look at the catalogue of misdeeds or misrule of the Communist Party and that of the Congress, neither the Communist Party nor the Congress Party will stand in a glorified manner. Both are to be condemned for what they have done. I io not know whether the allegations that have been made against the Communist Party are really true or not, because I did not go to Kerala, but some of the allegations might have been true. The Governor, in his report, has stated that the Communist Party was elected to power with 35 per cent, of the votes. What is the position with regard to other parties in India? In most of the States, Congress Governments were returned to power with a minority vote of 43 to 46 per cent, and in no State, I think, have they won with 51 per cent, of» the votes of the total electorate. If, as the Governor put it, the opposition is that the majority of the people did not vote any party into power, then the Congress Governments in all the States including the Centre should resign and a fresh mandate should b« sought. Sir, it is quite possible that the Communist Party which won the majority of seats with 35 per cent, of the electorate backing them might have lost a good number to the opposition. Their voting strength might have gone down. But it is not left to the Governor of a State to judge whether a particular ministry which is in office has lost the confidence of the people. There should be a constitutional amendment to enable people to express their views when a ministry in power has lost the confidence of the people concerned. Instead of relying too much upon the report of the Governor, if the Central Government had thought of bringing in an amendment to the Constitution providing for the right to recall members from the Assembly, this would have been solved peacefully . . .

SHRI BHUPESH GUPTA: My Bill is pending.

SHRI MULKA GOVINDA REDDY: .. . .legitimately and to the satisfaction of all. There are people who say that the Communist Ministry has lost the confidence of the people, and the Communist Party and their supporters say that they have not lost the confidence of the people. Instead of allowing matters to be settled on the battle-field as was done in Keraia, it would have been better if constitutional methods were applied in regard to this issue. Sir, we have to learn some lessons from the situation that

[Shri Mulka Govinda Reddy.] has arisen now. So, I would earnestly urge that some constitutional amendments should be brought in so that they are in keeping with the needs of such a situation. When the Constitution was framed and adopted in 1950, I do not know whether a particular issue of this nature was thought of. They never thought that any party -other than the Congress would come to power for some generations to come. But the situation has changed within these last ten years mostly because of the misdeeds of the Congress Governments in the St-ates and at the Centre. So, a similar situation, not in one, but in two or three cases, might arise after 1962. Therefore it is better that we take some serious action to amend the Constitution.

Sir, a minority party, if it gets only a technical majority in the legislature, has no right to rule. But that should be made applicable to all the parties. But how can it be done? It can be done if all the parties sit together and adopt a code of conduct that whichever party it may be, if it does not come into the legislature with a clear majority vote, it has no right to rule. This can be done by this kind of understanding or by amending the •electoral system that is now obtaining in India. If we introduce the system of proportional representation, then this problem will be solved easily and nobody will have any grouse against any party, either in Kerala or in U.P. or in Mysore or in any other State. Any party, under this new electoral system, if it were to rule the country or any State, it will have to obtain a clear mandate from the people. But now it is not so. In most of the States the Congress that is now running the administration, has not obtained a clear mandate from the people, that is, they did not get the majority of votes in their favour.

I do not know whether the agitation that was carried on in Kerala was peaceful or not and whether there •was incipient violence in that or not. But it is the fundamental right of any citizen or group of citizens to protest and agitate against the injustices of any government, whether it is tht Communist Government or the Congress Government, and when a considerable section of the people express themselves that the governme office has lost the confidence of the people, it is the duty of that Government to seek a fresh mandate from the electorate. I am sorry that the Communist Government in Kerala missed a splendid opportunity of showing to the country and the world that they would face it. When a certain section of the people expressed that the Ministry in office ' had lost the confidence of the people, they should have resigned and sought a fresh mandate from the people. They would have come out with glory and with flying colours, and they would have told the world that here, when a certain section of the people expressed that we had lost the confidence of the people we resigned and sought a fresh mandate from the electorate. But unfortunately they did not resign and seek a fresh mandate. Perhaps they might have thought that by resigning at that juncture they would have yielded to the pressures of the movement of the Vimochan Samiti, that was started there. Whatever might be the case, the fact here *ie* that they did not seek a fresh mandate from the people of the State. It was said that they were prepared for midterm elections provided it was agreeable to the other States, if other parties were prepared to come to an agreement. Of course it would have been better if they had come to an agreement regarding mid-term elections and other things like a code of conduct for political parties, etc. All the same it would have been a great moral victory for the Communists if only they had desired and sought » fresh mandate from the electorate.

One last point, Sir. Whatever might have been the provocation I must congratulate the Communist Ministry in Kerala that they did not resort to the Preventive Detention Act, the hated Act, and they did not use the

military, they did not use aircraft to crush the movement. They did not commit a massacre as was done in Bombay and other places. It is really a commendable thing. But one thing that they did was that they resorted to police firing four times. Having done it they should have ordered a judicial enquiry into the police firing. 1 No Government in India has any justification to resort to police firing, but the Congress Government has done it, not once but a hundred times or more. But the Communist Party would have done well . . .

SHRI BHUPESH GUPTA: We told the Prime Minister that we were prepared to order a judicial enquiry immediately the movement stopped. We stood for a judicial enquiry and we reiterated that.

SHRI MULKA GOVINDA REDDY: That is a different matter altogether, but while they were in office they had the power to do so, and whether the movement stopped or not, they should have ordered a judicial enquiry into all the police firings, and they should have set better standards for the other Congress Governments to follow, but unfortunately the Communist Party missed splendid opportunities to come out with golden colours when a situation arose like that. All the same, Sir, I cannot support the action taken or vote for the Resolution that has been placed before us. No democrat wedded to the parliamentary system can acquiesce in or tolerate Central intervention, which is totalitarian in character and partisan in colour. I therefore oppose this Resolution.

SHRI J. N. KAUSHAL (Punjab): Mr. Vice-Chairman, I rise to support [1] the Proclamation which has been issued by our President. The same thing happened in my part of the country also. I come from PEPSU and, as we all know, a situation had arisen there also when the Centre was compelled to take recourse to this very article. After hearing all the debate which has taken place here as well as that which took place in the other House and after having acquainted myself with other facts from the press and from other Members I feel that the situation in our part was not as dangerous as it was in Kerala. But the feeiing of the people of PEPSU at the time when President's rule was imposed was a feeling of suffocation, a feeling where they thought that unless the Centre intervened, probably they would have to organise some sort of a rebellion, as people say, in order to get rid of a Government which cannot give what we call, a good Government, to the people.

Now all the discussion which is being raised in the House is being raised in the name of democracy. We on our side say that this action has been taken in order to save democracy while our friends on the opposition benches say that this action has been taken in order to kill democracy. But we are agreed on one thing, that it is democracy to which the country is wedded. We only disagree on one thing, and our disagreement is on whether this action has promoted the cause of democracy or this action, as they say, has gone in any way against democracy.

