

[Secretary]

join in the said Joint Committee and communicate to this House the names of members to be appointed by the Lok Sabha to the Joint Committee."

12.43 hrs.

JOINT COMMITTEE ON
OFFICES OF PROFIT
FIRST REPORT

श्री जगन्नाथ राव जोशी (भोपाल) :
अध्यक्ष महोदय, मैं लाभ के पदों संबंधी संयुक्त
प्रवर समिति का पहला प्रतिवेदन सभा
घटल पर रखता हूँ।

STATEMENT BY DEPUTY PRIME
MINISTER AND MINISTER
OF FINANCE ON HIS
RECENT VISITS ABROAD

THE DEPUTY PRIME MINISTER
AND MINISTER OF FINANCE (SHRI
MORARJI DESAI) : The statement I
have to make is a long one. May I lay
it on the Table?

MR. SPEAKER : Yes.

SHRI MORARJI DESAI : I beg to
lay on the Table a statement on my recent
visits abroad. [Placed in Library See
No. LT-1686/67].

SHRI HEM BARUA (Mangaldai) :
Will it be circulated to us ?

SHRI MORARJI DESAI : I think so.
The office will.

43-1/2 hrs.

MOTION OF NO-CONFIDENCE
IN THE COUNCIL OF
MINISTERS—*contd.*

MR. SPEAKER : Further consideration
of the following Motion moved by Shri
Madhu Limaye on 22nd November 1967
namely :—

"That this House expresses its
want of confidence in the Council
of Ministers".

Before we begin, I would like to say this.
We have taken the whole of yesterday and
today also we will devote the whole day
to this. Tomorrow is a non-official day
and we do not have much time. So I

think the Prime Minister may reply tomo-
row immediately after Question Hour.
Then Shri Madhu Limaye may have to
reply. Meanwhile the Deputy Prime Mi-
nister, the Home Minister and the Plann-
ing Minister will also say a few words.

SHRI SURENDRANATH DWIVEDY
(Kendrapara) : All these three today ?

MR. SPEAKER : Time is allotted to
each party; it is not as though other par-
ties' time is going to be taken by the Minis-
ters. It is not as though the Opposition's
time is being taken for that purpose. If
one Opposition leader takes one hour,
naturally the time for the others will be
less. Time is allotted for each party.
The Swatantra Party took only 20 minutes
yesterday. That means some other mem-
ber may speak from that party. Each party
has got its own time; nobody is encroach-
ing on others' time.

SHRI VASUDEVAN NAIR (Peermade) :
Bengal Members should be called.

MR. SPEAKER : All Members are the
same for me. If the parties concerned
want Bengal Members to speak, they may
request their Bengal Members to speak.
But I cannot say only Bengal Members
must speak. It is a general motion of no-
confidence, a one-sentence motion.

SHRI HEM BARUA (Mangaldai) :
Assam Members should also be called.

MR. SPEAKER : Now I call upon
Shri Hanumanthaiya to continue. How
long will he take ?

SHRI HANUMANTHAIYA (Banga-
lore) : Whatever you give me, I will take.

MR. SPEAKER : No question of giving.
After all, he is the Deputy Leader of the
Congress Party and a senior Member.
Naturally I do not want to ring the bell.

SHRI NATH PAI (Rajapur) : How
many years of membership does it require
to be a senior Member ?

MR. SPEAKER : He has been here for
three terms.

SHRI NATH PAI : Two.

MR. SPEAKER : Two terms make a
member senior.

SHRI HEM BARUA : By that criterion we are senior to him.

MR. SPEAKER : Members must remember that he takes only his party's time not the others' time. If he takes more of the Congress Party's time, the other parties will not lose.

SHRI NATH PAI : But time should be properly utilised.

SHRI S. M. BANERJEE (Kanpur) : Yesterday you were kind enough to allow so much time, but our unanimous request to you was that we should have three days.

MR. SPEAKER : Though I said only one day then, we are having more than two. We took four hours yesterday, we will take another four today.

SHRI S. M. BANERJEE : There are other Ministers who will speak. Since then further developments have taken place in Bengal; also another Government has fallen, this time in Punjab. So I would only request you that we should have two hours tomorrow before the Prime Minister speaks.

SHRI BAL RAJ MADHOK (South Delhi) : Yesterday some members spoke for 1-1/2 hours. My Party has taken only 20 minutes and we would like to have some more time. I do not think the time allotment now announced will be enough; it will have to be extended.

MR. SPEAKER : I will give the allotted time to the parties. There is no difficulty. I do not want anybody to encroach on others' time. I have said that clearly. There is no question of reconsidering this. We cannot have it for three days. Let us be fair about it (*Interruptions*). No further comments on this. I first announced one day, then I extended it by another day and now we are also going into the third day. I am almost conceding his demand.

SHRI S. M. BANERJEE : You have not understood me. I only said that before the Prime Minister replies tomorrow, we may have two hours. She may speak at 3 P.M. or so.

MR. SPEAKER : Tomorrow is non-official day

SHRI S. M. BANERJEE : We will adjust.

SHRI VASUDEVAN NAIR : We will sit late.

MR. SPEAKER : Shri Hanumanthaiya will finish before we rise for lunch.

SHRI HEM BARUA : He has already taken thirty minutes, and judging by the glass of water near him, he may take another thirty.

SHRI HANUMANTHAIYA : Yesterday the leader of the Communist Party (Right) was referring to the Peking Radio and saying that we should not take it seriously. Sometimes I listen to the Chinese radio, the propaganda they are making. The kind of ideas they are putting forth is definitely intended to bring about a proletarian revolution in this country, according to their ideology. Shri Dange was asking us to ignore it; when he was asking us not to take it seriously he was doing something of the kind that was happening before 1962 when the 'Hindi-Chini-Bhai-Bhai' slogan went sky-high. It was so vociferous that we forgot our responsibility in regard to our defence, with the result that one day the Chinese came in a surprising way and inflicted on us a defeat which we still remember, as a result of which we had to take an oath in this House that every inch of the territory of our country aggressed upon will be vacated. I agree with the members of the Jana Sangh that it is to our shame that we have not been able to redeem that oath so solemnly taken. This psychology of playing down Chinese propaganda and Chinese tactics is a feature of Communist strategy which will ultimately make this country a victim of communism if we succumb to it.

The Chinese have a definite philosophy. Before the Second World War, Hitler wrote his book *Mein Kampf*. He had stated there definitely and categorically everything he was going to do subsequently by way of aggression to establish German racial superiority. Nobody took him seriously, though the poor man had written it all so clearly. Everybody read it, thousands of copies were sold, but nobody took him seriously.

AN HON. MEMBER : Why poor man ?

SHRI HANUMANTHAIYA : It was only Churchill who had been solemnly warning the British Government all the time in Parliament. He waged a lone struggle trying to draw attention to the catastrophe that would come one day. And it did come in the shape of the Second World War.

Now, people should take this book *Mao Tse-tung's Thoughts* seriously. It is an equally significant historical book current in the international world. In it is stated clearly everything that the Chinese communists want to do to bring about the world revolution which is their goal. They are going step by step in that direction. And here is a Party which wants us to ignore this book and the propaganda based thereon. In it we have the famous principle that Mao has enunciated that 'political power grows out of the barrel of a gun'.

SHRI HEM BARUA : Always.

SHRI HANUMANTHAIYA : Mao Tse-tung wants to bring about a world revolution through violence. He wants a revolution by all possible means. Still we are asked to ignore this propaganda, ignore the Chinese radio and make ourselves victims as a lamb submits itself to the lion in the forest. This attitude of the Communist Party, whether Right or Left, we have to take very seriously. Inevitably, if we ignore the signs of the times, if we ignore the thoughts contained in this book, we will be landing ourselves in a catastrophe greater than the one we landed ourselves in, in 1962, on our north-east frontiers. This China to which some of us want to pay tributes and for which some of us nurse a sneaky admiration, is the country responsible to some extent even for our economic difficulties. Before the War, what were we spending on Defence ? We had to increase enormously our defence expenditure so that whatever money we could have allocated for developmental purposes, had to be diverted to Defence purposes. Even Mr. Wilson, when he justified devaluation of the pound, made two points. One is defence expenses and the other the

strikes that have bogged the production in the United Kingdom. These are the two things that will affect anybody's economy. They will impede progress. They will impede production. The Communist Party exactly does these two things in order to see that there is chaos in this country. Strikes are being incited everyday, and they have ultimately culminated in ghettos. Have I to congratulate them for inventing a new method of warfare to bring our economy into disrepute and to bring it down to the level of what is called starvation level ?

Sir, if there is economic trouble today, if there is devaluation, if our economic progress has floundered, among other reasons, these are the two reasons. One is the Chinese tactics of waging war against this country, and secondly, encouraging and supplying arms to Pakistan, so that all the time we have to be on the defensive and all the time we have to increase our defence expenditure. Then there is this incitement of labour strikes everywhere. True, some Labour Unions have some just grievances. We have to solve them, but to exploit them for Party purposes—for purposes of revolution, is neither patriotic nor beneficial to the masses.

I ask them one question. They speak in the name of the workers of the world and they want to establish what is called the rule of the workers. Have they thought over the matter and have they carried conviction to us that they are treating the agricultural worker in the same manner as the factory worker ? Has the agricultural worker or the peasant been given dearness allowance ? Has the agricultural worker been given leave for maternity ? Has he been given housing facilities, medical facilities and bonus in addition ? If agriculture has failed in the Communist countries, it is because the factory workers become the exploiting class. They eat away the cream of the national income and leave the agriculturist and the peasant to his fate. That is the reason why agricultural sector in the Communist countries has failed and they have also—either China or Russia—to go with a begging bowl either to America or to Australia. They go abegging, Russia or China, either to Australia or America. Sir I come from

a rural area although I have been elected from an urban area. I maintain the balance of justice between these two classes and I tell you, Sir, that one of the reasons why I do not like the Communist Party is that the urban factory workers, a microscopic minority, are sought to be made rulers over 95% of the population in this country.

This kind of dictatorship I do not want to accept.

The great argument was that we want to topple down the non-Congress ministries. I will give you one example. Take for instance the DMK Ministry in Madras. Though I am a Congress Party man, I admire the composition of the DMK Ministry as against the composition of several Congress ministries. That is because of the recommendation that I made as Chairman of the Punjab Administrative Reforms Commission. I wanted to limit the strength of the ministry and I divided the portfolios, the secretariat work and the secretaries' portfolios into ten. It has been done on a logical basis. The DMK Ministry is ruling even with less than that number, namely, nine. There is no floor-crossing and no temptation offered by one party or the other. The responsible system of government is working so efficiently and properly in Madras, that I would be the last man to think of disturbing that Ministry. It is only where democratic processes are abused or the moral and political standards are subverted that the Government of India has necessarily to take note of it and do whatever is just. Therefore the argument that we want to topple down non-Congress ministries is not true.

As regards Bengal, leave alone all other arguments, its Assembly has been summoned for the 29th of this month. The Governor has summoned the Bengal Assembly. If the United Front Ministry had agreed to summon the Assembly on the 29th, there would not have been its dismissal or any catastrophe that has taken place of the kind that you read in the newspapers. The success that the Communists claim for their bundh either in Kerala or in Calcutta is of a different kind. I know their strategy. They want to bring about ultimate revolution.

The other day I was in Kerala. There the Ministry itself wanted to stage a bundh and they did stage the bundh. Please take note—I warn all people who have faith in democracy—these are not just tactics; these are rehearsals for the ultimate revolution. If you do not take seriously these rehearsals staged in Bengal and Kerala, we will be deceiving ourselves in the way we did deceive ourselves before 1962 with regard to the Chinese aggression.

AN HON. MEMBER : How can you prevent the revolution ?

SHRI HANUMANTHAIYA : My hon. friends ask me how we can prevent the revolution. If you take the voting pattern in the last general election and in the previous elections, 95 per cent of the people are not in favour of the revolution; they want orderly progress. If those people who form the microscopic minority belonging to the Communist Party think that that minority can stage a revolution, they are living in a fool's paradise. We know that wherever a dictatorship is established, whether it is of the military variety of the type that my hon. friend, Shri Limaye, threatened us with or it is a proletarian dictatorship, it is always the minority that has established the dictatorship and not the majority. The people of India have such a long history of culture, religion and civilisation that any number of Danges and Gopalans will not be able to make them behave in any other way except in the direction of orderly democratic progress.

I make one last appeal. I admire the sobriety and the independence of judgment of the Swatantra Party. I admire the pristine purity of the patriotism of the Jana Sangh . . . (Interruption). I am not cowed down. I admire the pristine purity of the patriotism of the Jana Sangh. I admire the P.S.P. because they want an honest and efficient administration. I admire S.S.P. because they have the zeal and the earnestness to do good for the country. These parties who believe in democracy must combine in some form or other in order to stop this onslaught of communist dictatorship.

13 Hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at four minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

MOTION OF NO-CONFIDENCE IN THE COUNCIL OF MINISTERS—contd.

SHRI SEZHIYAN (Kumbakonam) : I rise to support the Motion moved by my hon. friend, Shri Madhu Limaye, expressing want of confidence in the Council of Ministers here.

SHRI SHEO NARAIN (Basti) : But Shri Madhu Limaye is absent.

SHRI SEZHIYAN : But many Ministers against whom the no-confidence-motion has been moved are also absent.

The ruling party at the Centre has brought the politics, the political morality and the political ethics in the country to a despicably low level. In many States, the confidence that the people had in the democratic process has been rudely shaken. Democracy itself has been betrayed, and the Constitution subverted; normal legislative procedures have been brought to ridicule, and the saddest part in the working of the Indian democracy is that the office of Governor in many a State has become in the hands of the Central Ministry a tool or an instrument for political opportunism and trickery to benefit the party to which it belongs. The dirty game has gone too far to bring stink and pollution to the entire atmosphere in India.

After the 1967 elections, the numerical strength of the Congress at the Centre declined to a great extent and in many States they were sent out of power.

SHRI SHEO NARAIN : Only repetition has been there.

SHRI SEZHIYAN : But my hon. friends opposite are also repeating so many of the misdeeds.

MR. DEPUTY-SPEAKER : Let the hon. Member have his say. It is not fair to interrupt him like this.

SHRI SEZHIYAN : In a democratic process, it is always open to the Opposition

Party to come to power; a minority can become the majority through the normal democratic process. Hitherto, we were thinking that a party, in order to come to power in any State or at the Centre should approach the people; they should go to the polls, and they should lay stress on the ballot boxes, and only with the support of the popular will the party could come to power. That has been the normal thinking and the normal understanding of the process of democracy. But in India, a strange trend has set in. If a party or a group wants to come to power, they no longer need think of the polls; they no longer need think of the ballot box nor of a majority inside the legislature; they only have to convince the Governor. The Governor has supplanted all this democratic process strangely in India. With the provision of discretionary powers under article 163 of the Constitution and with instigation and intimation from here, the Governorship has become a veritable autocratic instrument. The discretionary powers were meant to be used only in times of emergency; only when there was an emergent situation which called for the use of these discretionary powers, were they meant to be used and it was for that purpose that they were provided for in the Constitution, but we find that there is a growing tendency to use them indiscriminately. In different States, different standards have been laid down, and different procedures are being followed in dismissing the Ministries, in dissolving the legislatures and in adjourning the Legislative Assemblies. That is the blackest spot in the working of the Indian democracy.

When the office of Governor was enshrined in the Constitution, even at the time of the deliberations of the Constituent Assembly, they went into this question thoroughly. There were grave apprehensions on the future role of the Governor, because especially in a federal set-up with different Governments functioning in the States and at the Centre, a clash might become inevitable at least at some future date. I could quote some of the stalwarts in the Constituent Assembly who had entertained such apprehensions. Pandit H. N. Kunzru, while speaking in the Constituent Assembly, on 30 May 1949, had this to say about the office of Governor :

"We have also to bear in mind another very important consideration. Our Constitution should be such as to promote a free and full growth of democracy and to prevent the establishment of a dictatorship in the country in any event."

He was speaking on the provision relating to the appointment or nomination of Governors by the President. The President in his turn is advised by the Central Ministry. He was afraid that it might lead to the growth of a dictatorship in the country. He said :

"At the present time, it seems to many of us that greater confidence is reposed in the judgement of the central executive than in the provincial executive. But in the first place, this can be no reason for reducing the provisional governments to a position of utter subordination, and in the second place, things may not always remain as they are now. It is easy to conceive of a time when the Central Government might not have as much confidence as some of the provincial governments might have. If you entrust the central executive with power to exercise control over the provinces in all important matters and make them fall in line with the policy of the Centre, there is a serious danger of the country falling into a dictatorship."

This was how Pandit Kunzru fore-warned the country in 1949.

Then I quote Shri Biswanath Das from Orissa. He was a leading Congressman and a Chief Minister of the State. While speaking in the Constituent Assembly, he remarked :

"It may be that a party absolutely different from that in the Centre may be functioning in office in a province. What would then be the position? The Governor, who is a constitutional governor under the Act has to be appointed on the advice of the Prime Minister of India, leader of another party. The Prime Minister today is one of the tallest men in the world"—

he was referring to Pandit Nehru—

"You may expect justice and we do expect justice in his hands. He has no axe to grind but there may be a Prime Minister, a Minister in the Centre, who

may have his own axe to grind. You cannot have democracy and autocracy functioning together. In the provinces, you are going to have democracy from toe to neck and autocracy at the head."

The process is democratic from toe to neck, but at the head autocracy creeps in. He also added :

"I would have cited how the Governor who was the agent of British imperialism has all along been attempting to smash my party. What was being done by the Governor under British imperialism may also be repeated by the party, though I have no hesitation in saying that my leaders would not stoop or even think in a way in which things were being done."

This was Shri Biswanath Das's warning in 1949 and he hoped that these powers would not be utilised and that the leaders would not stoop to such acts. But after the lapse of 18 years things have changed and there is nothing to which the leaders now will not stoop; anything crooked or crank, anything that comes in handy to topple a government not belonging to the Congress Party is sacred and sacrosanct to them.

The Constitution may have any provision concerning governorship. But it alone is not going to determine the content and actions of the Governor as long as discretionary powers are vested in him. Shri B. G. Kher speaking on the same day in the Constituent Assembly made it crystal clear how the governorship may vary with persons; it may be good in some cases; it may be bad in other cases.

He said :

"I want to submit to the House that a Governor can do a great deal of good if he is a good Governor, and he can do a great deal of mischief if he is a bad Governor, in spite of the limited power given to him under the Constitution we are now framing."

Therefore, it is quite clear the provisions alone do not give a guarantee for the normal or democratic functioning of the State. So much discretionary power has been given to the Governor that if he uses it in a wise way, in a good way, the State profits; other wise, the State may go to a miserable condition.

It is said that the difference between a monarchy and a democracy is this, that when

[Shri Sezhiyan]

the monarch misrules, the people suffer while in a democracy, when a democrat misrules, he is replaced. But here if a Governor misrules, we cannot replace him, we cannot go to a court and challenge his discretionary action, because article 163 expressly says that nothing done by the Governor can be called in question in a court or contested as per the norms of law.

As Dr. B. G. Kher said, whenever there is a good Governor, we have some good time. I want to say that whenever there is a bad Governor, rather whenever there is bad advice given from the Centre—probably those who seem to be good can give bad advice also—and the Governor acts on that, the people suffer, the State suffers and in the end democracy itself suffers a mortal blow.

What happened in Haryana, Bengal or Punjab is the culmination of a series of misdeeds; they are the continuing scenes in a tragic drama being enacted, the mystery murder story of democracy is being unfolded in so many stages.

Act One, Scene One of this tragic drama was ended in Rajasthan. The present Ministry when it occupied the highest executive position and authoritative post in this country, at its very first meeting took a most tragic decision for democracy in India by proclaiming President's rule in Rajasthan and suspending the Assembly there.

I want to remind you of one or two things about this. I think the decision was taken on 13th March this year, when out of 184 members, the Congress had only 88 effective members. Though 89 members were declared successful for the Congress, there were two seats held by the same member, and therefore only 88 effective members were there. The leader of the major party, Shri Sukhadia, declined to form the Ministry. It is interesting to note that at that stage no effort was made to call any other party to form the Ministry. If you want to know whether there was an absolute majority on the other side, there were 93 members on the opposition. Not only did they write to the Governor, they personally came all the way to Delhi and presented themselves before the President, and the Home Minister was also present there viewing all the 93 persons, but there it was not

accepted, the Governor did not act. The legislature was put in cold storage, the democratic norms were suspended, and this state of affairs continued till an opportune moment came when the Congress was able to come back to power with 93 members. That is Scene One of Act One.

SHRI ONKARLAL BOHRA (Chittorgarh) : That is not a fact. At that time, it was 92 and 92. Not 93.

SHRI SEZHIYAN : I am quoting from the papers. If the hon. Member has any other fact, he can present it when his time comes.