Now, as I understand it, democracy means the rule of law, and this is the very basis of democracy. That is why the Constitution is very zealous on the democratic rights which the framers have conferred on the citizens of India, and in spite of the fact that it is a federal constitution and the States are sovereign in certain matters, the Constitution has made the Centre the custodian of certain things, and the one main thing which has been made a special charge of the Centre is to see that the Governments in the States also are carried on according to the Constitution. Whenever there is internal disturbance in any State or whenever it is found that the Government in any particular State is not being carried on according to the Constitution, it is

[Shri J. N. Kaushal] the duty of the Centre, it is a responsibility which has been thrown on the Centre by the Constitution to intervene, and if the Centre does not intervene, then I would with all respect say that the Centre fails in its constitutional duty, which has been imposed on it in the very best interests of democracy. Therefore, regarding the constitutional aspect as to whether the Centre has the power, I feel there is no dispute—undoubtedly the Centre has the power. The only question which we have been debating for the last two days is whether the Centre has misused the power or whether the Centre has used the power for some extraneous consideration. I thought that the facts in the present case were so patent that we did not need much of argument and debate in order to come to the conclusion that this was a case where the Centre had intervened—with all respect to the leaders in the Centre I would say—rather with delay; the Centre should have intervened much earlier; the people of Kerala would have been saved the untold misery through which they had to pass and the country would have been saved the tension. As we say, the whole country was on tenterhooks, and they were trying to find as to why the' Centre was so partial as not to interfere in Kerala. Well, the only argument which has been given by our respected leaders is that another party was ruling there. I can understand some concession to another party, but the concession cannot be taken to extreme lengths, to that extreme degree where ultimately everybody had come to thi$_s$ conclusion—and had to say—that it was a mass upsurge. It was something which had not been witnessed in any other part of the country, an upsurge where 20,000' people had courted arrest and a lakh of people took part in the agitation. I would submit to the House that we cannot, in our love to try to be fair to the other side, preach that the other side may go On indulging in all sorts of atrocities, and yet the Cen+re should not intervene. But probably all great men show examplary patience and they give the longest rope to the wrong-doer, and it is only when they feel that the wrong-doer will not come to his senses unless the power of might is used that they intervene.

3 P.M.

SHRI BHUPESH GUPTA: On a point of order, Sir. Is he saying that the Prime Minister . . .

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : No point of order.

SHRI J. N. KAUSHAL: Some stories-from the Mahabharata or Bhagawata have been told. I would also enunciate a very small anecdote. We all know the anecdote of Lord Krishna and Shishupal. He was abusing Lord Krishna and everybody was wondering as to why Lord Krishna was not taking any action, was not trying to teach a lesson to Shishupal. But Lord Krishna thought, let him abuse. When the hundredth abuse will be heard, only then he will intervene. And his *sudershana chakra* had to be used when the hundredth abuse was heard. Probably our Centre tries to show that type of patience which probably nobody else can show. Otherwise we all know the misdeeds of this government were brought before this House a year earlier, and at that time also—I would say—there was a situation when the Centre should have taken resort to Articles 355 and 356, because in the ultimate analysis it is the Centre which has been made the custodian of the Constitution. If a State Government does not know how to honour the Constitution, the Centre will come in, the President will intervene, and the Parliament is there to protect the rights of the people of the States. Therefore, my submission is this.

DR. R. B. GOUR: The Constitution does not say that you create a movement and then intervene.

SHRI J. N. KAUSHAL: My friends on the opposite have not tried to contradict the facts which have on all hands come to be agreed to in the present case.

Sir, after hearing Mr. Bhupesh Gupta, I was feeling that probably he has a very hollow case because my experience is the weaker the case the louder the argument. Otherwise my experience is that to win a case great oratory and arguments are not needed. It is the facts which speak. Therefore, after hearing the report of the Governor and after hearing the case as has been given to us by various hon. Members who have come from that part of the country, is there any rioubt left in the mind of any Member of this House that the Centre has intervened and rightly intervened? Sir, if the Centre had not intervened for a little longer, people in Kerala would have suffered more miseries for which there was no justification.

[MR. DEPUTY CHAIRMAN in the Chair]

Now. what are the broad facts which are admitted on all hands? One broad fact, which nobody has controverted, is the partial attitude of the police in that State. And that was not the attitude of a single individual police officer. That was the policy of the day, the policy of the Government laid down by the Communist Ministry. And that policy was that the police shall not intervene on the side of, as they say, vested interests even though the exploited person, according to them, was taking the law into his own hands. I would submit this is the very negation of democracy, the very negation of the rule of law, because law gives equal Drotection to every citizen of the State. Law is not the respecter of any person, and if the police ——— *(Time bell rings.)* I have not had even seven or eight minutes. I may kindly be given five minutes more.

MR. DEPUTY CHAIRMAN: There j is om? more speaker.

SHRI J. N. KAUSHAL: That is true. My time should not be given to tbat speaker.

MR. DEPUTY CHAIRMAN: Your time is over.

SHRI J. N. KAUSHAL: I will need five minutes more.

SHRI BHUPESH GUPTA: Shishupal took a lot of time.

SHRI J. N. KAUSHAL: What I submit is this. The attitude of the police is mainly responsible.

MR. DEPUTY CHAIRMAN: You have taken twelve minutes. Please take three minutes more and close.

SHRI J. N. KAUSHAL: Very well. What I wanted to bring to your notice is: If the police was following a policy of pick and choose, how could any peaceful citizen in that State tolerate that state of affairs?

Again, Mr. Dange stated in the other House that they would once again announce this police policy. Well, I do not know with what cheek they say that that police policy was. correct, the policy which led the police not to intervene on the side of particular individuals even though the other side was taking the law into their own hands.

The other safeguard is of the judiciary. We all know how some courts were functioning. There was interference in the judicial administration. If that was also there, how can we expect the most advanced part of India, the most educated people, in the country to stand this tyranny? So it was only meet and proper that they got up in rebellion and they thought that the Ministry which is wedded to misrule should be uprooted. Sir, I would say that the lesson which the Communist rule in Kerala has taught will be good to the other parts of the country also. We have had a taste of the Communist rule in Kerala. Communists do not believe in democracy. They just swear by democracy

[Shri J. N. Kaushal.] in order to kill democracy. So the two factors were that the police was not intervening and .that they had tried to set up their own type of courts.

Thirdly, Sir, whenever there was a prosecution against a Communist, either the prosecution was not allowed to be launched and if it was launched and the murderer convicted, the man was pardoned. This is not respecting law, and this is a type of government which we are not used to, and I can assure, the House that this type of Government is not going to be tolerated in any part of the country. People in India are wedded to the rule of law. We have laid down in our Constitution that the governments have to be carried on according to the law laid down in the Constitution. The fundamental rights guaranteed to us by the Constitution have to be safeguarded by .all governments and any government which tramples upon the rights of the citizens has no right to exist.

As we all know, Sir, when the Prime Minister went to that State he said that he had no idea of advising the President to impose President's rule. But seeing is believing. When he found things for himself, he found that people were in such a state of terror, could there be any other solution except that such a government which is wedded to misrule should have been removed.

Sir, before I sit down, I would bring only one instance to the notice of the House. There was a rice deal in Kerala. We all know that that rice deal was enquired into by a Judge of the High Court. With your permission, I would read the findings given by the learned Judge, a few lines from it. He says:

> "The present deal was for the supply of the rice of the value of 25 lakhs of rupees. The Madras firm was quite unknown in Kerala and, from what I have already said, there was nothing in its antecedents to indicate that it would be able to undertake a deal of this magnitude although, of course, it did produce the references and the bank guarantee of Rs. 10,000 required by the agreement, Ext. B-64. All that the Kerala Government knew about the Madras Arm, when it entered into this deal with it, was that Mr. A. K. Gopalan had said in his telegram of the 29th July, 1957 that it was possible to obtain sizable quantities of rice through the firm. To negotiate the deal with the Kerala Government the M Party brought with him Mr. P. N. Menon, his partner in some other concern and who, as the evidence of the Food Minister shows, was known te the Minister as an active member of the Communist Party in 1942-43 but who later left the party to take to business. Subsequently also Mr. P. N. Menon was interesting himself in the deal writing now and again both to the Food Minister and the Food Secretary and also seeing them in connection with it."

These are the findings of a High Court Judge. Therefore, my submission is that this action was preeminently a fit action to be taken and I welcome it whole-heartedly.

SHRI B. D. KHOBARAGADE (Bombay): Mr. Deputy Chairman, on the 31st of July 1959, the President had to issue a proclamation and intervene by dismissing the Communist Ministry in Kerala. So far as the issue of that proclamation by the President is concerned, that was inevitable and in the interests of the citizens of Kerala. It was not only necessary, but it was essential. Because a sense of insecurity was prevailing there on that day and for some days past. And so far as this aspect of the problem is concerned, i.e. intervention on the 31st July 1959, I think it was proper. But that does not mean that I support any of the moves of the Opposition Parties or the

agitation which had been started by the Opposition Parties including the Congress in Kerala. That agitation was the most undemocratic one. The mam object of that movement was to overthrow the Ministry which had been installed in power by democratic methods, i.e. by elections. Of course, some people said that when the Communist Ministry had been voted into power, it did not enjoy the support of the majority of the masses. I must, however, say that in most of the States where the Congress Party has got its Ministries at present, it could not get the support of the majority of voters. Even though the Congress managed to secure only 40 or 45 per cent, of the votes, it was allowed to function in other States. So, it was not any proper explanation offered bj the agitators that as the Communist Ministry did not enjoy the support of the majority of the voters, it had to go. The agitators mainly stated that the Communist Ministry was not running according to the provisions of the Constitution and it was discriminating against certain groups of citizens. I think, Sir, to some extent, these allegations may be true. But even if these allegations are true or are supposed to be true, does it give any right to them to overthrow this Ministry by any violent action? *(Interruption.)* There was enough proof that violence was used in Kerala to overthrow this Ministry. We know that in the case of Bombay injustice has been done by imposing the bilingual State. We also have been carrying on our agitation in that connection for the past two or three years, but our Opposition Parties in that State have not at all used any violence or perpetrated any act of violence.

MR. DEPUTY CHAIRMAN: Come to Kerala.

SHRI B. D. KHOBARAGADE: Sir, I am only pointing out what is going on in other States. Everywhere, Sir, Opposition Parties have got their own grievances. But this is not the way to redress one's grievances. If you want to agitate, well, you have defi-' nitely got the right to agitate, but you cannot use any violent means and methods.

Here, Sir, I would like to quote one instance. We know that agitation has been going on in the Belgaon District for the last five or six months. It is a peaceful agitation. Volunteers have courted arrest and they have gone to jails, but not a single act of violence has been committed there. Then, Sir, during the last month, in West Khandesh, the Scheduled Castes and other backward classes started their agitation. For what purpose? Just to get their grievances redressed and to get some waste land so that they could have some means of livelihood. About 5000 people went to jails, but not a single act of violence was committed. That is the way to get your grievances redressed.

And what are your grievances, Sir, in Kerala? You say that law and order was not proper. I like to ask one question: What is the position in other States? I would like to give only one instance with regard to Punjab. Sir, during the last month, the wife, not of any ordinary person, but of a military Colonel was involved in some accident. Her modesty was outraged in a public place. And what did the police do? When that Colonel had been to the police officers for help, no help was given. The D.S.P. flatly refused to come to his rescue.

DR. ANUP SINGH: That allegation is without any substance. I think the hon. Member should be more serious.

SHRI B. D. KHOBARAGADE: Ultimately Sir, the Colonel had to call some Jawans to set that person right. You can understand the condition of ordinary women in that State when the wife of some Colonel could 15e molested in that way. We do not knQW when the modesty of any lady walking along the road may be outraged and when she may be led I astray and some atrocious act may be committed against her. So, this is the law and order situation in Punjab.

[Shri B. D. Khobaragade.] Then, Sir, it has been stated that there has been discrimination so far as some co-operatives are concerned. What about the other States where the Congress is in power? I have just referred to the agitation in West Khandesh. In that State, Sir, we have formed a number of co-operative societies during the last three or four years and we have applied to the Government for registration and for granting us some loan and some cultivable land. But during all these four years our societies were not registered, and we could not get even a single acre of land. Why? Because we belong to the Opposition Party and we do not belong to, the Congress. Then, Sir, there is a case in Chanda District where only 11 people who belonged to the Congress Party organised some co-operative society, and just because one Minister intervened—although it wa^ contrary to rules and regulations—they got all sorts of facilities. They immediately got their land, their loans and everything.

SHRI SONUSING DHANSING PATIL: That information is misleading.

SHRI B. D. KHOBARAGADE: So, Sir, that is the position.

And what about the trade unions? In my part of the country, Sir, some unions with the support of only 10 per cent, labourers are granted all kinds of benefits and recognition because v they are affiliated to I.N.T.U.C. But in the case of certain other unions, even if they enjoy the support of a majority of workers, they are not granted any privileges or any recognition. That is the position today.

Then, Sir, much has been said about toddy tappers. What is happening in your States? At least in Kerala, Sir, these contracts were given to some co-operative societies which are formed by the labourers themselves. In the Congress States such contracts are given to only a few individual contractors who belong to the Congress Party itself. *{Interruption.)* Sir, *I* am only comparing what has happened in Kerala with what is happening in other States. If you want to intervene, then intervene in all the States.

So, you can see, Sir, how the Congress Party functions. Even if you belong to the Congress Party, you do not get these facilities unless you belong to that section of the Party which is in power. I do not support what the Communists have done in Kerala. They are certainly to be blamed for their misdeeds and misdoings. But then, Sir, the same things -are going on in other States also. Of course, the Congress people are doing these things in a crude manner, whereas the Communists can manage and do things in a systematic pre-planned and refined way.

SHRI AKBAR ALI KHAN (Andhra Pradesh): They are only a few individual cases.

DR. R. B'. GOUR: Sir, even the Vice-Chairman is intervening,

SHRI B. D. KHOBARAGADE: I have got several cases before me. But for want of time, Sir, I am not able to give all these instances.