MR. DEPUTY-SPEAKER : Order, order. He has given his set of facts.

SHRI SEZHIYAN : 93 members came to Delhi and they met the President. Probably the hon. Member was not there then. This is what happened there.

The next scene of the tragic drama was enacted in Pondicherry on the 19th March, 1967. Seven members of the Congress party including two Ministers, Messrs Kangeyan and Varadappa Pillai, resigned and formed a United Democratic Front. They gave a no-confidence motion also on the 20th morning. When the Assembly met, there were 25 members in the hall, 15 belonging to the Opposition and 10 belonging to the ruling party. Without taking the no-confidence motion, the Assembly was adjourned within five minutes. The no-confidence motion was not at all taken into consideration. The Opposition wrote to the Governor; nothing was done at that time. Afterwards, Mr. Kamaraj—

AN HON. MEMBER : The great democrat.

SHRI SEZHIYAN : The great democrat, and President of the All-India Congress, sent Mr. Venkataraman to Pondicherry to set things right. Mr. Venkataraman is now a Member of the Planning Commission; he was sent to Pondicherry to plan the restoration of the Congress regime there !

SHRI ONKARLAL BOHRA : The same great democrat approved it in West Bengal.

SHRI SEZHIYAN : I do not belong to West Bengal, and when the time comes the West Bengal situation can be discussed. We are now on Pondicherry. Two days ago, our Home Minister was telling us that

in Haryana they have got *Aya* Rams and *Gaya* Rams. But the veritable Kamaraj had one Venkataram who did the job and restored the Congress ministry within ten days. I do not know what opinions were taken and what was done, but the thing was done. My point is this. When the Governor was doubtful they suspended the Assembly in Rajasthan, but here in Pondicherry—it was the Lt.-Governor there—they adjourned the Assembly for 10 to 15 days, at the opportune moment.

One peculiar thing also happened in Pondicherry. For one day there was no government at all. The government headed by Shri Venkatasubba Reddiar had resigned. President's rule was not proclaimed. For one day, there was no government and there was just a vacuum at Pondicherry.

Now, I come to Haryana, the latest one. About Haryana, the Home Minister paid a great tribute to the Governor the other day. He said that the Governor's report is a political thesis. I have read and re-read the report. I do not find anything very striking in the report to be elevated to the position of a political thesis. Throughout the report, there is a peep into the future, a prediction of the future. The Governor says :

"If the Assembly is convened and either the ruling Party or the opposition can establish its majority, even then there will be no peace or stability in the present circumstances."

At other places also, he says :

"As I see the position, the Congress Legislature Party may, perhaps, be able to topple the present Samyukta Dal Government, with the help of the Devi Lal group, but . . ."

That means, suppose the Assembly is convened, the Governor even now predicts what will happen. He says these people may join the others and topple the government. Hitherto, I was under the impression that only the important Ministers at the Centre have astrologers by their side to predict the future, their future and others' future also. But now we find a Governor taking the role of an astrologer and saying what will happen if the Assembly is reconvened.

AN HON. MEMBER : Haveli Ram.

SHRI SEZHIYAN : Yes. Therefore, this is a piece of astrology; a piece of palmistry and crystal-gazing. It is not politics. If you say that they do not have a majority, convene the Assembly. The floor of the House is the place to test the strength of any party. It is not the chamber of the Governor or the ante-chamber of his house. It is not the signature campaign; it is the Assembly which is the proper forum to test the strength of any party.

SHRI SURENDRANATH DWIVEDY : Neither parading before the Governors.

SHRI SEZHIYAN : They should have immediately convened the Assembly in Haryana. Even at the end of his report, the Governor says that the present Ministry still continues to have a majority. He says at the end, "Rao Birendra Singh still commands the majority of 40 members in an effective House of 78." Still the Assembly has been dissolved, whereas in Rajasthan it was suspended and in Pondicherry it was just postponed.

In West Bengal, the Governor took the drastic decision of dismissing the present UF ministry and installing a new ministry. In his statement he says,

"It is constitutionally improper under all circumstances that a ministry should continue to hold office when it has lost the confidence of the majority of the Assembly."

But who is the person to decide whether it has got a majority or not ? It is not the Assembly, not the elected representatives but the Governor who decides it in his ivory tower. It looks as though any party wanting to come to power need not go to the polls, need not prepare election manifestos and do election propaganda; it can simply go to an astrologer who happens to be a Governor and see whether the stars are in fine position and whether the party would come into power.

My point is, the discretionary powers of the Governor should not be used to install or expel this or that ministry. This is a very dangerous thing happening in India. I can quote a veteran Congressman of this House. This is what he said in 1965 when President's rule was proclaimed in Kerala.

[Shri Sezhiyan]

At that time so many persons from that side defended the proclamation and so many opposed it from this side. When I went through the record, I was glad there was one honest voice speaking from the Congress Benches. This is what he said :

“but this House is also supposed to see that the provisions enshrined in the Constitution; the provisions formulated by the founding fathers, are being maintained and no breach is committed consciously on any occasion.

... Constitutionally, to my mind—let me be very frank—this (the action of the Governor) looks dubious and it violates the fundamentals of our Constitution.

Whose judgment is final in this matter—the judgment of the Governor or that of the representatives of the people? That is the conflict. Let the elected representatives meet and decide.

We are the custodians of our Constitution and, in that sense, we must see that it is well protected. Has it been done? In my opinion, unfortunately, it has not been done. Of course, it becomes academic once the Proclamation has been issued. But I do not consider it academic. It will be agitating the minds of the people. When the constitutional history of this period will be written by a foreigner like Sir Ivor Jennings or Morris Jones he will have to say that on this occasion our judgment was not infallible and there was some dubiousness about it. This proclamation ought not to have been issued.”

It was Mr. R. K. Khadilkar who said this, who is occupying the Chair now.

He said correctly :

“Whose judgment is final in this matter—the judgment of the Governor or that of the representatives of the people? That is the conflict.”

That conflict is still continuing.

In Rajasthan you did not allow the elected representatives to meet. The Governor decided it. In Pondicherry, the elected representatives gave notice of a no-confidence motion in the Assembly and it was found they were in the majority. The Assembly was adjourned. The same thing happened

in Haryana. Even though the present Governor, Shri B. N. Chakravarti, was conscious that the ruling party had the majority of members, still he decided against the Ministry. In the olden days, we have heard of Maharajas and Chakravartis acting in a monarchical way. But now we hear of Chakravartis acting in a monarchical way while being Governors.

One plea that is being made here is that everything is being done as per the Constitution. Even accepting the plea that nothing has been done outside the purview of the Constitution. The constitutional provisions have been followed, that the Governor has acted within the framework of the Constitution, and that he has not broken the provisions of the Constitution even then my point is that merely following the constitutional provisions alone will not do to preserve the democratic spirit. That will be a dangerous policy. If they only implement the provisions of the Constitution, without following the spirit underlying it, in no time will this country be under a dictatorial regime.

I will give only one example from history to explain this. After the first world war, one of the finest democratic constitutions was framed by Germany, called the Weimar constitution. Yet, Hitler used the very articles of the Constitution, the very democratic structure and process, to come to power and subvert that very constitution. Therefore, the mere plea that the provisions of the Constitution have been followed and implemented is no proof that democracy is functioning here. The constitution is only an instrument, not an end; the end is democracy. The spirit of the constitution has not been followed. Just like the Weimar Constitution, which was an excellent Constitution, but which was used for subverting democracy, in the same way, our constitution is also being used by the ruling party for subverting democracy, even though it is a good constitution and its provisions are strictly being complied with. Therefore, saying that we have got a democratic constitution and we are following it will not do; unless the spirit of the constitution is followed, we cannot achieve the object.

Today morning one of our colleagues was introduced to the House and he took his oath of office to become a Member of this

House. His name is Thiru Muraisol Maran. He was elected to Parliament in a recent by-election in Madras. During the election the Congress Party tried its best to defeat him. Shri Karuthiruman, who was a Member of this House in the last Lok Sabha and who is today the leader of the opposition in the Madras Assembly, even stated that he would move a vote of no-confidence against the Ministry thinking that the DMK would be routed at the polls. I think he mentioned it in one of the public meetings. But, unfortunately for him and for the Congress, the DMK, which won that seat in the general elections with a majority of 82,000 votes, won it again with an improved or better margin of 1,05,000 votes. To that extent, the popularity of our party has increased and that of the Congress has fallen.

But I am not on that point now. I want to mention something else. The Congress President, Shri Kamaraj, addressed so many meetings at Madras during the election time. During those speeches he mentioned "we will bring the army here". He said that in the open in so many meetings. I am making this charge not in frivolity but in all seriousness. Not only Shri Kamaraj but other speakers who followed him also said "you have got the police, but we will bring the army" as if the army is at the beck and call of the Congress President or the Congress Party. The army belongs to the government; it belongs to the Indian people. It is meant to drive out the Chinese and the Pakistanis, not to kill the innocent people in the States.

MR. DEPUTY-SPEAKER : The hon. Member is making a very serious charge. Are you prepared to substantiate it ?

SHRI SEZHIAN : Yes, Sir.

SHRI P. RAMAMURTI (Madurai) : It was reported in the press of Madras.... (Interruption)

SHRI SHEO NARAIN : We never saw it in the papers.

SHRI SEZHIAN : Last time he said that military rule would come. This very mentality of using the army against the people, of relying on the strength of the army, was the monopoly of British Imperialism when

the Indian nationalists were fighting British Imperialism. The very charge hurled against British Imperialism was that they were relying on the army and not on the people.

In 1937 when the Congress entered the legislatures, it swept at the polls in about six or seven States in India. But then they did not accept office. They said that as long as the discretionary powers of the Governor were there, unless the Governor gave the assurance, they would not enter this. The All India Congress Committee, meeting on March 1937, authorised the acceptance of office in provinces where the Congress commanded a majority in the legislature provided that—

"the ministership shall not be accepted unless the leader of the Congress Party in the legislature is satisfied and able to state publicly that the Governor will not use his special powers of interference or set aside the office of ministers in regard to their constitutional activities."

SHRI RAJARAM (Salem) : That Congress is no more in the country. It is dead and gone.

SHRI SEZHIAN : At that time the Governors were there to look after and protect British interests. Though the Viceroy was the representative of the monarch, the King or the Queen, the Governors were appointed with the express purpose to see that they would safeguard and protect the British interests. Therefore when the conflict came, those who came into power by popular support, demanded the assurance. The very same tone is being set now. British Imperialism has been supplanted by Congress imperialism at the Centre; the Governors are being used in the same way as British Imperialism was using. Shri Kamaraj is speaking of guns. He is not speaking of ballot; he is speaking of bullets. He is not thinking of the people; he is thinking of the army. Mahatma Gandhi was opposed to this very kind of thinking. On March 30, 1937 he issued a statement supporting the stand taken by the All India Congress Committee in demanding an assurance from the Governors. There he makes mention of the very thing, the rule the army, that now Shri Kamaraj is making. He said :

SHRI DWAIPIYAN SEN (Katwa) : I do not know why the name of Shri Kamaraj is being mentioned.

SHRI SEZHIYAN : I take full responsibility.

MR. DEPUTY-SPEAKER : He has taken the responsibility. As soon as he said that, I told him that it was a serious allegation. He said that he was prepared to substantiate it. Beyond that what can I do ?

SHRI P. N. SOLANKI (Kaira) : The Congress President can defend himself.

SHRI RAJARAM : I am really happy to see that at least some Congressmen are supporting Shri Kamaraj.

SHRI SHEO NARAIN : The motion is against the Government and not against the Congress President.

SHRI SEZHIYAN : I am speaking with authority. I do not speak anything off-hand. If they want paper cuttings, I can send them a bundle. He addressed so many meetings in Madras. Not only Shri Kamaraj but so many other persons made this statement.

Mahatma Gandhi said on March 30, 1937, after the All India Congress Committee resolution :

"It does appear to me that once more the British Government has broken to the heart what it promised to the ear. I do not doubt that they can and will impose their will on the people till the latter develop enough strength from within to resist it, but that cannot be called working provincial autonomy. By flouting the majority obtained through the machinery of their creation, they have in plain language ended the autonomy which they claim the Constitution has given the Provinces. The rule, therefore, will now be the rule of the sword, not of the pen, nor of the indisputable majority."

The same words and tone that came from the British come now from the mouth of Shri Kamaraj and others. They will rule by the sword, not by the pen; not by the ballot but by the bullet; not by the people but by the army.

If this stand is taken, democracy will be stifled, if not suppressed. The constitutional provisions may be implemented; the Constitution may be followed. But democracy has not been followed and is not being followed. Democracy has been suffocated. About 20 senior advocates of the Supreme Court have issued a statement today in the press wherein they have made the same charge as to what is the role of the Governor and how to decide this issue. They say that the main charge against the Governor is that he has arrogated to himself the function which the Legislature alone could perform. Therefore, whatever function has been there for the Legislature to perform the Governors have assumed it. They have arrogated to themselves this function. This is the worst, if not the blackest, spot in the working of Indian democracy. Unless these discretionary powers are curbed, curtailed and controlled by the wise men that be at the Centre, I say, woe unto democracy in India !

THE DEPUTY PRIME MINISTER AND MINISTER OF FINANCE (SHRI MORARJI DESAI) : Mr. Deputy-Speaker, Sir, I have been listening very carefully....

श्री एस० एम० जोशी (पूना) : हिन्दी में बोलिये ।

SHRI MORARJI DESAI : I will do it sometime but not today. I want those people who have spoken to understand what I am speaking. Therefore, I propose to speak in English.

Sir, I had no intention of intervening in the debate. The Home Minister is occupied with urgent business in the other House and he should have spoken now but I do not know when he will be free. He will intervene later because he is concerned also with some of the problems which have been raised here. Then, the No-Confidence Motion is not based only on what happened in West Bengal and Haryana but also on economic matters and external matters and, in fact, all kinds of things have been brought into the debate here. The charge has been that this Government has failed entirely in everything that it has done and that it does not deserve to remain in office on any account. Then again, on several occasions, I have been asked, as Deputy Prime Minister, to speak on behalf of Government. I, therefore, thought it is proper that I should intervene in this debate at this stage.

I have been hearing patiently, very carefully and attentively to all that is being said against this Government and in support of the No-Confidence Motion. I wish I had learnt something new . . .

SHRI S. M. JOSHI : You will never.

SHRI MORARJI DESAI : My hon. friend wants me to learn only one thing which is their monopoly, that is, abuses, which I am never going to learn. One thing that I have learnt is that it does not do good to anybody to use strong language full of invectives in a debate which is considered of great importance by those who have raised it. Unless it is seriously done, this very important provision in the Constitution will lose all its meaning. I, therefore, take it that it is very seriously meant. I am not, in any way, saying even to allege or to imply that this Motion has been brought in lightheartedly. But if No-Confidence Motions are brought in from time to time—after 1963, this seems to have become the practice—and the same reasons are given every time, the No-Confidence Motion will not receive that importance from the people to whom it is addressed. Therefore, I plead with my hon. friends not to bring in the same sort of arguments in everything that they have to say. I have no quarrel with them if they want that this Government should go, but if they cannot remove the Government, it is no use beating one's breasts about it. That is all that I would say.

It has been said that the action of this Government has been such that democracy has been murdered. It has been said that this dismissal of the West Bengal Ministry is a black act. It has been said that the actions of this Government are stinking, stinking in the nostrils of those who have lost all their sense of smelling; otherwise, such words would not have been used. I wonder if the meaning of the words that are used is realised. If words cease to have their proper meaning, how are they going to affect anybody, let alone this Government?

Before I go to the economic matters, about which charges have been made, I should certainly like to make a reference to the immediate cause for this no-confidence motion, which is the situation in West Bengal and Haryana. It is said that the action in West Bengal is thoroughly unconstitutional

and it is a murder of the Constitution. What is the provision in the Constitution? The provision in the Constitution is that the Governor is a constitutional head. Nobody has denied it and it is we who have taken the greatest part in seeing that the head of the State must be constitutional; it is not my hon. friends who have brought that in; it is this Government which has brought it in and it is this Government which fought for it even in 1937, as was pointed out by the luminant light of the DMK Party who spoke a little while ago. I wish he had paid more attention to what was said then . . .

SHRI SEZHIYAN : In 1937 I was with the Congress; so many others were there; therefore, do not quote me.

SHRI MORARJI DESAI : I do not want to quote. I want that it ought to be properly understood; with his leaving the Congress, it need not have a lesser meaning. The meaning is the same. There is no difference in the meaning. In this matter, what is the provision? The Governor calls upon the Leader of the majority Party to form the Government. Though that is not mentioned in the Constitution, that is the obvious meaning of it; that is always understood; and the Council of Ministers remains in power during the pleasure of the Governor... (*Interruption*). That is the wording that is put in the Constitution in article 164.

श्री मधु लिमये (मुंगेर) : प्लेजर का मतलब मनमानी ?

SHRI MORARJI DESAI : If he hears me as patiently as I had heard him, I am quite sure that even if he does not like it, he will admit the truth of what I am saying. One may differ from it, but one should, at any rate, grant the validity of an argument which cannot be questioned. The 'pleasure of the Governor' has been mentioned because... (*Interruptions*)

SHRI GANESH GHOSH (Calcutta South) : Read the provisions of the Constitution... (*Interruption*).

SHRI JYOTIRMOY BASU (Diamond Harbour) : Would he kindly read out the article ?

SHRI MORARJI DESAI : Here it is. If my hon. friend is so ignorant as not to know even this, I will certainly try to advise him. These are the words :

"The Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor."

The 'Chief Minister' is included in the word 'Minister' and it cannot be said that he is not governed by this. If anybody wants to argue anybody can argue anything about it. Therefore, it does not require any further argument. Why is it mentioned that Ministers hold office during the pleasure of the Governor. It is so because the use of any other expression would have meant that the Governor might not remain a constitutional head. The pleasure of the Governor only means that he should call upon the leader of the majority Party to be the Chief Minister, and that when the Governor finds that the Chief Minister has lost the majority, he asks him to go. That is what he has got to do. (*Interruptions*)

SHRI S. KUNDU (Balasore): What is the method by which the Governor ascertains that?

SHRI MANOHARAN (Madras North): Does 'pleasure' mean whims and fancies of the Governor?

MR. DEPUTY-SPEAKER: Let him develop his argument.

SHRI S. M. BANERJEE: How does the Governor ascertain that?

SHRI MORARJI DESAI: May I request you, Sir, to allow me to deal with my hon. friends in my own way? I would certainly deal with them. I do not require any protection. It is not necessary. I know my hon. friend is an expert in interruptions. That is all right. I do not mind them because they will help me in my argument. It is not as if they are going to demolish my arguments. No interruptions can demolish arguments. If there is truth in it, then I will accept it. If there is no truth in it, I will then expose it. That is all I want to do. I am not interested in any thing else.

That the Chief Minister has not lost the confidence of the majority can be said here, but it is disproved by the Chief Minister himself. What did the Governor do? The Governor did not call a meeting of the Assembly because he is not entitled to call on

his own and he did not want to do it. He, therefore, only suggested to the Chief Minister that he has evidence to show that he has lost majority support and, therefore, it is better that he calls the Assembly in order to prove that he has the majority. He did not dismiss him. He was entitled to dismiss the Chief Minister the moment it was proved to him that majority was not with him. But he wanted to be doubly sure and probably because it is a Government of several Parties and it can say several things. He, therefore, wanted to be sure about it and he suggested to the Chief Minister that a meeting of the Assembly should be called within seven days.

SHRI S. M. BANERJEE: And he readily agreed, Sir.

SHRI MORARJI DESAI: The Chief Minister proposes to call a meeting on the 18th December, more than a month and a half after the suggestion is made to him.

SHRI SEZHIYAN: What about Haryana where they had agreed?

SHRI MORARJI DESAI: I am coming to Haryana. Just have patience. If you do not have any, go on speaking, I do not mind.

For a month and a half how can the Governor keep the Chief Minister in office? The Governor would not have been fit to remain in office if he had allowed such a murder of the Constitution at the hands of the Chief Minister. (*Interruptions*)

श्री मधु लिमये : जरा माफ करेंगे उप प्रधान मंत्री, मैं इतना ही उनको याद दिलाना चाहता हूँ कि यह कानून मंत्री बैठे हैं; यह हारने के पश्चात् 6 महीने तक त्रावणकोर कोचीन के मंत्री बनकर काम कर रहे थे। तो मुरारजी भाई जवाब दें लेकिन सारे तथ्यों को ध्यान में रखकर कि वह पराजय के बाद भी सत्ता में रहे, असेम्बली में हांलाकि पराजित हो गए थे।

THE MINISTER OF LAW (SHRI GOVINDA MENON): You must understand what happened there. (*Interruptions*).