Then, Sir, so far as the Scheduled Castes and the Scheduled Tribes are concerned, I will give you one instance. There is a scheme, in our part of the State, which provides some facilities to the Scheduled Castes in the matter of construction of houses. About ten or fifteen houses are constructed every year in each District. And who are those ten or fifteen luky people who get this kind of help? If a man belongs to any of the Opposition Parties—the P.S.P. or the Republican Party—he won't get even a single pie although he may be poverty-stricken. If he comes through a local Congress leader, his grant is sanctioned. And he has to pay percentage also. That is what is happening everywhere. Until and unless you

come through your local Congress leader, nothing can be done for you. It has been said that the Communist Party enjoys the support of only 35 per cent, of voters. Sir, in India the two-party system has proved a total failure. Already there are numerous parties and a new party has come on the horizon and that is the Swatantra Party. If we take into consideration these 10 or 15 parties, the electoral system that is prevailing in India at present will not make democracy a success. For that purpose, as suggested by Shri Mulka Govinda Reddy, the system of proportional representation is necessary. It will reflect the opinion of the masses and we can Tiave democratic methods to work out our Constitution. Because unless and until we have the proportional representation system, it will not be possible to work the Constitution in a democratic way. As there are a number of parties, nobody will be able to enjoy the support of the majority of voters. There cannot be any polarisation between the two Opposition Parties. There will be the followers of each and every party and for that purpose, if we want that any legislature should reflect the opinion of the masses, then the only solution is the proportional representation system. I am advocating this from one other particular point of view. There are so many minorities in India whose grievance is that even though there are special privileges for them under the Constitution, these privileges are not Droperly utilized, due to the present electoral system. The other day I read in the paper that the reservation period which was proposed for 10 years up to 1960, is to be extended for five more years. I do not know whether it is true.

MR. DEPUTY CHAIRMAN: That is a different matter. It has nothing to do with Kerala.

SHRI B. D. KHOBARAGADE: I am sneaking about proportional representation. During the past 10 years we have seen that the people who claim to be the champions of the scheduled castes or the representatives so to say, have not done anything to redress their grievances. So if we want that the scheduled caste people and others should send, in the next five years, their own proper representatives who can champion their cause, then the only proper way is to introduce this system of proportional representation. I will only conclude by saying that so long as *Mr*$_r$ Nehru was sympathetic towards the Communists, so long as Mr. Nehru had a soft corner for the Communists, they dreamed and they thought that one day or other, they might capture New Delhi. When the question of After Nehru, who?' was discussed and debated, they thought and indulged in wishful thinking that after Mr. Nehru Mr. Namboodiripad will be there. At least by this incident that day-dream is shattered to pieces.

MR. DEPUTY CHAIRMAN: That will do. The Home Minister.

THE MINISTER OF HOME AFFAIRS (SHRI GOVIND BALLABH PANT) : Mr. Deputy Chairman, I have first of all, to apologize to the House and to every individual Member for my inability to be present here during the debate on this Resolution. I am all the more sorry that it should have been so as I have a special responsibility to this House and to its hon. Members. I hope they will forgive me for my absence as I had obtained the leave of the Chairman.

So far as the Resolution itself is concerned, I wonder if the arguments call for any detailed reply. The hon. Prime Minister has dealt with the basic and fundamental issues and other hon. Members who had personal knowledge of the affairs of Kerala, which Mr. Bhupesh Gupta does not possess, have given incontrovertible facts which could lead only to one conclusion that the administration in Kerala was not being conducted in accordance with the provisions of the Constitution and also that there was

[Shri Govind Ballabh Pant.] discrimination between Communists and non-Communists, not only in the general sphere but also in the sphere of labour, in the sphere of farmers, peasantry, toilers, toddy tappers and so on. So this basic fact has to be accepted. We also know that at the time this step was taken, there was unanimity in the country about the inevitability of this step. In fact there was hardly anyone against it. Even the Communists were impatient that this action should be taken and that it need not be delayed. About that point too, there can be no two opinions. Both Shri Namboodiripad as well as Shri Aj oy Ghosh, the Secretary of the Party, had stated publicly that the condition there was grave. So it called for action. There could be only one way of dealing with it, when the State Government did not seek any help from the apparatus that the Central Government can command. So far as moral precepts are concerned, so far as the giving of advice is concerned, that is the function of individuals and they can do it but it is for those concerned on the other side to listen to them or not to pay any heed to the wise counsel that may be thus given. So it was repeatedly said by tire leaders of the Communist Party and also of the Kerala Government that action under article 355 was called for. So far as the Government of India is concerned, it had made it clear at the very beginning when it was approached that it would be ready to give whatever assistance was considered necessary by the State Government. The army was posted near Kerala so that if necessary, it might be readily available. Similarly route-marches Were carried out there. But thereafter, the Government did not seek any help from the Central Government as such and that was admitted by the leaders, that they did not seek any such assistance. In the circum-stances, when the situation was serious and action was inevitable and delay could not be brooked, even if there had been no previous history. Government conM not in any case abstain from taking action, and if they had, they would have been guilty of dereliction of duty. The only way that they could take action was by proceeding under article 356, because the position was such that somehow or other, peace had to be restored, normal life had to be restored and the administration had also to be placed on a normal keel. So for all these purposes, action was called for. So long as the State Government was functioning there as a government, the Central Government could not interfere, either in matters of law and order or of administration or in matters of other types. It could do so only after it had taken charge of the administration under article 356. So I submit that taking into account the particular situation when this action was taken, there was complete unanimity that action had to be taken by the Centre. In fact, some Members of the Communist Party had approached the Prime Minister with the request to expedite such action if action had to be taken.

SHRI BHUPESH GUPTA: We have disputed that statement and I dispute it again. The Prime Minister is not leading a relief squad for the Communist Party.

SHRI GOVIND BALLABH PANT: I do not think I have said a word which can in any way be contradicted or repudiated. It has been accepted by the persons concerned themselves and it had been accepted also I think, in the course of the debate in the other House. So there can be no two opinions about that. Action was essential and had to be taken. When there were disturbances and when there had been also departures from the provisions of the Constitution, action could be taken only under article 356 and no other article would apply. So I do not see why there should be so much of eloquence and so much fury and anger wasted over that point. There is no room for all that.

SHRI BHUPESH GUPTA: We cannot behave as if we were in a drawing room after this crime had been committed.

SHRI GOVIND BALLABH PANT: "We were called upon to take action and we are responsible not only, to the people of India but also to the people 'of Kerala, and considering the sufferings and other hardships and disabilities that they had been put to for a long time, (there was no further room for delaying matters.

It has been suggested here that the Governor's Report had not been received when the decision was taken. I feel really sorry that such irresponsible statements should be made in this House. The Proclamation itself says that after considering the Report of the Governor and other information, this Proclamation was issued. When the Proclamation itself says that it was issued after considering the Report, how can it be said that this was done without taking that Report into consideration?

SHRI BHUPESH GUPTA: Let me make that point clear, on a point of personal explanation. The hon. Home Minister will please listen to me.

(Interruption)

The decision was taken on the 26th.

(Interruption)

DR. R. B. GOUR: Sir, there is an upsurge in the Congress benches.

MR. DEPUTY CHAIRMAN: Order, order. Mr. Rajabhoj, no interruptions.

SHRI GOVIND BALLABH PANT: I am told reference was made to something that appeared in a paper which said that some informal decision had been taken. Well, during those days, I remember there were also reports appearing in papers to the effect that ;he Central Government had altogether given up the idea of intervention. There were also reports in some papers that they had made up their mind to intervene. To rely on such speculations and on something which has appeared in the corner of a newspaper as against the authoritative statement made by the President, most certainly shows little regard for conventions that must be observed in a democratic society.

SHRI BHUPESH GUPTA: Including the Central Government. You took the decision.

SHRI GOVIND BALLABH PANT: I say definitely that the Report was fully considered before the decision was. taken.

SHRI BHUPESH GUPTA: And the newspaper report?

AN HON. MEMBER: You rely on newspaper reports.

(Interruption)

SHRI BHUPESH GUPTA: The Prime Minister said that the decision was taken on the 28th.

SHRI FARIDUL HAQ ANSARI (Uttar Pradesh): This categorical statement of the Home Minister must put an end to all this.

SHRI GOVIND BALLABH PANT: When I am making a definite statement, I think I can count upon the courtesy of ,the House and it will be accepted by every hon. Member regardless of the Party to which he may belong. Otherwise we should not be able to conduct the affairs of this big country, if we do not accept each other's words about matters which are in our own personal knowledge and about which authoritative statements are made by persons who hold with your permission responsible positions for the time being.

[Shri Govind Ballabh Pant.] Sir, there was also, I understand, a sort of suggestion—I will not call it a complaint—that this debate could well have been held here first and in the other House later. I do not know if the report that I had received is correct. But I have gone through the speeches and there was some suggestion like that? I may just state that the Proclamation was laid on the Table of the Lok Sabha on the 3rd and here on the 10th, and it was considered reasonable to give a period of a fortnight for the debate on the Proclamation itself. So the date was fixed there as the 17th and here in this House as the 24th. But I would respectfully request hon. Members to consider one aspect of this question. This is a matter, as we have been told and rightly told, which concerns a State and so this House is directly connected with it. Would it not be advisable to collect all possible materials including the speeches that are made in the Lok Sabha, before this hon. House . . .

SHRI BHUPESH GUPTA: Also the summary of the Governor's Report.

SHRI GOVIND BALLABH PANT: ... as befits its august position takes up the matter and gives its mature and wise verdict on a question of this character? I would like hon. Members to consider.

SHRI BHUPESH GUPTA: The hon. Home Minister is really a genius.

SHRI GOVIND BALLABH PANT: I think Shri Bhupesh Gupta will some time be hauled up for not observing the ordinary rules of decorum in this House.

SHRI BHUPESH GUPTA: Not under the Preventive Detention Act, I hope.

SHRI GOVIND BALLABH PANT: I have referred to some minor matters. A suggestion was made, rather in this case it was a complaint, that the Centre did not intervene earlier. Well, Sir, I should say that we have throughout treated the Government of Kerala not only fairly but, in our view generously, not only because it belonged to a different party but because it belonged to a party which had never really accepted the basic fundamentals of democracy. It did not, in other parts of the country, be'.ieve in democracy as such. At the most, the best and the foremost amongst them could speak of peoples' democracy. Peoples' democracy meant that the entire control and even the administration should rest in the hands of the members of the party who constitute the people.

SHRI BHUPESH GUPTA: Sir, our Party is not called the Peoples' Party but the Communist Party.

SHRI GOVIND BALLABH PANT: They did not think of 'democracy. They always thought in terms of the dictatorship of the proletariat. Of course 'proletariat' could always be interpreted by them in any way they liked but obviously it excluded certain sections of the people.

SHRI BHUPESH GUPTA; People means all sections of the people.

SHRI GOVIND BALLABH PANT: There is one other factor. Democracy is not merely a political system in which the majority party rules and govern$_s$ during the time it is allowed to do so or is sane enough to behave in a proper way but democracy is a certain code of conduct. There is a democratic way of life and unless you cultivate and adopt that way of life, you cannot adjust yourself even to a democratic system of Government easily. So, democracy requires a particular outlook and a particular approach. It calls for tolerance, it calls for forbearance, for patience, for goodwill, for accommodation and for regard even for the opinions of those who differ from you. Mr. Bhupesh Gupta would have no opportunity of speaking against the Government if

he were not in a democratic country like ours.

SHRI BHUPESH GUPTA: Which is the country in which I would not be in a position to speak?

SHRI GOVIND BALLABH PANT: There democracy does not even admit of the existence of the opposition. There can be only one party and that party must rule. There is one special aspect of it and that is, the rank and file of the party should also conduct the administration all over the country. So, the members of the Communist party had been brought up on these doctrines. They think that they must themselves conduct the affairs and that the administrators and other officers should look to them for guidance and not to the Government. They also think that Government is but *one* wing of the party and that the party must rule, not the Government only. So, things like this had been belieVed in by them for a long time. We thought that it is better to win them over . . .

SHRI BHUPESH GUPTA: And that you rule?

SHRI GOVIND BALLABH PANT: ... let us rather put up with some of their aberrations than take speedy action. So, in spite of many things that happened and things which can-net be justified according to the Constitution, things which are contrary and which cannot be considered to be in any way proper in the light of the fundamental rights enshrined in our Constitution or the noble objective that is laid down in letters of gold—in spite of all these things being done from month to month, for a long time—we did not take speedy action.

There was, I understand some quarrel here~as to the date of the receipt of the summary. I do not know what the real grouse about it is. The summary was not received before the original. I think that should be obvious . . .

SHRI BHUPESH GUPTA: We wanted to know how long it took for the tutoring.

SHRI GOVIND BALLABH PANT: It was received after the original had been received by us and before it was laid on the Table of the Lok Sabha or of this House. The summary was prepared by the Governor himself. A question arose in the Lok Sabha. It was pressed by some of the colleagues of my hon. friends opposite that the original Report should be placed on the Table. That we could not do.

SHRI BHUPESH GUPTA: Why?

SHRI GOVIND BALLABH PANT: Because it was a confidential document and we could not expose the officers to the wrath of those who might feel aggrieved if such reports were revealed fully.

SHRI BHUPESH GUPTA: Were you operating spies there?

SHRI GOVIND BALLABH PANT: Then the suggestion was made that a summary of the Report might be placed or in some other way the main points might be placed before the House. I considered it best to get this summary prepared by the Governor himself lest Shri Bhupesh Gupta might say that my evil hand had spoiled the good work that had been done by the Governor. So, I requested the Governor and he was good enough to prepare this summary.

SHRI BHUPESH GUPTA: Sir, speaking impersonally, the Home Ministry's hand is too long; the evil hand is too long.