श्री मधु लिमये : अब मैं उनसे पूछ रहा हूँ।

SHRI MORARJI DESAI: I do not exactly remember what happened then. (*Interruptions*).

SHRI VASUDEVAN NAIR: Great Democrats.

SHRI MORARJI DESAI: I know my hon. friend. I realise that my hon. friend opposite has great capacity to drown my voice. But it will not be drowned like this. Let me say this.

श्री मधु लिमये : दलील का जवाब दलील से मिलना चाहिये ।

SHRI MORARJI DESAI: I was just coming to this; I do not exactly remember what happened. But granting what my hon. friend says that it is true that he remained in office for six months, I would say that it was wrong. I would not say that one wrong thing should be followed by another. Should we not correct it? If that was so, that was wrong.....

श्री रवि राय (पूरी) : कांग्रेस का था ।

SHRI MORARJI DESAI : I am not saying that that should be done. But I am saying that granting for the sake of argument that this was so, even then it will not be justified that the Chief Minister should continue for six months. But more than that, there is another argument.

The Chief Minister himself had in the beginning of October wanted to get out. And for what reasons? He himself has given the reasons and they are here before me.

SHRI VASUDEVAN NAIR: Cock-and-bull stories; cooked-up stories by the Home Ministry.

SHRI MORARJI DESAI : He issued a statement saying that all my hon. friends opposite were not telling the truth.

SHRI S. M. BANERJEE: That statement was drafted here.

SHRI MORARJI DESAI: This is the statement which he has issued. He has drafted the statement. If my hon. friend says that we drafted the statement for the Chief Minister who is now asked to go, what sort of Chief Minister would he be?

How could he then remain in power? It is he who has stated the reasons. He himself has made this statement. Is the Chief Minister such that he will make all these false statements? I have too much respect for that Chief Minister. I know him as a friend. But unfortunately he is weak in the hands of people who could not care less for truth or for principles.

SHRI JYOTIRMOY BASU : We have much more care than he has. Why should they not go to a mid-term poll if they have the courage?

SHRI MORARJI DESAI: After losing the majority, no Chief Minister has a right to ask for a mid-term poll?

SHRI VASUDEVAN NAIR: He may ask Shri Govinda Menon again.

SHRI MORARJI DESAI: That was exactly the argument made by the Opposition. When the Assembly was recommended to be dissolved in Madhya Pradesh, this was exactly the argument which was advanced by my hon. friends opposite, and I agreed with them.

SHRI VASUDEVAN NAIR: Let him ask Shri Govinda Menon again.

SHRI MORARJI DESAI: And that was done.

श्री मधु लिमये : लेकिन गृह मंत्री ने नहीं माना । उस वक्त आपके गृह मंत्री ने नहीं माना उसको ।

SHRI MORARJI DESAI: That has been done.

श्री मधु लिमये : अध्यक्ष महोदय, गृह मंत्री जी ने कहा था कि यह हम मानने के लिए तैयार नहीं हैं ।

श्री शिव नारायण : अरे, उन्हें बोलने दीजियेगा कि नहीं ।

SHRI MORARJI DESAI: Shri Sheo Narain need not be my advocate. Let him please sit down.

SHRI RAJARAM: He is the only advocate of the Congress.

SHRI MORARJI DESAI: He is only trying to imitate my hon. friend opposite, which he should not do. That is all that I am saying. But such infections are always

very difficult to avoid. Only some people like me can avoid them, but all my hon. friends cannot. This is the difficulty which I am meeting with.

SHRI SEZHIAN : Shri Sheo Narain is nearer to him, and therefore, he has got the infection from him.

SHRI MORARJI DESAI : Certainly, he is nearer to me than my hon. friend opposite; but I consider my hon. friend also very near to me; I do not consider him to be far away; even if we differ in views, he is nearer to me. So, I am not taking this attitude that he is not nearer to me. Nor do I consider that I am better than other people. I consider that all of us are human beings with failings, with good points we think we have. If we differ in views, it does not mean that we should make allegations about each other and impute motives. I do not want that. This is not the line that we ought to take in this House at any rate, and that is why I am trying to put it in the proper focus.

This was the statement which was issued on the 15th October by Shri Ajoy Mukerjee, as a result of those arguments which were advanced by Shri Jyoti Basu and others that the Chief Minister had made a statement under the pressure of the Central Government and that it was all wrong. Shri Ajoy Mukerjee has given a lie to this, and he says that he did it on his own; and he wanted to resign for four reasons, and he had given those reasons in this statement. Those reasons show...

SHRI JYOTIRMOY BASU : He had given him the reasons.

SHRI MORARJI DESAI : If I had given him the reasons, then Shri Ajoy Mukerjee should have stated that.

SHRI JYOTIRMOY BASU : The statement was drafted by my hon. friend opposite for him. Let him be truthful.

SHRI MORARJI DESAI : That statement has not been withdrawn.

SHRI JYOTIRMOY BASU : He is here on Trojan horses; does he not understand it? He thinks that he is too clever.

SHRI MORARJI DESAI : My hon. friend may know what a Trojan horse is, because they were the Trojan horses in Government and not we.

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We do not have Trojan horses here. I know my hon. friends want to introduce Trojan horses here, but they would not succeed. It is not possible for them. They have been saying for the last several months whenever Parliament meets that there will be defections from this side to that side. That is what they have been saying constantly. Every time they try that. Unfortunately for them, it has not materialised. Therefore, now they are blaming defectors. Otherwise, they are the greatest advocates of defectors.

SHRI PILOO MODY (Godhra): Do not spoil your argument.

SHRI MORARJI DESAI : Because my hon. friend finds it very inconvenient, he does not want me to meet this argument.

SHRI PILOO MODY : I said—do not spoil it. You are trying to blame us for defections. You have a good argument. Use it.

SHRI MORARJI DESAI : I would not say that defections had not been on both sides.

SHRI PILOO MODY : It started with us?

SHRI MORARJI DESAI : I do not want to go into it.

SHRI PILOO MODY : That is why, do not spoil a good argument.

SHRI MORARJI DESAI : If I go into that, I can even say that the defections were not started here. But I do not want to go into that.

SHRI PILOO MODY : We will have a special debates on that.

SHRI MORARJI DESAI : Whether they were started here or anywhere, I will never be in favour of defections, whatever may be the causes. What is the use of going into that. I do not want to be deflected from the main argument.

SHRI VASUDEVAN NAIR : How many more Ministers are you going to appoint?

SHRI MORARJI DESAI : Better ask your own friends in the Ministries which are there in other States. Do not ask this Government.

SHRI VASUDEVAN NAIR: You have already appointed three or four.

SHRI MORARJI DESAI: In this Government, the Ministers were always near this number ever since the Ministry was formed in 1948. After that the number of Ministers has always remained very nearly the same with a difference of one, two or three, which is not much. I would, therefore, request my hon. friends to have a sense of proportion even in the matter of allegations that they make. It is not that this can be compared with other States. Here this is the Central Government of the whole country. It is quite a different matter altogether. It is a House of 522. Look at the proportion; look at the percentage of Ministers in other States and at the Centre and you will see where it is excessive and where it is not.

SHRI C. C. DESAI (Sabarkantha): Only recently it was made from 53 to 57.

SHRI MORARJI DESAI: It is only a difference of three or four and nothing more.

AN HON. MEMBER: They may be more.

SHRI MORARJI DESAI: Quite right, it is possible. Ultimately, it is the right and privilege of the Prime Minister to decide the number of Ministers whose assistance the Prime Minister has to take.

SHRI S. M. BANERJEE: Not at the cost of our money.

SHRI MORARJI DESAI: The Prime Minister has not tried to take any members from the Opposition and make them Ministers. They are solely from this party and they are also to represent special interests of communities which is required to be done in this country as long as we are not able to get rid of this communal canker.

SHRI RAJARAM: He is deflecting from his argument.

SHRI MORARJI DESAI: This requires to be done.

Shri Ajoy Mukherjee has given all these four reasons and all my hon. friends know them. Therefore, it is not necessary for me to repeat them. These reasons are such as should have justified at that time the dismissal of the Ministry summarily by the Governor. But it was not done.

SHRI BAL RAJ MADHOK: Why not? At that time, that would have sounded more valid.

SHRI MORARJI DESAI: It should have been done even earlier. But the Governor had to exercise his own judgment. We did not want to ask the Governor to exercise his judgment in a particular way. Why should we have to do it? If we wanted to do that, we would have done it with greater justification.

SHRI BAL RAJ MADHOK: The reasons mentioned at that time impinge upon the security, law and order of the country which are vital to the Constitution. If the Ministry had been dismissed then based on those reasons, the Government would have had the backing of the whole country.

SHRI MORARJI DESAI: I do not know. Even then my hon. friend would have joined in a no-confidence motion just as he has joined today. Even if they do not agree, they join up and then give different reasons, which make a different meaning altogether. That is what happens, and that is happening even today.

What is the record of this Ministry? My hon. friends say several things against this Ministry, and they seem to think that these other ministries are doing much better work. Well, I do not want to be their judges. As long as constitutionally they can remain in power, they should remain in power; nobody should disturb them. That is the line that we have always taken. Therefore, we did not interfere at that time. The Government did not interfere.

Till 30th September, there were 799 cases of gheraos, and the gheraos now are not a matter of controversy, the High Court has decided that they are illegal. Nobody can deny that. And yet there were 799 gheraoes. They have not been in office for 799 days, but the gheraoes have been 799. From 1st April to 31st August, in Durgapur alone there were 74 gheraoes, 27 demonstrations and 64 refusals to work, many go-slows and stoppages of work, and this vital public sector plant suffered crores of rupees of loss in production and income.

SHRI E. K. NAYANAR (Palghat): Why were the workers retrenched there?

SHRI MORARJI DESAI: There were 70 cases of holding up of trains between 1st and 15th April, only in 15 days, assaults on railway staff, wanton destruction and theft. Therefore, this is what has happened.

SHRI V. KRISHNAMOORTHY (Cuddalore): What happened in 1942?

SHRI MORARJI DESAI: 1942 was a different proposition altogether. That Government has been dismissed. My hon. friend does not seem to see any difference between persons and situations, between foreign government and our own government. He seems to have no sense of proportion in this matter. He wants to have any argument to refute a correct argument. That way it cannot go on.

Therefore, in West Bengal, with this record, when the Government loses the majority, if the Governor failed to remove it from office as soon as propriety demanded it, then the Governor would have failed in his duty.

It is, therefore, that the Governor gave a chance to the Ministry to call a meeting within seven days, and he would have been prepared even to extend it, as he said, by another week, but no, they asked for 20, 25 days more. How can that happen? That would have been a very wrong thing to do with this record.

And what has been done afterwards? My hon. friend Shri Dange said with great approval what they are doing and what they will do, and what the people will do and how they will paralyse everything. If this is the idea that an illegal Government should continue, I think the Governor would have no purpose left, and the Governor would have no office left.

Therefore, if there was any justification it was in the case of West Bengal and if it had not been dismissed, that would have been the murder of the Constitution. That is what I would say.

Take Haryana. My hon. friends feel that all cases can be treated in the same manner, but the circumstances are quite different every where. This Government did not interfere, but when the Governor who is there finds that the whole democracy there is

being reduced to mockery as a result of the behaviour of those who are in the Assembly and of those who are in the Government, when people go on changing from one side to the other constantly and several times, it only means that there is corruption and nothing else, and if the Governor is satisfied about that, should not the Governor then remove the Ministry and see that there is a fresh election so that the people get another chance to return their representatives afresh so that this sort of thing can be countered? What is the other way of countering it? ... (Interruption) I would certainly say that defections are wrong, under all circumstances, in my view; I am not a person who believes in defections at any time, but if we are to remove this sort of practice, all the parties will have to combine in this matter and make a rule which everybody will observe: that no defector will ever be supported by any party. If that is done, we are always ready.

SHRI BAL RAJ MADHOK : Why did they not accept it? This direction came from our side; not from your side. Why did you not accept it?

SHRI MORARJI DESAI: That is not right, but when it was talked about here, my hon. friend here said that as long as this Government has to be removed, we are not going to be a party to this.

श्री मधु लिमये : मैंने इनको कहा है और इसलिए कहा है कि पिछले सतरह सालों से अब तक आपने इसको कबूल नहीं किया है । अब क्यों करते हैं ?

SHRI MORARJI DESAI: But even then, it is the truth that, my hon. friends have refused to accept the rule.

SHRI C. C. DESAI: When there were defections in Gujarat from the Swatantra party, the Congress party welcomed it. (Interruption).

SHRI MORARJI DESAI: It will be, as long as my hon. friends persist in this method of trying to have defections and doing things like that. My hon. friends had set apart a large sum of money to get defections from the Congress party.

AN HON. MEMBER: Shame, shame.

SHRI BAL RAJ MADHOK : You are the ruling party, and you have been so for 20

years. You should set conventions. There you have no case. (*Interruption*).

SHRI V. KRISHNAMOORTHY: You are giving offices and ministerships to the defectors.

SHRI PILOO MODY : Truth and morality are not matters for bilateral agreements. As you are all the time so fond of talking about truth and morality, practise it, and we will follow you. Do not say that it has to be a bilateral agreement. (*Interruption*).

SHRI MORARJI DESAI: If it is a religious organisation, I would certainly have done that; in my own personal life, I would certainly do that. (*Interruption*). But when it comes to Government, and political statecraft, it is no business of my hon. friend to think that we will be stupid on this side and let them have their own way. Let him rest assured of it.

SHRI PILOO MODY: You have finally admitted that the Congress does not possess morality and truth. I have been waiting for this admission for many, many years. (*Interruption*).

SHRI MORARJI DESAI: I am very glad that he has learnt it today! I have no illusions about it. It know what my hon. friend means. I know why he says like that. But, after all, in these matters, you cannot provide different criteria for different people; it is not right. (*Interruption*). I do not charge my hon. friends—(*Interruption*).

SHRI VASUDEVAN NAIR: There should be a limit to this sermonizing.

SHRI MORARJI DESAI: All that my hon. friends did, that was all right; but if I try to refute their arguments, it would be sermonizing! (*Interruption*). If my hon. friends think that I should not reply, if that is what they want, I have no objection to it. But this is not the way to deal with a debate. If I say this, that also becomes sermonizing! What is the meaning of sermonizing? I do not want to sermonize to anybody. But I have a right and duty to refute the arguments which my hon. friends made here, and refute them with arguments and I am not trying to sermonize to anybody.

SHRI NATH PAI : He said he never sermonizes. This is a big joke.

SHRI MORARJI DESAI: My hon. friend is the biggest joker. That is all that I would say; so far as that goes, it is all right. I accept it; I do not mind it. I am not going to compete with him in the matter of joking, if one says what one believes no, and if it is sermonizing, then, I am certainly sermonizing. I would not deny that. But I cannot call it sermonizing; in order to drown somebody else's argument, if I put in my arguments, it is not sermonizing; you can't say "you are sermonizing". I think that is an argument given in a vaccum. It is not a proper argument at all.

In Haryana also, what has been done is, the Governor recommended President's rule in order that fresh elections may be held. And, they will be held soon. In Punjab, this Government did not know when things happened there; everybody knew it together. But the Chief Minister resigned immediately.

SHRI BAL RAJ MADHOK : Are you denying that your party encouraged defections there?

SHRI MORARJI DESAI: I know what I did and what I did not do. I cannot say my party in Punjab would not have encouraged these things.

AN HON. MEMBER: What about the Home Minister?

SHRI MORARJI DESAI: About the Home Minister, I do not know. I do not know whether he has done it. He will reply for himself. He is strong enough and able enough to reply. I do not have to defend him at all.

श्री मधु लिमये : अलग अलग मंत्री की अलग अलग नीति ।

SHRI MORARJI DESAI: My hon. friend says, we have different policies. Where are the different policies? If I say I do not know what my hon. friend says, it does not mean we have different policies. But we can have different views on certain matters. We can differ in interpretations of certain matters. There is nothing wrong in it. But when we act, we act together. We do not act differently. I find my hon. friends are very sore about these arguments be-

cause they go home and they are not able to speak anything rational. Therefore, I would not pursue this further.

I would like to go to the reasons which have been given for the failure of this Government in the economic fields. The present recession has been cited as the failure of the Government. Will that be true? Is it the fault of this Government that this recession is there? Anything can be attributed to this Government. Even the want of discretion on the part of my hon. friends can be attributed to this Government. That charge I will have to plead guilty to. But it would not be right to charge this Government about everything. It is said that planning has failed. Did the plan fail? (*Interruptions*).

AN HON. MEMBER: You said so.

SHRI MORARJI DESAI: I have not said so.

AN HON. MEMBER: Where is the plan?

MR. DEPUTY SPEAKER: If there is constant interruption, ultimately the House will lose its own time. Time is limited. I would request hon. members not to carry on this continuous commentary. Let us have a quiet debate.

श्री एस० एम० जोशी : कल स्पीकर साहब ने कहा था कि आज देखेंगे और अगर जरूरत पड़ी तो एक दिन बढ़ायेंगे। टाइम अभी कोई फिक्स नहीं हुआ है।

SHRI MORARJI DESAI: The Speaker has not said that.

MR. DEPUTY SPEAKER: I know what he said. We are determined and we have set a limit to end this debate tomorrow.

SHRI S. M. BANERJEE : Why determined, Sir?

MR. DEPUTY SPEAKER : The Speaker has said so. At the same time, if you want to utilise the time for further discussion, you should avoid interruption and constant comment.

SHRI MORARJI DESAI: May I request hon. members not to get angry even if they differ with me? They can differ with me;

they can consider me totally wrong. But if I am totally wrong, I am serving their cause better. Why are they annoyed and angry? Therefore, I would ask, why not hear in patience and let this end soon? Otherwise, it goes on.

I have never claimed that I did not make mistakes. I have not said that the Planning Commission has not made any mistakes. This is a general statement. When it is said that planning has failed absolutely, I claim that planning has not failed completely (*Interruptions*).

MR. DEPUTY SPEAKER: May I appeal to Members, at least from the Congress side, not to get provoked? I am appealing to the other side also. Let them maintain the dignity of the House.

SHRI MORARJI DESAI: May I request my friends on this side not to imitate things which are not imitable? Why do you want to do this kind of thing? If my hon. friends on the other side get angry, they have reasons to be angry, because their case is falling. But why do my hon. friends on this side get angry? They need not get angry. I hope they will keep silent. In spite of whatever provocations there are I would request my hon. friends on this side to remain completely silent. We have no right to regulate them. What they should do or should not do, that is for the Chair to regulate. It is not for us to say anything on that.

SHRI RAJARAM: Your case is weak.

SHRI MORARJI DESAI: That will be seen immediately. My hon. friends want to have a monopoly for creating noise in this House. If some other people get infected by that, then also they complain. Well, that is the privilege of the opposition. Therefore, I am not going to deny them that privilege.

Take the case of planning which I was referring to.

SHRI NATH PAI: Let us have cease-fire for five minutes.

SHRI MORARJI DESAI: It is in the hands of my hon. friends. I am not firing. Therefore, it is for the hon. Members who are firing to cease firing.

In the matter of planning I have never claimed that our planning has been ideal planning, as it is planned and executed. I have always said that no agency of human beings can ever be perfect. Therefore, for this planning also we cannot claim perfection. There is inefficiency and there may be want of thought but, on the whole, we have got to see what the planning has done in this country.

For the first two Five Year Plans the planning went on fairly well at any rate in the matter of food production, the target fixed was 81.5 million tons and at the end of the Second Plan 82 million tons of food were produced. Now, does that mean that planning has failed in this country? (Interruptions).

श्री हुकम चन्द कछवाय (उजैन) : कागज पर पैदा किया, वैसे पैदा नहीं किया।

SHRI MORARJI DESAI: If I can hear some remark, I can reply even to that. But if there is a babel what can I do? I cannot do anything.

श्री हुकम चन्द कछवाय : कागज पर पैदा किया, वास्तव में पैदा नहीं किया।

SHRI MORARJI DESAI: My hon. friends think that food was not produced. Now, what is the basis for this? Because, even today they make arguments which are not correct and which cannot stand the light of day or the scrutiny of public opinion. Even now they say that in spite of 20 years of planning we are importing 10 million tons of food. Now, these 10 million tons we are importing only during the last two years. Before that, it averaged 3 million to 4 million tons. Why was it done? Even though the food production had increased, why was this import made? That also should be examined. It is no use saying why this is done or that is not done. When we achieved freedom there was not that consumption of food in the country which should be there, as required by everybody, because the conditions were very poor. Especially in several backward areas, the conditions were so poor that people did not get cereals for months together. They had to live only on roots and herbs. That

was the position then. That is not the position now. But even now... (Interruption).

AN HON. MEMBER: We know that... (Interruption).

SHRI MORARJI DESAI: Let my hon. friends show me; I am prepared to come to that place and see it. It is no use saying that. I have wandered more round the country than even my hon. friends have done and I have seen that... (Interruption).