SHRI GOVIND BALLABH PANT: I can te il the House that this summary, for the most part, contains what is incorporated in the report itself. There is nothing in it which is not in the report. So, for all practical purposes, it might be regarded as the report itself so far as this particular Resolution or the present debate is concerned. Sir, can anybody have any doubt after reading the summary as to how the affair$_s$ of the State were managed there? There was reference to the

[Shri Govind Ballabh Pant.] releases etc. that were made on the assumption of office by the Kerala Government. I had something to say about that in the other House. I will not repeat all that here but the chapter did not end there. After they assumed office not only persons who had been guilty of offences not involving violence but also those, mainly Communists, who were even guilty of violence were treated in a different manner. Either the investigation was not held or the case was withdrawn or even if the sentence had been passed, it was remitted. That is what is stated.

Then a police policy was propounded and according to that policy it was said that the proprietor or the management or the landlord could have protection if violence was done to him or if his personal life was disturbed. But if people in a factory wanted to go on a strike, then those who wanted to work and not to join the strike would not get any help and if the manager managed to get labour from outside, then too he would not be allowed to do so, so that the right not to work was recognised but the right to work was denied. He who did not want to work would have the protection but he who wanted • to work would not have the benefit of the law and would not be given the protection which the law provided for him. Similarly, there were, I am told, cases— and I think perhaps they have been mentioned here—in which even after decrees had been passed by the courts, the actual man in possession, the cultivator, did not leave the land and even the police was not very helpful. Anyway, I would not go into that story. It is a pretty long one and . . .

SHRI BHUPESH GUPTA: And a false one.

SHRI GOVIND BALLABH PANT: ... it has been given not only inthe Report but also in the speechesthat have been delivered by ShriMadhavan Nair and our respected friend, Shri Shiva Rao and others. They have spoken of what they have seen with their own eyes and in the circumstances to disregard all these as a concoction of somebody's brain cannot perhaps be accepted by hon. Members of this House.

Then we were told that there was-a conspiracy, a conspiracy . . .

SHRI BHUPESH GUPTA: Great conspiracy.

SHRI GOVIND BALLABH PANT: ... a grave conspiracy. I have no objection to using the word 'grave' because the conspiracy itself was in the grave and nowhere else.

SHRI BHUPESH GUPTA: Sir, I said 'great'.

SHRI GOVIND BALLABH PANT: I may just state that this conspiracy was denned in certain terms in one House. Here you heard a different story. Shri Govindan Nair said that the Congress did not start this movement; the Congress did not inspire it. The ^ Roman Catholics who did the whole job somehow entangled the Congress in it. So at least the Congress was not regarded as the villain of the piece; it cannot be said in the circumstances that the Congress had taken steps to have some sort of conspiracy. That is accepted by Shri Govindan Nair, who is the head of the Communist Party in Kerala.

Then it was also stated that sometimes the leaders of the Central Government had been helping the conspirators. Well, I remember that in one of the statements that Shri Namboo-diripad made I think just a few days before the promulgation of this Proclamation, he said that Mr. Padma-nabhan and the lawyers who had gone to Delhi and seen the leaders of the Central Government had come back disappointed and that they did not get any support for their proposal for Central intervention. And throughout the Prime Minister had been speaking in clear terms about the inadvisability of adopting unconstitutional methods and so far as picketing of schools or

of buses etc., was concerned, the Resolution of the Congress Parliamentary Board was quite clear and unequivocal. We are sometimes asked, why then did not everybody comply with it? Then we are reminded that' in U.P. a fair number of Congressmen are not listening to the advice of the leaders of the Congress.

SHRI BHUPESH GUPTA; But you have not issued a chargesheet.

SHRI GOVIND BALLABH PANT: We are also reminded that in some other States also the Congress is divided. On the one hand they say that our writ is not accepted everywhere even by Congressmen; on the other hand they say they are defying; the directions are infringed by Congressmen, whether genuine Congressmen or not I do not know. Then they say the Congress and the High Command —a word which I do not like to use —are responsible for all that has happened. I may say that, so far as I am concerned, I am definitely against direct action and I wish that there should be no recourse under any circumstances to direct action for political purposes. Where one's conscience is suffering under the load of some sort of oppression or some sort of a feeling which might border on sin, then one may have recourse individually" to Satyagraha. That would be genuine but for political purposes there should not be any resort to •direct action in any shape or form. I made this statement . . .

SHRI BHUPESH GUPTA: Why did you not say it earlier?

SHRI GOVIND BALLABH PANT: ....more than once but it did not meet with the approval of the hon. Members opposite.

SHRI BHUPESH GUPTA: You never said this in June or July.

SHRI GOVIND BALLABH PANT: Well, do you accept it now?

SHRI BHUPESH GUPTA; It is not a question of asking me. Ask Mr. Chacko, whether your follower accepts it.

SHRI GOVIND BALLABH PANT: I would submit that direct action has been resorted to almost in every State for every petty and trivial matter. It has resulted in burning of tram cars, of buses, of post offices, of railway stations and in cutting of telephone wires and many other items of public property. I am not referring to private property.

SHRI BHUPESH GUPTA; See, Sir; he does not mention schools.

SHRI GOVIND BALLABH PANT: But still nobody seems prepared to learn a lesson and whenever, a reference was made to acts of this type, even they were justified on the ground that the police had not behaved properly and so those who were having a part in this direct action could not but seek shelter in these means. That was the plea that was put forward. I suggested once before in the course of the discussion on the Preventive Detention Act, let direct action be abandoned as a political weapon and we will withdraw or repeal the Preventive Detention Act. That offer is still there.

4 P.M.

SHRI BHUPESH GUPTA: We never used it in Kerala even once. You have detained 200 people in Bengal.

SHRI GOVIND BALLABH PANT: I am glad that you did not use it. But I would have been still more pleased if there had been no firings in Kerala, if there had been no recourse to section 144 or to certain sections of the Police Act or of the Travancore Security Act or if there had been no lathi or cane charges, which I think went up to about 150, and if there had been no other scenes of this type. I would not like to refer to them. It is a matter of regret to all of us that occasions

[Shri Govind Ballabh Pant.] should have arisen when they have had recourse to these things. I remember that in the olden days when there was any report of firing anywhere, then it was very earnestly argued that the Government should resign, that it had lost the confidence of the people, as otherwise any occasion for having recourse to firing would not have arisen. Well, my hon. friends now have learnt many lessons . . .

SHRI BHUPESH GUPTA: You never resigned, in these twelve years.

SHRI GOVIND BALLABH PANT: __ and I think that they will now act up to the advice that they are giving. Now I hear of retaliatory memorandum, I hear of action being taken by way of retaliation.

SHRI BHUPESH GUPTA: Where?

SHRI GOVIND BALLABH PANT: Well, not outside India, but somewhere inside India. If it is to be done nowhere, I am prepared to accept Mr. Bhupesh Gupta's assurance.

SHRI BHUPESH GUPTA: Nowhere any retaliatory action is being taken. In some places movements are being conducted on specific demands. These movements were there in previous years also.

SHRI GOVIND BALLABH PANT: I do not see what is the difference between direct action being resorted to for getting trivial demands and direct action being actually adopted for getting rid of a Government which the people do not want. Either we taboo direct action altogether or you decide that you will be free to use it. When did friends opposite prevent their followers from using slogans like this: "The Government of *so* and so *'murdabad',* that it should not exist that it should be destroyed" and so on whenever there was direct action or whenever processions were taken out? So, all that, I think, has hardly much meaning or much sense in it.

Then, Sir, there was, I think, some reference to our having adopted a sort of a partial attitude in this matter and we were told that if it had been a Congress Government, we would not have done so. I tell the House definitely that if even one-tenth of what happened in Kerala had happened elsewhere, so far as the mass upsurge is concerned or so far as the breaches of the Constitution are concerned, we would have removed the Government or at least asked the Ministers to resign.

SHRI BHUPESH GUPTA: You would have brought the Chief Minister here as the Finance Minister.

SHRI GOVIND BALLABH PANT: I may just state here that in the Punjab I think in 1951 or thereabout, there were 70 members of the Congress Party and there were only 7 in the Opposition. Those 7 did not belong to any bloc, but everyone of them was an independent individual by himself, so that there could be no possibility at any time of the Congress Ministry being dislodged by any Opposition there. What did the Congress leaders do? They saw that the administration of the Punjab was not being carried out in the proper way. The democratic system is meant for the welfare and the advancement of the people at large. If the Ministry cannot function in an appropriate way and cannot ensure and secure the purposes for which the Congress has taken this burden upon itself, then it must go, with the result the Ministry was removed and the administration was made over to the President. Can anyone think of any case like this happening or would this be done by any other Party? Those 70 members belonged to the Congress and only 7 were on the other side. Still, because the Ministry did not serve the purpose for which it was meant, the Ministry was ousted and the Proclamation was issued. There was a reference to Kerala. In Kerala the Congress Ministry itself had at one time asked for dissolution and for re-election, just before this...

SHRI GOVINDAN NAIR (Kerala): There was no majority.

SHRI GOVIND BALLABH PANT: The Congress Ministry, while the members of the Congress Party were, I think, 46 in number and those of the P.S.P. 19, requested the P.S.P. to take charge of the administration. The Ministry was manned entirely by members of the P.S.P. and still the Congress Party sustained them in office for one full year . . .

SHRI BHUPESH GUPTA; Could you find anyone to be Chief Minister from the Congress Party?

(Interruptions)

SHRI GOVIND BALLABH PANT: The Congress is not anxious to grab power, but it owes a responsibility to the people of the country. It has to. work for their welfare and it has to see that it discharges its 'duty in an appropriate way. So, we waited till the last moment. We treated the Kerala Ministry fairly even though we differed from them on various occasions. I was continuously in touch with the Governor and also with the Ministers and I may state here that regarding what is stated in this report, I have been receiving letters and reports from the Governor" So had been the President. Many of these incidents had been reported by him simultaneously about the time or the day of their occurrence, so that it cannot be said that he gave these only in his Report, because reports had been received just about the time the occurrences took place.

Sir, it is easy to find fault with others, but if we look at things in a sober way, we will find that the action that was taken was essential. There was an iron wall of suspicion, not mere suspicion, but of hatred, of animosity, of distrust, dividing the people of Kerala into two blocs, the Communists and non-Communists. They were not even prepared to talk to each other, to discuss matters between themselves.

SHRI BHUPESH GUPTA: We were prepared.

SHRI GOVIND BALLABH PANT: You were, but they were not, assuming it was so.

So, some way had to be found by which this wall could be demolished. The Prime Minister himself went to Kerala. We had received reports, and perhaps, Mr. Bhupesh Gupta may be remembering that reports had been appearing in the paper- long before the time he went there, that there was a general sense of insecurity in Kerala. Well, the Prime Minister went there at the invitation of the Chief Minister. He spent a good deal of his time with the Minis- . ters there, discussing the problems and discussing the situation. He also met others. And having carefully studied the situation, he felt that the only solution could be found in a mid-term election. That request was made by him and fhe mid-term election had to be arranged by the Ministry itself. But his efforts did not succeed. The Ministry did not agr«e. Well, the Ministry was perhaps not so much opposed to it as Mr. Bhupesh Gupta, because I am told that Mr. Namboodiripad was at the time willing to consider the proposal. I do not say that he had given his acceptance.

SHRI BHUPESH GUPTA: You tell cock and bull stories.

SHRI GOVIND BALLABH PANT: Do you deny that he was prepared?

SHRI BHUPESH GUPTA; Never was he prepared.

SHRI GOVIND BALLABH PANT: Never was he prepared? Then, I refer you to a statement made by Shri AJoy Ghosh which had appeared in the papers, in which it had been said that a proposal to this effect was made at the meeting of the Central Executive, but that it was turned down.

SHRI BHUPESH GUPTA; No, Sir. I make it clear that very many proposals were discussed and we rejected them.

SHRI GOVIND BALLABH PANT: Well, if you agree there, then I do not want any further disagreement. Let us-agree on this once.

SHRI BHUPESH GUPTA: No proposal . . .

THE MINISTER OF REHABILITATION AND MINORITY AFFAIRS (SHRI MEHR CHAND KHANNA) : Proposal was made and rejected.

SHRI GOVIND BALLABH PANT: So, the proposal was made . . .

SHRI BHUPESH GUPTA; By you.

SHRI GOVIND BALLABH PANT: The proposal was made, but it was put forward by somebody else who was there.

SHRI BHUPESH GUPTA: It was considered by the National Executive and was rejected by them.

SHRI GOVIND BALLABH PANT: Sir, I have taken almost an hour. In fact, such was not my intention, and I do not want to encroach upon the time of the House any longer. I can only say let us understand the scope and purpose of this Proclamation. It is intended to ensure fair and unfettered elections in Kerala so that the present state of affairs may be remedied, that there may be peace and the administration may be conducted in a normal way. When this movement was going on, it had become difficult for the administration to be carried on. The Kerala Government, I think, had some time ago decided to raise a loan of about Rs. 4 crores and that loan was to form part of the receipts for the year, so that a great deal depended on the raising of that loan. Otherwise, the Government would not be able to finance the schemes. But they had to cancel their proposals and they gave up the idea of raising the loan. Forest auctions are held in Kerala every year and in those auctions, I think, various parts of the forest spread over the State are sold and the aggregate amount comes to about a crore. But those auctions could not mature because nobody came to bid at the time they were held. Similarly, there were many intimations, notices or whatever you might call them, that people would not cultivate their lands in certain areas if arrangements then in existence there were not revised. So many other things like these were happening. I do not speak of the disturbances that were taking place here and there. In the circumstances, we should look into this matter in a sober and calm way and see how peace can be restored, how goodwill can be restored and how the people of Kerala can set up a government which may serve the real needs of the State and work for the welfare of every citizen in that State.