SHRI BHOGENDR JHA (Jainagar) You have wandered among the millionaires only.

SHRI J. B. KRIPALANI (Guna): May I suggest that this question of planning be left aside because even the former Vice-Chairman of the Planning Commission admitted that the Plans were badly made and badly executed and today there is no plan at all. So, I think it will be better for the Finance Minister to leave planning aside.

SHRI MORARJI DESAI: Is it expected that I should argue as my hon. friends want me to argue? I respect my hon. friend, Shri Kripalani, very much. He can say whatever he has to say about planning later on.

SHRI J. B. KRIPALANI: I did not say that. Your Vice-Chairman of the Planning Commission said three months back that the Plans were badly made and badly executed.

SHRI MORARJI DESAI: It is the truthfulness of this Government.....

SHRI PILOO MODY: Some call it failure; he calls it truthfulness.

SHRI MORARJI DESAI:that it does accept the short coming where they are found. But it is not said that planning has failed. I would like to see that quotation where it is made. There is no Vice-Chairman of the Planning Commission; there is the Deputy Chairman but that Deputy Chairman also did not say that planning has failed entirely and that it has failed completely in execution. He has never said that. He might have said that there have been some failures. That is of course true. Nobody can deny that. But does that mean that planning has not achieved all that has been achieved? It does not mean that

[SHRI MORARJI DESAI]

everything has been achieved as it was to be achieved.

What happened after the Second Five Year Plan? After the Second Five Year Plan, the rains began to be less or untimely or more excessive; the result was that in the next three years after the Second Five Year Plan we produced less food than we produced in the last year of the Second Five Year Plan. That began to create deficiencies in the fourth year there was 89 million tonnes of food but in the last two years we had only 72 million tonnes of food in the year before last and 75 million tonnes of food in the last year. On the whole we lost about 30 million tonnes of food in two years. This was not a small loss. How much did we import? We imported only 20 million tonnes of food and not 30 million tonnes of food. What does that show? Only 20 million tonnes was required. More is required by my hon. friends. They go on asking for more and more. While they are not trying to help in the process of ending imports, they want to help in the process of raising the prices further; they do not want to help in the process of greater production but in lessening production. Still, they want to say that this has not happened.

Now, certainly, we have failed in preventing all my hon. friends from doing all these things. That capacity no government can claim. In matters of this nature which are of national importance one expects that all sections of the House will stand together and will co-operate with each other. But that has not happened. If it is said that as a government we have not succeeded in taking the help of my hon. friends and it has failed in that duty, we have certainly not succeeded in that. That is true. But if we have not succeeded, is it our own fault or does the fault lie else where? If the fault is mutual, what is the use of singling out the Congress Party for total blame? We must try to find out ways and means.....

SHRI ANBAZHAGAN (Tiruchengode): May I seek a clarification from the hon. Deputy Prime Minister? What charges he has made upon the Opposition here are committed by the Congress President as well as the Congress leaders of the Madras State. May I know whether he knows all that

and, if so, whether he has condemned such propaganda in Tamilnad by the Congress leaders?

SHRI MORARJI DESAI: I do not know what propaganda he refers to in this matter. If I knew what propaganda it was, I might say something. In this connection, I would like to refer to a propaganda which is made here by my hon. friend, Shri Sezhiyan, when he said that Mr. Kamaraj has asked for the Army to take charge. I think, there can be no greater defamation than this.

SHRI SEZHIYAN: That has been said by him; I take responsibility for that charge.

SHRI MORARJI DESAI: Let it be understood what he said. As far as I have understood it—I also remember a reference to that kind of a thing appearing in some newspapers—what he said was that if there was going to be chaos in the country by people not cooperating with each other and Governments carrying on differently in different manners and trying to go against each other, the Army will take over. That is what he said. That does not mean he wanted the Army to take over.

SHRI ANBAZHAGAN: May I explain the position? In Madras State, there is no question of gheraos and all that; there is no such problem at all there. The Leader of the Congress Party has expressed at a public meeting that if the Madras State Government uses the police, we will bring in Army to tackle the D.M.K.

SOME HON. MEMBERS: Shame, shame!

SHRI MORARJI DESAI: I cannot believe.....(Interruption)

SHRI V. KRISHNAMOORTHY: If it is a fact, are you condemning it?

SHRI MORARJI DESAI: If it would be a fact, it would be very wrong. I have no doubt about it. But I cannot believe that the Congress President would not think even of this simple thing that as long as my hon. friends govern the States, the military cannot act there. Without their concurrence, he cannot bring in military there. He knows that very well.

SHRI ANBAZHAGAN: He spoke of that ideology.

SHRI MORARJI DESAI: My hon. friends are in the habit of quoting anybody in any way they like. What am I to do? If I can be quoted in any way they like, how can others not be quoted? Therefore, I have absolutely no illusions in this matter.

SHRI PILOO MODY: Is it a matter of faith or is it a matter of fact?

SHRI MORARJI DESAI: I am talking of the matter of fact. My hon. friend has nothing to do with faith; he has only to do with fat, not faith.

In the matter of planning, therefore, if the food position deteriorated during the last six years out of which five years were bad, that is not the fault of this Government. But the Government has been trying to see that there is more production. All the steps that have been taken during the last 15 years have now come to fruition and a stage has been reached when more food will be produced during the next three or four years and this deficiency will be wiped out. But even in this matter, if all Members cooperate, I am quite sure.....

AN HON. MEMBER: National Government.

SHRI MORARJI DESAI: A National Government is all right. How is the National Government to be formed? A National Government cannot be forced in this manner. When my hon. friends call Congress as traitor, how can we sit with people who talk things like that? It is not possible for this Government to do that kind of a thing. If a National Government is to be there, there should be respect amongst each other. We are trying to respect all our hon. friends. But if they do not respect us we cannot forget that and we cannot sit with them and have a National Government. That is not possible. How can these things be done? How will the National Government function?

We are seeing how all the State Governments are functioning in the States where the non-Congress Governments are there. I am not talking of Madras; I am not talking of Kerala; I am not talking of Orissa. But take the other State Governments where there is a combination of heterogeneous parties who are working together. They have come together in anti-

pathy to the Congress. What are they doing? We saw what happened in West Bengal; we saw what happened in Haryana; we saw what happened in Punjab. We are seeing what is happening in Uttar Pradesh; we are seeing what is happening in Bihar. My hon. friend, Shri Ranga, paid a tribute to the Chief Minister of Bihar for meeting the famine conditions very ably. I am very happy, but why does he not realise this? Who placed money at the disposal of the Chief Minister, which enabled him to do it? More than Rs. 50 crores have been given. Whatever was asked for has been given and we are accused of discrimination. Let them show one instance.....

AN HON. MEMBER: Orissa.

SHRI MORARJI DESAI: Even in the case of Orissa, let it be examined whether we are giving all that it requires to be given or not. If people make exaggerated demands, whether they are made by the Congress Governments or the non-Congress Governments, this Government cannot be expected to satisfy exaggerated demands. It will certainly do whatever is necessary and is required to be done under the circumstances and that is what this Government is doing. But to say that we have not advanced at all is to deny the facts. I know it is easy to awaken a person who is really sleeping, but it is not easy or not possible to awaken a person who is faking sleep and this is what my friends are doing. There were several friends who said that this Government ought to go, but when it comes to the no-confidence motion, they all join together. Is that the method?

SHRI BAL RAJ MADHOK: We have made it very clear that this no-confidence motion is not only about West Bengal.

SHRI MORARJI DESAI: If it had not been only West Bengal, then the previous no-confidence motion would not have been withdrawn. What is the use of saying that it is not only West Bengal? My hon. friends think that wherever they can join together, they should. I am very happy. If the Opposition can join together and become one Party, nobody would be gladder than I am because that would certainly give us strength. I do not want them to split or disrupt.....(Interruptions).

SHRI PILOO MODY: Then we will reproduce a Congress Party which is something that we do not want. We already have the Bharatiya Kranti Dal. *(Interruptions)*

SHRI MORARJI DESAI: I wish my hon. friends good luck. My hon. friends try to go round everywhere to get friends. I know, it is good to have friends, but when it becomes too obvious a manoeuvre, nobody is going to get caught into it.....

SHRI PILOO MODY: Into what?

SHRI MORARJI DESAI: That, he knows and I know. It is no use trying to talk about it here.....*(Interruptions)*

SHRI PILOO MODY: What is wrong in persuasion? I would like to persuade you also.

SHRI MORARJI DESAI: That is what he is doing even now. He seems to be an expert in persuasion in a reverse manner.

Then look at the other items. In the matter of sugar, there has been a failure, but there are also causes for it; maybe, one of the causes would be certainly that it is not dealt with as it should have been dealt with. That is all right. But show us what can be done. It is no use saying that this is done in order to favour the capitalists; that is thoroughly wrong. I do not think that this sugar policy has been dictated by them at all. There has been a failure of all the cash crops, especially of cotton, sugarcane, oilseeds and jute in the last two years. This has also been responsible for this kind of thing. At this stage, if you want to meet the situation, should we not exercise some restraint on ourselves? We can do that only if all the parties combine together and give a lead to the people that we should consume less. Then certainly the whole thing can be brought round. But when *gud* can be produced more and it is not in restriction at all, then the sugar gets less and people want more sugar; still, if there are people to buy at Rs. 8 or 9 or 10.....

SHRI NATH PAI: Who produced that class? How did that class come into being?

SHRI MORARJI DESAI: It was not this Government which made that class.

श्री मधु लिमये : इसीलिए प्रस्ताव दिया या पन्द्रह सौ रुपये वाला। उस को तो आपने हंसो मजाक में टाल दिया।

SHRI MORARJI DESAI: I am sorry it is said that I removed that in a joke or by a joke. I do not take anything which my hon. friend Mr. Limaye says in a joke. I know he is a very serious person; he means what he says. But unfortunately he gets so serious that he loses sometimes even the sense of humour. Therefore, if I said something in humour, he need not say that I lost it in joke. As a matter of fact, I accepted the proposition of my hon. friend, late Dr. Lohia, when he said that he was trying and experimenting; I said that I would help him in the best manner possible. Then his disciple came and asked me whether I would help. I said, "Yes, certainly." Then he says, "We did not think that you would help." Then he came to tell me that this thing does not seem to be very feasible and it has not yet come out. I know they will not be. I would be very happy and I would like to help. Any new scheme if it is feasible, I am prepared to try and make an experiment of it. But one should be convinced about what one tries to do. Government cannot go into any schemes which may be conceived even with the best of motives. They have got to be tested; they have got to be tried and then they have got to be acted upon. This we will always do. We will certainly like to profit by my hon. friends' wisdom. I do not say that they do not have wisdom. They have wisdom as all human beings have. I cannot say that I have more wisdom than they. But it is by pooling of wisdom we can certainly benefit. I would like to do that but, if my hon. friends would not want me to have that wisdom, even then I will try to have some wisdom. And the one that I have taken from them is this: that I would not like to offend them. I would not like to use a language which is hurting anybody's self-respect and this is one lesson which I have learnt from them.

I hope my hon. friends also will ponder over this matter. If on nothing else, but on this matter if they ponder, then their abilities will benefit the country far more.

Sir, as we see here that the whole no-confidence debate, as put forward by my hon.

friends who are supporting it, is so full of contradictions and the same arguments have been repeated before that they lose all value and, therefore, I am quite sure that the House will reject it.

SHRI P. RAMAMURTI (Madurai) : Sir, I have been listening for nearly about an hour.....

SHRI SEZHIYAN : An hour and a quarter.

SHRI P. RAMAMURTI :a sermon. I would even now call it a sermon that has been preached.

SHRI SHEO NARAIN: Now we are going to listen to your sermon.

SHRI P. RAMAMURTI: I am not going to sermonise. Mr. Desai will not admit that he has been sermonising. I would like to know what else he has been doing in his entire life except sermonising. Anyway, the Deputy Prime Minister told us many things. He is a great votary of truth. But, unfortunately, when he comes to facts, that votary of truth forgets the facts. For example, he told us that the Governor of West Bengal told the Chief Minister that he is convinced that he has lost the majority and, therefore, he wanted to convene the Assembly within a certain time. May I point out to him that it is not written by the Governor of West Bengal that he has belief that he has lost his majority. On the other hand, he has said, there is a doubt. There is certainly a difference between doubt and believing it to be true. I hope the Finance Minister understands the difference between these words 'doubt' and 'fact'.

SHRI MORARJI DESAI: You better understand politeness. There is a polite way of saying.

SHRI P. RAMAMURTI : Polite way of saying ? In these matters it is not a question of polite way.

Any way it is a question of fact and doubt. A doubt is a doubt and a fact is a fact. I am not going into the constitutional question at all. We have dealt with it last time and many more people have dealt with it. Apart from that, these constitutional questions do not matter to the Government at all. The Finance Minister forgets, entirely he does not remember what happened in Kerala.

There is a gentleman sitting there. He was defeated. He was defeated by a vote of the House. Of course, he was not the Chief Minister. Another gentleman was the Chief Minister—Mr. John—and he was the Law Minister. After the Ministry was thrown out of the House by a vote of the Assembly, the defeated Chief Minister goes and advises the Governor—he was then called the Raj-pramukh—to dissolve the Assembly and to continue the very same Cabinet till the mid-term elections are held. He continues for a period of six months. He continued for a period of six months and our Home Minister, the other day, said that a defeated Chief Minister has no business whatsoever to advise the Governor. Here was a defeated Chief Minister who advised the Governor to continue him, to dissolve the Assembly, not to go and see whether any other Ministry can be formed, but to dissolve the Assembly and to continue the defeated Ministry in office for a period of six months and the Governor accepted it, and then the Home Minister and the Prime Minister, whoever it was, have all accepted the position. He was the Industries Minister at that time. Therefore, it does not lie in their mouth to talk of constitutional propriety etc., because this was what they had done before. Therefore, I am not now concerned so much with the constitutional aspects of it, because I know what they would do. What helps the Congress Party is their Constitution and nothing more.

What is the position today? Today the position is that in West Bengal, a Shikhandi has been installed as the Chief Minister. And what is the first act of that Chief Minister?

SHRI SHEO NARAIN: He was their Food Minister.

MR. DEPUTY SPEAKER: Let there be no interruptions. Let us have a quiet debate now.

SHRI P. RAMAMURTI: The first act of that Chief Minister was the imposition of an order section 144, Cr. P. C. How did he begin his first day? His first day in office was started not in the Writers Building, in the secretariat of the Government but in the control room of the police headquarters at Calcutta. This is the wonderful picture that we are having. I can find a parallel for this only in 1937. In 1937, when the Congress

[Shri P. Ramamurti]

swept the polls and the Governor did not immediately give an undertaking or assurance that was asked for at that time, what was called a benami Ministry was formed; we used to call it the benami Ministry. The benami Ministry was installed for a period of six months and that Ministry was treated in Madras and other places by the same circumstances and by the same events that are now treating that Shikhandi there.

Shri Morarji Desai was telling us about the past of the Congress. He was telling my hon. friend Shri Sezhiyan to remember the past. Yes, we do remember that past, and I am proud of that past. That was the past. And what a fall there has been from that past to the present position where the Congress Party has to support and install such Shikhandi Ministries not only in West Bengal but in Punjab, and other places! In Bihar also, they attempted the same kind of Shikhandi Ministry. They cannot form the Ministry and they cannot fight, and, therefore, a Shikhandi must be put in front in order to fight. This is the fall that the Congress Party today has subjected itself to. This is the depth of their fall.

Do they understand at least now why they have fallen to this low level; that even though there happen to be 130 people in the Bengal Assembly they dare not go before the people of West Bengal and say that they would form a Ministry but on the other hand they would say that they would support a Ministry with the backing of 16 or 17 people? Why is it that they have come to this low level? Do they understand it? Do they think that this is something to their credit? If they think that it is something to their credit, then let them be satisfied. This is the wonderful position to which they have come. Why have they come to this position? That is what we are concerned with.

The Finance Minister was waxing eloquent about the plan and all those things. All that I now know is that there is no plan but there is only a commission, and that is what exists today. There is no plan whatsoever. But be that as it may, the Finance Minister was telling us about the wonderful achievements of the First, Second and Third Five Year Plans. But does he

ponder over the conditions that exist in this country today? Is he not ashamed? Is he proud of the fact that year after year, after the budget session is over, every Finance Minister has run from this country with a begging bowl to country after country and told them 'Please give us some help; otherwise, this country will go down'?

That is what is happening.

SHRI MORARJI DESAI: This is a lie.

SHRI P. RAMAMURTI: This is a lie! I can point out year after year, every year, even after the budget session which last ended, this happening. When the last budget session ended in August, we have it on regard that our Finance Minister went to Japan, USA, Canada and Britain, for what purpose? To go and tell them: 'Please give us help; otherwise, our country will go down. We will not be able to survive unless you give us help. Unless massive aid comes, our country cannot succeed'. This is the position to which this country has been reduced after 20 years of independence.

SHRI MORARJI DESAI: May I correct the hon. Member? I have said publicly that I have not had any talks about financial aid in any of the countries where I had gone (*Interruptions*).

SHRI P. RAMAMURTI: He is a great votary of truth. But I know newspapers in this country published in *verbatim* his speech in Japan, in Tokyo wherein he is reported to have stated publicly that this country needs massive foreign assistance, and at the end of about four or five years of that massive assistance, this country can improve, can survive.

SHRI MORARJI DESAI: Survive?

SHRI P. RAMAMURTI: I have seen the papers. I will send him the cuttings. It does not matter if the Finance Minister says that he has not publicly asked for financial assistance. He went and asked privately for financial help.

SHRI MORARJI DESAI: I said I have not privately asked for aid. They wanted to know about this matter and that is what I said. I have not said that it must be given to us. I have never said that. Privately I had never talked to anybody about this.

SHRI P. RAMAMURTI: He had never gone and asked for help. Anyway it is for this country to take him at his word. This is the position to which this country has been reduced after 20 years of independence.

The Finance Minister was talking about recession. Are we responsible for it? He said the Opposition people are responsible for this recession. He is talking of production. But today factories are being closed and workers say 'we shall not be retrenched; we want to work and produce' (*Interruptions*)—I can answer interruption; I would suggest to my colleagues on this side to keep silent—Factories are being closed. Is it the workers who are closing them? You are talking of production in this country today. But factory after factory is being closed and workers are being denied the right to work. This is the pass to which the country has been reduced.

They are talking of recession. Who has been responsible all these years for the fact that year after year as much as Rs. 300 crores have been denied to the exchequer by the failure to pay taxes? Is it not the Government of India which is responsible for the loss of these Rs. 300 crores to Government? Are we responsible for this? Are the working classes in this country responsible for this? You are responsible for it. Who is responsible for the fact that during this very period not only black-marketing, but speculation on a large scale has been taking place, speculation in land, speculation on commodities, speculation in gold, speculation in everything that is possible? Who is responsible for it? This is the type of economy they have ushered into this country during the last 20 years.

After independence, they talked of socialism. But in reality, what they have introduced into the country is a system of society in which the black-marketeers and speculators flourish.

Therefore, as a result of this depending upon foreign imperialists for your help, you cannot build any industry in this country today without collaboration. How can there be any development of technology in this country when you enter into collaboration agreements with these foreign concerns where any further development also they will give you on payment of money. There-

fore, everything is on borrowed technique. When that is the kind of thing that you have developed, what is the point in saying that you are not responsible for this recession?

SHRI J. B. KRIPALANI : I must correct my friend. Our Government is also taking help from Russia and the East European countries.

SHRI P. RAMAMURTI: You are not correcting me at all. My quarrel is that I do not want to depend upon anybody, either on the Soviet Union or on East European countries or anybody else or on China. I want to depend on myself, I want to stand on my own feet, that is the fundamental question. I am not at all happy that our country is depending upon anybody else.

Therefore, this is the kind of society that you have created, and you are talking of food production. Who is responsible for the fact that all these years land reforms were never carried out in all seriousness? Is it the opposition that is responsible or is it the Congress party that has been responsible? (*Interruption*)

When our Government in Kerala for the first time brought the land Reforms Bill, all that you did was to start a liberation struggle, liberation for the landlords, liberation for the enemies. That is what you did, therefore we know all that. Therefore, when our Finance Minister boldly comes and talks today of the economic situation in this country, I must point out that he cannot learn, wedded as he is to the building up of a capitalist society in this country with the help of foreign monopolists, with the help of foreign imperialists and with the help of the land lords in this country. Within the framework of this system if you want us to help you, unfortunately we cannot help you. If you are prepared to learn from your experience, from the fact that all these years the country's economy has been going from bad to worse, then certainly we will be able to help you. Therefore, there is no use of appealing for this co-operation when you are not prepared to budge an inch from your basic principle of building this kind of society.

SHRI SHEO NARAIN: What have you done in Calcutta?

SHRI P. RAMAMURTI: I will come to Calcutta.

[Shri P. Ramamurti]

Take this question of Bengal. The Finance Minister was talking about gheraos, the Finance Minister was talking about a situation where law and order was not maintained. May I ask him if all these 20 years he maintained law and order with regard to the employers? Did the Finance Minister or the Government of this country maintain law and order with regard to all these big sharks that were responsible for sequestering hundreds of crores of rupees? What is his own record, the record of the Finance Ministry with regard to the Ruby Insurance Co.? Why? Because the Birlas were involved in that. Have they all these 20 years brought to book a single landlord when he was evicting peasants? After all, the Planning Commission's report says, points out again and again, that land reform laws were evaded by the big landlords, and hundreds of thousands of people were evicted. What happened to the law and order problem then? The police will not interfere when the ordinary people of this country when the peasants, are defrauded of their right to live; the police will go and attack those people if they resist. That is what has happened, and he is talking of law and order. The law and order problem comes when it comes to a question of struggling against the employers when they try to the thousands and millions of people out of employment.

Well, gheraos did take place in Calcutta. It is also on record that the engineering factory owners, big owners, refused to accept even the interim recommendations of the Engineering wage Board. May I ask him what the Government of India did all these two years for implementing that wage Board's recommendations?

Did they do that? they kept quiet.

16 Hrs.

SHRI ONKARLAL BOHRA: In West Bengal, they have given the maximum extent in the engineering industry, in respect of the award. What about Kerala? How much is the percentage there?

SHRI P. RAMAMURTI: Did they implement it? Did they implement it for two years? Nothing; they will not implement it. After all, law and order is only for the workers: law and order is not for the employer; he can starve the workers and if

the workers struggle, then they will come in the way. It is, therefore, that they have refused to implement this; nobody was killed; nobody was attacked; no injury was done to anyone at that time they said, "Unless we can ask what is your due, we will not leave the factory." What is wrong about that? The law, as you say, will not protect the worker; the employer can do anything he pleases as far as the worker is concerned. You will not lift your little finger; neither will your law come to their help. Therefore, under these conditions, these things inevitably happen. It is not a question of your willing it or my willing it. It is a question of the social forces in this country. No longer is the worker in the same position as he was, say, about 5 to 10 years ago or last year. Today, there is an awakened worker; there is an awakened peasantry; and they want their rights to be established, and if you do not help to establish their rights, then naturally the social forces begin to act in this period and if the law does not move along with the times, then certainly a different situation is going to arise in this country. This is the simple position. Therefore, there is no use talking about gheraos and other things. We are not ashamed of the position, the position we take with regard to gheraos. When the employer refuses to accept his burdens and accept the responsibility and if the workers decide to go on a particular form of struggle, then, if it is a real government, if it is a government in the interests of the people, if it is a government in the interests of the working class, if it is a government in the interests of the peasantry, then certainly, it will not send the police to beat down the workers. But your Government will do that. Today, what is happening in West Bengal? That is what will happen everywhere. The Madras Government is . . .

SHRI ONKARLAL BOHRA: What about the murder of the socialist worker?

श्री शिव नारायण : मद्रास में लोग डकैती डाल रहे हैं, बसों फूंक रहे हैं, घर जला रहे हैं। यह नमूना उन का है।

SHRI P. RAMAMURTI: Despite all this, they are not going to make you a Minister. Do not bother about it. (Interruption) Therefore, the fundamental

question is this, when a new set of forces has come; during all these years, for 20 years, the people of the country certainly trusted you. But after the last 1 election, they have found that they have placed their trust on wrong quarters; all these 20 years the people certainly had immense faith in you, but at the last election, it has been proved that the people of this country do not have that faith in you. You are not prepared to take it lying down. (*Interruption*) They are not prepared to take it lying down. Therefore, it is not a question of the Constitution alone. It is proved that the moment the Constitution is inconvenient to you, you act otherwise. After all, it is a fundamental question as to who is supreme in the Constitution. Are the elected representatives and the people supreme or is the Governor supreme? That is the fundamental question. The Finance Minister was quoting only article 164 of the Constitution. But there are also other articles in the Constitution. Article 164 has got to be read in conjunction with the other articles of the Constitution, and the Constitution says that the Council of Ministers will be responsible to the legislature; it did not say that the Council of Ministers will be responsible to the legislators; they said they will be responsible to the legislature. Legislature means a House, meeting, debating on a motion and coming to a decision as a result of the discussions.

It is not by counting heads by the Governor or by receiving some letters signed by somebody that the Governor has to come to a decision. Because some people have written to him or somebody has given some letters signed by somebody, for the Governor to come to a decision that the ministry has lost the majority in the Assembly, only means that the Governor wants to arrogate to himself the powers and functions of the legislature. After all, they can interpret the Constitution in any way they like. In Kerala they did it in one way, in Rajasthan in a particular way, in Madhya Pradesh in another way, in Haryana in another way and today in West Bengal they have interpreted it in another way. Therefore, it is not a question of the Constitution. Fundamentally, it is a question of conflict between the policies pursued by the Congress Government all these years. That policy no longer holds good. It is meeting with determined

resistance from the people of this country. It is not tolerated by the people, as shown not only by the last general elections, but by the innumerable struggles of the people during the last few years, particularly during 1964, 1965, 1966 and 1967. But being determined to go in the way in which you want to go, you are prepared to do anything to see to it that these ministries are toppled.

Mr. Morarji Desai was talking about discrimination. In Kerala, there has been continuous reduction in the supply of rice which they themselves had committed to supply. They had committed to supply 70,000 tonnes. In 1965, when the Congress ministry was there in Kerala, the centre supplied about 8.89 lakh tonnes of rice. In 1966, it was 7.63 lakh tonnes. In the first three months of 1967, before the UF ministry came into power there, though the food position in the country was bad, the supply was 1,85,610 tonnes. During the last 8 months, however, the total amount of rice supplied was only 2.75 lakh tonnes.

श्री शिव नारायण : उन्होंने कहा कि बाउल ले कर भीख मांगा जा रहा है। वह खुद क्यों नहीं पैदा करते ?

SHRI P. RAMAMURTI: Let him go to the mountains of Kerala and demonstrate how he can produce foodgrains there.

SHRI SHEO NARAIN: I have been there for a week.

SHRI P. RAMAMURTI: Kerala people are producing not rice but rubber, tea, cashewnuts, etc., which bring foreign exchange to our country. You cannot produce rice on the mountains.

Ultimately it is a political question. They supply less rice and tell the Congressmen there, "Fight against the government that they have not been able to give you rice". It is a wonderful way. Mr. Morarji Desai, who appeals for cooperation, does not tell the Congress unit in Kerala, "After all, we are supplying only this much rice; therefore, do not agitate on this question. It is our failure." You did not do that. Then, with what tongue in the cheek did Shri Morarji Desai today talk of co-operation among the opposition parties? Therefore, in Kerala

[Shri P. Ramamurti]

when the government is not able to maintain a ration of even 3 ounces per day, you create a situation of unrest among the people. Here because you cannot topple it directly, there is no way of even purchasing the people, therefore, you create such a situation and attack the government.

In West Bengal why were you not prepared to wait till the 18th of December? Because you were afraid that before the 18th of December, due to the pressure of the people of Bengal, these 17 people, with whose assistance you wanted to topple this government, will reconsider their decision. . . (interruptions) After all, you were afraid that if you wait from now till the 18th you will not be able to get power.

Therefore, what is the use of talking of an illegal Ministry, when we have it on record that an illegal Ministry, a Ministry that was thrown out by the vote of the House in Kerala was allowed to continue for a period of six months shamelessly? For you to talk of legality and illegality, constitutionalism and non-constitutionalism is nothing but sheer humbug—I am sorry I have to use that strong expression, sheer humbug. Therefore, why don't you say plainly "we are not prepared to tolerate you; therefore, we are going to throw you out"?

Well, this is not something new, as far as we are concerned. We know what happened in 1957 or 1960 when in Kerala we had a majority. Our Prime Minister went and headed the liberation struggle a wonderful liberation struggle indeed. They did not think of the constitutional methods at that time. For them at that time the constitutional methods were not useful, because the Ministry had to be toppled down. Therefore, the question of violence and non-violence did not matter because the Congress Party was not in power there. And what kind of non-violent struggle was carried on by the Congress Party in Kerala in 1960 everybody knows.

Therefore, it is not a question of violence or non-violence, constitutionalism or non-constitutionalism. In the ultimate analysis, the party which is in power at the Centre is not willing to concede that power to the other parties even if by the ballot they come

to power. That is the position. Therefore, they purchase them, if possible..... (interruptions) If it is not possible, then they use unconstitutional methods. This is what happened in Kerala.

In the end I would only warn this government that today if you do not allow the constitution of this country to function, if constitutional remedies are also barred to the people—after all, you are not prepared even to refer this question to the opinion of the Supreme Court; you are afraid of the Supreme Court to that extent—if that is the position, if you do not provide constitutional remedies for such illegal acts, then the people will draw their own conclusions and the people will willy-nilly be forced to take to extra-constitutional activities and methods and for that you alone will be responsible.

Therefore, finally, I want to point out that in 1954 you had the same type of Ministry in Kerala. You installed Shri Pattom Thanu Pillai with 19 members. You had a Shikandi Ministry at that time. But you were not saved as a result of that. Within 11 months that Ministry failed. Afterwards, your Ministry could not come to power again. In 1965 you did another thing. In 1965 when you were not elected, when you were defeated at the polls, even then, saying that what the Constitution says does not matter, at that time you dissolved the Assembly once again. Therefore, it is not a question of the Constitution. What you did in Kerala in 1954 was that you installed a Shikandi in Office; but it did not succeed. Today I want to point out that when Shikandi was sent to fight Bhisma, at that time Bhisma said he had become too old and he wanted to die. But today the Bhisma of this generation, the people of this country, are awake and so any number of Shikandis will not be able to conceal the rulers of today.

You will not be able to conceal behind the *shikhandis*. People know who is the real ruler; they know that it is the Congress Party that is the real ruler.....(Interruption)

श्री शिव नारायण : अजय मुखर्जी साहब को कमरे के अन्दर क्यों मारा जा ?

MR. DEPUTY-SPEAKER : Let him conclude, please.

SHRI NAMBIAR (Tiruchirappalli) : He should be named and sent out.

श्री शिव नारायण : सबको शिखंडी कह रहे हैं। बड़े मर्द आए। कल तक जो फूड मिनिस्टर थे इनकी अपनी कैबिनेट में, आज उनको शिखंडी कह रहे हैं—(इंटरप्शन)

SHRI NAMBIAR: Please name him and send him out. We cannot tolerate this running commentary. He must be sent out.

MR. DEPUTY SPEAKER : Now let him conclude, please.

SHRI P. RAMAMURTI: I would respectfully urge on the Prime Minister that she makes him a Deputy Minister.... (Interruption)

SHRI SHEO NARAIN: We are not defectors, my friend.

श्री महाराज सिंह भारती (मेरठ) : मैं उन्हें जानता हूँ। सचमुच उन्हें बीमारी का दौरा पड़ा है। डाक्टर को बुला दीजिये, नहीं तो हालत सीरियस हो जाएगी।

MR. DEPUTY SPEAKER: Now please conclude.

SHRI P. RAMAMURTI: Therefore I would warn the Government that they cannot escape the responsibility for what is happening here. They cannot escape from the wrath of the people because the people know that behind these ministries it is really the Congress Party that wants to rule. The Congress Party does not want to show its face straight to the people of West Bengal; it does not want to show its face straight to the people of Punjab or even Haryana and other places. Therefore it has come to this position of putting up somebody as a facade and behind that rule. But the people of our country the awakened people of our country are not going to keep quiet and if you do not allow the normal constitutional process to have its way, ultimately it is not the Congress Party, it is not the Governor of West Bengal, it is not even the Prime Minister of this country but it is ultimately the people of our country and the people of West Bengal who will have the last say and

not you. Today the Governor might do anything but these Governors' acts will be nullified by the awakened people of Bengal and I warn you that you be prepared for that. Let us not unnecessarily play with the will of the people.

16.18 HRS.

POINT OF PERSONAL EXPLANATION

THE MINISTER OF PETROLEUM AND CHEMICALS AND SOCIAL WELFARE (SHRI ASOKA MEHTA): Mr. Deputy-Speaker, Sir, it is not my purpose to intervene in this debate. In the course of this debate and in the previous discussion certain reflections were cast upon my political behaviour. I am grateful to a number of hon. Members who came forward to put the record straight. I would not have said anything about this but for the fact that I was told that the Mover of the censure motion, my hon. friend, Shri Madhu Limaye, was also a party to the reflections that were cast upon me.

श्री मधु लिमये (मुंगेर) : मैंने कुछ नहीं कहा इसके बारे में।

SHRI ASOKA MEHTA: I have not been able to get the transcript of his speech though I tried very hard this morning, but I was told so. I have no desire to go into the details of it.

I shall invite my good friend, Shri Madhu Limaye, with whom I have not only ties of friendship but bonds of affection that no differences can snap, to set the records straight as far as I am concerned. I hope he will not mind my reading to this House a letter he kindly sent to me on the 19th December, 1963. This is what Shri Madhu Limaye wrote:

"Forgetting unpleasant controversies of the past and recalling only the fragrance of old friendship, I write to say that your joining the planning Commission is good both for you and the Government. I go further and suggest that your joining the Congress Party would not only be good for you and the Government but also for the country.."

श्री मधु लिमये : ठीक है। यह दस साल हमारे बीच में रह कर हम को खत्म कर रहे थे।

MR. DEPUTY-SPEAKER : Let him finish.

श्री मधु लिमये : इन के बारे में मेरी पहले से यह राय है ।

SHRI ASOKA MEHTA : He says :

“Holding the views you do, I am of the opinion that you are only wasting yourself by staying in Opposition and, taking the inevitable step of joining the Congress Party, I think, you would avoid unnecessary delay and deny your curious colleagues of the National Executive the pleasure of boasting that they were tough men who could take extreme measures for enforcing discipline. In truth, this is not a matter of technical breach of rules and regulations but a question of high policy. Finally, I hope you will be able to take with you all those who think with you on the basic issues confronting the country”.

Acharya Kripalani, in the course of his interjection, said that the Vice Chairman of the Planning Commission made certain observations. I do not know whom he had in mind. If he had me in mind, I would only like to point out that no such observation was made by me because the most careful evaluation of the three Plans that we have had has been put forward by me and my colleague in the document that was placed before the House. I am not in the habit of making officious *obiter dicta*. What I have to say, both about the achievements and about the short comings of our plans, has been put before the House in the document.

MR. DEPUTY-SPEAKER : It was on a point of personal explanation.

श्री मधु लिमये : क्या यह व्यक्तिगत स्पष्टीकरण था ? लेकिन मेरे जवाब में उन्होंने क्या कहा : मैं इसी वक्त इस का खुलासा करना चाहता हूँ । 1952 के चुनाव के बाद उन के साथ मेरा यह बराबर झगड़ा चला है । यह कहते थे कि सोशलिस्ट पार्टी में रह कर, विरोध; दल में रह कर, कांग्रेस के साथ सहयोग करना चाहिये । हमारी पहले से यह राय थी कि अगर इन का यह विचार है, अगर समाजवादी

बान्दोलन में इन का विश्वास नहीं है, तो अच्छा होगा कि यह कांग्रेस में चले जायें । मैं तो दस साल से यह बात कह रहा था, लेकिन इन को दस साल के बाद अक्ल आई ।

श्री मनुभाई पटेल (डभोई) : श्री मधु लिमये के पास ही अक्ल का खजाना है ! यह सब को अक्ल बांट रहे हैं ।

SHRI PILOO MODY (Godhra) : I do not think this is the right forum for discussing these things.

MR. DEPUTY-SPEAKER : He was perfectly within his right to offer his personal explanation when certain derogatory references were made to him. Shri Surendranath Dwivedy.

16.24 Hrs.

MOTION OF NO-CONFIDENCE IN THE COUNCIL OF MINISTERS—*contd.*

SHRI SURENDRANATH DWIVEDY (Kendrapara) : Mr. Deputy-Speaker, Sir, I do not want to go into what Mr. Asoka Mehta has put on record, the letter written by Shri Madhu Limaye to him about his joining the planning Commission and the Congress Party. Whatever it may be, I am sure that Shri Asoka Mehta himself must have realised by now that the Party which he has joined has sunk and along with it the country is also being doomed for ever.

I heard my hon. friend, Shri Hanumanthaiya, on the other side, with great attention. At the end of his speech, his last appeal was: let us save democracy; let us save this country from communist dictatorship and let all democratic parties unite in this country.

16.25 Hrs.

[MR. SPEAKER in the Chair]

If Mr. Hanumanthaiya and those who are of his way of thinking really believe in this, then they should have the courage to come forward and support this motion of no-confidence. If I am supporting this no-confidence motion, it is exactly because of this reason that if this Government continues at the Centre, I have no doubt in my mind that democracy would be gone for ever; whether it is Communist dictatorship or any other dictatorship, I do not

know, but so far as democracy is concerned, democracy is not going to succeed in this country so long as they remain in power. I have my reason when I say this. Here it was a test, a test after the General Elections. We have seen this Government at the Centre and we know, as regards economic matters, how they have failed and where they have reached. We all know that. We know what has happened in the matter of corruption and in the matter of morale of the country. We know what are their achievements. If you go to the Secretariat, you will hear all sorts of stories of Ministers implanting some of his relations and friend in some companies, so that they could get dividends. All these are going on. There are so many things and I do not want to go into them. But here it was a test of democracy, of the Constitution of the country, in the hands of the Central Government. This is a federal system. The federal system was put to test for the first time in this country when as many as nine States were lost to the Congress which is in power at the Centre. The Constitution was never translated into action; there was no occasion for it because the Congress Party was at the Centre and their partymen were ruling in the States, naturally, therefore, it was the High Command that was deciding and there was no question of Constitution or the other things; whatever the High Command said, whether it was in the interest of the State Governments or not, they just dittoed it and it was going on like, this. But now, after the General Elections it was really a test in which they have completely failed. The federal system and the Constitution have become a mockery in their hands; it is not only a question of West Bengal, Haryana and Punjab; probably before we adjourn, we will hear about U.P. and Bihar also; no State will remain; one by one they will be taken over; it is a plan.....

श्री शिव नारायण : कल चरणसिंह भी जायेगा ।

SHRI SURENDRANATH DWIVEDY: That is what I say. He is correct.

They have begun to abuse the Constitutional rights and give preference to nominated bureaucrats over elected representatives; they have begun to make the Govern-

nors, for the first time in this country, small dictators; they are invested with greater discretionary powers over the will of the elected representatives. This is nothing but the negation of democracy. The Central Government had the most unreal existence. The popular verdict was against the Congress Party; 9 States voted against the Congress Party, but at the Centre, somehow or other, they came to power. So, they should have been more careful, but it seems that they have not yet learnt the lesson. In the Opposition, they had to play a part; it was an opportunity for them to tell this country how even the Party which had enjoyed the power for twenty years can also function as a responsible Opposition. But see the record. In all the States where they were out of power they were anxious to get into power somehow or other. For six months they waited.

They waited. They bided their time thinking that there will be internal contradictions and these Ministries would fall. When that did not happen, what have they done? Then they have started this practice of toppling the Government. Sir, I am sure and I have no doubt in my mind that if a mid-term poll is taken, if a vote is taken in the entire country, the people as a whole will vote down this Government. There will be no Congress Government at the Centre—I have no doubt in my mind. That is the will of the people.

SHRI SHEO NARAIN: We will see that in Haryana.

SHRI SURENDRANATH DWIVEDY: What I want to say is: we have discussed Haryana in this House for a day. I do not want to go into it. But I would ask, I would ask very seriously: was there any justification for the action taken in West Bengal? Mr. Ranga may be happy that this Ministry was dismissed.

SHRI NATH PAI: What a shortsighted happiness it is!

SHRI SURENDRANATH DWIVEDY: This dismissal will boomerang on other Governments also. Don't forget that if this illegal, unconstitutional way of dismissal of elected Governments by Governors is permitted to go unchallenged in this country it will open the doors for political manoeuvres.

[Shri Surendranath Dwivedy]

What was the justification? Mr Desai, when he was speaking, narrated what Mr. Ajoy Mukerji said sometime in October. He was going to resign on October 2. He did not resign. When some question was put as to why he was thinking of resigning, he stated some reasons in which he pointed out how a certain Party was trying really to subvert democratic functioning in that part of the country. Sir, if that was so, if that was the real situation then, what was the Governor doing? If the Governor was really anxious to safeguard the interests of the people, the civil rights of the people law and order, even after Ajoy Mukerji refused to resign, why did not the Governor act? Mr. Morarji Desai says that if the Governor had not taken this action now, 'we will consider him unfit for the job'.

SHRI RANGA (Srikakulam) : He was unfit even then.