MR. DEPUTY CHAIRMAN: The question is:

> "That this House approves the Proclamation issued by the President on the 31st July, 1959, under article 356 of the Constitution, in relation to the State of Kerala."

The House divided:

AYES—114

Abdul Rahim, Shri.
Abid Ali, Shri.
Adityendra, Shri.
Agrawal, Shri J. P.
Ahmad Hussain, Kazi.
Akhtar Husain, Shri.
Amolakh Chand, Shri.
Amrit Kaur, Rajkumari.
Annapurna Devi Thimmareddy, Shrimati. Ansari, Shri Faridul Haq. Basu, Shri Santosh Kumar. Bedavati Buragohain, Shrimati. Bharathi, Shrimati K. Bhargava, Shri M. P. Bisht, Shri J. S. j Chatterji, Shri J. C.

•Chaturvedi, Shri B. D. Chauhan, Shri Nawab Singh. Chinai, Shri Babubhai. Dangre, Shri" R. V. Dave, Shri Rohit M. Deb, Shri S. C. Deogirikar, Shri T. R. Deokinandan Narayan, Shri. Desai, Shri Khandubhai K. Dey, Shri S. K. Dhage, Shri V. K. Dharam Das, Shri A. Dube, Dr. R. P. Dutta, Shri Trilochan. Faruqi, Moulana M.

Ghose, Shri Surendra Mohan.

Gilder, Dr. M. D. D.

Hagjer, Shri J. B. . Joshi, Shri J. H. • Jugal Kishore, Shri.

Kabir, Shri Humayun.

Kapoor, Shri Jaspat Roy.

Karayalar, Shri S. C.

Kaushal, Shri J. N.

Khan, Shri Akbar Ali.

Khanna, Shri Mehr Chand.

Kishori Ram, Shri.

Krishna Kumari, Shrimati.

Lakhamshi, Shri Lavji.

Lakshmi Menon, Shrimati.

Lath*, Shri Abdul.

Lila Devi, Shrimati.

Mohapatra, Shri Bhagirathi.

Mazhar Imam, Syed.

Misra, Shri Govind Chandra.

Modi, Shri J. K.

Mohammad Ibrahim, Hafiz.

Nagoke, Jathedar U. S.

Naik, Shri Maheswar.

Nair, Shri K. P. Madhavan. Nallamuthu Ramamurti, Shrimati T. Pande, Shri T. Panigrahi, Shri S. Panjhazari,. Sardar Raghbir Singh. 47 R.S.D—6

Pant, Shri Govind Ballabh.

Patel, Shri Harihar.

Patil, Shri Sonusing Dhansing.

Pattabiraman, Shri T. S.

Pawar, Shri D. Y.

Pheruman,- Sardar Darshan Singh.

Pushpalata Das, Shrimati.

Raghavendrarao, Shri.

Raghubir Sinh, Dr.

Rajabhoj, Shri P. N.

Rajagopalan, Shri G.

Rao, Shri V. C. Kesava.

Ray, Dr. Nihar Ranjan.

Reddi, Dr. B. Gopala.

Reddy, Shri A. Balarami.

Reddy, Shri M. Govinda.

Rukmani Bai, Shrimati.

'Sadiq Ali, Shri.

Sahai, Shri Ram.

Saksena, Shri H. P.

Samuel, Shri M. H.

Sapru, Shri P. N.

Shah, Shri M. C.

Shakoor, Moulana Abdul.

Sharma, Pandit Balkrishna.

Sharma, Shri Madho Ram.

Sharma, Shri Puma Chandra.

Shetty, Shri B. P. Basappa.

Shiva Rao, Shri B.

Singh, Dr. Anup.

Singh, Capt. Awadhesh Pratap.

Singh, Thakur Bhanu Pratap.

Singh, Sardar Budh.

Singh, Shri D. P.

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Singh, Babu Gopinath.

Singh, Shri Niranjan.

Singh, Shri Ram Kripal.

Singh, Giani Zail.

Sinha, Shri Awadeshwar Prasad.

Sinha, Shri Ganga Sharan.

Sinha, Shri R. B.

Sinha, Shri Rajendra Pratap.

Sinha Dinkar, Prof. R. D.

Tankha, Pandit S. S. N.

Tayyebulla, Maulana M.
Tripathi, Shri H. V.
Umair, Shah Mohammad.
Valiulla, Shri M.
Venkateswara Rao, Shri N.
Vijaivargiya, Shri Gopikrishna.
Violet Alva, Shrimati.
Warerkar, Shri B. V. (Mama).
Yajee, Shri Sheel Bhadra.
Yashoda Reddy, Shrimati.

NOES—12

Ahmad, Dr. Z. A.
Gour, Dr. R. B.
Gupta, Shri Bhupesh.
Khan, Shri Abdur Rezzak
Nair, Shri Govindan.
Nair, Shri Perath Narayanan.
Narasimham, Shri K. L.
Reddy, Shri Mulka Govinda
Sekhar, Shri N. C.
Subba Rao, Dr. A.
Vallabharao, Shri J. V. K.
Venkataramana, Shri V.

MR. DEPUTY CHAIRMAN: Ayes-114; Noes—12.

The motion was adopted.

THE INTERNATIONAL MONETARY FUND AND BANK (AMENDMENT) BILL, 1959

THE DEPUTY MINISTER OF FINANCE (SHRIMATI TARKESHWARI SINHA): Sir, I beg to move:

"That the Bill further to amend the International Monetary Fund and Bank Ordinance, 1945, as passed by the Lok Sabha, be taken into consideration."

Sir, the Bill before the House is a simple measure. It seeks to amend the International Monetary Fund and Bank Ordinance which was promulgated on 24th December, 1945, to give effect to the Articles of Agreement of the International Monetary Fund and International Bank for Reconstruction and Development, and to empower the Government of India to subscribe towards additional shares in the authorised capital stock of the International Bank for Reconstruction and Development. Opportunity is also being taken to convert the Ordinance into an Act.

Sir, before I explain the objects of the Bill before the House, I would like to say a few words about the Ordinance which it seeks to amend and replace by an Act. During the last War, an Act called the India and Burma Emergency Act was passed in 1940, which had the effect of amending the Government of India Act, 1935, so that all the ordinances passed during the emergency period were exempted from the condition which limits their validity to a period of six months. The Fund-Bank Ordinance is one of such i ordinances. It is therefore valid even today, Sir, having the force of law for all purposes.

The Bank and the Fund, as the House is aware, came into existence in December, 1945, as a result of an international agreement arrived at during the Bretton Woods Conference in 1944. India was among the nations who were represented at this conference and was also among the 30 original signatories who signed the Articles of Agreements of the Fund and the Bank at their commencement. India thus, Sir, is a founder-member, as the hon. Members are themselves aware, of these two institutions.

The object of the Bank is to promote economic development in member-countries by financing sound development projects through long-term -loans at reasonable rates of interest. I need not really elaborate my point because all the Members are aware of the importance of these two institutions. But I would like to mention here that up to date the Bank has given 232 loans in 44 countries r aggregating more than $4:4 billion.