SHRI SURENDRANATH DWIVEDI: I say the Governor was sent there for a specific purpose. You pick retired ICS officials, and make them Governors to suit the convenience of the Central Government, nothing else. He did not act then. If he had acted then, probably one would have thought that he had some love for order and progress in this country. Here in this communique which he has brought out, he says 'What is the present problem?'. He realised that on the 21st October. He says:

"There are also urgent and pressing problems of law and order and procurement of food and economic, agrarian as well as financial problems. In order to deal with these matters effectively, it is imperative that there should be a Ministry which clearly enjoys the majority support in the Assembly."

He realises that on October 21 and why did not he act then? Let me tell you, Sir, he is doing at a time when somebody was intervening. Sir, I have many things to say against the Government of West Bengal. On the floor of this House I have said that, but even then as it is known to everybody, prices have gone up like anything. Rice is selling at Rs. 5 per kilo in Calcutta. Even then, even in spite of this acute hardship in the past few months, there has been no agitation in Calcutta. What does it show? It shows people still expected

this Government to continue for some time. People were not in favour of the return of the Congress, either directly or indirectly. That was clear enough. People were behind this Government.

I also want to point out that the Governor has no constitutional power to dismiss the Ministry. Morarji Bhai was quoting Art. 164(1), but he forgets to mention Art 164(2) in which it has been clearly stated that the Council of Ministers which is appointed will collectively responsible to the legislature. Where is the discretionary power of the Governor to dismiss an elected Government. Nowhere. He has been given the power to appoint. There it ends. After a Government is installed in power, there is no discretionary power under this Constitution— Art. 200, Art. 356 or any other Article—which gives any discretionary power to the Governor either to advise an elected Government to convene the Assembly on such and such date or even to dismiss it.

It is very clear under the Constitution.

SHRI HANUMANTHAIYA: There is another article in the Constitution.

SHRI SURENDRANATH DWIVEDI: As regards collective responsibility, the question whether this Ministry enjoyed the majority in the Assembly or not could have been decided only if the Assembly had been convened, but that had not been done. The Assembly had not been given an opportunity for this. I would like to know whether if they had waited till the 18th December, the situation would have been as bad as it is today. Today, there is firing, there is arson, there is hartal and there is stoppage of work. Lakhs of rupees of public money are involved in all this. What is Government doing? They have invited this trouble. They are actually giving a handle to elements which believe in lawlessness and chaos, when they disregard the constitutional rights and constitutional obligations.

Under article 356 what was the duty enjoined upon the Governor? If he wanted to take any action under article 356, if there was really a breakdown of law and order, then he had simply to report to the President and the President had to take action. If he were serious about this and he were really not an agent working at the

bidding of the Central Government as it suited them politically, then probably he would never have done this. Again, I say this. We know that these things were being done for political and party purposes. So long, that was my accusation, but this Bengal affair convinces me that even factional fights amongst Congressmen have come into play and the Government and the Constitution are being utilised for that purpose.

SHRIMATI SUCHETA KRIPALANI (Gonda) : How ?

SHRI SURENDRANATH DWIVEDI: The hon. lady Member asks me how. I shall give her just two instances. Take for instance the case of Punjab. Is it not a fact that Chandigarh was made an issue between Punjab and Haryana ? In spite of the fact that the same situation prevailed, even two months before, Rao Birendra Singh was still allowed to continue because he was resisting the acceptance of Prime Minister as the arbitrator so far as Chandigarh was concerned; and a sop was given to the Akalis 'Just see; if you do not join the Congress, then Chandigarh is not coming to you, because the Prime Minister will not be the arbitrator'. First, the Akalis had not fallen into that trap, but ultimately a section of the Akali leadership fell into the trap. For two months, the Governor Mr. Chakravarty did not do anything, but when it suited them, immediately that Government was toppled, and a section of them came and joined, and as has been stated, and perhaps my hon. friend Shri A. K. Sen may probably defend this, a new method of popular representative government has been visualised wherein with the backing of 15 or 16 or 17 or 14 people, they would form a representative government which would have majority support in the Assembly.

Again, let me say what happened in Bengal. Let it be contradicted. What happened there on the 2nd of October ? I am giving no secret. On the 2nd October, Shri Ajoy Mukerjee was going to resign at 6 p. m. I had a talk with him at 3 p. m. and I was quite convinced that he was going to resign. But what transpired in between ? And how was it being done ? There is no doubt, as has already been admitted by Shri Ajoy Mukerjee that the Congress Party there said that it would have another committee

and in the other committee the leadership would go out of the hands of Mr. Atulya Ghosh. They were giving the same support which they have now extended to Dr. Ghosh if another Ministry would be formed. That did not happen because Kamaraj and Atulya Ghosh still happened to command a great influence in the Congress. They scuttled the Nanda Plan. The Kamaraj Plan was scuttled. The Nanda Plan was also scuttled by them. Again the same leadership came into the picture in the Congress Party during the Presidential election. When the election was at hand, it was a tussle between the Prime Minister and the Congress President. Who will be the man there, P. C. Sen or Atulya Ghosh ?

Now, when they failed to achieve this, they tried Dr. Ghosh for having a Ministry with the support of the Congress for the last four months. It is not my statement. It is the statement made by the Congress Party Secretary in West Bengal that on July 26, Dr. Ghosh wanted that the Congress should support him if he formed a Ministry. Now this was going on, and ultimately because it has suited them now to humble Atulya Ghosh in the Congress organisation they have acted. And now the Governor has come forward with the plea that they have lost the majority and the law and order position is serious, very bad and so on. So he takes upon himself the responsibility of dismissing the Ministry. This has been manipulated in this manner.

If they really believed that the majority people were behind the Congress, if that is the position in West Bengal, they should have acted straight forwardly, even if it was unconstitutional—the act which have done is also illegal—and ordered fresh elections to test whether there was the real sanction behind the Government or not. That they have failed to do because that would not suit them politically. They want to come back to power by hook or crook, by indirect means. If this goes on, if the registered organised will of the people is thwarted by governmental action taking recourse to the Constitution, do you believe the people will have any faith in this Constitution and in this democratic procedure.

Therefore, my charge is that Government by doing this have reduced the Constitution to a mockery. Now, as has been hinte

[Shri Surendranath Dwivedy]

by Shri Dange and Shri Ramamurti, it is a tussle between the people and the Congress party because they are not with the people now, they are away from them. Taking recourse to administrative and constitutional measures, they want to retain their power all over the country. This will be the end of democracy. Constitutionally this is untenable, morally it is indefensible. Such a thing is illegal, unthinkable and unprecedented in the history of any constitution in the world.

Therefore, I would suggest, if there is any sense left in them, if the Congress Party really believes in the orderly progress of the country, in the democratic progress of the country, they should not encourage these puppet governments, either in Bihar or in West Bengal or in any other part of the country. But that is the only thing on which they can rely; there is no other way out for them.

Lastly, I would refer to the failure of the economic policy. Shri Morarji Desai asks: who said the Plan has failed? I do not know whether it was the family plan or the Kamaraj Plan. But as we see today, there is no Plan. Is it Shri Morarji Desai's case that this recession, this unemployment, this rise in prices, all these happened because of some other reasons? We have invested Rs. 23,000 crores. Now what is the result of the Plan? That must be taken into account. Why has it failed? Why has it been thought necessary in this year after three Plans had succeeded to think of a plan holiday, going back to what the Swatantra people wanted? Why don't they admit it that as a party this Government is not capable of executing or implementing any Plan whatsoever. They really believe in a free economy and that is what they have brought the country to. The plans have failed miserably.

Let us go into the figures, how it has happened, about production, industrial growth, everything. If installed capacity of the existing machinery is not being utilised whose failure is this? Is it not the plan's failure? Is it because of the opposition? Why is cost going up, what are the reasons? Why is it that the industrial growth in this country has declined? The average growth between 1962 and 1965 was 8%; it declined

to 5.5% in 1965-66 and again it came down to 2.8% in 1966-67. In the first half of 1967-68 it is stagnating. How does it happen? We have invested this money, and what is the result?

If they have really any sense, if they have learnt any lessons from the world and from our own planning, they should have thought of the causes, because excepting in the engineering industry, the textile and other industries have reduced production because there is a fall in agricultural production also.

What did you do to step up agricultural production? If at all they think in terms of a plan, let us say that within 10 years 50% of the farms in this country would be irrigated. If such a plan is there, if irrigation is given fertiliser is given, I have no doubt that this country will be self-sufficient in no time, but the plans are going the other way, there is lopsided growth.

Then, this devaluation was a disaster. When Shri Asoka Mehta was intervening, I thought probably he would say something about devaluation, how it has succeeded, because it is said that he was the prime mover so far as this devaluation was concerned. After devaluation in June, 1966, export as less by 6% than 1965. Even in the export of traditional goods like tea and other things we are now facing competition. Not only has England devalued its currency by 14%, but Ceylon, which is our competitor in the tea market, has also now devalued by 20%. So, in real terms of value, the rupee has gone down in the international market. This is the present position.

Therefore, politically they have failed, socially they cannot do anything, they have no moral basis to exist, economically they have brought this country to ruin.

Mr. Hanumanthaiya should remember that it is not only a question of uniting this party and that party. The Congress is itself a united front, a conglomeration of all groups and they always contradict each other. Even the Deputy Prime Minister has to admit that he does not know what his Minister has said or done somewhere. If that is so, a real merge is necessary. What type of merger? A merger of forces in the political life which really believe in and sincerely want to work for democracy and socialism in this country. That is the real

need today. It is not by uniting all heterogeneous elements here and there that you will succeed; you will bring disaster to the country as the Congress has brought disaster.

Therefore, let us know from this Government whether it is prepared, after learning these lessons, to change their policies right now, directly, if they really want India to progress democratically in terms of the masses? Change of policies means change of the entire organisation of the Congress Party, which is not going to happen. Therefore, this Government has no right to exist. I am not going into other things. On these two grounds, which I think are essential, I feel that the country will suffer if this Government continues to remain at the Centre.

DR. KARNI SINGH (Bikaner): Mr. Speaker, Sir, I rise to support the one-line no-confidence motion tabled by my friend Shri Madhu Limaye. Yesterday, I had mentioned that a large number of my group Members were also supporting this, but I would like to clarify the position about the Independent Parliamentary Group of which I happen to be a Member. First and foremost, the Independent Parliamentary Group has no leaders; we elect a Steering Committee every session—

AN HON. MEMBER: How many are you?

DR. KARNI SINGH: We have about 14 to 15 Members. The Independent Parliamentary Group believes in one thing: that every independent Member who has been elected to Parliament happens to be a leader by himself and, therefore, as far as we are concerned, our backbenchers and front benchers have equal rights and equal status. We do not recognise leaders; because of this there are some Members of my group who feel differently and I feel that they would perhaps like to place their points of view before the House.

MR. SPEAKER: Then the Speaker will be helpless. The Speaker would then be put in a very difficult position;

DR. KARNI SINGH: I think the Speaker knows that we have no leaders; we have told you, Sir.

MR. SPEAKER: All right; go ahead.

DR. KARNI SINGH: As far as my personal position is concerned, I can only say this much: that we have never in the past supported a no-confidence motion, but in this particular instance, particularly following the Rajasthan debacle, I can say this much: that it makes my conscience feel clean by supporting a something like this.

AN HON. MEMBER: Privy purse.

DR. KARNI SINGH: To hell with privy purse; we are not talking of privy purse now. The discussion at present is in relation to toppling of non-congress State Governments. Sir, at the present moment, the problem before the nation is whether, what the Congress Government at the centre has done with a form of strategy in mind to topple over the Governments in the Opposition-run States is correct or not. That is the problem which we are to discuss now. Here, I want to make it absolutely clear at the very outset that the Independent Parliamentary Group Members had not at any time supported any lawlessness in any State, be it Opposition-run or Congress-run. And, therefore, our point of view on this subject would be rather objective. We feel that following the debacle in Rajasthan, which has now become rather a sore point with all my friends in the Treasury Benches, there is Haryana and now West Bengal. It is about time that all of us got together in the Opposition, and I am including the Swatantra party also who have not supported the No-confidence motion, to deliver a strong blow at the Congress party's dictatorship. We feel that this type of dictatorship is a double-edged sword. If the Opposition parties were to come to power at the Centre, the same sword will be used in an equally effective way. I sincerely hope that the Congress will take steps to see that they do not set traditions in the country which may be misused by successive parties and Governments.

I would like to briefly observe on one point that Shri Morarji Desai, the Deputy Prime Minister, said, about the national government. Many of us who are independent without any party labels feel that the amount of time that is being spent in this country just trying to pull down the Ministries and replacing them by another party who are sitting across the floor, is so much and

[Dr. Karni Singh]

if we can only get together and have a national government at the Centre and coalition governments in the States, I am quite sure that we can do much better service for the country and develop the country much faster. I am quite sure that the Opposition has some very fine men, whom the Prime Minister can use in her Cabinet in a national government: men like Shri Nath Pai, Shri Surendranath Dwivedy, Shri H. N. Mukerjee, Shri Vajpayee and Shri Masani there are a number of names that I can go on citing who can do a first-class job in running this country.

I am sorry to say that with the conglomeration of Ministers on that side—I believe they are 55 now—we sometimes lose track of them and many of us in the opposition often do not know when a Minister gets up to answer a question as to where he is coming from, which is his Ministry and what is his name. But surely if we can form a Ministry from the entire House, realising that there is an immense problem before the country which has to be solved collectively, I am quite sure that we can all collectively deliver the goods to the country. But it is becoming important that while the party system continues in this country, the opposition also should take stock of their own house. We have to realise that if any of us in the opposition collectively have any aspirations to form a Government at the centre, that can be done only through collective action and opposition unity. We have to show to the Congress a collective front from our side.

Referring to what has happened in West Bengal, the moment the Congress supported Dr. Ghosh to come to power, the very first thing that happened was firing on the people of India. I had been told by a Britisher which made me hang my head in shame that there had been more firing by Congress on the Indian people than during the British regime. That is a matter for very great shame for all of us. (*Interruptions*). You hardly ever pick up a newspaper without seeing some firing somewhere. We have now reached a stage when firing hardly makes any news.

Coming to Rajasthan, it had figured as a no confidence motion sometime in March last. But our blood is smouldering when we see how shabbily the Rajasthan people have

been treated. What happened in Rajasthan cannot be defended by anybody. 93 people were paraded before the President. I am an Independent and I have no sides. Why did not the Governor ask either of the two parties to form a Government? He was frightened because strings were being pulled from Delhi. The reason was that Mr. Sukhadia was frightened that the gold scandal will be thrown in his face.

SHRI ONKARLAL BOHRA : There is no gold scandal.

DR. KARNI SINGH : That is a matter to be proved.

SHRI ONKARLAL BOHRA : It has been already proved.

DR. KARNI SINGH : We demand that a parliamentary commission should be set up to examine the gold scandal. The opposition leaders should be selected to go into this, not the henchmen of the Congress party.

I have said in this House that Mr. Sukhadia was a very good friend of mine. But I have no respect for men who cling to power in a democracy at any cost. I respected him as a man so long as he stood for democracy. But the moment he started hanging on to power by hook or crook, by the use of the powers of the centre, I am sure all of us have lost our respect for him. Let us see how the Rajasthan Government was formed. It was formed on the split blood of the people of Rajasthan. Mr. Sukhadia rules over the split blood of the people of Rajasthan. I ask, how far is it fair? If our friends in the treasury benches are very firm about policies, let them have a mid-term poll in Rajasthan. We will show to them who exactly are the people's representatives. The Congress Government rules in Rajasthan without the people's verdict; it rules purely with the verdict of purse strings, because Mr. Sukhadia happens to be a great manipulator of buying of M. L. A's votes. This must be referred back for the verdict of the people once again. I think the Rajasthan Chief Minister taught the nation the art of floor-crossing. He should run a school for horse trailing. That school, what we may call "Shukhadia's finishing school for floor-crossings" will probably win the President's gold

medal. It is a matter of shame that we should hear these strong sermons from the treasury benches when we know that it was the Rajasthan Government that set the pace in defections.

And what happened this time? This time in 1967 the Governor played for time, and played into the hands of the Congress Party. He was controlled by the strings from Delhi. What happened? The opposition were not able to substantiate their claims because the Presidents' Proclamation was brought in in the meanwhile a bore few hours before the trial of strength was to take place in the Assembly. You know perfectly well, and the whole country knows perfectly well, and we in Rajasthan know for sure, that this is not fair and we would like to challenge the Treasury Benches that if a mid-term poll is held now, we the people of Rajasthan, will teach the Congress a lesson and if they do not have a mid-term poll we shall teach them a lesson in 1972. I would like to mention this, that many of us who are independents, who have been totally natural all these years, are smouldering because of this injustice done to us in Rajasthan.

17 hrs.

Now, about this question of defections, I am afraid these defections are reaching a stage where it has become a disease, and I think Parliament at some time or other has to enact some legislation to prevent the defections that have become too rampant now making a mockery out of democracy. I believe Shri Nath Pai has introduced a Bill. Let us examine it when the time comes. The people, in our country are beginning to lose faith in our legislators. Any MLA has a price and the Government of Rajasthan seems to think anybody can be purchased from any side of the House by paying the price. Is this the tradition and the standards of democracy that we want to set before our countrymen and the rest of the world? I feel that we will have to take stock of this and, whether it be the opposition or the Congress Party, we will have to realise that this is no way in which democracy can be conducted.

MR. SPEAKER : He should conclude now.

DR. KARNI SINGH : Sir, because the Independent Group members are very quiet,

please do not think we have no rights and cannot demand our share of the time allotted to our group.

As I said the other day, the Congress Party has earned the name of being the "Chairist" party, a party which clings to power and their chairs. All this talk of socialism and all that, in my opinion, is just an eye wash. You have only to see how the Ministers glide out in their beautiful American limousines when beautiful Indian cars are available. Why all this double talk?

SHRI NATH PAI : They come to Parliament in Indian cars.

DR. KARNI SINGH : Because, the present Ministers wish to stick to power, because of the privileges that go with it, like free house, free cars, free electricity and what not. It is a matter of regret that the Congress Party, which fought for India's independence, which should have set better standards for the nation, is setting this example.

I feel that this is the time when a national government will have to be formed in the country's interest. I would appeal to Shrimati Indira Gandhi that this is the time when the country needs something substantial, and she has to make a call, she has to make a sacrifice to form a national government with the cream of the opposition and the cream of the Congress Party so that in the next five years we will be able to stand up strongly against problems like China, Pakistan, poverty, hunger and unemployment. All these problems can be better solved collectively than by throwing stones at each other.

SHRI HUMAYUN KABIR *rose*

MR. SPEAKER : Shri A. K. Sen. I will call Shri Kabir next.

AN HON. MEMBER : Why should you call him?

MR. SPEAKER : He is the leader of a group (*interruptions*)

SHRI N. SREEKANTAN NAIR (Quilon): He does not represent our party. He is a traitor and renegade. Our time should not be given to him....(*interruptions*)

MR. SPEAKER: Will you all kindly sit down? I am on my legs.

SHRI N. K. P. SALVE (Betul): Yesterday even Shri Hanumanthaiya had to show his impatience because of the behaviour of the opposition and their constant interruptions. The Congress Party wants to show the utmost discipline..(*interruptions*)

MR. SPEAKER: Let me explain. There are three independent groups which have been recognised and that is going on for the last six months. They all signed and gave it to me in writing. If they do not recognise to Shri Humayun Kabir as their leader, they can certainly say that he is no more their leader and that they have no party. I did not ask them to join his party or group. At no time did I do that. They joined his party and notified me. It was a good thing. But today they can write to me that they do not belong to that party and I will be very happy. I do not compel anybody to join any party. The Chair is impartial; the Chair has absolutely no interest in it.

SHRI HUMAYUN KABIR—*rose*

SOME HON. MEMBERS: Sit down.

SHRI HUMAYUN KABIR (Basirhat): I would ask only one question..(*interruption*)

MR. SPEAKER: All of you should sit down..(*Interruption*)

SHRI S. M. BANERJEE: Shri Kabir ran away from Calcutta.

SHRI A. K. SEN (Calcutta—North-West): Mr. Speaker, Sir, I rise to oppose this motion. This motion has really become a motion during which the Central Government has been arrayed by the speakers from the other side for having been a party, as alleged by them, to what has been termed as the toppling of several ministries in India. We are here to test the validity of that claim.

It has been asserted that the Congress has slaughtered the democratic tradition. If they had done so, many of us on this

side would not have been supporting that party because we are unrelenting supporters of that form of parliamentary democracy to which many of the learned friends on the other side....(*interruption*) pay lip sympathy.

I was hearing Shri Dange yesterday giving a speech on the virtues..(*Interruptions*)

श्री मधु लिमये: जब आपको जवाब दिया जाता है, तब आप भाग जाते हैं।

श्री अ० क० सेन: आप भाग जाते हैं। हम कभी नहीं भागते हैं।

श्री मधु लिमये: मैं आपकी बात सुनने के लिये आ गया हूँ।

SHRI A. K. SEN: Shri Dange was giving a very illuminating lecture on the merits of Communism and he envisaged for us a very bright future. He said that half of the world will become Communist. I was almost tempted to ask him then but since I am not in the habit of interrupting people when they speak I waited till today to put this very question as humbly as I can. Which brand of Communism was he envisaging?

AN HON. MEMBER: Go to the Supreme Court.

SHRI A. K. SEN: I will always be in the Supreme Court.

AN. HON. MEMBER: And argue either way.

SHRI A. K. SEN: There you cannot shout me down.

I was almost tempted to ask him as to what brand of Communism he was envisaging.....

AN HON. MEMBER: Russian brand.

SHRI A. K. SEN:....because if I remember aright in some of the papers run by one wing of the Communist Party, who call themselves Communist Party (Marxist), I think he is the target of daily attack.

SHRI S. M. BANERJEE: So what?

SHRI A. K. SEN: So are his comrades in Bengal. Professor Mukherjee is there. We respect him.

SHRI S. M. BANERJEE : You always advise Atulya Ghosh.

SHRI A. K. SEN : We never abuse him. But during the elections I had the misfortune of witnessing the worst of abuses being hurled by the Communists against respected leaders of their erstwhile party. So I was tempted to ask him which brand of Communism he was envisaging.

Then, he said very boldly that the united people of West Bengal will show the Congress their might. I again wanted to ask him, what united people, because within eight months of the United Front being formed in Bengal, when all the great promises were made before the elections—and I for one welcome their formation, because I thought that at least let there be a standard set of a good government (*Interruptions*).

May I request Mr. Samar Guha not to interrupt because he is not in the habit of interrupting usually ?

SHRI SAMAR GUHA (Contai) : You are not speaking the truth.

SHRI A. K. SEN : I for one publicly welcomed that a better standard be set and I wished the United Front all success. A rival Government setting a better standard is always worthy of praise. But very soon we saw a wonderful spectacle of the United Front. The word 'United' became misnomer. What was discussed in Cabinet became an open secret within a minute what was decided collectively became the point of contention outside and each Minister, representing one small group of the United Front, went out of the Cabinet room to cry down the decision arrived at collectively, one attacked the other publicly, and Dr. Ghosh who was a Member, a senior Member, of the Cabinet was one of the earliest to be selected for attack. All of us have been against Dr. Ghosh politically but none of us dare to call him names and none of us dare to call Ajoy Babu names. As a matter of fact, we are not in the habit of calling people names. Just now, we heard some enthusiastic supporters of the United Front calling Mr. Humanyun Kabir a traitor, shouting him down. Whether he is a traitor or not, that may be discussed outside. On the floor of the House, each Member has an equal right. (*Interruptions*) Mr. Banerjee

may shout his voice out as hoarse as possible but this House always recognises equal right of every Member. By shouting, he only gives expression to the communist tradition of calling their opponents by all sorts of names.

SHRI S. M. BANERJEE : You are henchmen of Mundhra.

SHRI A. K. SEN : We are not henchmen of anybody ; try to learn your language.

SHRI S. M. BANERJEE : I know my language ; you do it. (*Interruption*)

MR. SPEAKER : Order, order ; that is not the point now. We are discussing the No-Confidence Motion now.

SHRI A. K. SEN : Mr. Banerjee may shout very loudly but, I am afraid, many of us will not emulate him and, particularly, in the choice of language which he thinks ideal.

As I said, in this House, we believe in decorum and, notwithstanding any Opposition shouts, everyone will be given in the right to speak.

Within eight months of the United Front Government coming into existence, we saw a wonderful spectacle, not merely of each group pulling in his own direction but of resorting to shooting. I am myself against all forms of shooting. I agree with Maharaja Karni Singhji that it is a shame, in an Independent country, for any Government to take the aid of the police to shoot people down. If the people cannot control, they have to be hauled up in a court of law, properly tried and sentenced. But nobody has the right to take recourse to shooting in an Independent country. At least, I thought that the United Front Government will be able to say that they can control the people without resorting to firing. Unfortunately, the record of firing reached the limit and almost every week we had the news of police being called to open fire and in some cases even the military was called.

SHRI SAMAR GUHA : They have not been able to surpass the record of the 20 years rule of the Congress.

SHRI A. K. SEN : This is only in eight months.

Now, the promise was made that rice will be given at less than a rupee per seer. We welcomed the decision. But in eight months, the price of rice shot upto Rs. 4/- and rationing became a farce.

At least at the time of Dr. B. C. Roy and Shri P. C. Sen, we had the rationing run successfully. . . . (*Interruptions*) When I went to Calcutta a few weeks ago, I found rice being sold openly everywhere and the regulations were, completely thrown to the winds. Rationing was a farce. Then, what happened to procurement ? At the time of Dr. B. C. Roy and Shri P. C. Sen, we had reached a certain target, but during the time of the United Front Government, which talked so loudly that the Congress had failed to procure rice because they were the friends of jotedars and landlords, there was the wonderful figure of even one lakh tonnes not being reached. During the elections, particularly in my constituency, I remember leaflets were distributed on behalf of the Communist Party (Marxists) claiming that there was no deficit in rice production in West Bengal, that it was a man-made deficit, there was enough rice in the godown, and that if the Opposition came to power, they would sell rice at less than a rupee. But within a month of their coming to power, we were told that there was a great deficit, and that the devil was the Central Government because they were not sending enough rice, and the rice had to be procured under PL 480 which was blamed all the while. Therefore, rice could not be sold at one rupee and the price had gone up to Rs. 4.

Then, all the factories, one after another, came to be gheraoed and production came to an absolute zero. According to the figures quoted by Mr. Chakravarti himself, one of the leaders of the Rashtriya Sangram Samiti, there were one lakh unemployed people ; one lakh people had been thrown out of their jobs during the period of gherao. Small Bengali merchants carrying on small workshops were the worst victims because the big people could withstand this onslaught, but the middle class engineers who had built up small workshops in Howrah and other places were comple-

tely paralysed. Most of them closed their shops and they became unemployed.

The economic condition of the Province was reduced to such a state that even the Reserve Bank had to give notice about the impending bankruptcy of this Government, so much so by Ordinance—I may remind the Opposition members that when they criticised the issue of Ordinance, I was one with them and even though I was a member of the Government, I protested against any tax being levied by Ordinance—they had to levy taxes; the economic condition had been brought to such a state that an Ordinance had to be passed levying taxes to the extent of nearly Rs. 6 crores only last month and it was an open secret that the coffers of the Government had become empty due to waste, due to reckless waste and charity being made without thought that the Government will have to be a responsible Government. I remember, the Gracchus Brothers of ancient Rome thought that by giving the mobs grains free, they would rule for ever, but those very mobs who came in their thousands into the City of Rome to get free grains seized upon Gracchus Brothers and they were overwhelmed. The charity at the cost of public exchequer may be temporarily beneficial, but for the permanent objectives that we have in view, they are absolutely disastrous. And the Government of West Bengal found that to their cost. And what is more, law and order had become completely a thing of the past. There was no law and order anywhere. There is open violence incitement to which Members of the Government had openly lent their support. It was a marvellous scene, Sir, to find Members of the Government openly calling hartal, 48 hours hartal and what is more, Mr. Nath Pai may take it from me, Mr. Asok Mukerji and Members of their own PSP, in their hundreds, had to leave Belgharia because many of them had been murdered—murdered not by Congressmen, but by members who were alleged to belong to the Communist Party (Marxist). (*Interruptions*).

SHRI SAMAR GUHA : No certificate from the Congress is necessary. We know how to face them. (*Interruptions*).

MR. SPEAKER : Order, Order.

SHRI A. K. SEN : I am very happy to be assured by Prof. Guha that he can look after these poor people, about 300 of them who are still out of their houses from Belgharia and he knows where their houses are.

SHRI SAMAR GUHA : It is a blatant lie. There are only 10 people affected. (Interruptions)

MR. SPEAKER : Mr. Guha, it is not fair. He must have his say.

SHRI A. K. SEN : 10 or 20 does not matter. Even if 10 people had to leave their houses because political opponents are murdered, that is a great condemnation of the Govt. Take the SSP. Mr Madhu Limaye is the mover of the motion. The Chairman of his party in Bengal, Dr. Bimal Ghosh, an old revolutionary for whom we had all respect had himself told how one of their best workers had been murdered in Asansol. (interruptions)

श्री मधु लिमये : ठीक है आप लोगों को कल्ल किया है :

SHRI A. K. SEN : This was the state of affairs where every political Party who had opposed particular political groups were selected for assault and violence. The appeal was not to the court, or to the Assembly or to the Government but to violence as it is to-day. Let us assume that after Prof. Ghosh enjoys no majority in the Assembly. Let us assume for a moment that at the Assembly meeting on the 29th of this month he will be out-voted. Then, Sir, the appeal should have been, one would have imagined and those who are such votaries of parliamentary democracy, would have imagined, to the House.

श्री मधु लिमये : लेकिन आप भी इन्तज़ार करते 18 दिसम्बर का ।

SHRI A. K. SEN : Now, Sir, what has the Governor done ? He has asked the Assembly to meet on the 29th of November where one would have imagined the Parties would have tested their strength. If the fear is that in the Assembly one would not have the majority, and, therefore, the fight has to be carried to the maidan or to the railway station or to the streets of Calcutta where it will be decided....

SHRI S. M. BANERJEE : It will be.

SHRI A. K. SEN : It will be met with equal determination. Then, Sir, you have heard that it will be carried to the streets. This is the devotion to democracy that Mr. Banerjee wants to pay on the floor of this House, that the appeal will not be on the floor of the house, but on the streets. If that is the ideal of any person who tries to masquerade in the name of democracy, it will not be very long for the people here or outside to realise the strength of that principle.

SHRI S. M. BANERJEE : Why should he not talk about Vishwanath Mukerjee and Amiya Chakravarti who were beaten ?

SHRI A. K. SEN : I do not want anybody to be beaten. I am against any fight to be carried on on the streets and not on the floor of the House.

SHRI S. M. BANERJEE : Is he not ashamed of that ? Yesterday, all these leaders were beaten and beaten to pulp.

SHRI A. K. SEN : Let us meet fairly and squarely on the floor of the House and once in every five years we meet on the election field, and those who are not wanted are wedded out and those who are wanted are sent here.

SHRI N. SREEKANTAN NAIR : We are also wanted.

SHRI A. K. SEN : Of course, he is. He is as much wanted as I am.

Therefore, we believe in that system of democracy which allows free elections, which sends free Members to Parliament, based on a multiparty system and not an one-party system. Our democracy is not an one-party system..

SHRI N. SREEKANTAN NAIR : He has realised it at last, and I am happy about it.

SHRI A. K. SEN : Our democracy is not an one-party democracy. We have many parties, and so when we talk of democracy, we conceded the right of many parties to fight freely and squarely.

SHRI JYOTIRMOY BASU : Let him come for a mid-term poll.

SHRI A. K. SEN : I am not afraid of it.

SHRI JYOTIRMOY BASU : Let him tell his party to have a mid-term poll.

SHRI A. K. SEN : I am not afraid of a mid-term poll. I may be beaten or I may be victorious. I am not afraid of that. Somebody will come here. Nevertheless, whoever will come will determine the fate of the country as the Members of the Assembly will determine the fate of that particular State and not the mob in the streets.

And I may tell those who believe in inciting mobs that one day the mobs will also turn against them as they have done so many times, because a mob has no loyalty and if the rule of law breaks down, then the rule of the mob will swarm not only us but everybody else. Therefore, it is the bounden duty of any government to stand up against the mob. I remember I had quoted the Calcutta High Court on the other occasion. When the mob threatened the Calcutta High Court, Shri S. A. Dange said that they were entitled to gherao the High Court. We disagree with him, because the High Courts and the Supreme Court had given very beneficial labour laws for this country.

SHRI N. SREEKANTAN NAIR : No, it was Parliament which had given those beneficial laws and the Courts had only curtailed them.

SHRI A. K. SEN : When the mob tried to threaten the High Court, the answer of the High Court was this, that if the court failed to rise against the tyranny of the mob as it must against the tyranny of an individual, then it would forfeit the confidence of the public. So, any government elected as it is by free votes will forfeit the confidence reposed in it by the people if it fails to rise against the mob which knows no rule of law.

MR. SPEAKER : There are two more groups which are there in my list. The Independent Parliamentary Group has spoken already. Now, the Progressive Group is there to be called. The Progressive Group has given to me in writing, and 18 of them had signed it and given it to me that they had formed a group, and I have recognised them for purposes of debate

etc; I have recognised them during all these six months actually, and it is not as though I have done it only today. As to whether there is going to be any break in that group or not, I have not heard about it till now at least. Some hon. Member only told me on the floor of the House.

SHRI HUMAYUN KABIR : May I submit one thing ? I am not speaking on the motion.....

MR. SPEAKER : When I am on my legs, he should resume his seat. I do not want anybody to get up and interrupt me when I am speaking.

What I am saying is that till they communicate to me and write to me I have to recognise them; they can write to me today itself ; one or two of them, one or two out of the 18 members can write to me and say that there is no more group and all that, and I have no objection to even....

SHRI HUMAYUN KABIR : I am not speaking, but may I say one thing ?....

MR. SPEAKER : I am on my legs now, and he should resume his seat. I am only saying this that every Member of this House has a right to express his views. If they do not want to be in one group they can write to me today or tomorrow, and from tomorrow I shall not recognise them as a group. But, for the present, I would call upon Shri Humayun Kabir to speak.

SHRI HUMAYUN KABIR : I have already decided to resign my leadership of the Group. I have told you this morning about this. Therefore, if you would allow me to speak as a private Member, I would be very grateful. To speak on behalf of the Group, you may call upon either Shri Chatterjee or Shri Viswanatham.

MR. SPEAKER : That question cannot be discussed here. As too how many are with you and or with them, it is not my business to find out. Kindly finish your speech in five minutes.

Shri Kabir.

SHRI N. C. CHATTERJEE (Burdwan) : He has said that he does not want to speak for the Group.

MR. SPEAKER : I have called Shri Kabir.

SHRI HUMAYUN KABIR : (*Interruptions*).

They are afraid to hear the truth.

MR. SPEAKER : After he finishes, I would request Shri Chatterjee also to speak for the Group.

SHRI N. SREEKANTAN NAIR : Then I should also be given a chance.

SHRI TENNETI VISWANATHAM (Visakhapatnam) : As I wrote to you this morning, Shri Chatterjee will speak on behalf of our Group and so I am withdrawing my name.

MR. SPEAKER : I said that after Shri Kabir speaks, Shri Chatterjee will also be called.

SHRI HUMAYUN KABIR *rose* (*Interruptions*).

MR. SPEAKER : If members are not allowed to speak in this House, that will be the end of democracy. If freedom of speech is not allowed on the floor of the House, I cannot be the Speaker. Anyway, I do not want to be. Shri Kabir has a right to speak and he will speak.

SHRI HUMAYUN KABIR *rose* (*Interruptions*).

SHRI N. SREEKANTAN NAIR : I must also get a chance.

MR. SPEAKER : It is not proper that an elected member of this House is denied the right to say a few words. I will allow him five minutes and then I will allow Shri Chatterjee.

SHRI N. SREEKANTAN NAIR : I must also be called and given five minutes in my individual capacity.

MR. SPEAKER : That is a different matter.

SHRI N. SREEKANTAN NAIR : How ?

MR. SPEAKER : Shri Kabir will get up and speak now.

SHRI N. SREEKANTAN NAIR : You send me out. I do not mind. I will now allow this. You can name me. I protest, I protest, I protest, I protest.

MR. SPEAKER : That means you will not allow anybody you do not like to

speak ? Am I to understand that that is your stand ? Then let us adjourn the House and wind up the show. It is not proper to adopt this attitude (*Interruptions*). Your party leaders have spoken and they have been heard with great respect. It is not as though I called somebody else (*Interruptions*). You will now allow me also to speak ? After all, he is an elected member of this House. It is not as if I have called somebody by the backdoor here. (*Interruptions*).

SHRI N. SREEKANTAN NAIR : I am also an elected member of this. Why don't you give me a chance ?

SHRI NATH PAI : May I make a humble request ? If we go strictly by the rules, though the rules must prevail, you are right in saying that whatever the differences, all members who are called, subject to your discretion, must be heard. I suggest that in view of what has happened in that group, into which you cannot go and we cannot go, Shri Sreekantan Nair may be accommodated later on.

MR. SPEAKER : All right.

SOME HON. MEMBERS *rose*—

MR. SPEAKER : Now you must sit down.

SHRI SAMAR GUHA : A very good suggestion has been made by my friend here. Mr. Kabir should go to that side, and speak from that side.

MR. SPEAKER : Nobody has a right to compel anybody to go to any other party.

SHRI VASUDEVAN NAIR : We would like to know whether he was not hiding in Calcutta yesterday. Will he explain that ?

SHRI JYOTIRMOY BASU : He can speak from the Congress benches.

MR. SPEAKER : It is not proper I have agreed to give five minutes to Mr. Sreekantan Nair. You can not say which member should join which party.

SHRI S. M. BANERJEE : Let him shift to the Congress benches.

SHRI BAL RAJ MADHOK : Let the leader of the group speak first. If you give time to anybody else, let him come later on.

SOME HON. MEMBERS *rose*—

MR. SPEAKER : Will you kindly sit down, all of you.

SHRI P. R. THAKUR (Nabadwip) : Mr. Chatterjee wants to speak on behalf of our group. (*Interruptions*).

MR. SPEAKER : Shall we proceed, or you do not want to proceed ? After all, we have differences, in every party also we have differences. I know he does not belong to any party. I am appealing to Mr. Dange. After all, every party has differences. Till this minute he was the leader of the progressive group. Now they do not want him. All right. Everybody is satisfied now. We have gone on till now for six months well. After all, if freedom of speech is not given even on the floor of the House what to talk of public places ?

In this House, all of us are elected Members. Please sit down.

SEVERAL HON. MEMBERS *rose*—

MR. SPEAKER : Order, order. Please sit down. This will not do.

SHRI S. A. DANGE (Bombay Central South) : I request that he should not be given the Opposition time but the time allotted to the Congress; he can share that time.

MR. SPEAKER : All right; I agree with you. Now, Shri Kabir. Five minutes.

AN HON. MEMBER : Don't take our time.

MR. SPEAKER : Will he kindly sit down? His leader's suggestion, I have accepted. Now also, he is not satisfied. Order, order.

SHRI HUMAYUN KABIR : Mr. Speaker Sir, it is with some sadness that I rise—

SEVERAL HON. MEMBERS *rose*—

MR. SPEAKER : Please sit down. May I request you all to sit down?

डा० सुर्य प्रकाश पुरी (नवादा) : अध्यक्ष महोदय, मैं यह जानना चाहता हूँ कि कृपलानी जी जो किसी पार्टी से एटैच नहीं हैं, क्या इनको आप कांग्रेस का समय देते हैं ?

MR. SPEAKER : Will he kindly sit down If everybody wants to do this, it will never end. Then this side also will begin. I do

not know, Now, Shri Kabir. Five minutes.

SHRI HUMAYUN KABIR : Mr. Speaker Sir, I am not surprised that my hon. friends should try to throttle me in this House; that could only indicate that they do not want to hear the unpleasant truth. I am not accustomed to the language in which some hon. Members are indulging. I think it is only a sign of their own culture that instead of entering into parliamentary debate, they have resorted to all kinds of vile accusations.

Let us face the problem this way: I will define my attitude towards the Congress and towards the United Front Government in three phases. From August last year till March this year, when I was fighting the Congress, many of my friends who are shouting today came to me for help and some of them cannot deny it in this House because I supported them. I am sorry I have to say this, but you ask Dr. Ranen Sen if he would have been returned to Parliament if I did not give my whole-hearted support to him. (*Interruption*). I am very sorry I have to say this personal thing, but the fact is that the Congress in West Bengal passed an official resolution holding me responsible as one of the major factors for the defeat of the Congress in West Bengal. It is their official resolution. Therefore, I fought. (*Interruption*). I am accustomed to these interruption by Mr. Banerjee who may look after himself. I have come with an absolute majority in my electorate, which very few Members in this House can say. (*Interruption*). My majority over may Congress rival was more than almost twice the number of votes which many of my hon. friends who are shouting today actually received. I have, therefore, the support of my people, the suffrage of my people. (*Interruption*)

As I said, it was my object to defeat the Congress and I said so when none of them had the courage to declare before the elections that the Congress would be defeated and an alternative government could be formed. At that time; I gave the call and they cannot deny it. And even after the election, if they are at all true to themselves, they will remember that it mainly was through my efforts that the United Front was formed (*Interruption*) and no amount

of this shorting can take away the facts. On the 24th February, when I spoke to Mr. Jyoti Basu and Mr. Somnath Lahiri, they did not have any idea that an alternative government could be formed in West Bengal. I pointed out to them that the two fronts, the U.L.F. and the PULF,—together with a membership of 127 which was equal to the membership of the Congress—with some independents could form a government, and the government was formed.

On the 1st March, when there was a mammoth gathering in Calcutta, before that mammoth gathering, I congratulated the government and also held out a word of warning. I said at the meeting of 1st March that we have tried to get rid of the Congress government because of the misrule of many years and that this new government was also on trial, and if this new government failed to perform its duty by the people, they cannot continue, and I appealed to them and they cheered me. I said it on the 1st March before half a million people in Calcutta and they said that this is the right approach: that they would judge every government by its activities, by its actions, by its performance and not on the promises alone.

In the elections we had given three major promises—to fight corruption, to supply food and to increase employment. I am very sorry to say with regret, I was a partner of that Government till the 1st October. Up to the 1st October, I did my very best to see that this Government flourished. But it failed again and again. The first failure was over the gherao. In May I told the then Chief Minister, "This is unlawful; you are harming the cause of labour."

AN HON. MEMBER : What right you have to speak for labour ?

SHRI HUMAYUN KABIR : I have a right to make my submission. The Chief Minister agreed with me in Patna in the presence of many friends, but unfortunately, he went back on his word.

Secondly, at the time of the formation of the UF Government, I had insisted that there shall be a scheduled caste minister. (*Interruption*). But Mr. Ajoy Mukherjee again and again said that because of the opposition of the left communist party, a scheduled caste minister could not be appoint-

ted. He even told me that if he appointed a scheduled caste minister, the ministry would break up.....(*Interruptions*)

MR. SPEAKER : Please conclude now. (*Interruptions*).

श्री कंबर लाल गुप्ता (दिल्ली सदर) : अध्यक्ष महोदय, मेरी पार्टी कबीर साहब के रोल को अच्छा नहीं समझती, इन्होंने कन्द्री के काज को डेमेज किया है, लेकिन इस के बाद भी वह इस सदन के सदस्य हैं। मैं आपसे कहूंगा कि आपको इन्हें बोलने की इजाजत देनी चाहिये। मैं यह समझता हूँ कि इनका रोल अभी तक एक लीगर की हैशियत से रहा है, जिससे देश को नुकसान हुआ है, लेकिन उसके वावजूद भी जनसंघ का सदस्य होने के नाते मैं यह समझता हूँ कि इनको बोलने का राइट होना चाहिये और आपको इन्हें बोलने देना चाहिये।

MR. SPEAKER : All of them, including Mr. Dange, have agreed to that.

SHRI HUMAYUN KABIR : My first disappointment was when I found that on the question of gheraos, Government was not prepared to take the action which in my opinion was in the national interest. Mr. Ajoy Mukherjee himself admitted that as a result of that, about 1.25 lakh people had been rendered unemployed and Rs. 350 crores of new capital were not invested in Bengal, An investment of Rs. 350 crores would have meant employment for at least another 35,000 people. (*Interruptions*) These gentlemen are of that type. If they cannot argue and meet my points, abuse is no reply to my arguments. As I said, Rs. 350 crores of new capital could not be invested. That should have meant employment for another 35,000 people. So that, 1,60,000 workers have become unemployed or lost potential employment because of this wrong policy. That meant, if there are five members in a family, almost a million people. (*Interruptions*).

Finally, I lost all hope in the Ministry when on the 1st of October Shri Ajoy Mukherjee himself told me that he had found some of his colleagues conspiring against the interests of the country.....(*Interruptions*). He went further. Not content

[Shri Humayun Kabir]

with saying that, he said that he had approached, without the knowledge of anyone of us, the Central Government and a number of State Governments to get special police and the military and the military were posted in Calcutta on the 1st of October. It is a known fact. On the 2nd of October he turned a somersault. After he turned a somersault, it was on the 5th October, for the first time, I talked with the Congress on the question of toppling this Ministry (interruptions) I did all this openly, not surreptitiously. I do not agree with my hon. friend, Shri Madhu Limaye, that the interests of the country are subordinate to the interests of any party or any combination of parties. This is what I declared. I further said that whatever I shall do, I shall do in the open. It was on the 19th of October that I put one single question to Shri Ajoy Mukherjee (interruptions) Shri Bose is very sensitive. He knows that if there is a mid-term election he cannot successfully go through it (interruptions). As I said, on the 19th of October I issued a statement. I asked a question of Shri Ajoy Mukherjee: if you had taken all these steps, bringing the military, bringing the police and all that without evidence against your colleagues, you were guilty of disloyalty to your colleagues, if, on the other hand, you had taken these measures after fully satisfying yourself that the security of the country was in danger and there was an attempt (interruptions). I am not yielding. I told him that if after that you are still prepared to sit with your colleagues, you are disloyal to the country. I said that in my judgment—I may be right or wrong; Shri Madhu Limaye may say that this United Front Government should continue—I came to the judgment after considering everything that the continuation of that Ministry was a menace to democracy and peace and, from that day, I have worked against it (interruptions) My friends say that I should join the Congress. The Congress will be glad to have me (interruptions). But, as I said, I take it as my major task to try to build up an alternative democratic party in this country, and God willing, I shall do it (interruptions).

MR. SPEAKER : He should conclude now.

SHRI HUMAYUN KABIR : Here I would like to pay a tribute to Shri Charan Singh, the Chief Minister of Uttar Pradesh. When I had a discussion with him. Shri Mahamaya Prasad was also there. Shri Mahamaya Prasad said: if the Bengal Ministry goes, we shall be affected. But it must be said to the credit of Shri Charan Singh that he said: it does not matter what happens to me; the country's interest is paramount, if the Bengal Ministry must go, let it go (interruptions)

MR. SPEAKER : I would request all of you to sit down. It is already 6 O'clock. The Swatantra Party now has 28 minutes to its credit. The Jan Sangh has also some time at its disposal.

श्री मधु लिमये : मेरे दल को बिलकुल समय नहीं दिया। मुझे तो प्रस्तावक के नाते समय मिला है। और यह हमेशा होता है।

MR. SPEAKER : I am only explaining the position. One or two Congress Members also I will have to call. Shri Chatterjee must also be called, So, I call Shri Chatterjee.

SHRI SAMAR GUHA : Sir, we must be given some time.

SHRI SURENDRANATH DWIVEDY : How long do you propose to sit ?

MR. SPEAKER : Let us see, because, tomorrow is non-official day. Now, let Shri Chatterjee speak.

SHRI N. C. CHATTERJEE (Burdwan): Sir, with a plethora of speeches and counter-speeches, shouts and counter-shouts the real issue is being obscured. The real issue is: Has there been a fraud practised on the constitution of India ? I am definitely of the view that the Governor of West Bengal has committed an outrage on the Constitution. He had absolutely no power to dismiss the Council of Ministers without reference to a vote in the Legislative Assembly.

Sir, time has now come when the Home Minister and the Government of India should start a coaching class for training Governors and giving them the minimum education in the principles of parliamentary

democracy. These Governors think that they are the relics of the old past. That is not true. Governors in the British time....
(*Interruption*). I am putting forward a purely constitutional issue.....

(*Interruption*)

SHRI P. VENKATASUBBAIAH (Nandyal) : We protest that a respected Member like Shri Humayun Kabir was not allowed to speak..... (Interruption)

SHRI SHEO NARAIN : we will pay back in the same coin.....(*Interruption*)

MR. SPEAKER : Two mistakes cannot make one right. If disturbing Shri Humayun Kabir was wrong, how is it better ?

SHRI N. C. CHATTERJEE : I am casting no reflection on anybody.

SHRI HANUMANTHAIYA : Sir, in supporting your observation, I say that everyone of us should listen patiently to what is said by a Member. As my hon. friend from the Jana Sangh said, even if some speech is not to our liking, it must be heard. The Congress Party has come to a stage that we have exercised too much self-control and our self-control is being abused. When an hon. Member is not allowed to speak, a time has come when we have also to exercise our right and we will do so.

MR. SPEAKER : Will you kindly just place yourself in the unfortunate position of the Speaker who is sitting in the Chair and had permitted him to speak ? With what difficulty and with what great persuasion I had been able to have Shri Humayun Kabir exercise his right to speak.....
(*Interruption*). If not for the Opposition, have some sympathy for the Chair which is conducting this business in such great trouble..... (*Interruption*)

SHRI SHEO NARAIN : They did not hear Shri Humayun Kabir.....
(*Interruption*)

MR. SPEAKER : What would you like me to do ? I thought, Shri Hanumanthaiya was the Deputy Leader of the Congress Party. If Shri Sheo Narain has been elected the Deputy Leader, he also can speak for the party. Shri Hanumanthaiya made a representation on behalf of all of you.

SHRI MANUBHAI PATEL : We want to hear him. We could not hear Shri Humayun Kabir. He should be given chance tomorrow so that we can hear him.

MR. SPEAKER : I thought, Shri Hanumanthaiya was the Deputy Leader of the Congress Party, to the extent I know it from the newspapers. I am not a Congressman and I do not attend their meetings; so, I do not know except from the papers. He was reflecting the opinion in the Congress Party. He did point out that freedom of speech must be given in the House and nobody can be prevented from doing so. I myself pointed out to hon. friends that every Member elected to this House has a right to express his views, whether we like them or not. Shri Humayun Kabir, of course, with great strain and difficulty, did express his views and explained why he changed..... (*Interruption*) Do you want the House not to continue to discuss anything or you do not want to hear Mr. N. C. Chatterjee ? What is your view ? (*Interruptions*)

18 Hrs.

SHRI SHEO NARAIN : We must hear Mr. Humayun Kabir. If we are not able to hear him, then we do not want to hear Mr. Chatterjee.

MR. SPEAKER : If this is the thing, I will have to adjourn the House. But I must give time to these parties and I will have the whole of tomorrow and give the time to the parties as announced by me. I am not going to be partial in this matter. If you do not allow Mr. Chatterjee to speak then I will have to adjourn the House.

SHRI SHEO NARAIN : We must hear Mr. Humayun Kabir also.....
(*Interruptions*)

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH) : Every Member must have full freedom to speak. Nobody from this side will object to that.

SHRI A. K. SEN : I entirely agree that Mr. Chatterjee should have a very patient hearing. But this should be remembered when we are being disturbed.

SHRI P. R. THAKUR : He will speak tomorrow.

MR. SPEAKER : You cannot dictate like that. Will you kindly sit down ?

SHRI J. B. KRIPALANI : Some people did not allow Mr. Humayun Kabir to speak. That was wrong. But it was not Mr. Chatterjee's fault that he is not allowed to speak. You are punishing somebody else for the fault of others.

SHRI MANUBHAI PATEL : You tell those people (*Interruptions*).

श्री शिव नारायण : उन लोगों ने हुमायूँ कबिर को नहीं सुना, यह उपदेश उनको दीजिये ।

MR. SPEAKER : This is becoming too much. After all, I do not want to quarrel with any section of the House. If I adjourn the House, the work will suffer and the whole country will suffer.

SHRI N. C. CHATTERJEE : May I continue now ?

MR. SPEAKER : Before you begin, I may point out that your Group gets only 21 minutes, for all of you. Ten minutes have been taken already and so only 10 minutes are there.

SHRI N. C. CHATTERJEE : I will not take much time.

All that I was pointing out was that we should not be labouring under the impression that we are still under the foreign domination or under the Constitution imposed by the British Parliament upon us. In those days, a bureaucratic Governor was really acting in the interest of British imperialism and, therefore, he was given discretionary powers. Mr. Sapru, a distinguished jurist and also an ex-Judge of the Allahabad High Court, has made the position very clear. Every one of us should remember that we have taken an oath pledging ourselves to uphold the Constitution, both Members of Parliament and Members of State Legislatures. We have deliberately departed from the old Government of India Act of 1935 and taken away those powers which the stooges of the British imperialists saddled Governor's with. I may

tell Mr. Chavan that it is absolutely incorrect that the Governor has discretionary powers to dismiss a Ministry when he thinks, in his judgment, that it has lost a majority or it cannot get a majority. That is absolutely wrong. He has got no such powers. The Constitution is clear and that should be made clear to every Governor. If he does not follow that, if he does not remember that, he should be censured and impeached. Article 164(2) clearly says this :

"The Council of Ministers shall be collectively responsible to the Legislative Assembly of the State."

That excludes, in my humble opinions, the responsibility to the Governor, responsibility to any other functionary, responsibility to any other authority which is functioning in Government of India. They are responsible only to one and that is, the Legislative Assembly of the State : they are the sole repository of the democratic will of the people of the State; they are the only people to decide as to who should be there. A lot of fuss is being made now that the man may not have a complete majority. We know that minority Ministries also function. In Kerala it functioned; in Great Britain it functioned. Why is this wonderful proposition put forward, that, unless you can demonstrate at every minute of your time, every minute of your tenure, that you have got a clear majority, you must go. That is not so according to our constitution. I remember, when I was a student in England a minority Government was functioning; England was in difficulty and they said that the minority Government could function because there was no other alternative stable Government possible; deliberately consciously, the Members of Parliament, voted that, although the Ministers might not have the majority, they might continue. Now who is to judge whether there is majority or not ? Who is to decide that they have forfeited the support of the majority ? It is a preposterous proposition, absolutely unwarranted by the mandatory provisions of the Constitution, that a Governor sitting in the Government House, would listen to stories, hearsays, reports and all sorts of rigmarole and that the Government House corridors will be converted into a

Lobby of Parliament where, the Governor sitting, the diverse Members of Parliament will decide that this Council of Minister has lost its support. That will be arrogating to itself.....

SHRI C. C. DESAI : He is referring to Members of Parliament. I have a very strong objection.....(Interruptions)

SHRI N. C. CHATTERJEE : I mean Members of Legislature. They all understand it. He is a bureaucrat, he is a diehard bureaucrat that is the whole trouble.

Now look at Article 163(2). It states specifically :

"If any question arises whether any matter is or is not a matter as respects which the Governor is by or under this Constitution required to act in his discretion, the decision of the Governor in his discretion shall be final....."

It is 'final' only when the Constitution specifically provides in a particular Article that in respect of a matter the Governor is required to act in his individual discretion, and is provided only in two or three places. For example, in Article 239(2), it is clearly stated. I will just read that for information. It clearly shows that there is a departure made from the British-imposed Constitution. Article 239(2) says :

"Notwithstanding anything contained in Part VI, the President may appoint the Governor of a State as the administrator of an adjoining Union territory, and where a Governor is so appointed, he shall exercise his functions as such administrator independently of his Council of Ministers."

Only in such cases, he has got his individual discretion. Where else is this individual discretion pointed out ? It is also there in the Sixth Schedule, Paragraph 9 and 18. There is a clear provision with regard to the tribal areas in Assam that the Governor has got the power to act independently of the Council of Ministers.

Where is the provision in the Constitution by which a Governor shall act independently of the Council of Ministers in deciding when the Chief Minister has forfeited the support of the majority and when he should summon the legislature. I cannot

understand. Would heavens have fallen if, instead of on the 29th November, the Assembly is convened on 18th December ? Be fair to Ajoy Mukherjee, be fair to the Council of Ministers.

SHRIMATI SUCHETA KRIPALANI : Why not earlier ?

SHRI N. C. CHATTERJEE : These people never shirked the responsibility. I would say that it is absolutely wrong for the Governor to arrogate to himself the powers to dictate to the Chief Minister 'You shall call the Assembly on such and such date.' The first thing the constitutional lawyers know is : you cannot do indirectly what you cannot do directly. Our Constitution has not given the power to the Governor to decide and to compel the summoning of the legislature on a particular date. Only one clause is there. Our Constitution only says this that there shall not be a hiatus of more than six months between one session and another. Apart from that there is no other difficulty.

I want to read out to you one paragraph from the work of Mr. Justice Basu. He is a Judge of the Calcutta High Court and eminent author of Commentary on the Constitution of India. There (Vol. 3, page 243) he says :

"Discretionary functions of Governor :

1. The functions which are specially required by the Constitution to be exercised by the Governor in his discretion are —

(a) Paras, 9 and 18 of the 6th Schedule provide that until a notification is issued under those paragraphs, the governor of Assam shall carry on the administration of a tribal area specified in Part B, as the agent's of the President, and acting in his discretion....."

Only there he can act, Sir, independent of the Council of Ministers. Then,

"(b) Article 239(2) authorises the President to appoint the Governor of a State as an Administrator of an adjoining Union Territory and provides that where a Governor is so appointed he shall exercise his functions as such Administrator independently of his Council of Ministers."

[Shri N. C. Chatterjee]

Sir, I ought to tell you.....

SHRI K. N. PANDEY (Padrauna): Where was he when the Calcutta High Court was gheraoed? He should speak something about it.

SHRI N. C. CHATTERJEE: I have all along opposed this kind of gherao.

I ought to tell you this. The Advocate General of Maharashtra, a very eminent lawyer, a very eminent jurist, Mr. Seervai, has published recently a book—"Treatise on Constitution" in which he has taken the same view and he has pointed out and, I submit, very rightly pointed out that the Constitution of India as has been interpreted by the Supreme Court. We are saying, Mr Asoke Sen is saying and I am also saying that what has happened.... (Interruptions)

May I finish, Sir? (Interruptions)

The relevant provisions of the Constitution have been interpreted by the Supreme Court in a unanimous judgment. Mr Justice B. K. Mukherjee, the then Chief Justice of the Supreme Court, has made this position perfectly clear. He has laid down categorically that the Governor of a State is nothing but a constitutional head. Therefore, he cannot arrogate any other powers in his own discretion. May I read out only one passage. He has said that the Governor has got a Council of Ministers. He has got to function like the head of the British executive. He says in his judgment:

"But it is virtually the Council of Ministers in each State that carries on the executive Government of the State. In the Indian Constitution we have the same system of Parliamentary executive as in England and the Council of Ministers consisting as it does of the"

Let me point out that the Chief Justice of India in interpreting the Constitution laid down the law that it is purely like the British pattern, the British executive. No king, no Queen in England, you know, can order that the Parliament must be summoned on a particular date, nor can arrogate

to himself or herself the power to dismiss the Cabinet because the Prime Minister does not do so or says 'I will do it latter. King Charles I tried it but he lost his head. Any King or Queen who tries to do it will meet the same fate. But our Governors are more powerful. Then he says:

"The Council of Ministers consisting as it does of the Members of the Legislature is, like the British Cabinet—a hyphen which joins a buckle which fastens the legislative part of the State to the executive part. The Cabinet enjoying, as it does, a majority in the legislature concentrates in itself the virtual control of both legislature and executive functions; and as the Ministers constituting the Cabinet are presumably agreed on fundamentals and act on the principle of collective responsibility, the most important questions of policy are all formulated by them"—the Cabinet and nobody else.

SHRI MANUBHAI PATEL: What about the United Front Government and the Constitution?

SHRI N. C. CHATTERJEE: My point is this. There has been an outrage committed on the Constitution, and the Central Government is really a party to this kind of fraud which ought not to have been practised. That is a clear violation of the provisions of the Constitution. Under article 141, you know that whatever is the judgment of the Supreme Court interpreting a particular article of the Constitution shall be binding on all of us.....

AN HON. MEMBER: Binding on all the courts.

SHRI N. C. CHATTERJEE: Our Constitution is founded on the principle of the dominance of the rule of law. The Supreme Court has interpreted it clearly and unequivocally and has pointed out that there is no individual discretion and no individual power. The position is the same as in the British Parliament and of the British executive. In England as you know, the sovereign has no such power as the Governors here are trying to arrogate to themselves, and the sooner it is suppressed and discouraged, the better it will be for us, and that should be perfectly made

clear to all and they should never try anywhere to play havoc with the parliamentary form of government because that would mean imperilling democracy for ever.

SHRI P. R. THAKUR : The Governor should be impeached.

MR. SPEAKER : I would like to know the consensus in the House, whether the House is prepared to sit for another two hours.

SOME HON. MEMBERS : No.

MR. SPEAKER : Then, we shall have this debate continued tomorrow. But, unfortunately, tomorrow we are having non-official business also; otherwise, we could have it continued tomorrow.

SHRI NAMBIAR : We can have the whole day, and we can suspend Private Members' Business.

MR. SPEAKER : If the House wants, I think that it can suspend non-official work. That is what I feel; I do not know. If Members agree only it can be done. . . .

SHRI SURENDRANATH DWIVEDY : No, that will be a very bad precedent; we cannot suspend non-official business.

MR. SPEAKER : In that case, we shall adjourn now and meet tomorrow at 11 a.m. 18.19 Hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Friday, November 24, 1967/ Agrahayana 3, 1889 (Saka).